



**CT River Gateway Commission
Regular Meeting Minutes – Hybrid
Meeting Thursday, December 7,
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:** Erin Ortega (Alternate); **Lyme:** Susan Fox (Alternate); **Old Lyme:** Suzanne Thompson (Chair), Greg Futoma (Alternate); **Old Saybrook:** Diane Stober (Treasurer), William Webb (Vice Chair); **RiverCOG North:** Raul de Brigard, Alan Ponanski; **RiverCOG South:** Judy Preston; **CT DEEP:** Kathleen Perzanowski.

Absent: **Chester:** Tom Brelsford (Alternate); **East Haddam:** Cary Brownell; **Fenwick:** Newt Brainard; **Haddam:** Mike Farina (Secretary); **Ex Officio:** Melvin Woody

Staff support present: Susie Beckman (RiverCOG)

I. Agenda

1. Call to Order: Chair Thompson called the meeting to order at 7:12 PM.

2. Approval of Agenda

Chair Thompson noted that the meeting minutes from the November 28, 2023 Special Meeting need to be approved as well as the October 26, 2023 Regular Meeting Minutes.

A **motion** was made by R. de Brigard, seconded by J. Preston, to approve the Regular Meeting Agenda.

Voting in favor: M. Semënov-Leiva, J. Roberts, D. Langdon, E. Ortega, S. Fox, S. Thompson, W. Webb, R. de Brigard, J. Preston, K. Perzanowski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 10-0-0.

3. Approval of the 10/26/2023 Regular Meeting Minutes

A **motion** was made by J. Roberts, seconded by J. Preston, to approve the October 26, 2023 Regular Meeting Minutes.

Voting in favor: M. Semënov-Leiva, J. Roberts, D. Langdon, E. Ortega, S. Fox, S. Thompson, W. Webb, R. de Brigard, J. Preston, K. Perzanowski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 10-0-0.

A motion was made by R. de Brigard, seconded by D. Stober, to approve the November 28, 2023 Special Meeting Minutes.

Voting in favor: M. Semënov-Leiva, J. Roberts, D. Langdon, E. Ortega, S. Fox, S. Thompson, W. Webb, R. de Brigard, J. Preston, K. Perzanowski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 10-0-0.

4. Review of Referrals & Preliminary Discussions

a. Old Saybrook – Proposed Zoning Amendment – Drive-Through Windows

Ms. Beckman noted that the proposed amendment to the zoning regulations is centered on the Gateway B-4 District. Ms. Beckman said that she spoke with Old Saybrook Town Planner Ms. Chris Costa, who noted the zoning amendment is intended to ensure there is plenty of space to accommodate parking and cars in line at a drive through window. Ms. Beckman noted the only impact in the Gateway zone is in the B-2 area, which is a business district in Old Saybrook. Mr. de Brigard commented that this referral could be subject to administrative review and not go before the full Commission. Mr. Webb noted these areas will never impact the CRGC statutory mandate. Mr. Roberts noted that if drive-throughs are considered a use, the CRGC does not cover use.

A **motion** was made by R. de Brigard, seconded by A. Ponanski, that the CRGC does not have any objections to this proposal.

Voting in favor: M. Semënov-Leiva, J. Roberts, D. Langdon, E. Ortega, S. Fox, S. Thompson, W. Webb, R. de Brigard, J. Preston, K. Perzanowski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 10-0-0.

b. Old Saybrook – Proposed Zoning Amendment – Parking for Gas/Convenience stores

Ms. Beckman noted this change will not impact the Gateway Zone. Ms. Beckman noted it is before the CRGC because Ms. Costa erred on the side of caution and sent it to the CRGC for review. Mr. de Brigard noted the CRGC does not have a use regulation, so a letter can be written that states this does not have an impact on the Gateway Zone.

A **motion** was made by R. de Brigard seconded by J. Roberts, to write a letter stating the proposed zoning amendment does not have an impact on the Gateway Zone.

Voting in favor: M. Semënov-Leiva, J. Roberts, D. Langdon, E. Ortega, S. Fox, S. Thompson, W. Webb, R. de Brigard, J. Preston, K. Perzanowski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 10-0-0.

c. Essex – 10 Benson Lane – Variance

Mr. Webb recused himself from the discussion prior to the presentation.

Ms. Nadine Soubotin, landscape architect and Attorney Ed Cassella presented the design plan. Mr. Casella said the owners would like to replace an existing pool that currently encroaches on the 50 FT riparian buffer with a new pool and patio. The new design will be inside the 100 FT setback, but no longer inside the 50 FT riparian buffer area. The applicants met with Ms. Beckman, Mr. Roberts, and Ms. Stober to review the plan, which resulted in modifications and improvements to the original design. Ms. Soubotin noted the applicants are interested in reducing the lawn coverage by approximately 37% and creating a habitat with native and adaptive plantings, as well as increasing the buffer area along the river. Mr. Cassella noted that the lighting will be minimal, to meet dark sky compliant criteria. Mr. de Brigard and Chair Thompson recommended that the applicants include trees in their plan, as well, in the yard between the house and river to soften the visual impact of the existing house.

