

CONNECTICUT RIVER GATEWAY COMMISSION

REGULAR MEETING MINUTES

May 23, 2013

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

Chester:	Margaret (Peggy) Wilson, Martha Wallace
Deep River:	Nancy Fischbach, Amy Petrone (E)
East Haddam:	Harvey Thomas (arr. 7:37p), Emmett Lyman (E)
Essex:	<i>Claire Matthews (E), Wally Schieferdecker</i>
Fenwick:	<i>Ethel Davies, Borough Warden (E)</i>
Haddam:	Susan Bement, Derek Turner
Lyme:	J. Melvin Woody, Lisa Niccolai
Old Lyme:	Peter Cable, Suzanne Thompson (E)
Old Saybrook:	Madge Fish, Belinda Ahern
Former MRPA:	Raul Debrigard, Stasia DeMichele (E)
Former CRERPA:	Two vacancies
DEEP:	David Blatt
Staff:	J. H. Torrance Downes
Guests:	Tom Metcalf, PE, for Chester Point Marina.

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 7:31p.

Approval of 4/25/13 Regular Meeting Minutes

Upon a motion by **Bement**, seconded by **Debrigard**, the minutes were approved unanimously (**Fischbach** abstained).

Correspondence/Staff Report

1. East Haddam, Klar Property. DEEP Analyst Allyson Clarke previously sent language she referred to as a “reversionary clause” used in a recent donation in Chester. Melvin Woody, upon review, indicated he didn’t think that the suggested language was a reversion clause as he understood them to be. The language is:

"THE GRANTEE by acceptance of this deed, hereby covenants and agrees that said Premises shall be preserved and managed in perpetuity as forest or open space with public access permitted for passive recreation only including, but not limited to, hiking, fishing and hunting. These covenants and agreements shall run with the land hereby conveyed and be binding upon the said Grantee and its successor and/or assigns."

The reversionary clause was included in “The Feldmann Donation” Warranty Deed. The 39.84 acre property was donated by Shirley Feldmann, having frontage on Route 148, and was added to Cockaponsett State Forest). It was suggested that if Gateway has language it would like to have considered instead of that above, the Commission should provide that for review.

Discussion: GW needs a reversion clause that either has the property revert to a third party (East Haddam Land Trust) or back to Gateway themselves. Another possibility is a third party easement to, perhaps, the EHLT. The protection isn’t to protect against DEEP, but protection against a legislative special act. If a third party like the EHLT is involved, their interest should be sought first.

2. Garthwaite Donation, Chester. Surveyor Don Carlson of Deep River has all “prep” work prepared for survey and plans to get to the field work within the next two weeks.

3. Ferry Rate Hike. Legislators including Melissa Ziobron, Marilyn Guilliano and Art Linares have “joined the fight” against the rate hike for the Chester-Hadlyme Ferry. The proposal would see fares increase to \$6 from \$3 for vehicles, \$2 from \$1 for walk-ons. The cost of a discount coupon book for commuters would increase to \$80 from \$40. *The RiverCOG passed a resolution on May 22, 2013 requesting that the fare hike be reconsidered and lowered substantially, if it’s absolutely necessary.*
4. Land Trust Alliance. Request to renew membership. Dues for 2013 are \$800 (based upon operating expenses of between \$50K and \$70K). Financial records for the last fiscal year indicate that operating expenses were \$46,684. As such, dues should be \$575. A check for \$575 with an explanation that operating expenses for fiscal year 2011/2012 dipped below \$50,000 will likely suffice.
5. Brewers Deep River Marina. Suzanne Haig continues to update Downes on the status of the marina and the effort to meet with them and have them carry through with the planting of buffering trees adjacent to the storage building built in 2011. Downes had reported that Haig and others had asked if Gateway was willing to send a letter supporting their efforts to plant the trees and to “congratulate” them for their partnership. Gateway had asked to hold on the letter until more information regarding plantings, schedule and such were confirmed. Such information hasn’t been confirmed yet.
6. Higganum Cove and the Possible Purchase of the Tim McCane Property, Liz Glidden, Town of Haddam. At the Commission’s meeting on July 25, 2013, Liz Glidden reported that she wants to give a brief overview of the ideas that have discussed for the Higganum Cove area between Higganum and the CT River. She will seek suggestions and advice from Gateway members.
7. Goodspeed Airport Easement. Campbell Hudson, attorney for Tim Mellon, reported to Downes that he’s had communications with Beth Brothers of DEEP regarding the scenic easement offer at the airport. Hudson’s feeling is that Brothers seems to be more serious about the possibility of the State acquiring the easement now that “the litigation with the State has ended.” Brothers has asked questions about the trees that Mellon has offered to plant in order to visually buffer the hangers, something about which past Analyst Martha Fraenkel was concerned. Downes told Hudson that discussions regarding the donation of the Klar parcel in East Haddam have begun as well.
8. Hamburg Fair Vendor’s Package. Fair season has started. Thoughts on fairs?

