

CONNECTICUT RIVER GATEWAY COMMISSION

REGULAR MEETING MINUTES

May 24, 2018

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

Chester:	Margaret (Peggy) Wilson, Errol Horner
Deep River:	Nancy Fischbach, Kate Cotton
East Haddam:	Harvey Thomas, Crary Brownell
<i>Essex:</i>	Claire Matthews, Vacancy
<i>Fenwick:</i>	<i>Fran Adams, Borough Warden</i>
<i>Haddam:</i>	Susan Bement, Vacancy
Lyme:	J. Melvin Woody, Wendy Hill
Old Lyme:	<i>Peter Cable (E), Suzanne Thompson</i>
Old Saybrook:	Bill Webb, Vacancy
<i>Regional Rep:</i>	Raul Debrigard
DEEP:	David Blatt
Staff:	J H Torrance Downes
Guests:	None.

Call to Order

Chairman **Woody** called the regular meeting of the Connecticut River Gateway Commission to order at RiverCOG offices located at 145 Dennison Road, Essex at 7:34pm.

Approval of 4/24/18 Regular Meeting Minutes

Motion by **Wilson**, seconded by **Hill**, passed unanimously with noted corrections. **Fischbach, Debrigard and Bement** abstain. **Fischbach** requests that corrections be delineated in future minutes preparation.

Treasurers Report

Wilson reported that the finance committee met with Essex Financial since the April meeting where a general discussion of the state of the economy took place. EF recommended maintaining the 60% equity/40% fixed allocation. **Wilson** noted that Gateway is due to receive \$175,000 from the purchase of the Brainerd Quarry property by the US Fish & Wildlife Service, thereby reimbursing GW for its cost in the acquisition of that property. Staffing bill to be approved: JHTD \$347.28, PF \$70.04, \$586.17 OH, totaling \$1,003.49. Motion to approve by **Bement**, seconded by **Fischbach**. Passed unanimously.

Correspondence/Staff Report

Lech Residential Dwelling Review Lyme ZEO Gigliotti and Downes are scheduled to sit down with the representatives of Mr. Lech at Lyme Town Hall on Wednesday, May 30, 2018 to discuss modification of the proposed 26,000 square foot residential dwelling proposed for a cove front property on Hamburg Cove. JHTD has been in touch with appropriate parties and will be meeting next week. JHTD to provide examples of what's been done by others, e.g. Abbots in Essex on River Road. Examples of what GW has found consistent in the past and what has *not* been acceptable.

Report on Essex Zoning Regulations. Discussion regarding adoption of 50 foot vegetated buffer regulation and 100 foot structure setback. DEEP letter of review. Advised Claire Matthews that the Zoning Commission presently has "placeholder" text where the new standards will be slotted in.

East Haddam Land Trust thank you for the \$100 donation.

Hope Partnership, Old Lyme off Route 156. Section 8-30g CGS. Members discussed the application and asked those who knew the property owner (Graybills) if they'd be willing to place a conservation easement at the ridgetop to insure trees are left in place on the river side of the proposed development (such an easement was provided).

Referral of Zoning Regulation Petition

Haddam, Three New Districts in the Tylerville Area. The Commission discussed the new regulations and district boundaries, a Conservation Zone, and Connecticut River District and the Tylerville Village District. Amendments were proposed for sections including Definitions and Residential District. In that the regulations were either non-impactful to Gateway interests or were a positive impact (new districts encouraged passive recreation and river-appropriate uses), members voted to approve the proposed regulations with a motion by **Fischbach** and a second by **Matthews**. Passed unanimously.

Staff Actions

Downes briefly described a small development project on Camp Bethel Road in Haddam above the Goodspeed Bridge and a proposed modification to the Special Permit that authorized the construction of the Valley Railroad depot at Deep River Town Landing. Parking upgrades with some new lighting to allow additional parking. Valley RR is interested in allowing people to access the cruise boat via car in addition to via the train. Consensus was the proposed changes had no negative impact on the “natural and traditional river scene” in that the improvements are largely unseen from the river.

Committees Reports

Land Committee. No report of significance.

Governance Committee. **Fischbach** opened a discussion of the finalization of the draft Gateway Standards, presenting a history of efforts that has occurred over the past several years. A review of the standards, including changes proposed by **Blatt** and **Debrigard** followed.

