



**CT River Gateway Commission  
Regular Meeting Minutes – Hybrid  
Meeting Thursday, March 28, 2024, 7:00 PM RiverCOG  
Conference Room and via Zoom**

**Present: Chester:** Misha Semënov-Leiva (Arrived at 7:42, left 8:20);

**Deep River:** Jerry Roberts; **Essex:** Peter Fleischer, Jim Hiller (Alternate); **Lyme:** Susan Fox; **Old Lyme:** Suzanne Thompson (Chair), Greg Futoma (Alternate); **RiverCOG North:** Raul de Brigard (seated for Haddam), Alan Ponanski (Alternate)(seated for East Haddam); **RiverCOG South:** Dr. Clayton Penniman (seated for Old Saybrook); **CT DEEP:** Kathleen Perzanowski; **Ex Officio:** Melvin Woody

**Absent: Chester:** Tom Brelsford (Alternate) **East Haddam:** Crary Brownell, Debbie Langdon; **Fenwick:** Newt Brainard; **Haddam:** Mike Farina (Secretary), Erin Ortega (Alternate); **Old Saybrook:** William Webb (Vice Chair), Diane Stober (Treasurer)

**Staff support present:** Susie Beckman (RiverCOG), Sarah Makowicki (Clerk)

### **I. Agenda**

1. Call to Order: Chair Thompson called the meeting to order at 7:09 PM. She introduced new appointees to the Commission: Dr. Clayton Penniman, RiverCOG South; Peter Fleischer, Commissioner, and Jim Hillar, Alternate, for Essex and new Meeting Clerk Sarah Makowicki.

#### 2. Approval of Agenda

Approval of March 28, 2024 Regular Meeting Agenda as presented.

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

**Voting in favor:** J. Roberts, P. Fleischer, S. Fox, S. Thompson, R. de Brigard, A. Ponanski, C. Penniman, K. Perzanowski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 8-0-0.

#### 3. Approval of the February 22, 2024 Regular Meeting Minutes

A **motion** was made by A. Ponanski, seconded by J. Roberts, to approve the February 22, 2024 Regular Meeting Minutes as presented.

**Voting in favor:** J. Roberts, P. Fleischer, S. Fox, S. Thompson, R. de Brigard, A. Ponanski, C. Penniman, K. Perzanowski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 8-0-0.

#### 4. Public Comment

No public was present.

#### 5. Review of Referrals & Preliminary Discussions

a. Old Saybrook – North Cove Rd – Preliminary Discussion

Attorney Ed Cassella, Mr. Joe Bergin, Engineer, and Mr. Joe Wren, PE presented revised plans for the applicants, who had come before the Commission in February 2024 for preliminary discussions. The proposal is now before the Commission for a Variance. Mr. Wren stated that the applicants are proposing a renovation with pool and terrace. Mr. Wren stated that a minor aspect of the house structure is within the 100' riparian buffer setback; only the proposed pool and terrace are within the setback. The proposed improvements include offsetting existing non-pervious surfaces by replacing existing driveway and basketball court with pervious materials, adding a 5' linear riparian buffer of native plantings along River and terrace. The existing septic system will be moved out of 100' setback to a place under the front driveway. Mr. Wren stated that he felt that adding these features offsets the proposed pool/terrace within the 100' setback.

Mr. Bergin presented the revised elevations to the Commission. He stated that the new plans are a simplified form that presents a more historic look to the house. The current proposal calls for cedar wood shingles, monochromatic paint scheme in cream, columns and balusters that have a traditional look, and wrought iron fencing around the pool. The planting buffer will shield the pool from the River view.

Commission members asked questions of the applicants. Mr. Ponanski asked what made the proposed revisions "historic"? Mr. Bergin stated that the part of the structure that is closest to the River is a 1990s renovation and the proposed plan would bring the structure closer to the 1910s original look.

Mr. Roberts and Mr. Penniman both inquired about the grade and elevation of the property. Mr. Roberts asked how the pool would be leveled into the grade of the lawn. Mr. Wren stated that where the pool is proposed allows for the pool to be cut into the grade of the land with stone faced retaining wall.

Ms. Fox inquired about the proposed planting buffer. She stated that the proposed 5' width does not allow for a large variety of plantings. If the width was widened to 10' this would allow for more variety. Mr. Wren asked if the width is increased, could the length be decreased keeping the same square footage of the planting bed. Ms. Fox was satisfied with this. Mr. Roberts also inquired about the hedges around the pool area, he stated that he felt that this does not contribute to the traditional river view with the hedges creating a hard line visible from the River.

