



**CT River Gateway Commission
Regular Meeting Minutes
Thursday, January 26th 2023, 7:00 PM via Zoom**

DRAFT

I. Meeting called to order at 7:06 PM

Present: Chester: Tom Brelsford, Jenny Kitsen, (Alternate); **Deep River:** Jerry Roberts, Kathy David (Alternate) (left early); **East Haddam:** Debbie Langdon (Alternate); **Essex:** Claire Matthews (Treasurer), Misha Semënov-Leiva (Alternate) (arrived late), **Haddam:** Susan Bement, Mike Farina (Alternate); **Lyme:** Melvin Woody (Vice Chair); **Old Lyme:** Suzanne Thompson (Chair), Greg Futoma (Alternate); **Old Saybrook:** William Webb (Secretary), Diane Stober (Alternate); ; **CT DEEP:** Kathleen Perzanowski; **RiverCOG North:** Raul de Brigard, Alan Ponanski (Alternate); **RiverCOG South:** Judy Preston.

Absent: East Haddam: Cary Brownell; **Fenwick:** Newt Brainerd.

Staff support present: Sam Gold (RiverCOG), Amy Huot (Clerk)

II: Agenda

1. Call to order.
2. Introductions: Chair Thompson welcomed new member Alan Ponanski, Alternate, RiverCOG North and Amy Huot, clerk, to the Commission.
3. Approval of 12/1/22 Regular Meeting Minutes.

A Motion was made by J. Preston, seconded by T. Brelsford, to **APPROVE** the December 1, 2022 Regular Meeting Minutes, as corrected.

Voting in favor: T. Brelsford, J. Roberts, D. Langdon, C. Matthews, S. Bement, M. Woody, S. Thompson, W. Webb, K. Perzanowski, R. de Brigard, J. Preston; **Opposed:** none; **Abstaining:** none. The motion **passed** unanimously 11-0-0.

4. Old Saybrook, Informal Discussion. Between the Bridges Marina, Restaurant, Housing.

Mr. Cal Caldarella, applicant, and owner of Between the Bridges Marina, introduced the project team: SLR associates Mr. John Milone, P.E., Mr. Vince McDermott, Senior V.P., Landscape and Architectural Planning, and Mr. Jason Williams, P.L.A. Mr. Williams presented a high-level view of the plans they created for the space.

Mr. Milone spoke about the Marina Village at Ferry Point in Old Saybrook and noted the goal is to make an amendment to the Old Saybrook Zoning regulations. He noted that Ferry Point is a strategic area for economic growth, and the owner would like to provide marine support, residences, preserved open space, shops and dining.

Mr. Williams spoke about the natural space and plans to restore the native CT tidal wetland system and the desire to provide more green space in that area. He also noted that not only is the current area unsightly, but ecological impacts of the marina are poor.

Mr. McDermott noted a comprehensive approach to planning and approval is needed because the plans are for a mixed-use property. He suggested the space could be promoted as a hub for tourism and recreational access.

Chair Thompson opened for questions from the Commission.

Mr. Roberts inquired about lighting required to which Mr. McDermott answered it will be per regulations and minimized to avoid disturbing wildlife. Mr. Roberts also inquired about the elevation with a focus on building height. Mr. McDermott stated the height of the new buildings will be lower than that of the existing buildings. Mr. Milone stated that they would include lighting objectives into their proposal.

Mr. Brelsford asked about the percent coverage of impervious surface. Mr. McDermott stated there is a 20% reduction in impervious surface and to the extent possible they will use pervious pavement.

Ms. Langdon asked if there will be adequate parking. Mr. McDermott stated the applicant would have to provide a traffic and parking analysis to the town Zoning Commission.

Ms. Perzanowski asked why housing is proposed in the flood area as opposed to more restaurants and shops. Mr. Williams stated residential units on the waterfront in this project have dry egress out of the buildings.

Chair Thompson suggested the Commission should do a site tour. Mr. McDermott stated he would coordinate that with Mr. Goldman.

5. Essex, Informal Discussion. Multi-family housing (affordable component), 160 Saybrook Rd

Mr. Ken Navarro from Navarro Ventures, Mr. Joe Wren, PE, Mr. Matt Williams, Project Architect presented the proposed plans to the Commission. Mr. Wren noted it is an informal discussion to get feedback to be used in development of the project.

Mr. Wren noted that this is a single-family residential zone consisting of 12 acres, and the design team is proposing multi-family housing. They will inquire with the town if current text in the town zoning regulations can be amended. The number of units have not been worked out yet, but the team has been working with the Essex town planner on the concept. The idea is to diversify the Essex housing portfolio and create more opportunities for housing.

