

CONNECTICUT RIVER GATEWAY COMMISSION

REGULAR MEETING MINUTES

August 22, 2013

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

Chester:	Margaret (Peggy) Wilson, Martha Wallace
Deep River:	Nancy Fischbach, Amy Petrone
East Haddam:	Harvey Thomas, Emmett Lyman (E)
Essex:	Claire Matthew, Wally Schieferdecker
Fenwick:	<i>Ethel Davies, Borough Warden (E)</i>
Haddam:	Susan Bement, Derek Turner (E)
Lyme:	J. Melvin Woody, Lisa Niccolai
Old Lyme:	Peter Cable, Suzanne Thompson(E)
Old Saybrook:	Madge Fish, Belinda Ahern (E)
Former MRPA:	Raul Debrigard (arr. 7:40p), Stasia DeMichele (E)
Former CRERPA:	Two vacancies
DEEP:	<i>David Blatt (E)</i>
Staff:	J. H. Torrance Downes.
Guests:	None present.

Call to Order

Chairman Melvin **Woody** called the regular meeting of the Connecticut River Gateway Commission to order at RiverCOG offices located at 145 Dennison Road, Essex at 7:30p.

Approval of 7/25/13 Regular Meeting Minutes

With the following addition to New Business, and upon a motion by **Bement**, seconded by **Cable**, the minutes were approved unanimously.

“Debrigard advised that the CT Siting Council was working on wind turbine regulations, and he strongly urged GW to “be at the table”. Debrigard made a motion, seconded by Fischbach, to empower the Executive Committee to meet with Downes to be a part of the Siting Council’s process. After a brief discussion, the motion was amended to empower Debrigard, rather than the Executive Committee, to work with Downes and pursue the matter. The motion passed unanimously.”

Correspondence/Staff Report

Garthwaite, Chester. On Monday 8/19th, Surveyor Don Carlson indicated that he would survey the boundary line between Garthwaite and the Chester Point Marina next week (the week of 8/26/13).

Klar, East Haddam. The Commission confirmed that they had agreed on reversion language that can be forwarded to Allyson Clarke at DEEP and had made a motion to forward language to Beth Brothers by signed letter.

Wind Turbines. **Woody** noted that the Conservation Zone is mentioned but no mention is made as to what the CT Siting Council must consider in their deliberations. **Cable** noted that similar vagueness is inherent in the cell tower process, also overseen by the Siting Council.

Debrigard reported that the Siting Council has approved/finalized the regulations regarding wind turbines with the next step consideration by the General Assembly. There is nothing for GW to do at this point; so, how does GW position themselves? Perhaps Commission members can ask P&Z representatives about their feelings on standards for wind turbines when visits are made for the proposed 2013 standards. **Woody** reminded those present that GW

had looked into the issue of standards for wind turbines several years ago and that the choice was made not to proposed any new standards. He recalled the discussion of a wind turbine at the Castle Hill area of Chester immediately north of the west side of the river at Chester Ferry. No turbine was installed at that location.

Marina, Old Saybrook. Downes indicated that he had met with Attorney John Bennet and Engineer Keith Nielson on the issue and informed the GW Commission that a Coastal Site Plan Review application was reviewed and approved by the Old Saybrook Zoning Commission. The approval allowed the construction of a gabion-style wall to the landward side of the existing marina building. Light poles would be installed in the 20-space parking lot located on the same landward side of the structure. Permits have been requested to reestablish 18 docks on the river. The building has been painted and generally approved. None of the activities rose to the level of requiring Gateway decisions or reviews.

Downes summarized:

- 1) Thank you from the East Haddam Land Trust for the \$100 donation to the annual calendar fund.
- 2) Receipt of a Merrill Lynch Advisor magazine
- 3) CT River Coastal Council invitation to fundraiser – Swallow Sail

Treasurer's Report

- a.) **Wilson** reported that the monthly bill for staffing services amounts to \$1,037.63 (380.05, 11 hours JHTD; 35.00 DP; 622.58 OH). Motion to approve the payment by **Bement**, seconded by **Matthews**, passed unanimously.
- b.) Insurance. **Wilson** informed the Commission that applications for "Crime Shield Employee Theft" and "Public Entity Liability" had been filled out by Downes, conferring with insurance professional Ray Archambault of Chester. The Crime Shield policy will have a requirement for an accountant/auditor to review the records of GW on an annual basis, but not necessarily to audit-level criteria. The applications will allow Archambault to see prices on behalf of the Commission for decision making purposes. The policies are additional to what is held at this point.

Referrals for Commission Discussion

No variance applications or regulation referrals were presented for action or discussion.

