



**CT River Gateway Commission
Regular Meeting Minutes – Hybrid Meeting
Thursday, May 25, 2023, 7:00 PM
RiverCOG Conference Room and via Zoom**

DRAFT

Present: **Chester:** Tom Brelsford; Jenny Kitsen (Alternate); **Deep River:** Jerry Roberts; **Essex:** Claire Matthews (Treasurer), Misha Semënov-Leiva (Alternate); **Haddam:** Susan Bement, Mike Farina (Alternate); **Lyme:** Melvin Woody (Vice Chair), Susan Fox (Alternate); **Old Lyme:** Suzanne Thompson (Chair), Greg Futoma (Alternate); **Old Saybrook:** William Webb, Diane Stober (Alternate); **CT DEEP:** Kathleen Perzanowski; **RiverCOG North:** Alan Ponanski (Alternate); **RiverCOG South:** Judy Preston

Absent: **East Haddam:** Cary Brownell, Debbie Langdon (Alternate); **Fenwick:** Newt Brainerd; **RiverCOG North:** Raul de Brigard

Staff support present: Susie Beckman (RiverCOG), Amy Huot (CRGC Clerk)

II. Agenda

1. Call to Order: Chair Thompson called the meeting to order at 7:09 PM.

2. Approval of Agenda: Chair Thompson noted that this meeting is Ms. Matthews' last as Chair of the Finance Committee and requested that a discussion about electing a new Chair be added to the agenda. A **motion** was made by S. Thompson, seconded by S. Bement, to add this agenda item.

Voting in favor: T. Brelsford, J. Roberts, C. Matthews, S. Bement, M. Woody, S. Thompson, W. Webb, K. Perzanowski, A. Ponanski, J. Preston; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 10-0-0.

3. Approval of 4/27/23 Regular Meeting Minutes:

A **motion** was made by M. Woody, seconded by J. Roberts, to approve the April 27, 2023 Regular Meeting Minutes with an update as follows:

Page 3: "Mr. Gold informed the Commissioners that a project has been started using GIS and mathematical calculations to understand the average size of houses by decade and by town in the Conservation Zone... Mr. Gold noted the data will be collected for all the towns in the Gateway Zone to understand the average increases in house size."

Ms. Stober noted this project has not been authorized or approved financially. Chair Thompson will discuss with Mr. Gold to confirm the status of the project.

Voting in favor: T. Brelsford, J. Roberts, C. Matthews, S. Bement, M. Woody, S. Thompson, W. Webb, K. Perzanowski, A. Ponanski, J. Preston; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 10-0-0.

4. Public Hearing

a. Gateway Commission Lighting Standards

<https://ctrivergateway.org/public-hearing-on-new-lighting-standards/>

Ms. Beckman read the proposed Section II Light Pollution Definition and the proposed addition to Section III – Standards, J. Additional Requirements for Residential Structures over 4,000 Square Feet in Total Area, 4. Review Criteria for Applications for Construction in the Gateway Conservation Zone, j.

It was noted that there were no public commenters in the room or on the remote access. Letters of support received from the Essex Conservation Commission and Town of Chester were read into the record.

A **motion** was made by M. Woody, seconded by C. Matthews, to **close** the public hearing.

Voting in favor: T. Brelsford, J. Roberts, C. Matthews, S. Bement, M. Woody, S. Thompson, W. Webb, K. Perzanowski, A. Ponanski, J. Preston; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 10-0-0.

The Commissioners noted that legislation is before the Connecticut legislature, which is in session until early June, that would require buildings owned or leased by the State of Connecticut to turn off lights overnight. Some towns are reviewing their own lighting standards. The Commissioners emphasized the importance of this new standard.

Prior to voting, Mr. Webb, chair of the Rules of Procedure Committee, reminded Commissioners that the requirement for approval is different for the vote to update the Gateway Standards. The vote must contain five towns plus one other organization.

A **motion** was made by M. Woody, seconded by W. Webb, to adopt all standards changes as presented as well as new lighting definition and criteria.

Voting in favor: T. Brelsford, J. Roberts, C. Matthews, S. Bement, M. Woody, S. Thompson, W. Webb, K. Perzanowski, A. Ponanski, J. Preston; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 10-0-0.

