

# CONNECTICUT RIVER GATEWAY COMMISSION

## REGULAR MEETING MINUTES

June 25, 2020

Present/Absent: [Excused absence (E); Unexcused absence (U)]

**Chester:** Margaret (Peggy) Wilson , Jenny Kitsen

**Deep River:** Jerry Roberts, Conal Sampson

**East Haddam:** Crary Brownell, Joel R. Ide

**Essex:** Claire Mathews, Misha Semenov

**Fenwick:** Newton Brainerd, Borough Warden

**Haddam:** Susan Bement, Mike Farina

**Lyme:** J. Melvin Woody, Wendy Hill

**Old Lyme:** Suzanne Thompson, Greg Futoma

**Old Saybrook:** Bill Webb, Tom Gezo

**Regional Rep:** Raul Debrigard

**DEEP:** David Blatt

**Staff:** J H Torrance Downes

**Guests:** Ed Bombaci, Ken Bombaci, Judy Bombaci, David Provencher, Farrah Ashe (CT DEEP), Rich Snarski

### Call to Order

This meeting was convened using the Zoom online platform. The agenda was formally posted in all eight member towns as required with information directing interested members of the public to join the meeting online. Chairman **Thompson** called the online regular meeting of the Connecticut River Gateway Commission to order at 7:05pm and introduced newest member, Jerry **Roberts** of Deep River. **Thompson** informed Rich Snarski, who had also joined the call, that he would be involved in the discussion during Old Business later in the meeting.

### Approval of 5/28/20 Regular Meeting Minutes

**Mathews** reports that, on page 3, 2<sup>nd</sup> paragraph, the bylaws should be referred to as the Commission's "Rules of "Procedure" (ROP), the correct terminology. **Debrigard** asks that the new ROP reflect the changes in a way other than using color highlighting and include the date of amendment and approval. **Thompson** asks that, when referring to the Gateway Commission, the terms "Commission" or "Gateway Commission" should be used, not just "the Gateway". Motion to approve the minutes as amended by **Farina**, seconded by **Woody**. The motion and second were approved unanimously.

### Presentation of Bombaci Dock/Deck Project, Northern Great Meadows, Essex

The project was described by the Bombacis - Judy, Ed and Ken. They were joined by PE David Provencher to describe the construction of a commercial fishing dock in the location of an existing dock which includes an open deck that will be used for temporary storage of fishing gear such as nets and other materials. The project is being presented because analysts from the CT DEEP permitting group were interested in the opinions of the Gateway Commission with respect to this proposal.

The Bombacis explained the history of the application and the site. Downes first showed photos of the site taken from the existing floating dock back towards the upland and then displayed the proposed plan showing the dock, deck as well as the appropriate river datums – Coastal Jurisdiction Line (CJL), Mean High Water line and the Mean Low Water line – which were highlighted on the displayed map. Provencher described that there are two areas of work: the open platform in the footprint of an historical platform that is delineated by existing old pilings. South of existing dock is a sandy beach that is an historic boat launching area, which area will only be slightly encroached upon by the southern end of the new deck. Trees will be retained where possible on the river side of the gravel road

(narrow, and there are few trees and mostly “scrub” vegetation). There are no plans for tree removal on the inland side of the gravel roadway. A second part of the project proposal is to modify the existing pier by lengthening the floating dock portion. The fixed timber pier will be same length as the existing dock, with the floating dock and ramp being extended to attain deeper water thereby negating the need for dredging to accommodate the fishing boats (as suggested by DEEP Analysts in early discussions). Downes shows an aerial view. The location just a little south of the right hand turn of the gravel driveway as it gets to the edge of the river. The total length from Mean High Water is proposed to be approximately 90 feet. There will be accommodations for 3 to 4 fishing vessels. After more discussion of the distance of the dock from the river navigation channel (over 2,000 feet, on the Lyme side of the river), the history of shad fishing in the lower river and the history of the site in particular, what materials the dock would be constructed from, whether or not there would be any significant vegetation removal and whether or not there would be any traffic issues on River Road, members concurred that the project (to go before the CT DEEP in an application for a Structure, Dredging and Fill Permit) will not adversely impact the “natural and traditional river scene” and agreed that shad fishing is a traditional activity that is indeed consistent with that traditional river scene. Numerous Gateway Commission members spoke in favor of sending a letter of support to the DEEP. **Matthews** made a motion to prepare and send such a letter with **Bement** seconding the motion, which was approved unanimously.

