

CONNECTICUT RIVER GATEWAY COMMISSION

REGULAR MEETING MINUTES

June 23, 2016

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

| | |
|----------------------|---------------------------------------------------------------------------|
| Chester: | Margaret (Peggy) Wilson, <i>Vacancy</i> |
| Deep River: | Nancy Fischbach, Kate Cotton |
| East Haddam: | Harvey Thomas, Emmett Lyman (arr. 7:35p) |
| Essex: | Claire Matthews, Jerri MacMillian |
| Fenwick: | Ethel Davies, Borough Warden (E) |
| Haddam: | Susan Bement (arr. 7:33p), <i>Vacancy</i> |
| Lyme: | J. Melvin Woody, <i>Emily Bjornberg</i> |
| Old Lyme: | Peter Cable, <i>Suzanne Thompson (E)</i> |
| Old Saybrook: | Madge Fish, <i>Belinda Ahern (E)</i> |
| Regional Rep: | Raul Debrigard |
| DEEP: | David Blatt |
| Staff: | J. H. Torrance Downes |
| Guests: | Steve Karlson, BLP Enterprises; Joe Wren, Engineer, Joe Bergin, Architect |

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 7:30pm.

Approval of 5/26/16 Regular Meeting Minutes

Upon a motion by **Fischbach**, seconded by **Wilson**, the 5/26/16 minutes were unanimously approved.

Presentation, Chester Point Marina Variance Application. Attorney Steve Karlson presented for applicant. Hoop house 1, a temporary structure used for marina service, was damaged and lost during the winter of 2014/2015. The 120 foot by 50 foot hoop building is proposed to be replaced by a 100 foot by 150 foot permanent butler building located on the same footprint. The structure will be located to the rear (near the Valley RR tracks) of the marina basin but not within the 25 foot Right-of-Way which leads to the "Garthwaite" property, now owned by the Chester Land Trust (formerly owned by the Gateway Commission). Building was described as being similar to the butler building located at Deep River Brewer's Dauntless Marina. The variance requested would allow the concrete pad of the building to be located at grade and not at Base Flood Elevation (BFE) as required by FEMA and the Chester Zoning Regulations. At grade is necessary because of travel lifts, etc. From grade, the building will top out at a total height of 35 feet and be in compliance with Gateway standards. No other variances are required. Building will have windows on the north and south sides. Color will be gray with blue trim. Steel roof. Motion by **Fischbach**, seconded by **MacMillian** to send a letter of no objection encouraging the granting of a variance that will minimize visual impact by having the peak height at 35 feet (as opposed to higher if no variance of BFE were granted).

Treasurer's Report

Wilson presented the proposed 2016/17 budget, which she reminded is not required but is annually used for guidance. Wilson reviewed the changes from last year, noting that investment fees were decreased while accounting fees were raised to cover the annual "compilation" that will be performed by Joe Wollack. Members requested that Downes find and report the number of hours that have been spent for both his and Paula Fernald's services for three fiscal years. Concern is raised that the time being spent is more than what is being billed. Motion by **Fischbach**, seconded by **Thomas**, to approve the draft 2016/17 budget (attached).

A bill for RiverCOG services was submitted with the following breakdown in expenses:

Staffing total \$465.99 (\$116.70 JHTD, \$76.12 PF, \$273.17 overhead).

CRWC Source to Sea \$1,000 (Motion by **Cable**, seconded by **Thomas**, passed unanimously)

RiverQuest \$1,000

Reimbursements for boat trip (**Thomas, Cable**) \$262

Bement will be reimbursed in July, 2016

Motion to approve payment of bills (not including CRWC) by **Fischbach**, seconded by **Bement**, passed unanimously.

Correspondence/Staff Report

CT River Watershed Council, Summer, 2016. Newsletter.

