

CONNECTICUT RIVER GATEWAY COMMISSION

REGULAR MEETING MINUTES

March 26, 2015

Present/Absent: [Excused absence (E); Unexcused absence (U)]

Chester: *Margaret (Peggy) Wilson (E), Martha Wallace(E)*
Deep River: *Nancy Fischbach(E), Sam Shaw*
East Haddam: *Harvey Thomas (E), Emmett Lyman (E)*
Essex: **Claire Matthews, Jerri MacMillian(E)**
Fenwick: *Ethel Davies, Borough Warden (E)*
Haddam: **Susan Bement, Derek Turner**
Lyme: **J. Melvin Woody, Emily Bjornberg (Departed at 8:30p)**
Old Lyme: **Peter Cable, Suzanne Thompson**
Old Saybrook: **Madge Fish, Belinda Ahern (E)**
Regional Rep: **Raul Debrigard**
DEEP: *David Blatt (E)*
Staff: J. H. Torrance Downes
Guests: Attorney Ed Cassella, Chubb and Marsha Wilcox, Architect for the Wilcoxes

Call to Order

Chairman **Woody** called the regular meeting of the Connecticut River Gateway Commission to order at RiverCOG offices located at 145 Dennison Road, Essex at 7:34pm.

Approval of 2/26/15 Regular Meeting Minutes

Upon a motion by **Cable**, seconded by **Thompson**, the 2/26/15 minutes were approved unanimously as corrected.

Members agreed to revise the agenda to allow the Appellants for two variances on property located at 10 River's Ridge Road in Old Saybrook to present.

Variance Referral

Present for the Appellants were Attorney Ed Cassella and Architect Victor J. Barr. Downes presented aerial photos of the site for the orientation of the Commission, including several aerial photos taken by a "drone". Cassella explained that the proposed residential structure was to be built on top of the foundation of the existing structure built on the site in 1997. Elevations on site are rise from the marsh to about 20 feet at the top of the embankment at the edge of the lawn. The existing and proposed dwellings will be located landward of the 100 foot setback and riparian buffer setbacks with areas of expansion being located on the landward side in a conforming location. The proposal includes an at-grade patio with a modest size pool, the waterward edge of which extends 11 feet into the 100 foot setbacks. A minimal "reveal" (18 inch) will exist on the landward side of the at grade patio. Barr explained that the height of the proposed structure will be less than what exists at present (1 story vs. 2 story), and the width presented to the river will be less as the existing garage, located on the easterly edge of the structure will be moved to the northerly side of the proposed structure and essentially out of view from the river. Members of the Commission noted that there are six mature trees on site in the lawn area between the embankment leading to the marsh and the house. The Appellants indicated that they don't intend to remove those trees. **Bjornberg** asked about the current and proposed driveway location, which Cassella and Barr explained. **Thompson** comments that the entire visible bulk of the development will be lessened. Barr explained the proposed blue metal roof and passed around a sample showing the actual color. Barr explained that the purpose of the blue roof is to blend in with the sky. The blue is darker, he said, than the color of the existing roof. Barr indicated that they would have used a lighter color except that the GW standards cite the desire for darker materials. **Thompson** noted that the blue color hasn't been "popular" in the

lower CT River valley.

Motion by **Cable**, seconded by **Debrigard** to not oppose the granting of the variances. Downes requested that a condition be applied that requests the ZBA to require the retention of the mature trees. **Cable** amended his motion as such. Members voted unanimously to approve the motion to not oppose the granting of the variances with the condition that trees not be removed. **Fish** abstained from voting.

Treasurer's Report

In the absence of **Wilson**, Downes presented a check from the Middlesex Land Trust in the amount of \$2,731 to reimburse the Commission for the unused funds forwarded to the Trust for the closing of the Sogge purchase in February. Also presented was a staffing check in the amount of \$1,212.26. On a motion by **Bement**, seconded by **Bjornberg**, the bill was moved to be paid. **Debrigard**, seconded by **Thompson**, moved to accept the Treasurer's Report. Both votes were approved unanimously. Motion to accept the \$2,731 check from the MxLT was made by **Cable**, seconded by **Debrigard** and approved unanimously.

