



**CT River Gateway Commission  
Regular Meeting Minutes – Hybrid  
Meeting Thursday, October 26, 2023,  
7:00 PM RiverCOG Conference Room  
and via Zoom**

**Present: Chester:** Misha Semënov-Leiva; **Deep River:** Jerry Roberts; **East Haddam:** Debbie Langdon (Alternate); **Haddam:** Mike Farina, Erin Ortega (Alternate); **Lyme:** Melvin Woody (joined at 8:39 PM), Susan Fox (Alternate); **Old Lyme:** Suzanne Thompson (Chair), Greg Futoma (Alternate); **Old Saybrook:** Diane Stober (Treasurer); **RiverCOG North:** Raul de Brigard, Alan Ponanski; **Ex Officio:** Melvin Woody (joined at 8:39 PM)

**Absent: Chester:** Tom Brelsford (Alternate); **East Haddam:** Crary Brownell; **Fenwick:** Newt Brainard; **Old Saybrook:** William Webb (Secretary); **RiverCOG South:** Judy Preston; **CT DEEP:** Kathleen Perzanowski

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

### **I. Agenda**

1. Call to Order: Chair Thompson called the meeting to order at 7:22 PM.

2. Approval of Agenda

A **motion** was made by A. Ponanski, seconded by J. Roberts, to approve the Regular Meeting Agenda.

**Voting in favor:** M. Semënov-Leiva, J. Roberts, D. Langdon, M. Farina, E. Ortega, S. Fox, S. Thompson, D. Stober, R. de Brigard, A. Ponanski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 10-0-0.

3. Approval of the 9/28/2023 Regular Meeting Minutes

A **motion** was made by R. de Brigard seconded by A. Ponanski, to approve the September 28, 2023 Regular Meeting Minutes.

**Voting in favor:** M. Semënov-Leiva, J. Roberts, D. Langdon, M. Farina, E. Ortega, S. Fox, S. Thompson, D. Stober, R. de Brigard, A. Ponanski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 10-0-0.

4 Review of Referrals & Preliminary Discussions

a. Lyme – Proposed Zoning Amendment to Map - Eightmile River Overlay Zone

Ms. Beckman stated that the proposed amendment overlaps the Gateway Zone slightly and there will be nothing lost to the CRGC in terms of the CRGC's ability to regulate. Ms. Beckman further noted that this is a request from the Lyme Zoning Commission to review and object or not object to the proposed amendment.

A **motion** was made by R. de Brigard, seconded by A. Ponanski, that the CRGC will not object to the proposed amendment to the Eightmile River Overlay District Map proposed by the Lyme Zoning Commission.

**Voting in favor:** M. Semënov-Leiva, J. Roberts, D. Langdon, M. Farina, E. Ortega, S. Fox, S. Thompson, D.

Stober, R. de Brigard, A. Ponanski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 10-0-0.

b. Lyme – Proposed Zoning Amendment to Text - Exempt Signs

Ms. Beckman explained that this is a text amendment from the town of Lyme clarifying exemptions for the Municipal and Public Safety Department from rural sign regulations.

A **motion** was made by R. de Brigard, seconded by A. Ponanski, that the CRGC will not object to the proposed amendment.

**Voting in favor:** M. Semënov-Leiva, J. Roberts, D. Langdon, M. Farina, E. Ortega, S. Fox, S. Thompson, D. Stober, R. de Brigard, A. Ponanski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 10-0-0.

c. Old Lyme – 36 Homestead Circle – Variance

Mr. Joe Wren, PE with Indigo in Old Saybrook, and the applicants Ms. Judy Kissane and Mr. Kevin Dyer presented the application. The entire house and lawn are within the 100 FT of the Gateway Zone Setback. Gross floor area will be reduced, and the house is being updated to become more environmentally friendly, including removing asbestos and installation of a heat pump. Mr. Dyer showed drawings of proposed riparian buffers between the proposed deck and the marsh.

Mr. de Brigard commented that pushing back the basic vegetation could allow for more yard for recreational uses and allow installation of the suggested size of the riparian buffer. Mr. Ponanski recommended pushing a 10 FT buffer into the phragmites to gain more yard and clean up an invasive species. Mr. Ponanski suggested the buffer extends towards the water, but the Inland Wetlands Commission will need to review the plan. Mr. Wren noted that there are no inland wetlands in this area, it is all tidal marsh. He further stated that the Coastal Jurisdiction line goes to the edge of the marsh and strongly suggests not moving the buffer towards the phragmites as the tidal wetlands line is right there. Mr. Wren then offered suggestions as to how to legally control the phragmites.

Mr. Futoma noted the natural river scene does not really exist due to the Black Hall Outfitters parking and boats and thinks the changes will not be obtrusive. It was noted that the Coastal Area Management Review commended creation of an additional riparian buffer (i.e., 10 FT in width) of native shrubs adjacent to the wetland. Chair Thompson recommended low native grasses that can be used as a vegetative buffer instead of turf grass, but the area may still be used by the residents.