Mr. Ponanski wrote a draft letter to be submitted to the Old Saybrook ZBA stating that the proposed pool and terrace are "adverse to the protection and development of the Gateway Conservation Zone and does not meet Gateway standards." Mr. de Brigard stated that mitigation efforts by the applicant should be highlighted along with the removal of the septic leaching fields from the 100' setback. Mr. Roberts added that a statement about pool hedge not contributing to the traditional river view also needed to be added along with a recommendation that the vegetative buffer be widened to accommodate more plant variety from the native plantings list.

A **motion** was made by A. Ponanski, seconded by J. Roberts, that a letter be sent to the old Saybrook ZBA stating that the proposed pool and terrace are “adverse to the protection and development of the Gateway Conservation Zone and does not meet Gateway standards,” but the Commission recognizes the mitigation efforts of the applicant, along with the removal of the leeching field from the 100’ setback, with a recommendation to widen the vegetative buffer.

**Voting in favor:** M. Semenov-Leiva, J. Roberts, P. Fleischer, S. Fox, S. Thompson, R. de Brigard, A. Ponanski, C. Penniman, K. Perzanowski; **Opposed:** None; **Abstaining:** None. The motion **passed**, 9-0-0.

b. Essex – Zoning Regulations Amendment

The text amendment would affect the Village Residence Zone with the exception of waterfront properties. Ms. Beckman stated that the regulation change would not conflict with the Commission’s standards or mission to protect the traditional river view, with the proposed regulations going beyond the Gateway Zone Standards. Mr. Roberts inquired about properties that are not waterfront but can still be seen from the River. He recommended that the definition of waterfront should be expanded to include those properties seen from the River. This inclusion will take into consideration an increase of mass or density on properties that are within 100’ of the waterfront but are not considered to be waterfront properties.

A **motion** was made by R. de Brigard, seconded by A. Ponanski, to write a letter stating the CT River Gateway Commission has no objection to the regulation changes and appreciates that front lots on the River were excluded, with the recommendation that the exemption be included for properties that effect waterfront scene or can be seen from the River and would change the traditional river view.

**Voting in favor:** J. Roberts, P. Fleischer, S. Fox, S. Thompson, R. de Brigard, A. Ponanski, C. Penniman, K. Perzanowski; **Opposed:** None; **Abstaining:** None. The motion **passed**, 8-0-0.

c. Old Saybrook – 44 Willard – Variance

The applicants were not present for the review of the application. Ms. Beckman presented the application stating that the proposed work is within the existing footprint. The proposed balcony is being expanded from 88s.f. to 110s.f. over the existing wood deck, therefore there is not an expansion of coverage. Also, there is no impact to vegetation on the site.

Chairman Thompson commented that the dormer and deck do not add visual bulk when viewing the proposed work straight on, but the application and elevation drawings do not provide enough information to make a sufficient determination.

A **motion** was made by J. Roberts, seconded by A. Ponanski, to write a letter stating that the CT River Gateway Commission feels that the discrepancies between the drawings and elevations do not provide sufficient information to make a proper judgement.

**Voting in favor:** J. Roberts, P. Fleischer, S. Fox, S. Thompson, R. de Brigard, A. Ponanski, C. Penniman, K. Perzanowski; **Opposed:** None; **Abstaining:** None. The motion **passed**, 8-0-0.

d. Old Lyme – Text Amendment – Temporary Moratorium on Self Storage Units

Mr. Futoma stated that at present no storage facilities are within the Gateway Zone in Old Lyme nor are there any applications.

A **motion** was made by R. de Brigard, seconded by A. Ponanski, to write a letter stating the CT River Gateway Commission does not object to the moratorium.

**Voting in favor:** J. Roberts, P. Fleischer, S. Fox, S. Thompson, R. de Brigard, A. Ponanski, C. Penniman, K. Perzanowski; **Opposed:** None; **Abstaining:** None. The motion **passed**, 8-0-0.

e. Essex – Revised – 10 Collins Lane – Variance

Engineer Joe Wren and Designer Denise Von Dassel presented for the applicant and homeowner Andy Guziewicz was in attendance. Mr. Guziewicz made comments asking for the support of the Commission.

The following revisions have been proposed to the original plan that the Commission reviewed on 2/22/24:

- 1) The proposed 120 s.f. shed has been eliminated.
- 2) The pool was rotated 90 degrees.
- 3) The north edge of the proposed raised patio was retracted by one foot.
- 4) The proposed walkway/deck at the northeast corner of the house has been reduced by approximately 82 s.f.
- 5) With these changes, the building coverage is reduced to 10% from 10.8% for the existing condition which eliminates the existing non-conformity for building coverage.
- 6) With the elimination of the paved driveway, the site impervious area is reduced by approximately 3,500 s.f.

Mr. de Brigard inquired if, with the changes, is the net effect of the proposed project still adverse?

Mr. Roberts and Mr. Ponanski agreed that the work is still within the 100' setback, not meeting the Gateway's Standards and overall do not see an improvement from the previous application.