Downes noted that it seems there is a municipal authority to be exercised in that the landward end of the proposed structure extends landward of the Mean High Water line and into the Gateway structure and riparian buffer setbacks (100 feet and 50 feet, respectively). Gateway standards and the Essex Zoning Regulations make provision for approval of such structures providing for approval of “marine” facilities that are not habitable through a Special Permit application to the Essex Zoning Commission. No variances would therefore be necessary. It is not known at this time if such a local application will be required. Downes to circulate a letter of support to members prior to sending on to the CT DEEP for inclusion in the application file.

#### Correspondence and Staff Report

Downes reported that he had no additions and offered the members opportunities for questions.

#### Variance Applications, Special Permit Applications and Map/Regulation Change Petitions

There were no applications or petitions on which to report.

#### Chairman’s Report

**Thompson** wished “happy summer”, thanked committee chairs for their efforts (finance – budget; land committee – land acquisition. Participated in four -part webinar series, highlighting GW’s land acquisition program. The webinars will be posted on the RC&D website. **Thompson** feels that a current PowerPoint presentation should be produced so that one is available.

#### Committee Reports

##### Financial/Treasurers Report.

Monthly expense report displayed. **Matthews** summarizes the finance report (treasurers report). Monthly report for May is “empty” because of the crossover from Pershing to Fidelity. Monthly staffing bills amount to \$1,844 for the month of May and \$2,122.71 for the month of June. **Matthews** then reviews the proposed budget sheet. The reason for not proposing funds for an audit is that there is no “cash flow”, no in and out of funds, therefore no audit should be needed. The proposed budget does not address “special projects” that may come forward, for instances, from the Outreach Committee. Budgeting for Special Projects will be addressed later. Total “operating” budget is proposed to be \$44,600. **Debrigard** comments about others coming before the Commission for financial support and asks that those types of requests are not limited. **Matthews** says that special projects are not limited by the operating budget and refers to the additional work that needs to be done on prioritizing the types of projects that will come forward. **Debrigard** hopes that that work will be completed in the 2020 fiscal year. Question regarding why the “river trip” line item included \$2,000 in the past. JHTD comments that the \$2,000 was likely included to provide plenty of funds

for the trip AND the food and drink. A motion was made to approve the budget (attached) by **Woody** which was seconded by **Bement**. The motion passed unanimously.

**Matthews** presented the staffing bill in the amount of \$2,122.71 for payment. **Bement** moved, with **Woody** seconding, the payment of the staffing bill. The motion and second were passed unanimously.