A **motion** was made by Mr. de Brigard, seconded by Mr. Ponanski, that the impact of the application will not have an adverse effect on the Gateway zone provided that the project maintain a pervious ground cover in the area under the extended deck and that there be a buffer of no less than 5 FT combined with an effort to push back the phragmites.

**Voting in favor:** M. Semënov-Leiva, J. Roberts, D. Langdon, M. Farina, E. Ortega, S. Fox, S. Thompson, D. Stober, R. de Brigard, A. Ponanski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 10-0-0.

d. Essex – 13 Novelty Lane – Variance

Ms. Sue Wyatt, member of the Essex Yacht Club, represented the applicant, Mr. Paul Riggio. Ms. Wyatt said the purpose of the project is to provide handicapped access to the second floor of the Essex Yacht Club. Ms. Wyatt noted that a lift, as opposed to a full-blown elevator, has been requested and was approved.

The Commissioners discussed and agreed that it is important to make this facility ADA compliant and the location and type of lift had been selected to minimize bulk and visibility.

A **motion** was made by J. Roberts, seconded by M. Farina, that the CRGC have determined that the impact of the action requested in the application will not have significant adverse impact on the protection and development of the Gateway Conservation Zone.

**Voting in favor:** M. Semënov-Leiva, J. Roberts, D. Langdon, M. Farina, E. Ortega, S. Fox, S. Thompson, D. Stober, R. de Brigard, A. Ponanski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 10-0-0.

e. Old Saybrook – North Cove Rd. - Preliminary Discussion

Attorney Ed Cassella, Mr. Andrew and Ms. Taryn Chester, applicants, Mr. Joe Rogan, Engineer, and Mr. Joe Wren, PE presented the proposed structure update to the Commission. Mr. Wren stated that amongst the proposed updates, the entire lower level of the house will be made FEMA compliant. Mr. Wren further stated there are two parts to this project: the house update and a pool addition. The Commissioners expressed concern and objected to the pool being built into the 100 FT. setback. Mr. Semënov-Leiva shared the prior proposal for this property presented to the Commission and noted that the pool in the earlier proposal was smaller and did not encroach as far into the 100' setback. The Commission recommended the applicants reduce the size of the pool to keep it out of the 100' setback. Commissioners suggested ecological improvements to help facilitate approval of the pool such as native plantings, buffers closer to the water which could conceal the pool, etc. Mr. Semënov-Leiva suggested reducing some of the lawn to reduce the pesticides going into the river.

Chair Thompson noted the applicants should include the plantings suggested and include a riparian buffer of 5 FT to 10 FT deep, with a variety of native plants. Chair Thompson noted the applicants can find plant suggestions on the UCONN website. Mr. Ponanski objects as the 100 FT buffer is there for a reason and he is worried about setting precedent with this application.

Mr. de Brigard left at 9:19 PM. Mr. Ponanski was seated for Mr. de Brigard for the remainder of the meeting.

f. Deep River – Proposed Zoning Amendment to Text – Home Childcare

Ms. Beckman stated this amendment to text is due to the Public Act 23-142 that went into effect on October 1, 2023. This is a state statute.

A **motion** was made by M. Farina, seconded by D. Langdon, to write a letter stating the CRGC will not object to the proposed amendment to the home childcare text and the review has been done through the staff.

**Voting in favor:** M. Semënov-Leiva, J. Roberts, D. Langdon, M. Farina, E. Ortega, S. Fox, S. Thompson, D.

Stober, A. Ponanski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 9-0-0.

The Commission stated it would send the same letter (but separate letters) to Deep River and for Essex, as the two towns are affected by the same state statute.

g. Deep River – Proposed Zoning Amendment to Text – Minimum Accessory Dwelling Unit Size  
A **motion** was made by A. Ponanski, seconded by G. Futoma, to write a letter stating the CRGC will not object to the proposed text amendment and the review has been done through the staff.

**Voting in favor:** M. Semënov-Leiva, J. Roberts, D. Langdon, M. Farina, E. Ortega, S. Fox, S. Thompson, D. Stober, A. Ponanski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 9-0-0.

h. Essex – Proposed Zoning Amendment to Text - Home Childcare  
Please see item f.

5. Correspondence/Staff Report: No further correspondence.

6. Chairman’s Report: No Chairman’s report.

7. Old Business

a. Haddam – Cell Tower Siting Ad Hoc Committee Update

Mr. Farina said that he and Mr. de Brigard discussed the tower and made inquiries without much feedback other than referrals to the CT Siting Council (CSC). Ms. Beckman noted there will be an opportunity for the Commission to write a letter or speak at the CSC public hearing. Chair Thompson noted the date has not been set for the CSC hearing. Haddam residents Mr. and Mrs. Rand-Cyr are concerned about issues including the height and the view shed. The Rand-Cyrs also noted that the closest monopoles are much further away from the CT River in other towns. The Haddam cell tower will be 0.5 miles from the river, which is a concern to the Rand-Cyrs. The Rand-Cyrs noted there are a few ecological issues related to the cell tower proposal.