Correspondence and Staff Report

1. Goodspeed Airport Scenic Easement Update. Downes reported that the final decision regarding acceptance of the Goodspeed Scenic Easement by the State of CT hadn't been made as of yet.
2. HB5686, Prohibition of Land Swaps for Conserved Land where Land to Be Received isn't of Greater Ecological Value (proposed language attached). Testimony sent via email as instructed indicating *strong* support. **STATUS: Public Hearing held on February 27, 2015**. **Woody** indicated that he sent an email to local reps and senators RE the swap and funding for state parks. Bill language was provided. **Woody** also reported that this week (the week of 3/31/15) is the time for communications on pending bills.
3. CLCC Conference, Saturday, March 21st. Conference was held on Saturday with **Woody** and **Debrigard** in attendance. The GW "table" was in a very visible location this year. Downes indicated that a placard announcing the acquisition of the Brainerd Quarry Preserve was displayed on the GW table.
4. Alicea Charamut, CT River Watershed Council River Steward for the lower river. Newly hired Charamut will attend GW's April meeting to introduce herself. **CRWC has a "Welcome Your New River Steward" Reception on Thursday, April 2nd from 4p to 6p in Durham, CT**.
5. Connecticut Yankee Tree Harvesting. The contractor who will be conducting the tree work at CY will be holding a site walk on Saturday, April 11th at 9am. The site walk is being held for the Haddam Inland Wetlands Commission but is open to others, including the GW Commission. Haddam First Selectman Missy Schlagg specifically invited members of GW to join them.
6. Salmon River Watershed Annual Newsletter. "This Classroom Doesn't Have Walls"
7. CY Navigation Boom, Meeting in Hartford. Downes updated the Commission on the scheduled meeting with DEEP Commissioner Klee and indicated that reports would be forthcoming. **Bjornberg** requested that any updates be forwarded to the Commission. Klee, Andrew Fisk (CRWC), Margaret Miner (Rivers Alliance). **Bjornberg** presented her thoughts on the position in which Brantley Burger (CY) finds himself RE insuring the safety of the site. **Debrigard** indicated that if members don't visit the site on April 11th (site walk), it's unlikely members will get on the site without special permission. **Woody** reiterated that Gateway's concern is the "orange-ness" of the boom.

Committee Reports

a. Land.

Receipt of MxLT check previously discussed under Treasurer's Report. The placard language developed by **Woody** and finalized by David Brown will be used for the BQP press release. **Debrigard** spoke about land/easement acquisition opportunities presented in materials he provided and were copied and provided to members. Properties referred to by **Debrigard** are near the intersection of Rock Landing Road, Quarry Road and Injun Hollow Road. Two are, or will likely be, for sale while the third is owned by Jim McHutchison, who has indicated that he is willing to provide a conservation easement on his if the other two can be preserved. **Woody** suggested that the Land Committee should take up the issue of the future acquisition. **Debrigard** indicated that he forwarded the materials to **Fischbach** for the purpose of seeking funding opportunities, with such funding paying for acquisition costs such as surveys, appraisals, etc.

b. Outreach/Community Relations.

Downes reported that **Cable, Thompson** and he presented to the Old Lyme Zoning Commission earlier in March. The standards will be presented to the Lyme P&Z Commission on Monday, April 13th (7:30p) and to the Essex Zoning Commission on Monday, April 20th (7pm). **Cable** discussed a concern raised by Jane Marsh and the Old Lyme Zoning Commission. Current standards allow a local Commission to exempt a property owner from the Gateway Special Exception review process if intervening topography was blocking the view of the project. Proposed standards go further to allow exemption if the structure itself (in the case of an addition on the side *opposite* the river) or structures on other nearby properties block the view. The proposed language appears to remove the ability for the local Commission to exempt a property owner in those cases. Marsh indicated that the ZC had successfully employed that exemption process and is concerned that it no longer exists. Downes reported that Marsh and others were assured that that was not the intent of the new standards and that language would be replaced to retain that exemption ability. Summarizing, the intent is to require Special Permits on the river or one lot removed, to allow for *either* the Site Plan review or the Special Exception review outside of that area, and for exempting review when a project is unseen. **Thompson** commented that the Zoning Chair Jane Cable has suggested the inclusion of engineers and architects for workshops and possibly the boat trip. Downes reported that Jane Cable asked how many applicants come to review an application prior to making application, which he estimated to be about three quarters of the applicants. This is accomplished because all of the local ZEOs and Planners know to tell potential applicants to call Downes for pre-application discussions. **Thompson** suggested that Gateway should be responsive to all of the suggestions made regarding the proposed standards.

The Gateway boat trip was then discussed with Downes reporting that the trip could be commenced in Old Saybrook or Essex (for an added cost). From Saybrook, one-way, the cost was reported to be \$1,500 with the cost from the CT River Museum being \$1,400. The issue of how to get guests back to their cars in the event of a one-way trip will have to be worked out. **Fish** indicated that there are buses that can be secured. Downes reported that Klee won't be able to attend the boat trip on the 4th, and Representative Courtney may not be able to be along. The question was asked, should the trip be held on the 4th or move it to the 18th. Members chose to leave the trip scheduled for Thursday, June 4th. Downes reported that he's gotten confirmations from Phil Miller, Art Linares, Devin Carney and Melissa Ziobran. **Thompson** suggested that Representative Formica of East Lyme be invited as well.

Old Business.

None.

New Business.

Debrigard noted that CT had gotten an award for transparency in government. He noted that one can go online and see what municipalities spend. He asked, does Gateway report their expenses to the State of Connecticut, in that it is "part of" the State. **Debrigard** also mentioned that solar panels are becoming cheaper and cheaper so that the major cost is the permitting process. A proposed bill, he reported, is to streamline that process. Gateway is interested in such solar panels because of their potential visual impact.

Adjournment

Upon motion by **Bement**, seconded by **Thompson**, and passed unanimously, the meeting adjourned at 8:40 pm.