A **motion** was made by D. Stober, seconded by G. Futoma, to write a letter stating the CT River Gateway Commission notes the design violates the 100 FT Structural Setback, however there are improvements of existing non-conformances. The Commission will not object if the following conditions are included in

the design: Widen the riparian buffer and make it denser with a greater diversity of vegetation, add shade trees in the yard, and add dark sky compliant lighting.

Voting in favor: M. Semënov-Leiva, E. Ortega, S. Fox, S. Thompson, D. Stober, R. de Brigard, J. Preston, K. Perzanowski; **Opposed:** None; **Abstaining:** J. Roberts, D. Langdon. The motion **passed**, 8-0-2.

d. Old Saybrook – 15 Mallard – Variance

Mr. Bob Larosa and Attorney Ed Cassella presented the design plan. The LaRosa's would like to tear down the existing house but use a portion of the existing foundation in the reconstruction of a new house on top of that foundation with extensions off the side and back of the house. The current house does not comply with current energy standards, as it was built in 1968. Attorney Cassella stated the proposed house will be in muted colors and stated the septic system will be replaced with a new state of the art septic. Mr. Larosa said there will be 10 FT of native plantings along the edge of the wetlands, as was suggested by the CRGC in previous meetings. Mr. Larosa noted there is not a plant list yet. Mr. Webb noted the LaRosas clearly understand the Gateway perspective and have integrated past suggestions made by the Commission in an earlier design proposal.

Ms. Preston stated she would like to see a list of the diversity of native plantings suitable for the site.

A **motion** was made by W. Webb, seconded by G. Futoma, to write a letter stating that the CT River Gateway Commission will not object if the following conditions are met: The applicant will preserve trees as much as possible, select a house and roof color in earth tones, add indigenous plantings to soften the view from the river, the south side addition of the house be limited to one story, dark sky compliant lighting be considered, low reflective glass be used for the windows, and a riparian buffer in addition to indigenous plantings is added to soften the view.

Voting in favor: M. Semënov-Leiva, J. Roberts, E. Ortega, S. Fox, S. Thompson, W. Webb, R. de Brigard, J. Preston, K. Perzanowski; **Opposed:** None; **Abstaining:** D. Langdon. The motion **passed**, 9-0-1.

Mr. Webb left the meeting at 8:35 PM and Ms. Stober assumed Old Saybrook's voting.

e. Essex – 16 Grove Street - Variance

There were no representatives present to review this application. Ms. Beckman noted that the house cannot be seen from the river. Ms. Beckman noted the variance does not affect any of the CT River Gateway Standards and it is not in the CRGC purview.

A **motion** was made by R. de Brigard, seconded by M. Semënov-Leiva, to write a letter stating the CT River Gateway Commission does not object to the variance as it does not conflict with the Gateway Standards.

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

5. Correspondence/Staff Report

Ms. Beckman received a thank you note from the CT River Conservancy with a certificate of sponsorship

participation in the Source to Sea clean-up. Mr. de Brigard recommended the CT River Conservancy be asked to include the CRGC logo in their publication about the Source to Sea clean-up.

6. Chairman’s Report

Chair Thompson thanked the Gateway Commission Committees for continuing their work through the holidays. The Rules Committee had a meeting on November 21, 2023, and the entire Commission held a Special Meeting on November 28 to discuss Lynde Point Lighthouse. Chair Thompson encouraged Commissioners to attend the upcoming CCAPA land use commissioner training program on Dec. 11th as well as three remote sessions in February 2024 and to consider that CRGC appointees also adhere to the state mandate for towns that Planning and Zoning Commissions are required to attend four hours of training each year. The CRGC could cover the expenses for the training. She encouraged Commissioners to review the statewide CLEAR Land Use Commissioner Training Calendar.

Ms. Preston, Mr. Roberts, and Chair Thompson are scheduled to give a presentation about the CT River Gateway Zone history, topography and geography at the CT River Museum Boathouse December 13, 2023, at 6:00 PM. Chair Thompson also reminded the Commissioners of the Lower CT River Land Trust’s annual meeting on Thursday, December 21, 2023 at 5:30 PM, at RiverCOG.

Reminder to Commissioners that there are still vacancies on the CRGC: Essex Commissioner and Alternate, Deep River Alternate, and RiverCOG South Alternate.

Mr. Futoma noted the Commission’s representation on the CRGC in the Lower CT River Land Trust needs to be updated. Discussions will take place in January 2024.

