

CONNECTICUT RIVER GATEWAY COMMISSION

REGULAR MEETING MINUTES

October 25, 2018

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

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

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 7:30pm immediately following the Annual Meeting.

Approval of 9/23/18 Regular Meeting Minutes

On Page 1, 4th line from bottom, **Wilson** reported that the word “minimum” when referencing height should be revised to say “maximum”. Motion to approve the minutes with said correction by **Thompson**, seconded by **Fischbach**, passed unanimously.

Treasurers Report

Wilson reported that four proposal for financial advisor were reviewed by the finance committee. Members chose two of the four proposal submitters to interview. The committee has two more proposals to review to determine if an interview will follow. Regarding the market, **Wilson** reported that, although the market has been volatile, the Gateway portfolio is performing well due to its being well-diversified.

Wilson presented the staffing bill in the amount of \$1,626.57 for payment. Motion by **Fischbach**, seconded by **Matthews** to pay. Passed unanimously.

Correspondence Report

Downes summarized the Items of Interest report items stating that:

1. The public hearing for the adoption of the Gateway Standards in Essex is schedule for Monday, December 17, 2018.
2. Haddam Town Planner Liz Glidden has resigned from her position. She'll be working for Verizon. **Farina** indicated that the Town and Glidden have come to an agreement on some kind of transition where Glidden will be providing some services before she leaves altogether.
3. Downes reported that Michael Whalen, member of the Deep River Land Trust, has sent an invitation for an event to be conducted at Bushy Hill. The event, featuring educational activities, will occur on November 18, 2018 and begin at 2pm. RSVP to deepriverlandtrust@gmail.com

Variance Referrals. None.

Discussion of “Land Use Primer”. **Fischbach** discussed the possibility of Downes presenting an educational opportunity referred to as “Zoning 101”. The intent of the education will be to introduce the concepts of Connecticut

zoning authority to members of the Gateway Commission who are less familiar with those principles and laws. Downes to send out a “Doodle” poll to determine the best time to conduct the training with such meeting be noticed as a Special Meeting.

Discussion, Scheduling of a Zoning Primer

Fischbach summarized that staff the Commission will offer a primer in zoning law that will be aimed at developing a common understanding of how the land use process works in the river valley and how Gateway practices fit into that process. Discussions will mainly cover issues such as permitted uses and the various processes by which those uses are approved. For Gateway in particular, this involves discussion of “administrative permits” (those approved by the zoning officer), “Site Plan approvals” (legislative approvals under the jurisdiction of a Zoning or Planning & Zoning Commission), and “Special Exception or Special Permit approvals” (discretionary approvals under the jurisdiction of a Zoning or Planning & Zoning Commission). Variance laws will also be reviewed in that Gateway is responsible for reviewing variance applications as well. Other topics will be discussed as necessary. Downes will send out a “Doodle” poll to find a time that members who wish to attend can do so.

Regulation Referral

Old Saybrook, Off-Site Parking for Principal Uses on Sites in various Zoning Districts including the Shopping Center B-2 District, which occurs within Old Saybrook’s Gateway Conservation Zone. As a result of inquiries regarding possible impacts to the “natural and traditional river scene”, the petitioner revised the submitted petition to exclude any such off-site parking lots from properties located within the Gateway Conservation Zone. As a result, it was determined that the regulation petition would have no impact on the view from the river. Pursuant to Section 25-102g CGS, and based on a motion by **Fischbach**, seconded by **Wilson**, the Commission unanimously “approved” the petition.

