



**CT River Gateway Commission
Regular Meeting Minutes – Hybrid
Meeting Thursday, July 27, 2023, 7:00
PM RiverCOG Conference Room and via
Zoom**

DRAFT

Present: Chester: Jenny Kitsen (Alternate); **Deep River:** Jerry Roberts; **Essex:** Misha Semënov-Leiva (Alternate); **Lyme:** Melvin Woody (Vice Chair), Susan Fox (Alternate); **Old Lyme:** Suzanne Thompson (Chair), Greg Futoma (Alternate); **Old Saybrook:** William Webb (Secretary), Diane Stober (Treasurer); **RiverCOG North:** Raul de Brigard, Alan Ponanski (Alternate); **RiverCOG South:** Judy Preston

Absent: Chester: Tom Brelsford; **East Haddam:** Cray Brownell, Debbie Langdon (Alternate); **Fenwick:** Newt Brainerd; **Haddam:** Mike Farina (Alternate); **CT DEEP:** Kathleen Perzanowski; **RiverCOG North:** Alan Ponanski (Alternate)

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

II. Agenda

1. Call to Order: Chair Thompson called the Connecticut River Gateway Commission (CRGC) meeting to order at 7:06 PM.

2. Approval of Agenda

A **motion** was made by J. Kitsen, seconded by J. Roberts, to approve the meeting agenda.

Voting in favor: J. Kitsen, J. Roberts, M. Semënov-Leiva, R. de Brigard (for Haddam), M. Woody, S. Thompson, W. Webb, J. Preston; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 8-0-0.

3. Approval of 6/22/23 Regular Meeting Minutes

A **motion** was made by J. Kitsen, seconded by R. de Brigard, to approve the June 22, 2023 Regular Meeting Minutes with the following amendment:

P. 6: "First Selectman Fortuna informed her that the Town of Old Saybrook sent a letter of interest, and the Old Saybrook ~~Historic Commission~~ Historical Society and other groups would like to figure out how to purchase the light house. It was suggested that CRGC submit its own letter of interest to GSA. Letters must be filed by July 14th, 2023."

D. Stober clarified that the budget was approved after increasing the line item for legal fees from \$1,000 to \$4,000.

Voting in favor: J. Kitsen, J. Roberts, M. Semënov-Leiva, R. de Brigard (for Haddam), M. Woody, S. Thompson, W. Webb, J. Preston; **Opposed:** None; **Abstaining:** M. Woody. The motion **passed**, 7-0-1.

4. Review of Referrals

a. Essex – Regulation Text Amendment & Map Change

Mr. Ken Navarro presented the referral to the Commissioners regarding the proposed Regulation Text Amendment and Map Change for the multi-family rural zone. His company, Greylock Planning Group, is collaborating with the Town of Essex Planning Department to incorporate affordable housing into their project at 160 Saybrook Rd, Essex. The existing zoning in Essex primarily supports single-family housing, but Greylock Planning Group have worked with the Town of Essex Planning Department to propose a text change for the multi-family rural zone.

Mr. Navarro highlighted that the proposed change aligns with Commissioner’s concerns, especially regarding proximity to the river and density. Greylock Planning Group obtained feedback from neighbors, who expressed a preference for lower density housing.

The proposed project has been scaled down from 40 units to 28 units, with the back 50% of the property planned for single-story units. The target markets for these units are seniors and second-home buyers. However, before proceeding with the project, Greylock needs to secure the text change amendment approval and a special use permit, along with all required town approvals.

Chair Thompson noted the Commissioners look at the traditional river view scene as well as bulk and density within the lots and raised the question of maintaining consistent regulations across towns while considering affordable housing. She said the CT River Gateway Commission (CRGC) has recognized that it needs to address meeting affordable and multi-unit housing needs as well as conservation objectives.

Mr. Web inquired about the impact on Gateway Standards due to the proposed text change. Mr. Navarro clarified that the Gateway Standards will remain unaffected, with each unit requiring approximately ½ acre of space, in line with neighboring streets. The existing 35' maximum regulation will also remain unchanged. Additionally, multi-housing units will only be allowed on properties over 10 acres and must include 20% affordable housing.

Mr. Webb proposed a motion to support the text and map change, subject to three conditions: (1) ensuring existing standards are not contradicted, (2) making the special exception permit applicable to the subject property, and (3) maintaining consistent regulations for all properties.

During the discussion, concern was expressed about the potential impact on the area's character with an increase in the number of houses, the need for lighting the houses, and the possibility that each house would want a view of South Cove and result in more trees being cleared. Mr. Navarro reassured the Commissioners that a site study will be done, but he does not expect a river view from any of the homes. Mr. Semënov-Leiva added that higher density can be consistent with land conservation and reduce the lighting impact on the river.