Mr. Williams reviewed the potential building styles and said there would be a maximum of four units per building and these will be back off from the street. Ms. Matthews asked for the number of residential units. Mr. Navarro said it would be an ownership model, not rental and approximately 48 affordable units and 24 higher price point units.

Mr. de Brigard stated a text amendment would affect the entire zone and that might not be the right way to support this project. Mr. Wren responded that the zoning staff strongly recommended this course of action, however, they do not want the text amendment to apply to all properties in town, so he agrees there are limitations.

Mr. Semënov-Leiva encouraged the team to be in touch with him or Ms. Matthews. He stated that he thinks affordable housing is important and applauds the desire to build different unit types and more affordable housing.

Mr. Brelsford noted the Commission does not have the authority to override state law in trying to accommodate new types of “cluster housing”, and that would take a legislative change. Mr. Gold noted that some of the questions raised regarding how multiple standards, including Gateway Standards, affordable housing and other state statutes apply, have not yet been tested.

6. Deep River, Site Plan Review for Single-Family Dwelling, 108 River Road.

Mr. Gold introduced Mr. Bob Doane, Engineer for the applicant, who presented the site plan for a proposed 5,000 square foot, 4-bedroom house on 1.9 acres that has been submitted to the town of Deep River for a special permit application. Mr. Gold noted the Commission has until the town ZBA hearing on February 17, 2023 to submit comments.

There was extensive discussion of the criteria for a special permit.

Mr. de Brigard noted that the handwritten notes on the site plan need to be properly documented and sent to the Commission in time for it to review them and make comments before the February 17 hearing. Mr. Doane agreed and stated the intent is to provide more details regarding landscaping on embankment and he will send field crew out to identify trees and note these on the plan as well. Mr. de Brigard noted the Commission's pending new regulation to avoid night light pollution and requested that lighting outside of the building be noted with an explanation provided.

Chair Thompson asked if the town hearing can be held open until the Commission can review the updated site plan. The Commission decided to hold a Special Meeting to review the updated plan prior to the February 17 town hearing.

Mr. Roberts said he will send Commission members pictures of the trees from the site. He also noted that the proposed roof is very high and black. Mr. Doane stated it was the choice of the architect, but he can discuss further with him. Members of the Commission were concerned about the height, size, and placement of the house on the property. They also noted that there was unfortunate clear cutting of trees in the area.

Mr. Roberts noted that another large house is being built on this previously wooded hillside without review by the Commission. Chair Thompson inquired as to why the Commission was not made aware of another house that was built without their knowledge. Mr. Gold noted it was clear that subdivision had taken place for the neighboring house, and River COG is following up with the town's land use administrators to get more information.

Ms. Matthews stated that in responding to the special permit request, the Commission needs to address if the proposed design meets the nine standards in the Gateway Conservation Zone Standards, does it preserve or enhance significant natural features and maintain or restore the natural and traditional character of the CT River scene?

Based on the site visit and reviewing the proposal, she noted it does not meet the nine standards for the following reasons: the size of the house, its proportions, face to the river and limited amount of remaining vegetation detracts from the natural and historic river scene; the land will have to be leveled to accommodate the house on the hillside, rather than accommodating the house within the existing terrain; land to the west needs to be excavated & moved east to create a platform for the house; the severe pitch of the roof does not conform to the hill's natural slope or topography, and the proposed black roof and blue/grey siding are strong colors and will not blend in with the brown and green of the hillside. Ms. Bement agreed.

Mr. Roberts noted the size and placement of the house will make it visible from the river from multiple sides. He also requested less reflective glass windows be installed. Mr. Doane noted the builder will comply with the request.

Ms. Langdon, concerned about soil erosion, suggested some shrubbery in addition to sparsely treed area.

Chair Thompson asked the Commission what else they needed to proceed. Mr. Gold stated that there is no requirement that the Commission comment on the special permit, but it would be helpful to provide commentary on the issues it has with the request and suggestions for those issues, keeping to the nine Gateway Zone criteria. He noted the Deep River agency is basing its work on those standards.

Ms. Langdon asked if a gravel driveway was considered, and Mr. Doane noted it must be paved because of the grade.

Mr. Doane stated he will get the updated plans to Mr. Gold by midweek so they can be distributed to the Commission. Mr. Doane also stated he will tell the Deep River Commission that the Gateway Commission is waiting for information from him.

Chair Thomson proposed a special meeting be called for some time during the week of February 6th, 2023. Date and time will be announced.

7. Lyme, Proposed Agriculture Regulations.

Mr. Gold stated that due to scheduling of Lyme’s hearing in February, the Commission can table this item until its February 23 meeting.