East Haddam, Goodspeed Airport Scenic Easement. Letter from Board of Selectmen to Graham Stevens regarding the Mellon scenic easement at Goodspeed Airport. Most will recall that for a period of almost ten years, Tim Mellon has been looking to convince the DEEP to accept a scenic easement on the airport property. With significant intervention on the part of Gateway, DEEP finally agreed to accept the gift. On June 15, 2016, the BOS wrote to Graham Stevens and Allyson Clarke indicating that, while they supported some of the easement, other parts they objected to. Seeking a response from Stevens regarding what this means for the transfer, which was almost complete. In an email dated June 20, 2016, Allyson Clarke of DEEP indicated that she was unaware that this letter existed. She said she would talk to Stevens tomorrow.

UPDATE: Downes spoke to Mark Walter (1st, East Haddam) who explained the concern (Walter had spoken to Tim Mellon on this who expressed concern for having the whole process grind to a halt after about eight years of trying to get this done). Walter asked if it would be good for him to speak to Graham Stevens himself, which he did. Stevens apparently indicated that there may be some willingness to accommodate this in some way; he did *not* indicate that this would be a huge problem. The letter hadn't been sent because of legal review by town counsel and minor revisions. A copy of the letter was forwarded to Campbell Hudson by Downes. At this point, Gateway has not been requested to do or say anything, although Downes email Stevens that the topic will be discussed at the meeting.

East Haddam Zoning Petition: Addition of "hotel" as a Special Exception use in the East Haddam Village District and in definitions. Other proposals in the petition include stormwater regulations that are being placed in both the Zoning Regulations and the Subdivision Regulations (GW has no statutory authority over Subdivision Regulations). Public hearing schedule for August 9, 2016; GW can review at it's July 28, 2016 meeting. **Height of structure in Village District would be a total of 92 feet above sea level. Total height from grade would depend on the elevation of grade above sea level. A grade elevation of 55 feet above sea level would result in a building height of 37 feet (92 feet minus 55 feet = 37 feet).**

Site Inspection: 118 River Road. Hillside tree removal. Well above River Road. Numerous trees removed, but it appears that the property owner left a number of trimmed trees in front of the structure. Opportunity to write letter referencing the "optimum" way to remove trees – leaving trimmed trees in place to preserve some visual buffering. Members will recall that, outside of the 50 foot riparian buffer area, there is no prohibition for tree removal. See photos.

Registration Guide: Rally 2016, National Land Conservation Conference, October 28-30, 2016.

Provided by the Land Trust Alliance.

52-Unit Affordable Housing Application, Essex (outside of Gateway Conservation Zone) was approved in several unanimous motions on Monday, June 20, 2016.

Source to Sea Cleanup Donation Request. Alicea Charamut called asking if the Gateway Commission decided to make a donation to this year's CT River Watershed Council "Source to Sea" cleanup. This was discussed in April, but Alicea wasn't able to be there. For the past several years, Gateway has donated \$1,000 to the cause. A check in the amount of \$1,000 has been prepared for GW signature given the positive response when the topic came up a couple of months back. **Motion to donate \$1,000 to CRWC for the "Source to Sea" clean-up project. Check sent 6/27/16.**

Whalebone Cove Dock Hearing. Woody reported on the hearing which occurred before the Lyme P&Z Commission (application for Special Exception). There was unanimity of opinion of those present that there should be no motorboats in Whalebone Cove. Based upon the testimony and questions, the applicant requested that the hearing be continued to the next meeting.

Site Inspections. Downes reported on-site at 11 Foxboro Point Road in Essex, the "windmill" property. Reported was that the proposed residential structure will exceed 4,000 square feet but will not exceed the 30 foot height maximum for that district. Of note is that the windmill will be moved back from its existing location to be included in the footprint of the new dwelling. The top of the windmill was said to be a height of 30 feet.

Land Committee

Fischbach reported on a June 20, 2016 meeting that included her, David Polk, Jim McHutchison and David Brown. **Wilson** reported that Oganek/Carow are not interested in providing an easement for their property off Ben Clark Hill Road at this point, but McHutchison has opened discussions with them.

McHutchison is preparing an email that he will send to alert Haddam Neck residents of an upcoming fund raising effort. Regarding Gateway's offer to pay for half of a second appraisal was discouraged by Jim McHutchison as it seems Mr. Hilt doesn't want to expend *any* money at this point; a second appraisal will make no difference.

