



**CT River Gateway Commission
Regular Meeting Minutes – Hybrid
Meeting Thursday, January 25,
2024, 7:00 PM RiverCOG
Conference Room and via Zoom**

Present: **Chester:** Misha Semënov-Leiva; **Deep River:** Jerry Roberts; **Haddam:** Mike Farina (Secretary), Erin Ortega (Alternate); **Lyme:** Susan Fox (Alternate); **Old Lyme:** Suzanne Thompson (Chair), Greg Futoma (Alternate); **Old Saybrook:** William Webb (Vice Chair), Diane Stober (Treasurer); **RiverCOG North:** Alan Ponanski (Alternate); **CT DEEP:** Kathleen Perzanowski.

Absent: **Chester:** Tom Brelsford (Alternate); **East Haddam:** Crary Brownell, Debbie Langdon (Alternate); **Fenwick:** Newt Brainard; **RiverCOG North:** Raul de Brigard; **RiverCOG South:** Judy Preston; **Emeritus:** Melvin Woody

Staff support present: Susie Beckman (RiverCOG)

I. Agenda

1. Call to Order: Chair Thompson called the meeting to order at 7:03 PM.

2. Roll Call was completed.

3. Seating of Alternates: Alternates were seated for absent representatives.

4. Approval of Agenda

Chair Thompson noted that the staff report had some action items that need to be added to New Business.

A **motion** was made by A. Ponanski, seconded by B. Webb, to approve the Regular Meeting Agenda with the additions from the Staff Report.

Voting in favor: M. Semënov-Leiva, J. Roberts, M. Farina, S. Fox, S. Thompson, W. Webb, Alan Ponanski, K. Perzanowski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 8-0-0.

5. Approval of the 12/07/2023 Regular Meeting Minutes

A **motion** was made by A. Ponanski, seconded by B. Webb, to approve the December 7, 2023 Regular Meeting Minutes.

Voting in favor: M. Semënov-Leiva, J. Roberts, M. Farina, S. Fox, S. Thompson, W. Webb, Alan Ponanski, K. Perzanowski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 8-0-0.

6. Review of Referrals & Preliminary Discussions

a. Old Saybrook – 15 Mallard Dr. – Special Exception

Ms. Beckman welcomed Mr. Robert LaRosa, the property owner. Mr. LaRosa has been before CRGC multiple times with his proposal. CRGC approved a variance for the project at its December 7, 2023 regular meeting. The Special Exception standards were reviewed at the December meeting and recommended conditions were included in the

letter to Old Saybrook ZBA. In December, CRGC had asked that Mr. LaRose return with a list of plants he intends to use in the proposed Riparian Buffer and landscaping.

Mr. LaRosa presented the plant list and planting plan. Chair Thompson noted that many of the plants on the list did grow in Connecticut but were not native to the region. She recommended the LaRosa's identify more native plants to use instead. Chair Thompson will provide a list of native plants and information sources about native plants and landscapes that may be substituted for the non-native species on the list.

A **motion** was made by W. Webb, seconded by A. Ponanski, that CRGC write a letter to OS Zoning Commission starting with the variance letter and conditions that address the Special Exception Standards. The letter will include specifics from Chair Thompson responding to the list that has been submitted to CRGC.

Voting in favor: M. Semënov-Leiva, J. Roberts, M. Farina, S. Fox, S. Thompson, W. Webb, Alan Ponanski, K. Perzanowski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 8-0-0.

b. Deep River – Proposed Text Amendment – Solid Waste Facility

Ms. Beckman noted this change will not impact the Gateway Zone. J. Roberts stated that the Rules Committee had discussed this proposed text amendment and it falls within the potential future shadow zone that is being discussed with Deep River Planning & Zoning Commission. M. Semënov-Leiva stated that the boiler plate letter should be used because it covers the points that CRGC should make.

A **motion** was made by J. Roberts, seconded by A. Ponanski, to write a letter stating the proposed zoning amendment does not undermine the protective mission of CRGC.

Voting in favor: M. Semënov-Leiva, J. Roberts, M. Farina, S. Fox, S. Thompson, W. Webb, Alan Ponanski, K. Perzanowski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 8-0-0.

c. Essex – 17 Riverview St. – Variance

No materials were submitted so there was nothing for CRGC to review.

d. Higganum – 2 Landing Rd. South – Variance Preliminary Discussion

Mr. Robert Doane presented the proposed project to construct a pool inside the 100' setback. The lot is unique in that it is one lot segmented into three parts by two roads. The only location for the pool is on the largest segment of the lot that is closest to the river and entirely in the 100' setback. Neighbors in the area have pools in the 100' setback. Commissioners stated that they don't remember reviewing applications for pools on the neighboring properties.