A **motion** was made by A. Ponanski, seconded by C. Penniman, to write a similar letter to the February 27, 2024 stating the CT River Gateway Commission feels that the proposed pool and terrace does not meet Gateway standards, but the Commission recognizes the efforts of the applicant to improve the application, but maintaining that the project does not adhere to the Gateway Standards, and to include a recommendation to use native plantings only.

**Voting in favor:** J. Roberts, P. Fleischer, S. Fox, S. Thompson, R. de Brigard, A. Ponanski, C. Penniman, K. Perzanowski; **Opposed:** None; **Abstaining:** None. The motion **passed**, 8-0-0.

#### 5. Correspondence/Staff Report

Ms. Beckman reminded the new Commission member to submit the conflict of interest form. The staff report summarizes three applications completed under the procedures for administrative response to variances.

#### 6. Chairman's Report

Chair Thompson thanked the following Commissioners for their work in recent weeks: Mr. Ponanski for the Commission's Riparian Buffer workshop presentation at the CT Land Conservation Conference (CLCC); Mr. Futoma for managing the Commission's presence, including purchasing and producing the new CRGC display and former Commissioner Judy Preston and Ms. Persanowski for producing a CRGC fact sheet for the event, and Mr. deBrigard and Mr. Ponanski for the Commission's comments to CT Siting Council on proposed cell tower in Haddam. She also pointed out multiple new resources about riparian buffers and native plants that have been produced by UConn, CLEAR and CT River Coastal Conservation District that the Commission can cite. The list of links will be sent to all Commissioners.

#### 7. Old Business

##### a. RiverCOG – Service Contract Discussion

Sam Gold, Executive Director of RiverCOG, was present to answer questions about the contract negotiated between RiverCOG and Diane Stober representing the Commission. The contract will be for 3 months with a renewal date of July 1, 2024. This will give the Commission and RiverCOG an opportunity work under the negotiated contract before the contract is renewed. Adjustments will be made in the new contract based on feedback from the Commission and RiverCOG.

A **motion** was made by A. Ponanski, seconded by C. Penniman, to authorize Chairman Thompson to enter into the Service Contract agreement with RiverCOG.

**Voting in favor:** J. Roberts, P. Fleischer, S. Fox, S. Thompson, R. de Brigard, A. Ponanski, C. Penniman, K. Perzanowski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 8-0-0.

##### b. Haddam – Cell Tower Siting Ad Hoc Committee Update

Mr. de Brigard stated that the comments of the Commission had been submitted to CRGC for review. S. Beckman will send the submission to commission members.

8. New Business:

Chairman Thompson stated that new Commission Roster and Committees list will be distributed to all Commissioners.

9. Committee Reports

a. Treasurer – Approve Bills

Ms. Beckman presented the most recent bills.

A **motion** was made by C. Penniman, seconded by A. Ponanski, to pay the bills. The bills are as follows: CLCC: \$80 for Student registration; RiverCOG: \$6837 for January services and \$4511 for February services.

**Voting in favor:** J. Roberts, P. Fleischer, S. Fox, S. Thompson, R. de Brigard, A. Ponanski, C. Penniman, K. Perzanowski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 8-0-0.

b. Communications – Update

Mr. Futoma noted that the CT Land Conservation Council appreciated the support of the Commission at the conference.

Mr. Futoma recommended that the Commission support CT River Conservancy and its Source to Sea Cleanup with a \$2500 donation. The communication committee discussed when a sponsorship would be appropriate stating that if the organization’s efforts were within the Conservation Zone and had an aligning mission to CRGC that support would be warranted.

A **motion** was made by R. de Brigard, seconded by A. Ponanski, to sponsor CRC Source to Sea Cleanup in 2024 for \$2500.

**Voting in favor:** J. Roberts, P. Fleischer, S. Fox, S. Thompson, R. de Brigard, A. Ponanski, C. Penniman, K. Perzanowski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 8-0-0.

c. Rules of Procedures – Update

Mr. Ponanski said the Rules Committee did not have a quorum on its scheduled March 19<sup>th</sup> meeting. He stated that the committee is looking for a new time that would suit more members.

d. Land Committee - Executive Session.

No updates.

10. Adjournment

CT River Gateway Commission Regular Meeting, March 28, 2024 Minutes – cont.

A **motion** was made by C. Penniman, seconded by P. Fleischer to adjourn the meeting.

**Voting in favor:** J. Roberts, P. Fleiscsher, S. Fox, S. Thompson, R. de Brigard, A. Ponanski, C. Penniman, K. Perzanowski; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 8-0-0.

The meeting was adjourned at 10:20 PM.

Respectfully submitted,  
Sarah Makowicki, Clerk

**The next regular meeting of the Gateway Commission is scheduled for Thursday, April 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.