A Motion was made by T. Brelsford, seconded by C. Matthews, to **POSTPONE** discussion on the Proposed Agriculture Regulations in Lyme until the next CT River Gateway Commission meeting, February 23, 2023.

Voting in favor: T. Brelsford, J. Roberts, D. Langdon, C. Matthews, S. Bement, M. Woody, S. Thompson, W. Webb, K. Perzanowski, R. de Brigard, J. Preston; **Opposed:** none; **Abstaining:** none. The motion **passed** unanimously 11-0-0.

8. Correspondence/Staff Report. As presented.

9. Chairman’s Report

Chair Thompson introduced Alan Ponanski, who had joined the meeting. She informed the Commission that it will purchase its own new Zoom Account instead of using RiverCOG’s accounts. Chair Thompson also noted it is CT legislative season. She encouraged Commissioners to stay informed on positions taken by the CT Land Conservation Council, Connecticut Forest & Park Association and CT River Conservancy and to write to their state legislators. She will forward Commissioners an email about a January 30 Environment Committee hearing on an Extended Producer Responsibility for Tires bill that the conservationist community does not support. Mr. Gold offered to aid with submitting testimony.

Chair Thompson asked the Finance Committee to authorize spending of funds for a contracted clerk to take meeting minutes. This would be separate from RiverCOG billing and not subject to RiverCOG administrative overhead.

10. Committee Reports

a) Finance Committee – Reports, Bills, and Contracted Services.

Ms. Matthews requested authorization for hiring of a contracted Commission meetings clerk.

A Motion was made by M. Farina, seconded by J. Preston, to **APPROVE** the expending of funds for a meetings clerk.

Voting in favor: T. Brelsford, J. Roberts, D. Langdon, C. Matthews, S. Bement, M. Woody, S. Thompson, W. Webb, K. Perzanowski, R. de Brigard, J. Preston; **Opposed:** none; **Abstaining:** none. The motion **passed** unanimously 11-0-0.

Ms. Matthews stated the Finance Committee addended a briefing by the Commission’s financial advisors to review the portfolio’s performance for the past year. The average drop for such portfolios in 2022 was 17.5%. Our similarly balanced portfolio dropped 10.38% in 2022. She characterized the advisors as vigilant and cautious in watching the markets closely and prepared to respond in a way that will provide the best investment opportunities. The portfolio increased by \$50,000 the first 11 days of January, immediately prior to the Commission raising \$60,000 for its matching grant to Old Saybrook Land Trust (OSLT) for its acquisition of Ayers Point conservation land.

Mr. Webb asked if OSLT had met its matching donations level for the Commission to make payment. Ms. Preston noted that the land trust had exceeded its goal and all funds had been received. Chair Thompson asked for a formal verification from OSLT that it had received those donations.

Ms. Matthews reviewed the Commission's bills that need to be paid, totaling \$66,822.45, including \$60,000 to OSLT, \$1000 sponsorship donation to CT Land Conservation Conference, RiverCOG expenses of \$5,822.45, including \$1,427.67 for Torrance Downes, \$98.26 for Paula Fernald, \$1,003.94 for Sam Gold and \$3,152.45 for overhead. There is also a \$140.13 fee for GoDaddy to cover the Commission's new email account for 3 years.

A Motion was made by R. de Brigard, seconded by S. Thompson, to **APPROVE** the total bill payment for this month.

Voting in favor: T. Brelsford, J. Roberts, D. Langdon, C. Matthews, S. Bement, M. Woody, S. Thompson, W. Webb, K. Perzanowski, R. de Brigard, J. Preston; **Opposed:** none; **Abstaining:** none. The motion **passed** unanimously 11-0-0.

Mr. de Brigard asked for the status of RiverCOG hiring a regional planner to provide staff support to the Commission. Mr. Gold stated the job has been posted and he will share the posting with the Commission. He would like to hire two people: one to assist the Gateway Commission and one to assist the Emergency Management Program. He is starting to receive resumes.

- b) Community Relations and Public Outreach Committee: Update on 1/18/23 Committee meeting and plans for 50th anniversary commemorations.

In Mr. Futoma's absence, Chair Thompson referred Commission members to the Communications Committee report. She thanked Mr. Roberts for creating the 50-year update to the Commission's logo, to be used throughout this anniversary year. The Commission has received a request from Lyme Land Trust to sponsor its Tour de Lyme bike ride, in its 10th year anniversary, at the \$500 (bronze) level. At the Communications Committee's recommendation, the Commission had approved this expense in the current annual budget. Ms. Matthews stated procedurally that if it is in the budget, no need to vote until the check is sent out. Chair Thompson noted she will inform Lyme Land Trust of the Commission's sponsorship.