Mr. Ponanski asked if there are other locations that could be used for the tower. Ms. Langdon noted if it can be relocated away from the river, the CRGC might better support the tower. Mr. Rand-Cyr noted that other locations can be considered, but the applicant would need to pursue this option. Mr. Roberts commented that the CRGC has no jurisdiction and questioned how to proceed; Mr. Ponanski suggested the CRGC strongly oppose the cell tower as it is in the Gateway Conservation Zone. Mr. Ponanski also suggested the objection letter be written as soon as possible. Chair Thompson asked a small committee to draft a letter and send it to all Commissioners for review.

Mr. Roberts and Mr. Ponanski will draft a letter that will be sent to all Commissioners for review. A **motion** was made by A. Ponanski, seconded by D. Langdon, that a letter is drafted strongly opposing the suggested location of the cell tower.

**Voting in favor:** M. Semënov-Leiva, J. Roberts, D. Langdon, E. Ortega, S. Fox, S. Thompson, D. Stober, A. Ponanski; **Opposed:** None; **Abstaining:** M. Farina. The motion **passed**, 8-0-1.

Ms. Beckman asked that the letter the Rand-Cyrs submitted be reviewed so their information can be included in the objection letter to be written by the CRGC.

b. Beech Trees – Policy re: removal of dead/diseased - Ad Hoc Committee

The Ad Hoc Committee noted that there is nothing to report yet. Mr. Futoma suggested there are other tree species that might need to be considered as well.

8. New Business

Mr. Roberts noted that the town of Deep River will make a proposal to buy the Rattling River Valley Rd. property on behalf of the Deep River Land Trust.

Mr. Roberts also commented about the proposal to build a pool that the Commissioners reviewed earlier in the evening and cautioned the Commission to be consistent as more applications are received.

Chair Thompson suggested the CRGC put a workshop together for the member towns' Zoning Boards of Appeal (ZBA) and broach the topic with them. Mr. Futoma noted that there is no follow-up to see if suggested riparian buffers are implemented by applicants. Chair Thompson suggested that the CRGC work on providing more information to towns ZBAs following the Municipal Elections in November.

Mr. Woody suggested that the CRGC also approach the member towns' Zoning Commissions as well. Mr. Ponanski suggested that the CRGC sponsor a conference for member towns for the CRGC to present the issues and help educate member towns' Zoning Commissions and ZBAs.

Mr. Ponanski suggested that the UCONN staff who gave a lecture on riparian buffers join. Ms. Beckman suggested that UCONN be contacted for training, and she will investigate.

9. Committee Reports

a. Treasurer – Approve Bills

Mr. Futoma confirmed that W Design was used longer than expected but the Communications committee will still end the project under budget. Chair Thompson noted the total RiverCOG time has gone down this month and that Ms. Beckman's time will be budgeted at 64 hours per month.

A **motion** was made by A. Ponanski, seconded by M. Farina, to pay the bills. The bills are as follows: RiverCOG \$4746.75; W Design \$\$1703.75; Halloran & Sage, LLP \$340.00; Stella Design & Marketing \$280.50.

**Voting in favor:** M. Semënov-Leiva, J. Roberts, D. Langdon, M. Farina, E. Ortega, S. Fox, S. Thompson, D. Stober, A. Ponanski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 9-0-0.

b. Communications – Update

Mr. Futoma noted that the CRGC had a booth at the EightMile Riverfest and it was a good event. Mr. Futoma was contacted by UCONN to use a student who can help with creating guidelines for riparian buffers. Chair Thompson stated she has a meeting next week with UCONN Climate Corps class professors to see to see how the CRGC and the UCONN students may work together. Chair Thompson also noted that this is a good collaboration opportunity.

c. Rules of Procedures – Update

Ms. Langdon reviewed the recording of the E. Haddam Planning and Zoning Commission and noted the Commission discussed adopting the Gateway Standards and the night lighting and elevation criteria. An appointment will be made with Ms. Beckman to get more information. Chair Thompson noted that the CRGC needs to review which towns have not yet adopted the updated Gateway Standards.

d. Land Committee - Executive Session. Potential acquisition of land in the Gateway Conservation Zone A **motion** was made by A. Ponanski, seconded by M. Farina, to move into Executive Session.

**Voting in favor:** M. Semënov-Leiva, J. Roberts, D. Langdon, M. Farina, E. Ortega, S. Fox, S. Thompson, D. Stober, A. Ponanski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 9-0-0.

Executive Session started at 10:09 PM.

A **motion** was made by A. Ponanski, seconded by G. Futoma, to close the executive session.

Executive session closed at 10:24 PM. No actions or votes were taken during the session.

#### 10. Adjournment

A **motion** was made by A. Ponanski, seconded by J. Roberts, to adjourn the meeting.

**Voting in favor:** M. Semënov-Leiva, J. Roberts, D. Langdon, M. Farina, E. Ortega, S. Fox, S. Thompson, D. Stober, A. Ponanski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 9-0-0.

The meeting was adjourned at 10:24 PM.

Respectfully submitted,

Amy Huot, Clerk

**The next regular meeting of the Gateway Commission is scheduled for Thursday, December 7, 2023, 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.