7. Old Business

a. Haddam – Cell Tower Siting Ad Hoc Committee Update

Ms. Beckman has a map and a binder that came from the CT Siting Council, courtesy of Mr. Farina. Mr. de Brigard noted the Siting Council has not scheduled a meeting yet. Chair Thompson noted that October meeting minutes included a CRGC draft letter was to be written objecting to the cell tower location and advising the CT Siting Council to consider other sites that do not impact the Gateway Zone and asked Mr. Ponanski and Mr. Roberts for a status update. Chair Thompson asked Mr. Ponanski to review the binder from the CT Siting Council and noted the Ad Hoc committee will need to determine when to send the draft letter before the next meeting.

8. New Business: None.

9. Committee Reports

a. Treasurer – Approve Bills

Ms. Stober presented the most recent bills.

A **motion** was made by A. Ponanski, seconded by J. Roberts, to pay the bills. The bills are as follows: Amy Huot, Clerk Consultant for September services: \$138; RiverCOG: \$6,207 for October services.

Voting in favor: M. Semenov-Leiva, J. Roberts, D. Langdon, E. Ortega, S. Fox, S. Thompson, D. Stober, R.

de Brigard, J. Preston, K. Perzanowski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 10-0-0.

Ms. Stober noted that the budget versus actual expenses for October included a W Design bill that was approved in October for \$1703, which wrapped up the special project from the prior fiscal year. That expense will be transferred from the Communications Committee to Special Projects this month and a separate line will be included for special projects in an updated copy of the budget and bills to date. RiverCOG staffing billed hours per month are down, per Ms. Stober.

b. Communications – Update

Mr. Futoma noted that the CT Land Conservation Council had its first full in-person conference since COVID in March 2023, in which the CRGC again participated. The CRGC presented a workshop on night light pollution and received an award for Excellence in Conservation which was presented at Gillette Castle in August 2023. Mr. Futoma noted the CRGC has been asked to sponsor the March 2024 Conference. Mr. Futoma said the Committee sent a proposal to the CT Land Conservation Council that the CRGC hold another workshop to discuss riparian buffers. Mr. Futoma recommended sponsoring the conference at the same level as 2023 for \$1000.

A **motion** was made by A. Ponanski, seconded by M. Semënov-Leiva, to sponsor the CT Land Conservation Council Conference in 2024 for \$1000.

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

Mr. Futoma noted that he spoke with representatives from UCONN Climate Corp, along with Chair Thompson, Ms. Beckman, and Ms. Preston to discuss class projects they could do that address riparian buffers and other CRGC standards. A group of UCONN students will be doing field work in the spring semester. The CRGC sent a proposal that the students work with the Commission on a variety of tasks. Mr. Futoma said although the students' projects would not be completed by the CLCC Conference in March 2024, the collaboration with the UCONN program could be mentioned. The Communications Committee will address this.

Mr. Futoma said he drafted and sent an annual report on behalf of the CRGC for Lyme.

c. Rules of Procedures – Update

Mr. Ponanski said the Rules Committee met on Nov. 21 and discussed a few procedures. He noted Mr. de Brigard drafted the procedures, which were distributed to all Commissioners. Mr. de Brigard explained the two documents. One document created a standard motion format for variances. Chair Thompson pointed out that the Commission will need to create and understand the motion during the meetings. The second document contains the suggested information the CRGC would like to see in referrals that come to them from the towns. Chair Thompson noted that a checklist that includes suggestions such as dark sky compliant lighting, non-glare glass, a detailed site plan with trees drawn out and riparian buffer plant lists will be helpful. Mr. de Brigard asked the Commissioners to review the documents and send comments back to the Rules Committee plus be prepared to discuss the

suggestions at the Rules Committee meeting to be held on January 16th, 2024 at 5:30 PM. All Commissioners are invited to participate in the Rules Committee meetings.

d. Land Committee - Executive Session. Potential acquisition of land in the Gateway Conservation Zone No Executive Session was held. Chair Thompson noted the application window to acquire Lynde Point Lighthouse has closed and CRGC's letter to National Park Service had been submitted on November 30th. CRGC did not endorse any specific application but our letter noted what we consider to be important in NPS's scoring of the preservation and management plans. Chair Thompson emailed Commissioners sections of the New London Maritime Society proposal. They had previously received the Borough of Fenwick's application. Chair Thompson reminded Commissioners not to forward either application, but that interested individuals and groups can still send letters of support for proposals. The email address of where to send those will be confirmed. Mr. Roberts will speak with the CT River Museum about potential endorsement of proposals.

10. Adjournment

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

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

The meeting was adjourned at 9:30 PM.

Respectfully submitted,

Amy Huot, Clerk

The next regular meeting of the Gateway Commission is scheduled for Thursday, January 25, 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.