Members then modified the standard regarding height, second paragraph, which was proposed to be deleted (“except as exempted by Section IIIJ.2).

Other proposed changes were discussed with explanations for why the new language is proposed for inclusion. For example, “vegetation” is modified to clarify lawns and gardens can remain in the 50 foot riparian buffer and can be maintained.

Vegetation definition discussed. JHTD offered that the new definition was included to clarify that existing *legal* lawns and gardens within the 50 foot riparian buffer could be maintained as before. Maintenance would not be prevented by the 50 foot buffer regulation *if* legally existing prior to adoption of regulations.

Fischbach noted that under definition of “Viewshed Analysis”, the word *evolution* should be revised to read *evaluation*.

Land coverage to be changed from 10% to 15%. 15% is the Gateway minimum standard, so no issue with this change.

Webb asks about Coastal Jurisdiction line standards and wonders whether that would have to be changed through time. **Blatt** addressed the question satisfactorily.

Section D, Design. Building Height. **Fischbach** wonders why spires and cupolas less than 10% of the roof area need a special permit. JHTD, as a reviewer of plans, prefers language to remain as is. Land use staffs understand this approach. Under definition of Building Height, 2nd paragraph to be moved to Section E, Building Height. Members further discuss whether that paragraph, regarding exemptions, should be included at all. Members agree to delete entire paragraph regarding exemption from definition altogether. **Debrigard** asked if the East Haddam request to address typical roof angles on colonial homes with standards change was done. JHTD said that a solution wasn’t found and it was decided that each specific case should be dealt with through the variance process.

Cutting of Timber. No significant changes. Section D, footpath change was as much for protecting against direct downslope runoff as it was for direct line of sight.

Vegetated Buffer. Of concern were standards that allowed staff to determine what would be considered “developed areas” (thereby being essentially exempt from the 50 foot riparian buffer regulation). Although the suggestion of this approach came from discussions held with the Old Saybrook Zoning Commission, members decided that the standard should continue to require a town to propose such areas town-wide for Gateway to consider and approve. **Blatt** indicates concern over staff determination on a case-by-case basis. The intent was for each town to determine on a town wide basis and make the proposal to Gateway. Members should have input and not be left to staff only. The descriptors “mapped” and “designated” are to be retained. **Webb** comments that the word “agent” be taken out with delegation coming on a case-by-case basis. The decision is between the local zoning authority and the Gateway Commission.

Last lines regarding “construction activities previously occurred”. Last sentence moved to “developed area” definition.

Special permit section changed previously and during ongoing meetings between GW members and Essex Zoning Commission members by adding the Site Plan choice. Lot on river or one lot back from river, must be a Special Exception. Site Plan approval choice occurs outside of those first two lots.

Exemptions. Subsections i, ii, iii and iv – all “or’s” separating, not “ands”. Subsection iii, distance and “elevation below” the ridgeline.

Based on pre-application review, remove “or its staff”. GW Commission only with commission still retaining ability to delegate to staff on a case-by-case basis.

Exemption from both Special Permit AND Site Plan. If applicant can demonstrate that a proposed structure can’t be seen by virtue of distance, intervening land mass, existing structure to which addition proposed blocks view (addition on non-river side), existing structure *not* on same property blocks view.

Special Permit language itself not to change, title to change.

Findings should be clarified to reflect that the findings are to be made by the *local* commission, not Gateway.

Fischbach to update standards according to this discussion with one set showing “deletions and additions”, and one being a “clean copy”, reading like a finished document.

Matthews asked about the outline format and whether the format can be cleaned up and clarified. **Fischbach** comments that the draft process throws off the formatting. **Fischbach** to create a clean copy and distribute next week.

Public Outreach Committee. **Cotton** reported on the upcoming June 7th boat trip. The trip would head north to view the Haddam and East Haddam shoreline before turning south for the remainder of the trip. It was reported that 21 non-GW people already committed to attending, 7 from Old Saybrook, 1 from East Haddam, Representative Carney, 6 or 7 from Haddam and one from Essex.

Old Business:
None to report.

New Business:
None to report.

Adjournment: Motion to adjourn by **Matthews**, passed unanimously at 9:40pm.