

CONNECTICUT RIVER GATEWAY COMMISSION

Rules of Procedure Committee Meeting Minutes

June 17, 2021

Attendance: Bill Webb (chair), Joel R. Ide, Jenny Kitsen, Raul Debrigard (arr. 6:30pm), David Blatt, Suzanne Thompson, J H Torrance Downes

Call to Order

The meeting was convened at 6:18pm via the Zoom platform. The meeting agenda was posted on the Gateway Commission website and posted by the Town Clerks in the eight Gateway member towns. The meeting was called to discuss the Freedom of Information Act and how it impacts the Gateway Commission and its committees, the Deep River P&Z request to find a way to eliminate Gateway oversight on property in the Conservation Zone that is not visible from the CT River, the process for reviewing zoning regulation proposals that come before the Commission, and the revision of the Gateway standards.

Attendees discussed the desire to write a memo that includes the “do’s and don’ts” of the FOIA for commission members. It was decided that Downes and Joel R. Ide will work on such a document.

Attendees then discussed a request from the Deep River Planning & Zoning Commission regarding Conservation Zone property that isn’t visible from the CT River. The P&Z would like to find a way to exempt those properties from Gateway requirements. It was recognized that it would be more advantageous, time-wise, for applicants to go through a variance and/or special exception process as it exists rather than to go through the time-consuming process of finding a standards-based remedy that would have to be vetted through Gateway attorneys, presented to the eight member towns, the convening of a Gateway public hearing and then adoption after local public hearings into the zoning regulations of each of the towns. The option of a legislative change to the Conservation Zone boundary was also discussed, one that would only result in a boundary change by October of 2022 at the earliest. For the latter, legislators should be contacted to determine their level of support. A suggestion was made that, as a next step, Downes should invite Chester staff John Guskowski and P&Z chair Tony Bolduc to a committee meeting to find out more about the request. Such a meeting, it was decided, should occur shortly after the June 24, 2021 meeting of the Gateway Commission. Town representatives should be invited to such a meeting as well.

Attendees then discussed the regulation review process. Regarding review of regulations, Gateway is to review with respect to “consistency” with Gateway standards, but also based on the general mission of the Commission. Comments included that it is not in the interest of the town/Gateway partnership to second guess a locally-proposed regulation. Presumption would be that a locally promulgated (P&Z) proposal should be approved unless the impacts to Gateway-related interests rise to an unacceptable level. It was agreed that, for all regulation proposals, the petition will be sent to the RoP Committee plus the two town representatives from the respective town involved prior to being presented to the entire Commission. Regional members would be included as well.

Old Business. A short paragraph regarding the status of the proposed revised standards needs to go to Debrigard to circulate to Commission members by Tuesday, June 22, 2021 so that the review of the proposed revisions will have a context.

A short discussion of the scope of Gateway authority occurred next. At issue is Gateway’s authority to issue grants for projects other than land transactions. Thompson reviewed the informal response offered by Attorney Matt Willis during another meeting, an opinion that reflected a broad authority based upon statutory language. Webb, Ide and Downes will collaborate to write a letter to Attorney Willis requesting a formal letter response to this question.

A motion was made to adjourn the meeting at 7:35pm by Kitsen, seconded by Debrigard.