#### Land Committee.

**Wilson** summarized the property for which acquisition is being discussed and describes the map presented showing the properties throughout the Haddam Neck area. **Wilson** described the history of the property acquisition by the current owners and the history of the discussions between the owners and David Brown of MxCLT. Committee members all agreed to recommend purchase by the Commission. **Wilson** and the Committee proposed the provision of \$44,000 for the purchase price plus \$2,000 for closing costs. Any residual left after the purchase will be returned to Gateway. Brown has also been speaking to another owner in that area, a larger property up to the north slightly. Complexity of the acquisition of that property will likely delay any possible acquisition of that larger property. **Woody** reminds members that this hillside is directly opposite Haddam Meadows State Park and is quite visible to the public, making it an important area for preservation. The same agreement will be used as has been used in previous Hillside Project purchases, one that covers the possibility of acquisition by US Fish & Wildlife Service with reimbursement of the purchase price (or close to it) to the Gateway Commission. **Webb** asks why the payment is more than appraised. **Wilson** comments that the price was what was negotiated (the current owners paid much more for the property). The committee felt there was risk waiting as there are people said to be looking to come to the area from neighboring cities due to the current pandemic. This allowed Committee members to justify paying slightly more than the appraised value. **Hill** comments that the Lyme Land Trust was looking at a property in Lyme when the pandemic came along, resulting in a bidding war and loss of the property to a developer. **Debrigard** reminds that acquisition of properties in this area have been looked at for at least five years. **Gezo** appreciates the history of acquisition in the area provided by **Debrigard**. **Woody** moves to purchase, seconded by **Wilson**, with the motion and second passing unanimously. **Webb** asks, what do Haddam representatives say about the recommendation. **Bement** commented that there are people who will pay high prices for property. **Bement** supports the purchase.

Governance Committee. No report.

Outreach Committee. A meeting of the committee was held on Monday, June 15, 2020. Gezo reported that there are no activities on the calendar and members continue to work on social media campaigns including looking into campaigns for photo posting. The committee is planning to recommend allowing photo posts on FB page and setting up an Instagram account. The committee will be setting up a gmail account for the Commission. The next committee meeting will be a standing date of the Monday of the week before the monthly Gateway meeting.

#### National Heritage Corridor Ad hoc Committee

**Woody** summarized that the committee is finished its work and has recommended that RiverCOG take up the effort. **Thompson** “decommissions” the committee. **Woody** doesn’t know if there would be a separate role for Gateway Commission members in any ongoing effort.

#### Old Business:

The Commission took up discussion and decision on the proposal presented at the June 25, 2020 meeting by Rich Snarski regarding the eradication of hydrilla in Lords Cove and conducting a salinity survey in the Cove, and to prepare a report. **Thompson** summarizes the questions that have been posed by Gateway Commission members. Letter/emails of support were presented by Mr. Snarski from Dave Sagan of USF&WS, Roger Wolfe of CT DEEP, John Pritchard, head of local property owner group, and Dave Gumbart of TNC. Unlike Land Committee, the Commission doesn’t have standards or criteria for determining which projects of this type are priorities and should be funded. During this discussion, questions were posed to Mr. Snarski by numerous members of the Commission concerning the salinity study and its connection to hydrilla growth in this location of the river, whether or not resurveying will be conducted in succeeding years to determine how successful the hydrilla removal has been, whether (other than

immediately across the river off North Cove in Essex) the salinity study will be applicable in any other area of the river, question of what “eradication” is – 90%? 100% - and how long such eradication will be successful – will it grow back (Snarski reported that the question of physical “eradication” and its success is part of the study – rakes versus hand-pulling), is the resurveying to occur just this season or will it include ongoing re-evaluation. **Thompson** acknowledges that numerous parties come to the Gateway Commission for financial support and the Commission has not yet developed a definitive way to evaluate which ones should be funded and which ones aren’t as high a priority. As a result, **Webb** suggests the formation of an ad hoc committee to answer questions about funding projects such as that of Rich Snarski and other similar requests. It was concluded that this ad hoc committee is being established to review general grant requirements, not the Snarski project in particular (members offering to sit on ad hoc: **Roberts, Semenov, Webb, Ide, Gezo**). **Ide** represents the finance committee; **Gezo** represents outreach committee. **Webb** offers that he’ll lead the ad hoc committee. As for the Snarski project, **Thompson** suggests that project isn’t “fitting” with Gateway plans right now with Gateway deciding, after extensive discussion, to decline the funding request at this time. Downes to report to Snarski.