Bement will speak with Jim McHutchison RE: Hilt.

Wilson will talk connect with Realtor Jackie Nowell and instruct her to proceed with offer discussed at May 26, 2016 meeting.

Governance Committee

GW representatives did not attend June 20, 2016 Essex Zoning Commission meeting (meeting went late while ZC deliberated and decided upon the Signature Contracting affordable housing. **Fischbach** instructed Downes to have ZEO Budrow send an apology to the ZC for missing the June meeting. **Budrow informed Downes that GW will be scheduled for discussion at the August meeting.**

Outreach Committee

Downes reported that approximately 40 people attended the annual boat trip on June 16, 2016. Reports from the community were very positive.

Variance Review, 5 Riverview Drive (Willow Point) on North Cove, Essex. Application discussion is preliminary as the official submission to the Essex ZBA would occur on Friday, June 24, 2016. Presented by engineer Joe Wren and architect Joe Bergin. Existing building and garage to be replaced. Combined, smaller than existing. Only variance required is for the 50 foot CT River setback (new standards requiring 100 foot setback and 50 foot riparian buffer not in effect). Coverage proposed to be 11%, which will be less than the 15% that the Zoning Commission is planning to adopt (current is 10%). Septic system is moving westward toward road and therefore is further from North Cove. A workshop above the separate garage structure will not have heat or plumbing.

Bergin described the structures as being in natural colors. Garage structure will be 22 feet from grade while residential dwelling will be 29 feet+ from grade, all within the height regulation allowances of the Essex Zoning Regulations. Due to flooding possibilities, lower level will be for storage only. Structure elevated to be FEMA-compliant. Motion by **Fischbach**, seconded by **MacMillian**, to send a letter advising that if the application is unchanged from that presented to the Gateway Commission, there would be no opposition to the approval of the required variance. Letter to Essex ZBA shall cite the plans for the record of approval.

Old Business

None.

New Business

None.

Adjournment

Upon motion by **Bement**, seconded by **Wilson**, the meeting adjourned at 8:50pm.

Proposed 2017 Budget

| General Fund Expenses | FY 2015 | FY 2016 | Proposed FY 2017 | Change |
|-----------------------|---------------|---------------|------------------|------------|
| RiverCOG Staffing | 23,000 | 23,000 | 23,000 | 0% |
| Contract Services | 1,500 | 1,500 | 1,500 | 0% |
| Investment Fees | 18,000 | 14,000 | 12,000 | -15% |
| Accounting Services | 1,000 | 1,000 | 2,500 | +150% |
| Dues | 700 | 700 | 700 | 0% |
| Contributions | 6,000 | 2,500 | 2,500 | 0% |
| Legal Fees/Misc. | 3,000 | 3,000 | 3,000 | 0% |
| Insurance | 2,000 | -0- | -0- | 0% |
| Outreach | -0- | 1,000 | 1,000 | 0% |
| River Trip | 1,500 | 2,000 | 2,000 | 0% |
| Total | 56,700 | 48,700 | 48,200 | -1% |

| Apr-June 2012 | July-Sep 2012 | Oct-Dec 2012 | Jan-Mar 2013 | Apr-June 2013 | July-Sep 2013 | Oct-Dec 2013 | Jan-Mar 2014 | Apr-June 2014 | July-Sep 2014 | Oct-Dec 2014 | Jan-Mar 2015 |
|---------------|---------------|--------------|--------------|---------------|---------------|--------------|--------------|---------------|---------------|--------------|--------------|
| 1,574,903 | 1,638,890 | 1,643,525 | 1,715,296 | 1,694,186 | 1,758,322 | 1,818,256 | 1,829,037 | 1,858,088 | 1,814,983 | 1,851,469 | 1,706,260 |

Three Year Average

\$1,741,934.54

Spending Policy Limit

3% Average 4% Average 5% Average
 \$52,258 \$69,677 \$87,097