1. Adoption of Lighting Standards – Discussion and Possible Vote (see above)

2. Referrals

a. **“Corigliano” Application for Special Exception and Coastal Site Plan Review** to construct three car garage addition, house addition, front porch and rear porch with steps increasing the ground floor area of dwelling to 9,728 SF. 38 Watrous Point Road, Assessor’s Map 64/Lot 8, Residence AA-3 District, Coastal Area Management Zone, CT River Gateway Conservation Zone. *Applicant: Agnes & Cosmo Corigliano Agent: Joe Wren, P.E.*

Mr. Joe Wren, P.E., Mr. J.P. Abarca with Indigo Land Design in Old Saybrook and Ms. Brooke Girty of Brook Girty Design in Lyme were present to review the design. Also present was Mr. Cosmo Corigliano, the property owner. Mr. Wren presented the site plan and noted there are many trees left on this site as opposed to neighboring properties. Mr. Wren further stated that the applicants do not plan on removing any trees, they will build an addition to the house already on the property and all improvements will be kept out of the riparian buffer. Mr. Wren further stated that the detached garage will be removed, resulting in a reduction in gross floor area. The total square footage to be added to the existing structure, including patios, will be 1880 SF per Mr. Wren.

Ms. Girty reviewed the rendering of the proposed building addition and the architectural plans with the Commissioners. Ms. Girty noted that the new structure is on the same angle as the original garage, and they worked to keep the scale of the addition smaller. Mr. Wren noted the current

structure is non-conforming to the riparian buffer and the non-conformance will not be increased with the new structure. Mr. Wren also stated the new structure will be conforming in height.

Ms. Girty noted the design will not add any additional lighting to the current house, when asked about addressing light pollution. Ms. Girty also stated the porch lights will be much more subtle and will not light up the night sky. Mr. Corigliano stated the existing exterior lighting is purposely minimal. Mr. Corigliano further stated there is no intention of removing existing plantings.

A **motion** was made by W. Webb to write a letter, however further discussion followed, and the motion was revised. While the Commissioners were not happy that a large house will be made larger, they did note the design is within the guidelines. Mr. Webb noted it does not appear to conflict with any of the 10 Gateway Review Standards.

The Commissioners discussed that the design meets the Gateway Standard criteria, however Mr. Ponanski questioned if the design met the first Gateway standard: Proposed site development is to maintain the essential natural characteristics of the site, such as major landforms, natural vegetative and wildlife communities, hydrologic features, scenic qualities, and open space that contributes to a sense of place.

The motion has been reframed to the following:

A **motion** was made by W. Webb, seconded by M. Woody, to write a letter that states “the CT River Gateway Commission is concerned that the increased bulk visually impacts the river as per the Gateway Standards item J. 4 (a): “...scenic qualities and open space that contributes to a sense of place”. We heard the owner/applicants convey that they intend to keep lighting minimal and existing trees will stay.”.

Voting in favor: T. Brelsford, J. Roberts, C. Matthews, S. Bement, M. Woody, S. Thompson, W. Webb, K. Perzanowski, J. Preston; **Opposed:** A. Ponanski; **Abstaining:** None. The motion **passed**, 9-1-0.

b. Proposed Amendment to the Regulations for Public Improvements, Section 103 B.3 to allow for expansion of maximum pavement width at the discretion of the Director of Public Works to exceed twenty feet where no parking is allowed on the street and there are physical on-site constraints related to Public Health Code Requirements. *Petitioner: Old Saybrook Planning Commission.*

Mr. Webb and Ms. Beckman gave a quick summary of the reason for the request: Residents in this section of Old Saybrook must park in the right-of-way next to the road when they are unable park on their driveway. This is due primarily to work on the septic systems for the neighborhoods near the water. The work done eliminated some of the parking on these very small lots and very narrow roads per Ms. Beckman. Ms. Beckman further noted that this is forcing parking on the right-of-way and even on the road, impacting emergency vehicles, plows, and other vehicles. Ms. Beckman noted that the proposed amendment allows the Old Saybrook Public Works Director, at his/her discretion, to pave a parallel path to the road, allowing residents to park and giving them a space that is not on the road or their yard. Ms. Beckman noted this amendment will only affect residence A zones and some of these areas are in the Gateway Zone.

A **motion** was made by W. Webb, seconded by S. Bement, to approve the amendment to Section 103 B.3 to allow for expansion of maximum pavement width at the discretion of the Director of Public Works to exceed twenty feet where no parking is allowed on the street and there are physical on-site constraints related to Public Health Code Requirements for public improvement.

Voting in favor: T. Brelsford, J. Roberts, C. Matthews, S. Bement, M. Woody, S. Thompson, W. Webb, K. Perzanowski, A. Ponanski, J. Preston; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 10-0-0.

c. **“Max’s Place, LLC. and Big Y Foods, Inc.”** Petition to Amend the Old Saybrook Zoning Regulations to amend Section 53.1 Standards for Motor Vehicle Uses to reduce the separation distance requirement for fuel to 500’ in the Gateway Business B-4 Shopping Center District. *Applicant: Max’s Place, LLC. and Big Y Foods, Inc. Agent: Attorney David Royston*

Ms. Beckman noted this is only in the B4 Zone and not related to the CRGC district and CT DEEP also noted it is not within their purview.