Mr. Navarro informed the Commissioners that the town required Greylock Planning Group to analyze how many properties this proposed change would affect. They found only five properties that could be impacted, with the subject property being the only one within the Gateway ~~review zone~~-Conservation Zone.

Chair Thompson said she welcomed the opportunity for the Commission to housing needs with member towns.

Mr. Webb made a motion, seconded by M. Woody, to write a letter. Following discussion, the motion was revised to the following.

W. Webb made a **motion**, seconded by M. Woody, to write a letter stating that the CT River Gateway

Commission will likely support the text and map change, provided these three conditions stated are included: The Gateway Commission Standards are not contradicted, the properties be explicitly subject to special exception reviews by the Gateway Commission. The Gateway Commission would prefer not to see excessive clearing of trees overlooking the river.

Voting in favor: J. Kitsen, J. Roberts, M. Semënov-Leiva, R. de Brigard (for Haddam), M. Woody, S. Thompson, W. Webb, J. Preston; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 8-0-0.

b. Essex – 54 Main Street – Variance

Ms. Beckman summarized the variance request. Mr. Semënov-Leiva, due to his involvement in the architecture of the project, recused himself from the discussion but offered to answer project-related questions. He noted the building itself is a pre-existing non-conformity, but there are no plans to expand it.

Ms. Beckman noted that Ms. Perzanowski identified several issues with the seawall and bulkhead on the plan. She also suggested that the project might require a CT Department of Energy and Environmental Protection (CT-DEEP) permit. Ms. Preston raised concerns about the absence of native plants in the landscaping plan, and correspondence from Ms. Fox, Lyme alternate, who was not present at the meeting, advised against including annuals as effective plants in a riparian buffer.

Commissioners noted that this is a non-conforming property, and the proposed changes will increase the non-conformity which the Commission does not support.

Mr. Roberts noted that this is one of the most historic properties on the river and the applicants are looking to put in stone applications that will change the character of the old wooden pilings and wooden docks.

Chair Thompson referred to the CT River Gateway Commission Statutes, Section 25-102a. Public interest in lower Connecticut River: “It is found that the lower Connecticut River and the towns abutting the river possess unique scenic, ecological, scientific and **historic value contributing to public enjoyment, ...**”.

A motion was made by **W. Webb**, seconded by **M. Woody**, that was shortly thereafter amended. The final motion is as follows.

A **motion** was made by R. de Brigard, seconded by J. Preston, that the Commission write a letter requesting Essex Zoning Board of Appeals deny the variance because it will increase the non-conformance of a currently non-conforming property. In addition, this request would significantly damage and detract from the traditional and historic river scene that the Gateway Commission is statutorily mandated to protect. The site, and its surroundings, is of extreme historical importance at the center of the Essex Waterfront. It is visible from the landing, the town dock, and the river. The proposed stone pillars, seating walls, hardscape and other features are out of context with the existing historic maritime setting which features wooden wharfs and pilings. Together with the Steamboat Dock and the Uriah Hayden Homestead, the E.E. Dickinson Boathouse (formally the site of the West Indies Warehouse) comprises the heart of the historic and much cherished Essex waterfront. We also feel that the landscaping plan is inappropriate for the ecology, aesthetics, and historic view of the site.

Voting in favor: J. Kitsen, J. Roberts, R. de Brigard (for Haddam), M. Woody, S. Thompson, W. Webb, J. Preston; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 7-0-0.

Prior to moving to the next agenda item, Mr. Webb stated he believes the administrative approval of 20 N. Main St, Essex was inappropriate. Mr. Webb noted that the Commission’s Rules of Procedures must

state conditions under which administrative approvals can be granted and it is not something that has been done yet. Ms. Beckman noted that the Essex ZBA has already met and the requested variance for this property was denied. The Commissioners decided to vote to approve the variance request.

M. Webb made a **motion**, seconded by R. de Brigard, that the CT River Gateway Commission approve the variance requested for 20 N. Main Street, Essex.

Voting in favor: J. Kitsen, J. Roberts, M. Semënov-Leiva, R. de Brigard (for Haddam), M. Woody, S. Thompson, W. Webb, J. Preston; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 8-0-0.

Chair Thompson noted there needs to be a formal process that documents how to handle these types of applications. Mr. Webb noted that he will put this in front of the Rules and Procedures Committee and the CRGC agreed they will not move forward until they have created this process. Chair Thompson asked the Commissioners to confirm that any further requests arrive, please ask their towns to hold the decision process open while the CRGC creates and confirms the approval process. Chair Thompson estimated it will require two meetings for this new process to be formalized.

