

CONNECTICUT RIVER GATEWAY COMMISSION

REGULAR MEETING MINUTES

May 28, 2015

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

Chester:	Margaret (Peggy) Wilson, Martha Wallace (E)
Deep River:	Nancy Fischbach, Sam Shaw (E)
East Haddam:	Harvey Thomas, Emmett Lyman
Essex:	Claire Matthews (E), Jerri MacMillian
Fenwick:	Ethel Davies, Borough Warden (E)
Haddam:	Susan Bement, Derek Turner
Lyme:	J. Melvin Woody, Emily Bjornberg (E)
Old Lyme:	Peter Cable, Suzanne Thompson (7:40p)
Old Saybrook:	Madge Fish, Belinda Ahern (E)
Regional Rep:	Raul Debrigard
DEEP:	David Blatt
Staff:	J. H. Torrance Downes
Guests:	

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 7:31pm.

Approval of 4/23/15 Regular Meeting Minutes

Upon a motion by **Fischbach**, seconded by **Fish**, the 4/23/15 minutes were unanimously approved.

CRWC River Clean-up Sponsorship.

Alicea Charamut, River Steward, was originally scheduled to appear with the sponsorship request, but didn't due to illness. Instead, **Debrigard** reviewed the clean-up which is said to be scheduled for the weekend of September 15, 2015. Motion by **Fischbach**, seconded by **Cable**, to sponsor the event at the \$1,000 level, consistent with GW practice in the past several years. The motion passed unanimously. For those interested in individual clean-up participation, it was recommended that names be provided to Charamut.

Added to the Agenda

David Brown, Executive Director of the Middlesex Land Trust. Brown appeared to update the Commission on the efforts, goals and plans of the MxLT with respect to the Brainerd Quarry Preserve and other Haddam Neck properties that may be available for preservation. Brown indicated that a dedication will likely be scheduled for September of 2015 with Gateway members being invited. He also expressed the thanks and appreciation of the MxLT board and himself for the partnership that resulted in the acquisition of the Sogge property.

Treasurer's Report

Wilson reported on investments stating that, even with the costs incurred through the purchase of the Sogge property, the overall portfolio is up 3%. With the expenditures of the purchase and the resulting decrease in the portfolio, the management fees were reduced by approximately \$200.

Wilson reported that the staffing bill for the month totaled \$2312.36. Motion by **Fischbach**, seconded by **Bement** to approve the payment of the staffing bill, which was passed unanimously

Correspondence and Staff Report

1. Eversource/CL&P. Plans are afoot to “upgrade” the existing substation on River Road/154 above Tylerville in a way which a neighbor describes as “ruining” his property value. In a telephone conversation with Eversource representative Ken Roberts on 5/28/15, it was learned that the asphalt pad upon which the existing equipment exists will be expanded somewhat toward the river as well as in the southeast corner. A new tower will be added to realign the power lines coming into the pad from the river. These structures are over 35 feet in height, but the existing tree cover, the distance back from the river, and the existence of one similar structure will likely result in minimal view from the river. It is the towers closer to the river that seem to be the more visible. Trees will be removed in the area to the southeast of the pad where it will be expanded, but no trees or vegetation will be removed between the pad and the river.
All of this said, the authority for this work rests with the Siting Council and not within the municipal land use program. Town Planner Liz Glidden attended a site walk convened for the Siting Council yesterday.
Mr. Roberts indicated that he would be happy to attend Gateway’s June 25th meeting if a presentation of the work was requested by Gateway. **The Commission requested that Downes call the Siting Council to get copies of documents for the project.**
2. 279 Joshuatown Road, Stephen Jacobs, Architect. As the current interim Zoning Official and Wetland Official in the Town of Lyme (while ZEO/WEO Bernie Gigliotti recovers from surgery), Downes was pulled into a wetlands and P&Z dispute on a residential development reviewed by the Gateway Commission. The modern style home is located near the top of the ridge (not at the top). The Special Exception review by staff – reported to GW at their meeting on December 4, 2014 (copy of letter below) – found that the proposal was consistent with GW standards provided trees weren’t removed in excess of those to be removed for construction and for the installation of a ground-mounted solar array. The area of removed trees, for the most part, is in a “hole” that is blocked from view from the river by low elevation and intervening trees. The area clear cut presents more of a problem for controlling soil erosion and transport into a nearby Inland Wetland. The solar array is in a prominently visible location. ZEO Gigliotti says he will demand a revision to the local Special Exception approval occur, which will be referred to Gateway for comment regarding visual impact. If the P&Z denies the after-the-fact relocation, Jacobs will have to move the array to its approved location or face court action. Mr. Jacobs feels that Gigliotti has already given him a “pass” on this. Downes spent a great deal of time in consultation with Mr. Jacobs.
3. East Haddam Land Trust. Thank you for \$100 donation for EHLT calendar.
4. Trust for Public Land, “Land + People” Magazine, Spring/Summer, 2015. The “Frontiers” Issue.