A **motion** was made by C. Matthews, seconded by M. Woody, to request Ms. Beckman send a letter to the applicant noting this is not within the CT River Gateway Zone.

Voting in favor: T. Brelsford, J. Roberts, C. Matthews, S. Bement, M. Woody, S. Thompson, W. Webb, K. Perzanowski, A. Ponanski, J. Preston; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 10-0-0.

d. **Proposed Revisions to Lyme Zoning Regulations**

- i. An amendment to Chapter 315, Article 17, Cutting and Removal of Forest Species. This Article will be removed in whole from Chapter 315, Zoning Regulations per Connecticut General Statutes Sec. 23-65k.
- ii. An amendment to Chapter 315, Article 23, Nonconformities. The amendments involve increased restriction on nonconforming structures. The changes are identified by red text and black strikethrough.

Item i: Ms. Beckman informed Commissioners that there will be a regulation change in Lyme as directed by CT DEEP. Ms. Beckman noted this will shift forest regulations from the purview of the Planning and Zoning Commission to Inland Wetlands and Water Courses Commission.

Commissioners expressed concern about enforcement of the CRGC standards if this goes to the Inland Wetlands and Water Courses Commission. Ms. Beckman noted that this seems to concern commercial forestry, which is covered in the Gateway Standards, but must be brought to the appropriate authority in the town. Ms. Fox noted that the hope is that the CRGC might write regulations and vote for the change, which will give the Inland Wetlands and Water Courses Commission more ability to protect within the Gateway Conservation Zone.

Ms. Beckman noted the subject might be brought up for discussion with Attorney Matt Willis to move it forward at the June 14th, 2023 meeting. Ms. Beckman further stated if the Commission can work within the system, the Commission can improve the CRGC Gateway Standards to address

concerns about tree cutting. Ms. Beckman recommended addressing subdivisions as there are currently no standards written recommending the CRGC review applications for subdivisions as well.

The Commissioners decided to table the discussion until they receive guidance from the CRGC legal counsel. The Commissioners further noted the Lyme public hearing is June 12th, so CRGC will ask the Old Saybrook commission to keep its public hearing open while the CRGC conducts research.

A **motion** was made by T. Brelsford, seconded by M. Woody, to request this topic be tabled and that the CRGC requests the Lyme public hearing be held open.

Voting in favor: T. Brelsford, J. Roberts, C. Matthews, S. Bement, M. Woody, S. Thompson, W. Webb, K. Perzanowski, A. Ponanski, J. Preston; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 10-0-0.

Item ii: Ms. Beckman explained that a non-conforming structure cannot be further enlarged vertically or horizontally within the setback. These revisions clarify the regulations for non-conforming structures.

A **motion** was made by S. Fox, seconded by C. Matthews, to approve the proposed zoning regulation revision.

Voting in favor: T. Brelsford, J. Roberts, C. Matthews, S. Bement, M. Woody, S. Thompson, W. Webb, K. Perzanowski, A. Ponanski, J. Preston; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 10-0-0.

7. Correspondence/Staff Report:

Ms. Beckman noted she sent a long staff report to the Commissioners and asked the Commissioners to read the report and respond to her with comments. Ms. Beckman asked the Commission for guidance on the process for referrals. She asked if staff writes letters based on findings by the full Gateway Commission (using the exact wording of motions made and approved), will final approval be needed on the letter prior to sending it? And will it be turned around quickly enough? Chair Thompson noted this should be addressed. Ms. Beckman noted it must be a quick turnaround for the letters to reach public hearings in time, preferably a 24–48-hour turnaround. Chair Thompson stated she and Ms. Beckman will take this on a case-by-case basis.

8. Chairman’s Report:

Chair Thompson stated there will be training for all Commissioners, including long standing and newly appointed. Chair Thompson noted this training will be recorded for viewing for any who cannot attend in person, as well as become training for all new Commissioners appointed to serve. Attorney Matt Willis will be giving a legal overview. Mr. Sam Gold will give an overview of zoning authorities and practices. Ms. Beckman noted this workshop is considered a special meeting per CT FOIA regulations, so it will be noticed and the public can observe, but not comment. The meeting is on June 14th, 2023, at 5:30 PM.

9. Committee Reports:

a. Finance – Budget

A **motion** was made by C. Matthews, seconded by S. Bement, to nominate Ms. Stober to be Treasurer of the CRGC.

Voting in favor: T. Brelsford, J. Roberts, C. Matthews, S. Bement, M. Woody, S. Thompson, W. Webb, K. Perzanowski, A. Ponanski, J. Preston; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 10-0-0.