Commissioners provided feedback that the 100' setback exists to protect the view and ecology of the river. There is no existing structure in the 100' setback and CRGC is not inclined to allow a new structure that is 100% inside the 100' setback. Mr. Doane offered to provide storm water recharge to compensate for the house and the proposed pool. He stated that the property owners had the right to enjoy their property as much as their neighbors who have pools. Commissioners stated a desire to share their vision and ask property owners to build structures that meet CRGC standards. CRGC takes the position that structures should not be constructed in the 100' setback. CRGC has had many proposals for pools and the Commission's concern is that the beauty and health of the river will be adversely affected by these structures if they continue to be constructed within the 100' setback.

e. Haddam Neck – 15 Sergeant Morgan Rd – Special Exception Preliminary Discussion

The proposed house will be built where a quarry existed. The house is large and in full view of the river potentially impacting the traditional Riverview scene. Recommendations were made to use non-reflective glass, dark skies compliant lighting, and house exterior colors that will be muted and blend with the natural environment. Commissioners requested that the house be constructed into the existing topography to help it blend into the natural environment so the impact on the view from the river is subtle. Mr. Doane stated that the house is being built into the side of the area that was excavated. Mr. Doane also stated that trees over 8 inches in diameter that don't need to be removed will remain on the site. A site visit was discussed and will be scheduled through Ms. Beckman.

7. Correspondence/Staff Report

Ms. Beckman reviewed the following items in the Staff Report:

- Ctrivergateway.org. The Gateway Zone Map boundary around North Cove in Old Saybrook has been corrected to follow the statutory boundary language. She worked with K. Armstrong, RiverCOG GIS Planner to make the corrections. Chairman Thompson noted that it was appropriate to make minor corrections to the website such as this promptly and that they should be considered a website project expense.
- Haddam Timber Cutting – Commissioners discussed Commercial Timber Cutting on 110 Parmelee Rd. Ms. Beckman was directed to contact CRGC Attorney Matt Willis about CRGC jurisdiction and authority regarding Commercial Timber Cutting and Appendix A of the Gateway Standards.

A **motion** was made by J. Roberts, seconded by A. Ponanski, that A. Ponanski will write a letter on behalf of CRGC to Haddam Inland Waterways and Wetlands Commission (IWWC). The letter will use phrasing from Mr. de Brigard's email on the topic and components of Appendix A. The letter will state that the property is in the Gateway Conservation Zone, is highly visible from the CT River and request that any timber cutting be conducted so as to not negatively impact the view and ecology of the river. The letter will be forwarded to S. Beckman to send to Haddam IWWC on behalf of CRGC. The State Forester who approved the cutting plan will be cc'd.

Voting in favor: M. Semënov-Leiva, J. Roberts, M. Farina, S. Fox, S. Thompson, W. Webb, Alan Ponanski, K. Perzanowski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 8-0-0.

- UCONN Climate Corps – Spring semester Climate Corps students have selected two CRGC proposed projects: one about Riparian Buffers and the other on historic GIS comparisons of the Gateway Conservation Zone. G. Futoma, S. Thompson, J. Preston and S. Beckman will hold meetings in the next week with the students to discuss the projects and goals.
- Special Meeting Request – Commissioners discussed the request to hold a Special Meeting in early February and determined they are unable to accommodate the request. All applications should be submitted for review at the next meeting on Feb.

22.

- Old Lyme Historic District Response to Federal Railroad Administration (FRA) New Haven to Providence Capacity Study – A letter was received from Old Lyme Historic District. S. Beckman will forward the letter to Commissioners to review.
- Administrative Referral Reviews – Two town ZEO's requested administrative reviews in late Dec. and early Jan. Due to unusual circumstances (both applications were very similar to applications for the same properties heard by CRGC earlier in 2023) and the length of time between CRGC's early Dec & January meetings, S. Beckman consulted with CRGC Chair, Rules of Procedures Chair and representatives from the towns involved. It was determined that CRGC's position on both applications would be unchanged from the decisions made earlier in the year. Permission was granted for S. Beckman to use text from those earlier letters to respond administratively.
- Administrative Review Process – A. Ponanski, Rules of Procedures Committee Chair, presented a recommended process for addressing referrals. The Committee approved recommending to the full CRGC adoption of the process for a six-month trial period after which the process will be revised as needed. Edits will be made to change Executive Director to Professional Planner and that Commissioners **do not** reply to all commissioners with comments regarding referrals sent via email to be in line with FOIA requirements.