New Business: **Bement** reported something in the Haddam Bulletin. Reports that there is a difference of opinion regarding what the Town of Haddam would like to do with the Higganum Cove area after the Haddam Land Trust (HLT) was told *they’d* be in charge of the area. Town wants to put a recreation park and was reported to be coming to Gateway for funds. Gateway is getting the reputation that it will fund a “recreational park”. Downes reported that Bill Warner did come to Gateway for about \$5,000 for this project. The request was forwarded to the outreach committee as the project would include signage that could identify Gateway as a partner. HLT was told it was getting that land, now that may not be the case. Gateway may not want to be in the middle of this municipal disagreement. **Gezo** reported to Warner and the chair of the project committee that Gateway wouldn’t just provide funds, but a more detailed request had to be made so Gateway could determine if the project fit Gateway requirements. When the Town came to Downes/**Gezo**, there was no awareness of any internal town conflict as reported by **Bement**. If there is a conflict, Gateway may not want to offer funds to *either* group. The conflict is new information. As a note, **Bement** is a director of the Haddam Land Trust and reports that the town would like to retain ownership of the Higganum Cove area property rather than transferring it to the Haddam Land Trust as originally discussed. **Thompson** asks if **Bement** can send a copy of the Bulletin article to members. Design of the park is on [www.haddam.org](http://www.haddam.org) **Farina** offers that a lot of this has to do with the revitalization of Higganum Center. Warner has a lot of ideas and is running with this latest one. Downes offers that, if Warner communicates with him again, perhaps the message should be that Gateway isn’t interested being involved until the controversy is resolved. Higganum Cove update to be put on July agenda.

Adjournment: **Bement** moved adjournment; **Debrigard** seconded the motion, which was approved unanimously. The meeting adjourned at 10:00pm.

## 2020/21 Adopted Budget

| General Fund Expenses                                  | FY 2016/17    | FY 2017/18    | FY 2018/19    | FY 2019/20    | Proposed FY2020/21 |
|--|---------------|---------------|---------------|---------------|--------------------|
| RiverCOG Staffing                                      | 23,000        | 23,000        | 28,000        | 28,000        | 28,000             |
| Investment Fees  | 14,000        | 12,000        | 12,000        | 12,000        | 12,000             |
| Accounting Services                                    | 1,000         | 2,500         | 5,500         | 5,500         | 1,000<br>(Note 1)  |
| Commissioner Development<br>(formerly "Contributions") | 2,500         | 2,500         | 2,500         | 2,500         | 100<br>(Note 2)    |
| Legal Fees/Misc.                                       | 3,000         | 3,000         | 1,000         | 1,000         | 1,000              |
| Outreach   | 1,000         | 1,000         | 1,000         | 1,000         | 1,000              |
| River Trip   | 2,000         | 2,000         | 2,000         | 2,000         | 1,500              |
| <b>Total</b>   | <b>48,700</b> | <b>48,200</b> | <b>53,700</b> | <b>53,700</b> | <b>44,600</b>      |

- Notes:
1. Place holder in case we chose to do a minimum audit in 2021
  2. Contributions moved to Special Projects "donations"

| Apr-June 2017 | July-Sep 2017 | Oct-Dec 2017 | Jan-Mar 2018 | Apr-June 2018 | July-Sep 2018 | Oct-Dec 2018 | Jan-Mar 2019 | Apr-June 2019 | July-Sep 2019 | Oct-Dec 2019 | Jan-Mar 2020 |
|---------------|---------------|--------------|--------------|---------------|---------------|--------------|--------------|---------------|---------------|--------------|--------------|
| 1,763,305     | 1,779,896     | 1,845,231    | 1,831,974    | 1,819,686     | 1,867,188     | 1,875,361    | 1,975,448    | 2,025,474     | 2,034,022     | 2,121,822    | 1,763,354    |

Three Year Average (Apr 2017 – Mar 2020)  
**\$1,891,895**

Spending Policy Limit  
 3% Average    4% Average    5% Average  
**\$56,757      \$75,676      \$94,595**