Ms. Beckman stated the CRGC did not receive a referral. The regulation change was being voted on at the same time as the CRGC was meeting, and the Haddam Commission will not wait for the CRGC vote. Ms. Beckman noted there will be 35 days to respond from the day the CRGC receives the decision via certified mail. Ms. Beckman further stated she will inform the Haddam Planner when the decision has been received. The Commissioners questioned if the 35-day review period starts at receipt of the decision via certified mail, or when the CRGC officially meets and reviews the decision during their next Regular Meeting. Ms. Beckman stated she will contact Attorney Matt Willis to determine the definition of “receipt of notice”.

d. Old Saybrook – 5 Lighthouse Lane – Planting Plan

Ms. Preston created some language in response to this referral. Ms. Preston further noted the planting plan requires more detail, needs a greater number of plants and a wider species of plants.

Mr. Webb made a **motion**, seconded by M. Woody, that the CRGC send a letter to Old Saybrook ZEO Chris Costa, that they do not accept the 5 Lighthouse Lane planting plan that has been submitted for the following reasons: 1. Monoculture leads to poor results. A mix of native plants is much more likely to succeed. 2. The planting plan, as provided, will be an ineffective riparian buffer. The planting will be insufficiently dense to slow, and filter run off into the river.

Voting in favor: J. Kitsen, J. Roberts, M. Semënov-Leiva, R. de Brigard (for Haddam), M. Woody, S. Thompson, W. Webb, J. Preston; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 8-0-0.

5. Correspondence/Staff Report

The CRGC received a request for guidance from the Friends of North Cove in Old Saybrook regarding 91 Sheffield Street. The Friends of North Cove were interested in purchasing this parcel for preservation; however, it has been confirmed that the parcel is not for sale. The contractor for this property will be presenting the plans for the property to the CRGC because the property is in the Gateway Zone.

6. Chairman’s Report

Chairman Thompson thanked Ms. Kitsen, for her years of service to the Commission. Mr. Tom Brelsford will be the Chester alternate. Mr. Semënov-Leiva moved to Chester and is applying to be the Chester

Commissioner. Chair Thompson noted that there will be no voting member from Essex once Mr. Semënov-Leiva is appointed as the Chester Commissioner.

Chair Thompson further stated there are still openings for Commissioner Alternates in Deep River and RiverCOG South. She informed Commissioners that a new roster will be sent out in the coming weeks. After discussing the various open positions, Chair Thompson suggested that Mr. de Brigard inquire if there are any other Haddam residents that have expressed interest in its open Commissioner position.

7. Committee Reports:

The Land Committee:

A motion was made by J. Roberts, seconded by W. Webb, to move into **Executive Session** for the Land Committee discussion.

Voting in favor: J. Kitsen, J. Roberts, M. Semënov-Leiva, R. de Brigard (for Haddam), M. Woody, S. Thompson, W. Webb, J. Preston; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 8-0-0.

Executive Session started at 8:59 PM.

A motion was made by M. Woody, seconded by J. Kitsen, to end the **Executive Session**.

Voting in favor: J. Kitsen, J. Roberts, M. Semënov-Leiva, R. de Brigard (for Haddam), M. Woody, S. Thompson, W. Webb, J. Preston; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 8-0-0.

Executive Session ended at 9:17 PM. No votes were taken during the Executive Session.

a. Finance – Approve Bills

Ms. Stober presented her findings after reviewing the CRGC historical budget and expenditures. The operating budget for FY2024 was approved, along with the monthly budget, and a communications budget was created. These budgets were designed to prevent any budget overruns, like the \$17,000 overrun experienced in FY2023. Ms. Stober expressed her inability to determine the main drivers of cost increases from past years due to insufficient data documenting RiverCOG staff work and hours. She presented Commissioners with data that show the current RiverCOG bill is almost double the monthly budgeted amount. As a result, Ms. Stober recommended not approving the RiverCOG Bill due to the lack of information about the work done. Ms. Stober proposed paying the remaining bills.

Ms. Stober further noted that there was a mistake in the February 2023 CRGC Meeting minutes. The intention of the Commission at that meeting was to approve a \$5000 payment to the Haddam Land Trust to support their purchase of 8 acres for \$5,000, not 16 acres.

Ms. Beckman noted she has been tracing her time and will be providing detailed information about tasks performed. She noted that RiverCOG does not track individual tasks, but she is doing so for the CRGC.