Treasurer’s Report

- a.) **Wilson** reported that the Finance Committee met with Wayne Devoe of Merrill Lynch on May 22, 2013. Gateway investments have earned a return of 5.72% through April 30, 2013.
- b.) **Wilson** reported that Gateway’s annual budget will be presented at the June monthly meeting.
- c.) **Wilson** presented a check for \$1,319.50, representing 13.5 hours of work for JHTD and 1.5 hours of work for Dorothy Papp. Motion to approve the payment by **Fischbach**, seconded by **Bement**, passed unanimously.
- d.) Land Trust Alliance dues. Gateway has liability insurance (for land trusts) through LTA. Last year, based upon annual operating expenses, GW paid \$800. With a lower annual operating expense for the past year, Gateway falls into a category which pays \$575 for the membership. Motion to pay the \$575 dues by **Schieferdecker**, seconded by **Bement**, passed unanimously.

Referrals for Commission Discussion

1. Chester Point Marina, Chester. Special Exception application. Under most circumstances, Downes would review and comment to the submitting commission, reporting to the Gateway Commission after sending the letter. In this case, due to the visible nature of the proposal and the fact that this project has been discussed by Gateway members in the past, the review letter will be prepared *after* reviewed by the Gateway Commission.

Tom Metcalf presented for the property owner and applicant. One story building located adjacent to the CPM boat basin and near the mouth of Chester Creek will be demolished with a two-story building with slightly smaller footprint being built in its place. A *seasonal* restaurant (approx. April 1st through October 31st) will be *reestablished* on the river side of the structure on both the first and second floor. The land-side of the structure will be used for marina display (during the season) and marina storage (off season). Area between the building and the marina entrance, currently used for off-season boat storage, will be

used for parking.

Current ground elevation is 7 feet, and will increase to 11 feet in order to meet FEMA flood requirements. Building will measure less than 35 feet from *existing* natural grade. The access drive will be “cleaned up” with landscaping added. No change to drainage patterns will occur. The present gravel area will be reduced slightly by landscaping. Some impervious will be introduced for the areas dedicated to handicapped parking, per codes governing such parking.

The cluster of trees to the immediate east of the building will remain although the property owner would like to “prune” (thin) them. A new septic system will be constructed closer to the railroad tracks, further from the river than currently exists. Overhead wires will be buried underground. An existing spotlight on the river side of the building will be eliminated.

Commission members requested that, if possible, several trees be provided to the southeast of the building site in the area of the mouth of the boat basin. These trees would eventually provide visual buffering of the view of the two-story building as one approaches on the river from the south. Metcalf indicated that the applicant would likely be willing to plant some trees but they would likely want to balance the need for visual buffering with their desire to maintain river views from the restaurant. Metcalf reported that the color of the building is intended to be a muted brown-gray with the roof being dark in color.

Gateway members requested that the applicant provide an updated site plan which specifically shows existing conditions, including the trees, marking those that are to be retained and those that may be planted. Downes, in reporting to the Chester Planning & Zoning Commission, will include the points of the discussion.

2. Old Lyme Zoning Regulations. Proposal to amend regulations regarding FEMA flood requirements, review of “guest houses”, modification of nonconformity standards and the limiting of use variances. Downes recommended that, due to the amendments having little impact on the mission of the Gateway Commission, a letter of “approval” consistent with Section 25-102g CGS should be written. Motion to approve regulations by **Fischbach**, seconded by **Cable**, passed unanimously.

Staff Actions. None to report.

Discussion of Gateway Standards

Fischbach reviewed changes that have been discussed to date. Once the Gateway Commission concludes its review and decides upon potential standard modifications, the Commission of the eight Gateway member towns should be contacted and asked to comment on the proposal. Following the receipt of comments, Gateway will schedule a public hearing as required by statutes.

Committee Reports

Outreach. The June 13th boat trip was discussed. Downes reported that 38 attendees have RSVP'd, leaving approximately 8 to 10 spaces left. **Thomas** and **Wallace** indicated that they would coordinate on the preparation for the trip, including purchase of refreshments. **Fischbach** to send a copy of her summary of the 2012 boat trip for consideration.

Downes reported receiving information for vendors for the Hamburg Fair. Brief discussion of protection of maps for outdoor display occurred.

Rules. The draft Rules of Procedures were presented. Members discussed the need for term limits, pluses and

minuses. Following discussion, **Fischbach** moved to approve the Rules of Procedure with the deletion of Section V. A.3, Term Limits. The motion was seconded by **Thomas**. The motion passed unanimously. The Rules of Procedure will become effective on July 1, 2013.

Old Business. None.

New Business:

Downes was asked to send a letter to the appropriate member of the Lower CT River Valley Council of Governments to ensure that representatives of the former Midstate and CRERPA regions – both regular and alternate – are appointed by COG to GW. **Debrigard** commented that Downes will be the coordination staff between Gateway and the COG, which will provide a more direct and consistent line of communication than existed prior to the merger of the two regional organizations.

Adjournment

Upon motion by **Bement**, seconded by **Wilson**, and passed unanimously, the meeting adjourned at 8:55pm.