A **motion** was made by A. Ponanski, seconded by W. Webb, to adopt the process for Administrative Review of Referrals the has been recommended by the Rules of Procedures Committee.

Voting in favor: M. Semënov-Leiva, J. Roberts, M. Farina, S. Fox, S. Thompson, W. Webb, Alan Ponanski, K. Perzanowski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 8-0-0.

8. Chairman's Report –

- Essex First Selectman is aware of the need for an Essex Representative and Alternate to be appointed.
- Lyme Board of Selectmen is addressing appointment of an alternate and necessary correspondence to elevate Alternate Susan Fox now that Melvin Woody is an Emeritus member of CRGC.
- Commissioners discussed working with member towns to allow some flexibility in the Gateway Conservation Zone under certain circumstances. CRGC may consider allowing adjustments that don't cause deterioration of the beauty and ecology of the river. There may be an allowance for adjustments unique to each town.
- Commissioners should introduce themselves to their Town Elected Officials and explain CRGC's mission, standards and goals. They should do the same with Planning, Zoning and ZBA Commissioners.
- CRGC Committees that need members: Finance; Land needs a chair (or co-chairs); Communications; Grants Review is on an as-needed basis so it does not need members at this

time.

9. Old Business - Haddam Cell Tower Siting Ad Hoc Committee Update

Commissioners were briefed on the application status and that March 21 has been set for the hearing. Commissioners determined a letter should be written to the CT Siting Council educating them about the Gateway Conservation Zone. CRGC understands providing adequate phone service is a safety issue and would like to discuss ways to minimize the visual impact of the tower if it is sited at the proposed location. M. Farina will help schedule an opportunity for CRGC to meet with the town to discuss.

10. New Business: Committee Assignments – Covered under Chair’s Report.

11. Committee Reports

a. Treasurer – Approve Bills

Ms. Stober presented the most recent bills. Ms. Stober noted that the budget versus actual expenses are still high but are coming closer into alignment.

A **motion** was made by A. Ponanski, seconded by M. Farina, to pay the bills. The bills are as follows: Amy Huot, Clerk Consultant for December services: \$97.75; RiverCOG for services in November & December: \$8,499.90; Stella Design & Marketing for services: \$99.00.

Voting in favor: M. Semënov-Leiva, J. Roberts, M. Farina, S. Fox, S. Thompson, W. Webb, Alan Ponanski, K. Perzanowski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 8-0-0.

b. Communications – Update

Mr. Futoma reported that the CLCC conference is in March and CRGC will be presenting a program on Riparian Buffers. J. Preston is creating a flyer about CRGC. The Riparian Buffer talk will also be given at the Phoebe Griffin Noyes Library of Old Lyme in May as an Old Lyme Conservation Commission sponsored talks.

c. Rules of Procedures – Update

- A proposed 100’ Setback Policy was discussed. The committee will review the policy again at its next meeting and take a vote to recommend approval at CRGC’s February 22 meeting.
- Opportunities for Commissioner Trainings via UCONN Clear are coming up in March.

A **motion** was made by A. Ponanski, seconded by M. Farina, that CRGC Commissioners abide by the same training requirements of town commissioners.

Voting in favor: M. Semënov-Leiva, J. Roberts, M. Farina, S. Fox, S. Thompson, W. Webb, Alan Ponanski, K. Perzanowski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 8-0-0.

d. Land Committee - Executive Session.

A **motion** was made by A. Ponanski to go into Executive Session at 9:37pm.
CRGC exited Executive Session at 9:44pm.

10. Adjournment

A **motion** was made by G. Futoma, seconded by W. Webb, to adjourn the meeting.

Voting in favor: M. Semënov-Leiva, J. Roberts, M. Farina, S. Fox, S. Thompson, W. Webb, Alan Ponanski, K. Perzanowski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 8-0-0.

The meeting was adjourned at 9:46 PM.

Respectfully submitted,

Susan W. Beckman

Regional Planner

Staff to CRGC

The next regular meeting of the Gateway Commission is scheduled for Thursday, February 22, 2024, at 7:00 PM.

Minutes are posted in compliance with Connecticut's Freedom of Information Act. Please note that edits may be made to these minutes prior to their acceptance by the Commission at its next meeting. Any changes will be included within the next meeting's minutes.