Adopted Standards and Governance Committee Discussions

- **Fischbach** reported that the October 24, 2018 governance meeting was cancelled. She supplied notes from the October 10, 2018 meeting and will email meetings from the Governance Meeting that occurred shortly before that date. **Fischbach** also reported that Downes will be having a “lunchtime” meeting with staff of the eight Gateway members towns to discuss issues including minimum standards, adoption of language other than the verbatim language in the standards where applicable, and to get feedback on the local processes and to begin a staff-provided list of “standards fixes” that may be required moving forward. Upon a motion by **Brownell**, seconded by **Webb**, the Commission unanimously voted to expend funds necessary to provide lunch for the participants.
- As part of the discussion, Downes asked members who were also members of municipal P&Zs if there was any urgency for staff and town representatives to visit those Commissions in order to provide explanations of activities or seek suggestions for changes. **Brownell** of East Haddam and **Farina** of Haddam indicated that, as of this time, there didn’t appear to be an urgency to make immediate visits. East Haddam, for instance, is now involved in reviewing an update to that town’s Plan of Conservation & Development. **Farina** indicated that Haddam commission members didn’t seem to be overly concerned with the Gateway standards at this time. It was also felt that staff discussion and report of those discussions to the P&Zs will demonstrate that Gateway is moving forward with efforts to provide any outstanding solutions each commission may be seeking to existing Gateway administration difficulties in those respective towns.
- In support of this discussion, **Woody** provided a summary of the discussion that was held on October 9th with the Lyme Planning & Zoning Commission, this on the heels of the submission of a residential application for a very large residential structure.
- A discussion occurred with respect to a proposal for a “handout” that would answer questions regarding minimum standards and adopting language that would be more-strict than those minimum standards, or the “tailoring” of the standards to more specific town situations. A discussion was also held regarding the production of a “Best Practices” handout or booklet that would provide policies or suggestions beyond what is contained in the Gateway standards.
- **Fischbach** summarized a 10/23/18 meeting held with Attorney Mark Branse (attorney for the Gateway

Commission and four of the eight member towns) and Downes. It was reported that Branse indicated that all of his concerns appeared “fixable” and resulted from his not fully understanding what the intent of certain standards were. One determination that was made is that references to multifamily and multi-dwelling developments would be deleted in that those sections were superfluous and confusing. **Fischbach** reported that Branse had submitted a revised set of the standards with clarifying language discussed with **Fischbach** and Downes earlier in the week. The Governance Committee will review that document and report to the Commission as a whole at a later date. **Matthews** asked if the Essex process should include the standards that would result from the Branse work. Branse recommended that it was prudent for the Essex Zoning Commission to adopt the standards on the current schedule (December, 2018 hearing in Essex). Any changes that require another Gateway public hearing will be carried forth to the eight towns at such time that adoption occurs, hopefully in 2019. **Blatt** asked if Branse accepted the choice of conducting a Site Plan review OR a Special Permit review, the answer being yes, he did. When asked what Branse’s opinion was on the question of whether or not the Borough of Fenwick was a part of the Gateway Conservation Zone and under Gateway authority, it was reported that he indicated that, based on the boundary specifically including the Borough, it was clearly under Gateway authority in his opinion. **Webb** indicated that it will be important to have further discussion on defining the phrase “natural and traditional river scene”. **Matthews** commented that it would be to the Commission’s advantage to refer to a greater degree to the portion of the statutory mission that describes the “ecological” resources of the lower Connecticut River.

- The next meeting of the Governance Committee is scheduled for November 15, 2018. Another meeting in addition to that one may be scheduled.
- A discussion then occurred regarding the issue of allowing areas within the Conservation Zone that are hidden from view from the river to be relieved of the requirement to comply with Gateway standards. Specifically, a draft letter describing this issue and proposing allowances in such situations was circulated and was said to be generally discussed with Attorney Branse, who reported that he didn’t see that that provision or some similar accommodation could be provided. Members asked **Fischbach** to circulate the draft to Branse for his opinion.

Committees Reports

Land Committee. No report of significance.

Governance Committee. Summarized above.

Public Outreach Committee. No report of significance.

Old Business:

None to report.

New Business:

None to report.

Adjournment: Motion to adjourn by **Wilson**, seconded by **Webb**, passed unanimously. 9:35pm