

# CONNECTICUT RIVER GATEWAY COMMISSION

## REGULAR MEETING MINUTES

July 28, 2022

### Present/Absent:

<b>Chester:</b>	<b>Tom Brelsford, Jenny Kitsen</b>
<b>Deep River:</b>	<b>Jerry Roberts, (vacancy)</b>
<b>East Haddam:</b>	<b>Crary Brownell, (vacancy)</b>
<b>Essex:</b>	<b>Claire Mathews, Misha Semenov</b>
<b>Fenwick:</b>	<b>Newton Brainerd, Borough Warden</b>
<b>Haddam:</b>	<b>Susan Bement, Mike Farina</b>
<b>Lyme:</b>	<b>J. Melvin Woody, Wendy Hill</b>
<b>Old Lyme:</b>	<b>Suzanne Thompson, Greg Futoma</b>
<b>Old Saybrook:</b>	<b>Bill Webb, Diane Stober</b>
<b>Regional Reps:</b>	<b>Raul Debrigard (N), Marilyn Gleeson (N), Judy Preston (S)</b>
<b>DEEP:</b>	<b>Katie Perzanowski</b>
<b>Staff:</b>	<b>J H Torrance Downes</b>
<b>Guests:</b>	<b>None</b>

### Call to Order

This meeting was called to order by Chairman Thompson on the virtual meeting platform Zoom at 7:04pm.

### Approval of Regular Minutes

A motion was made by Mathews to approve the July 28, 2022 meeting minutes as presented. The motion was seconded by Preston. The motion approved unanimously.

Presentation of FY2022/23 Draft Budget. Mathews explained the proposed budget, noting the proposal reflects an increase in spending of approximately 41% over the last fiscal year ending June 30, 2022. The overspending was due to higher expenses for staffing, legal consultation and communications projects. Committees proposed expenditures for individual projects they expect to undertake in the new fiscal year. The discussion included the status of the 3%/4%/5% spending plan. Due to the recent drop in market value, Mathews noted that the Gateway portfolio had seen a drop in value by as much as \$351,000. Mathews reported that finance committee endorses this proposed budget. Upon a motion by Woody and a second by Roberts, the proposed budget was unanimously approved.

### Payment of Bills

Mathews presented bills in the amount of \$2,714.95 for staffing services (\$1,149.79 JHTD; \$50.08 PF; \$1,515.08 OH) and \$55.50 for legal services (Halloran & Sage). A motion to approve payment of the bills was put forth by Bement and seconded by Woody. The motion passed unanimously.

### Variance Application, 50 Crosstrees Hill Road, Essex.

The existing house on the property is entirely in the 100' setback. Recently the owners cut away a substantial part of the hillside and bedrock to make room for a long driveway and a carriage house outside of the 100' setback. Also, they recently installed a new septic system in the 100' setback which is a legitimate incursion. They then applied for and received a variance to install a terraced garden entirely in the 100' setback. The commission didn't see that application because staff handled it administratively. The result is a large set of terraced stairs and a stone foundation. It is on this foundation that the owner wants to erect a glass house (picture in application) and further on in the 100' set back a pergola, (pictured in the application) which are the subject of this current application.

The judgement of the commission is that this property is non-conforming on many levels. The natural topography has been drastically changed. The house is entirely non-conforming and these additions which are not critical to the living situation, extend the non-conformity. The deciduous trees along the shoreline do not

hide the structures completely when leaved and not at all when the leaves are down. The trees grow up from steeply sloped land that is already showing signs of erosion and are vulnerable to the increasingly powerful storms we are getting. The light that will emanate from the glass house will disturb wildlife and would be considered an intrusion on the natural landscape by many. The pergola adds one more impermeable surface to this property which negatively impacts runoff to the river.

Therefore, the commission voted, with one abstention, to deny this current variance request because the proposal is inconsistent with the Gateway's protective mission codified in Sections 25-102s of the Connecticut General Statutes.

Variance Application, 5 Lighthouse Lane, Old Saybrook. The Old Saybrook representatives and staff had visited the site prior to the meeting. Following review and significant discussion by the Commission, members unanimously voted to recommend that the Old Saybrook ZBA deny the application as the proposed improvements are not consistent with the "natural and traditional riverway scene" and the protective mission codified in Sections 25-102a through 25-102s CGS. Specifically, the proposal will add more impervious surface to an already overdeveloped site and will fail to protect that part of the riparian buffer that remains at the property.

#### Correspondence/Staff Report

Staff summarized report items as requested, noting that several local enforcement actions are still ongoing in Chester and Lyme. DEEP Commissioner's Representative Katie Perzanowski briefed members on the status of an ongoing enforcement action taking place at property located at 1242 Saybrook Road in Haddam. The DEEP, Army Corps of Engineers, Valley Railroad, the Town of Haddam and the Gateway Commission all have interest in the resolution of the case, which involves tree cutting within the Valley RR Right of Way and within the Gateway 50 foot Required Vegetative Buffer. The Office of the Attorney General is looking into the action as well. Staff finished the summary by reporting on an apparent violation of the Old Saybrook Inland Wetlands Regulations on Saybrook Point. Site inspections suggests that vegetation from a slope that is highly visible from the CT River has occurred where similar vegetation on the north and south sides of the property remains intact. As the slope is not within the 100 foot Required Riparian Buffer (with the exception of a small corner of the slope), the vegetation clearing may be inconsistent with and in violation of the wetlands permit that was issued at that location. If determined to be a violation of that permit, because of the visible location and proximity to tidal marsh and the river within the Gateway Conservation Zone, a letter will be written on behalf of Gateway encouraging the Inland Wetland and Watercourses Commission to require revegetation of the slope through a required restoration plan.

#### Chairman's Report

Thompson announced that Mr. Ben Lovejoy will be succeeding Torrance Downes as staff to the Gateway Commission. Lovejoy has been, and will continue to be working with Downes up until Downes retires on January 1, 2023. After that time, RiverCOG will enter into an arrangement where Downes will be available to assist Lovejoy as he "learns the ropes".

Finance Committee. No report as finance committee items were handled at the beginning of the meeting.

Communications Committee. Futoma reported on the status of the new Gateway website and reported that Judy Anderson's work on the communications project is coming to a close. Remaining work includes the land stewardship brochure and the template for the Gateway PowerPoint presentation.

Rules of Procedure Committee. Webb indicated that a meeting of the Rules of Procedure Committee will be

called before the August Gateway meeting on August 25, 2022.

Land Committee. The Land Committee met to discuss land acquisition potential in the Gateway Conservation Zone. Upon a motion of Woody, which was seconded by Thompson, the Commission went into Executive Session at 9:13pm. The meeting recording was paused and no notes were taken. Woody moved to close the Executive Session at 9:21pm. The recording was restarted. No motions or decisions were made during the Executive Session.

Grants Committee. Roberts reported that members agreed on the final format of the grant application forms. The final application form will be developed and referred to the Rules of Procedure Committee for comments and suggestions.

Old Business. Preston reported that the Old Saybrook Land Trust will be making a proposal for funds for the acquisition of property located within the Conservation Zone. The issue was briefly raised at the July Gateway meeting.

New Business. None

Adjournment

A motion was made to adjourn the meeting at 9:26pm by Bement. The motion was unanimously approved.

Respectfully submitted,  
J H Torrance Downes