Staff Actions

1. Special Exception Review, Old Saybrook, Ayers Point Road. Property owner to build a new residential structure on a vacant parcel near the end of the road. Downes met in pre-application meeting with builder and site designer Tom Metcalf. Most trees had been cleared from the site several years ago, leaving few to retain. The structure location will be set back quite a bit from the road on a higher portion of the property where the topography levels. By placing the structure in that location, it is more hidden from view by the adjacent property to its east (its river-side). The higher elevation, however, will tend to have the structure sitting up above the adjacent structure to a degree. One particular mature tree located closer to the road was pointed out as one that should be retained for the purpose of visual buffering.

Applications/Petitions to be Reviewed by Commission

1. Variance Application, 23 Otter Cove Road. Property owner interested in splitting a 3.96 acre property into two separate lots in a 2 acre zone. Due to the size, at least one of the proposed lots is undersized and therefore nonconforming. The property location is set back quite a bit from the river in an area covered by considerable tree cover. Even if visible, the splitting of the lot will not create development density that appears any different than if the resulting lots were conforming to the 2 acre minimum requirement. The Commission voted to send a letter of “no opposition” to the ZBA for the above-cited reasons. Motion by **Fischbach**, seconded by **Thompson**, passed unanimously.
2. Zoning Regulation Petition, Old Saybrook Zoning Commission
A petition was submitted proposing changes to regulations concerning water supplies, open space subdivisions, private country clubs/golf courses, structure façade visibility, the “coastal jurisdiction line” and the updated identification of CRERPA as “RiverCOG”. The Gateway Commission approved the petition with the condition that the visibility of structure facades be amended to include view from the Connecticut River, this in addition to the proposed language requiring articulation when seen from an adjacent property. Motion to approve by **Debrigard**,

seconded by **Fischbach** approved unanimously (**Fish** abstained from voting).

Committee Reports

a. Land.

Discussion included the interest in property identified as the “Felsky Estate” which is approximately 18 acres in size on Injun Hollow Road in Haddam Neck in close proximity to the Sogge property and the gate of the CY property. David Brown of the MxLT had previously reported that they are working with the USF&WS and the CT DEEP to coordinate any efforts to conserve this property, should the opportunity come about.

Further discussion involved several upland parcels in the Haddam Neck area – one parcels to purchase and two others where conservation easements may be involved. The Commission consensus was one of interest in an effort to help in the acquisition of the properties. Officially, the Commission agreed that it would entertain any proposal for acquisition.

The Commission agreed that supporting the MxLT in this effort provides focus to that organization for prioritization of opportunities located within the Gateway Conservation Zone.

The discussion then turned to revisiting the process that resulted in eventual purchase of the Sogge property, including the early request to have Haddam Land Trust representatives attend a meeting to discussion possible partnership. The discussion included an acknowledgement that when the discussion with the HLT occurred, the Commission had not fully discussed their intentions or how an acquisition might occur. The final process was only determined as facts and other considerations unfolded with time. The Commission by consensus suggested Chairman Woody place a call to HLT President Bill Cowans in order to apologize for confusion and upset that was caused as a result of how the discussion of preservation of the Sogge property evolved.

(**Fish** left at 9pm)

At this point, the Commission by consensus moved that it has interest in protecting three parcels of contiguous land in the Haddam Neck area with whichever organization has a similar interest including similar goals for protection into the future. Motion by **Debrigard**, seconded by **Wilson**, passed unanimously. Downes was asked to send a letter to the Middlesex Land Trust informing that organization of the Commission’s intent. A separate letter is to be sent to the Haddam Land Trust informing that organization of the same intent.

b. Outreach/Community Relations.

Boat Trip

Downes updated the commission on the final arrangements for the boat trip, which is scheduled to occur one week hence on Thursday, June 4, 2015. Pickup is to occur at the outer dock of the Saybrook Hotel Marina in Old Saybrook with the trip extending from that point north to Haddam Meadows State Park and then return to the RiverQuest dock immediately south of the Goodspeed Bridge. Rather than organize a shuttling of attendees back to Old Saybrook from Haddam in individual cars, the Commission authorized Downes to book the use of a bus spending up to an amount of \$500.

Fairs.

Downes reported that an application has been sent to the Lyme Fair organizers for the August 21st through 23rd event.

c. Governance Committee.

Fischbach explained the upcoming timing and process for the adoption of the proposed Gateway standards that after going through the revisions that came out of the local meetings with each member town Planning & Zoning/Zoning Commission. Discussion turned to review by Attorney Mark Branse. On a motion by **Debrigard**, seconded by **Bement**, the commission voted unanimously to forward the standards to Branse for review.

(**MacMillian** left at 9:25pm)

Old Business.

None.

New Business.

None.

Adjournment

Upon motion by **Bement**, seconded by **Cable**, and passed unanimously, the meeting adjourned at 9:26 pm.