Ms. Matthews requested Commissioners to review the monthly report and if there are any issues or questions, please contact her this week or the beginning of next week. Ms. Stober will send a proposed budget to the commissioners before the June meeting so they will be able to vote the budget, which runs from July 1, 2023 to June 30, 2024, at the Commission’s June regular meeting.

Ms. Matthews informed Commissioners that staff expenses are over budget and there are still two months left. Ms. Matthews noted Ms. Stober will work with Mr. Gold to establish use of staff criteria to help bring the budget under control.

The Finance Committee requested the Commission vote to pay the following bills: RiverCOG: \$12,048.09; the CT River Conservancy: \$2,500; and Halloran & Sage: \$40.00. The total is **\$14,588.09**.

A **motion** was made by S. Bement, seconded by M. Woody, to pay the bills.

Voting in favor: T. Brelsford, J. Roberts, C. Matthews, S. Bement, M. Woody, S. Thompson, W. Webb, K. Perzanowski, A. Ponanski, J. Preston; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 10-0-0.

b. Communications

Mr. Futoma noted that the Committee started a communications program with the new website, which needs regular updates, to spread the word about the mission of the CRGC and how the Standards apply within the Zone. Ms. Beckman suggested a young professional who could work part time as a marketing professional for the CRGC. Mr. Futoma suggested the Communications Committee create a job duties statement for this person, plan for supervision and budget for her work for the coming year. Mr. Futoma noted the web developer’s contract ends at the end of May. Mr. Futoma asked for consent to work with this new hire for the month of June, with a salary cap for her work, on a trial basis. Mr. Futoma believes this new hire will be very effective.

A **motion** was made by A. Ponanski, seconded by S. Bement, to approve to pay the new marketing professional up to a \$400 for the month of June, on an ad hoc basis.

Voting in favor: T. Brelsford, J. Roberts, C. Matthews, S. Bement, M. Woody, S. Thompson, W. Webb, K. Perzanowski, A. Ponanski, J. Preston; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 10-0-0.

Mr. Futoma noted CT DEEP will allow the CRGC to use Gillette Castle to plan the CLCC event and the CRGC needs to pick a date. The Commissioners agreed on the month of June. Mr. Futoma suggested a poll to find an exact date that will work for everyone. Details to be worked out by the Commissioners.

Chair Thompson noted there also will be a 50th anniversary celebratory event on August 3rd, 2023, at the Roger Tory Petersen Estuary Center in Old Lyme.

c. Rules of Procedures: No news to report.

d. Land: **Executive Session**. Potential acquisition of land in the Gateway Conservation Zone

Chair Thompson noted the Commission is still working on a structure and leadership for the committee. Chair Thompson also noted that Mount Saint John in Deep River is not being auctioned off.

10. Old Business: None

11. New Business

Mr. Roberts updated the Commissioners on the River Rd properties in Deep River. Mr. Roberts noted 108 River Rd was clear cut except for the 6 trees the owners agreed to keep, plus 106 River Rd property was clear cut will be built upon shortly. Mr. Roberts noted that 112 River Rd is a success story as the owners agreed to all the CRGC requests.

Mr. Roberts noted many of the commissioners on the Deep River Zoning Commission praised the CRGC's letter sent for 112 River Rd. However, when Deep River Zoning voted to approve the property, including CRGC comments, one Commissioner said that the owners should not be required to keep dangerous trees. The Zoning Commission threw out the CRGC letter for this property.

Mr. Roberts further noted that he wrote a letter to be sent to the Deep River Zoning Commission with extreme disapproval of this action. Mr. Roberts suggested the CRGC Commission take action to try and preserve the trees in Deep River. Mr. Ponanski recommended that this be discussed with the Commission's attorney during the workshop on June 14th.

The Commission thanked Ms. Matthews for her decade of serving on the Commission as Essex appointee, Treasurer, Finance Committee chair and member of Rules Committee.

12. Adjournment: meeting adjourned at 9:38 PM.

A motion was made by S. Bement, seconded by C. Matthews, to adjourn the meeting.

Voting in favor: T. Brelsford, J. Roberts, C. Matthews, S. Bement, M. Woody, S. Thompson, W. Webb, K. Perzanowski, A. Ponanski, J. Preston; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 10-0-0.

Respectfully submitted,

Amy Huot, Clerk

PLEASE NOTE this new email address to reach the Connecticut River Gateway Commission:

contact@ctrivergateway.org

The next regular meeting of the Gateway Commission is scheduled for Thursday, June 22, 2023 at 7:00 PM. Please see the agenda posted at <https://ctrivergateway.org> for the link.