Chair Thompson informed the Commission that an article by Judy Preston about the Commission's history will be published soon in Estuary magazine. She also said there will be multiple activities for the Commission and member towns to celebrate the CT River Gateway Zone, Commission and Standards 50th anniversary in 2023.

- c) Rules and Procedures Committee: on 1/18/23 committee meeting and towns' adoptions of updated Gateway Standards.

Mr. Webb stated that in two weeks the Committee will hold a meeting to discuss how to provide flexibility when hardship is not available since Old Saybrook, Deep River, East Haddam have raised concerns. He also reviewed the progress on the towns' adoption of the Commission's 2021 updated standards that apply in the Conservation Zone. These were sent by Mr. Downes to the land or zoning staff in the member towns in 2022. Old Saybrook has adopted them. The remaining towns are in various stages of discussion. Mr. Webb asked Commission members find out what their towns are doing with these and to see if they can move forward adoption of the standards. If they are not adopted, the version previously approved by towns are still being upheld by the towns.

Mr. de Brigard spoke about the Commission's proposed night light standards. He proposed the Commission call a public hearing to discuss the light standard before its Regular Meeting on April 27th, 2023. Mr. de Brigard suggested the Commission send out a notice of its hearing to the towns as soon as possible to receive town comments in time for the hearing. Chairman Thompson questioned if an April date will work due to the procedural process in towns like Old Lyme and Essex.

Chairman Thompson noted that both Old Lyme and Essex zoning staffs had told their Gateway Commissioners that the towns' processes would be to hold public hearings on the proposed changes to Gateway Zone Standards. Both Essex and Old Lyme zoning agencies have scheduled these public hearings at their March meetings. After some discussion about when to hold the Commission public hearing, Mr. Webb suggested the Commission move forward with its April time frame.

A Motion was made by W. Webb, seconded by R. de Brigard, to **APPROVE** a virtual public hearing a week before the April Regular Commission Meeting to discuss the new lighting standards.

Voting in favor: T. Brelsford, J. Roberts, D. Langdon, C. Matthews, S. Bement, M. Woody, S. Thompson, W. Webb, K. Perzanowski, R. de Brigard, J. Preston; **Opposed:** none; **Abstaining:** none. The motion **passed** unanimously 11-0-0.

Mr. Roberts reported that he had spoken with Mr. Gold, Mr. Downes and Steve Hnatuk with Deep River Zoning. He stated the town of Deep River would like to be relieved on regulations for sites that cannot be seen from the river. Mr. Roberts noted discussions are starting and he requested Mr. Webb or Mr. de Brigard attend the next Deep River Zoning meeting with him. Mr. Webb said the first round of discussions needs to be done first, but the Commission is not obligated to adopt proposed changes as it relaxes what is already in place. Mr. De Brigard noted this is on a separate track because the Committee must get all towns to agree. Chair Thompson noted these are long standing issues that the Commission plans to address.

d) Land Committee Discussion [Executive Session]. Potential acquisition of land within the Gateway Conservation Zone. Nothing to discuss, no Executive Session held.

e) Grants Review Committee: Nothing to report

11. Old Business: None.

12: New Business:

Commissioners discussed the need a better understanding of how to apply the Gateway Standards and criteria to special permit reviews that come before the Commission. Mr. Gold recommended a Commission committee develop some general discussions of the criteria and how to apply them.

Chair Thompson stated she has asked the Rules of Procedure Committee to create a better process for the Commission to follow on special permits, including steps to get site review materials to Commissioners in advance of Commission meetings, so members are better prepared. Chair Thompson suggested the Rules Committee develop a template of steps to be followed for the Commission.

Mr. Gold noted it is desirable that the committee weighs in on special permits to comment about whether applications meet the standards. Mr. Webb stated a Rules Committee meeting will be called next week.

13. Adjournment A Motion was made by W. Webb, seconded by J. Kitsen, to **Adjourn** the meeting.

Voting in favor: T. Brelsford, J. Roberts, D. Langdon, C. Matthews, S. Bement, M. Woody, S. Thompson, W. Webb, K. Perzanowski, R. de Brigard, J. Preston; **Opposed:** none; **Abstaining:** none. The motion **passed** unanimously 11-0-0.

Meeting adjourned at 10:20 PM.

Respectfully submitted
Amy Huot, Clerk

CT River Gateway Commission Regular Meeting, January 26, 2023 DRAFT Minutes – cont.

PLEASE NOTE: As of December 2022, the Connecticut River Gateway Commission has the following email address for correspondence: **contact@ctrivergateway.org**

The next regular meeting of the Gateway Commission is scheduled for **Thursday, February 23, 2023 at 7:00 PM via Zoom**. Please see the agenda for the link.