Ms. Stober recommended approving RiverCOG staff members Mr. Gold's and Mr. Downes' hours, with any other RiverCOG individuals needing prior approval for their hours. Chair Thompson suggested setting a small monthly cap for advisory hours given to Ms. Beckman by Mr. Gold and/or Mr. Downes. Other bills to be paid are as follows: Halloran & Sage, \$300 for training session preparation; Stella Design, \$140 for communications expenses in May and June; Amy Huot, \$132.25 for June 2023 June

2023 CRGC Clerk duties. An additional payment of \$5000 to the Haddam Land Trust to support their purchase of 8 acres.

A **motion** was made by W. Webb, seconded by J. Roberts, to pay the bills but also communicate that RiverCOG billing for regular business from Ms. Beckman be billed separately for special projects, Mr. Downes to no longer bill hours. There will be 16 hours per week allotted for regular hours worked by Ms. Beckman and Mr. Gold’s billing must be minimized to one hour per week. The Commission expects that RiverCOG’s administrative overhead fee will include supervisory guidance of Ms. Beckman.

Voting in favor: J. Kitsen, J. Roberts, M. Semënov-Leiva, R. de Brigard (for Haddam), M. Woody, S. Thompson, W. Webb, J. Preston; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 8-0-0.

c. Rules of Procedures

W. Webb made a **motion**, seconded by J. Kitsen, that the Rules and Procedures Committee is authorized to spend up to \$1000 for mapping subject to Rules Committee vote, as a special project. The Rules and Procedures Committee is moving forward with a mandate to provide Deep River with accommodations with flexibility zones and those zones need to be mapped. A new Gateway regulation will be created that applies to a very specific Deep River territory or geography.

Voting in favor: J. Kitsen, J. Roberts, M. Semënov-Leiva, R. de Brigard (for Haddam), M. Woody, S. Thompson, W. Webb, J. Preston; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 8-0-0.

d. Communications

Mr. Futoma gave a quick summary of the reception at Gilette’s Castle in June. The CRGC received an award on behalf of CT Land Conservation Commission, presented by Ms. Amy Paterson. Representatives Irene Haines and Devin Carney attended and presented a General Assembly Proclamation signed by CT Senator Martin Looney, CT Speaker of the House Matt Ritter and CT Secretary of State, Stephanie Thomas. Mr. Andy Fisk of CT-DEP will be attending the upcoming CRGC event to be held at the Roger Torey Petersen Estuary Center in Old Lyme.

Mr. Futoma further noted that a Governor’s proclamation is in process by the Communications Committee for the August 3, 2023 celebration at Roger Tory Peterson Estuary Center in Old Lyme.

Mr. Futoma informed Commissioners that an event will be held in conjunction with the Essex Steam Train in September.

Senator Chris Murphy’s office contacted the CRGC for more information and inquire how they can help the CRGC mission. Ms. Beckman invited Senator Murphy to the CRGC August event at RTPEC.

CRGC has received an invitation to participate in the 8 Mile River Festival on October 14, 2023. Commissioners are asked to volunteer at this biennial event.

8. Old Business

a. Haddam Land Trust – Land Conservation Purchase and Grant Confirmation

Ms. Beckman stated the vote could be revised if the Commissioners vote to revise it tonight. The vote must be clearly marked in both versions of the minutes.

S. Thompson made a motion, seconded by R. de Brigard, that the CRGC February 2023 Meeting Minutes and the July 2023 Meeting Minutes both state that the payment to the Haddam Land Trust is to support their purchase of 8 acres for \$5,000, not 16 acres.

Voting in favor: J. Kitsen, J. Roberts, M. Semënov-Leiva, R. de Brigard (for Haddam), M. Woody, S. Thompson, W. Webb, J. Preston; **Opposed:** None; **Abstaining:** None. The motion **passed** unanimously, 8-0-0.

b. Lynde Point Lighthouse Update

Ms. Stober presented the update. She stated that the GSA contact noted it has had unprecedented interest in lighthouses this year. They are finalizing the process with the National Park Service. A site walk that had been planned for July/August 2023 might be pushed back. The Old Saybrook Historical Society and Old Saybrook Land Trust have both submitted letters of interest. Ms. Stober asked if DEEP filed a letter of interest. Ms. Perzanowski confirmed that DEEP did not send a letter of intent. Chair Thompson commented that DEEP could be part of the letters of endorsement from the CRGC. Ms. Stober noted she advised the GSA that the CRGC would like to partner with another group to acquire the light house.

9. New Business

a. Annual Report request from Old Saybrook

Mr. Futoma volunteered to write Old Lyme’s Annual Report and will send it to Old Saybrook.

10. Adjournment meeting adjourned at 10:06 PM.

A **motion** was made by J. Kitsen seconded by M. Woody, to adjourn the meeting.

Voting in favor: J. Kitsen, J. Roberts, R. de Brigard (for Haddam), M. Woody, S. Thompson, W. Webb, J. Preston; **Opposed:** None; **Abstaining:** None. The motion **passed**, unanimously, 7-0-0.

Respectfully submitted,

Amy Huot, Clerk

The next regular meeting of the Gateway Commission is scheduled for Thursday, August 24, 2023 at 7:00 PM.