Greenhouses, Old Lyme. Downes presented an Special Exception application for 5,100sf of greenhouses on a riverfront property located at 15-1 Tauntamheag Road in Old Lyme. The site proposed for the greenhouses, which will be enclosed in both glass and sheet metal, is elevated above the river level by approximately 70 feet and is shield by a significant stand of trees between the proposed location and the river. Several pine trees will be taken down in order to site the buildings. Height of the buildings is cited to be approximately 22 feet. Downes asked Ann Brown, OL ZEO about reflectivity of materials, noting a similar situation further north in Lyme where comments have been made about the brightness of a metal roof on a recently constructed riverfront barn.

Commission members request that the referral letter include the following comments:

- 1) Conditions should be applied which minimize tree cutting that would allow for more visibility of the structures from the river or Essex.
- 2) Conditions should be applied which minimize the reflectivity of any materials used to construct the greenhouses to the greatest degree possible.

Discussion of Gateway Standards

Fischbach informed members that she is working on a clean copy of the 2004 standards with revisions. Next step, prior to discussion with member towns, would be to consider standards regarding wind (personal) turbines and solar arrays. Question raised whether additional standards should be held separate so as not to delay the adoption of agreed upon standards developed through discussions with the Essex Zoning Commission.

The question of the omission of some language from the original 2004 standards was again raised. Downes commented again that the only recollected was that tree regulation standards were the ones that were not addressed. He indicated that he would again try to jog Linda Krause's memory.

Debrigard brought up what he described as something that could produce issues in the near future. With FEMA flood maps being revised and requiring the raising of more structures to positions of up to 15 feet higher in elevation. Some towns are allowing the elevation of such structures without variances even if the total height of the elevated structure exceeds the 35 foot height maximum. Downes reported that such a situation exists in Old Saybrook where he acted as ZEO and approved the elevation of an existing structure to approximately 47 feet. It was noted that *new* construction must still adhere to the 35 foot height maximum. The question was then posed, what does Gateway do in such instances? If a structure on the Saybrook shore of the CT River were to propose elevation of a structure to greater than 35 feet, no variance application would be required. Gateway standards require the 35 foot height maximum. What would that then mean?

Property Transfers

Land transfers were discussed under staff report. The issue of attorneys for the Garthwaite transfer was raised. Downes to check with Chris Allison of the Chester Land Trust regarding whether or not they had an attorney that they would use to write a quit claim deed for the transfer.

Committee Reports

Outreach. Members who attended the Hamburg Fair reported on their experiences. **Woody** commented that **Thompson** was there when he was. People took canoe trail maps but there seemed to be few questions regarding Gateway activities. **Woody** felt that a handy handout was needed that provided more of the sense that GW was originated to "help" the towns protect their shorelines. An historical article, written by Ellsworth Grant, was cited as an example. Downes indicated that he would make a placard with the first page of the article and provide copies for people to take. Articles were provided for the Chester Fair and would be available for the Haddam Neck Fair. This could provide a way to engage people more.

Cable agreed that, during his time, most people were interested in the canoe guides. He felt that it was important for a representative to be at the table.

It was agreed that the Outreach Committee will continue to work on the best approach to use at the three area fairs for upcoming years.

Old Business. None.

New Business.

CRWC Sea to Shore Cleanup. **Debrigard** brought up the CT River Watershed Council's annual clean-up event. "Source to Sea". He indicated that if there was interest, GW members could sign up with an existing group (there's a list on the CRWC website), form their own group (perhaps with the RiverCOG staff), or sponsor a group.

Timing is such that its too late to have the GW logo on a t-shirt, but GW can get other notice such as in a concert program, on the CRWC website, emails and more.

Concert sponsorship would include a half-page notice in the program. One of the concerts will occur on 9/22/13 at "The Kate" in Old Saybrook. Sponsorship in that case would start at \$1000.

Motion by **Fischbach**, second by **Bement**, to sponsor the annual event (both collection and concert) at a level of \$1000 each, for a total of \$2000. Motion passed unanimously. Downes was asked to handle the concert notice and arrangement for the members for the purpose of the collection. He will email members with information.

Gateway's Legal Standing.

In pursuit of the question of the legal standing of the Gateway Commission, it was offered that the implications of such a question may be far-reaching. As per statutes, what does "administrative purposes" phrasing mean? Does Gateway really want to be considered as a part of a state agency and what all that may entail with the Commission's autonomy? By consensus, it was agreed to not pursue such a question at this time.

Adjournment

Upon motion by **Bement**, seconded by **Wallace**, and passed unanimously, the meeting adjourned at 9:07pm.