

# CONNECTICUT RIVER GATEWAY COMMISSION

## REGULAR MEETING MINUTES

RiverCOG Offices, 145 Dennison Road, Essex, Connecticut

October 26, 2017

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

<b>Chester:</b>	<i>Margaret (Peggy) Wilson, Errol Horner</i>
<b>Deep River:</b>	<b>Nancy Fischbach, Kate Cotton</b>
<b>East Haddam:</b>	<b>Harvey Thomas, Crary Brownell</b>
<i>Essex:</i>	<b>Claire Matthews, Vacancy</b>
<i>Fenwick:</i>	<i>Fran Adams, Borough Warden</i>
<i>Haddam:</i>	<b>Susan Bement, Vacancy</b>
<b>Lyme:</b>	<b>J. Melvin Woody, Wendy Hill</b>
<b>Old Lyme:</b>	<b>Peter Cable, Suzanne Thompson</b>
<b>Old Saybrook:</b>	<i>Vacancy, Bill Webb</i>
<i>Regional Rep:</i>	<b>Raul Debrigard (arr. 7:35p)</b>
<b>DEEP:</b>	<b>David Blatt</b>
<b>Staff:</b>	J H Torrance Downes
<b>Guests:</b>	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 7:55 pm following the adjournment of the Lower CT River Land Trust annual meeting.

### Approval of 9/28/17 Regular Meeting Minutes

The minutes of the 9/28/17 were unanimously approved through a motion by **Bement**, seconded by **Thomas**.

### Treasurers Report

In **Wilson's** absence, Downes projected the Treasurer's Report on the meeting room screen and presented a check for payment in the amount of \$2,003.76. The payment was for staff services of Downes and Financial Administrator Paula Fernald. Upon a motion by **Matthews**, seconded by **Bement**, the Treasurer's Report and check payment were unanimously approved.

### Items of Interest Report

- Goodspeed Airport Scenic Easement/Campbell Hudson. Hudson reported that small differences in opinion between Hudson and comments provided by the Assistant Attorney General in review of the Scenic Easement have been "ironed out". It is expected that the State approval of the easement will move forward quickly at this point. Final clarifications of comments provided by the Assistant Attorney General. Downes reported that an effort is being made to complete the transfer in short order.
- Open Space/Watershed Grant. The CT Department of Energy and Environmental Protection (DEEP) is accepting applications from municipalities, non-profit land conservation organizations, and water companies for the next round of the competitive Open Space and Watershed Land Acquisition Grant Program.
- Status Report, Phragmites Project, Lords Cove. Attached at back of this report.
- Essex Financial "Shred Day", October 28, 2017
- Madge Fish Letter of Commendation, September 29, 2017. Attached.

DEEP Request for Letter of Support: Geological Mapping of Bedrock in the Lower CT River Valley. The State Geological Survey has an upcoming funding opportunity for mapping projects as part of the National Cooperative Geologic Mapping Program, *StateMap*. In consultation with the DEEP's State Geologic Mapping Advisory Committee, the Lower Connecticut River Valley has

been selected for this year's project proposal. The cooperative project will involve geologists from: the State Geological Survey, DEEP; the University of Connecticut, Center for Integrative Geosciences; and the U.S. Geological Survey, Eastern Geology and Paleoclimate Center. New detailed 1:24,000 scale bedrock geologic mapping, with an emphasis on bedrock fractures will be produced for the Lower CT River Valley, and joined to existing modern geologic mapping in the Old Lyme area. A single sheet (1:50,000 scale) regional bedrock map will be designed, capable of displaying the level of detail acquired at the larger scale. Of course, RiverCOG is welcome to receive the digital data and shapefiles produced. MEETING SCHEDULED AT 11am MONDAY MORNING. Motion by **Fischbach**, seconded by **Debrigard**, to have Downes write a letter of support. Rare Plants Report, Ely Marsh, Lyme. Downes presented a map of endangered plants in the Lords Cove marsh as identified by Rich and Laurie Snarski. The identification of a "rare" plant was of great interest to the Snarskis and the agencies overseeing the eradication project.

Variance Referrals for Commission Consideration. None.

Regulation Referral. Borough of Fenwick. Regulations proposed to manage the location and impact of generators and air conditioning units. Following a short discussion, the members concluded that the regulations, if adopted, will not have any significant impact on the "natural and traditional riverway scene" in the area of the Borough. Upon a motion by **Fischbach**, seconded by **Matthews**, the members unanimously voted to approve the proposed regulations.

Staff Review of Variances: Report of setback variances approved for a detached three-car garage on Mack Lane in Essex. Typical scenario of densely spaced structures with intervening trees where an additional accessory structure adds very little to the visual bulk of what's already in place.

Report on Status of 17 Whispering Cove Variance Process, David and Erla Frisbie, Old Saybrook. The Commission was informed of the ongoing status of the referenced residential project. Gateway had reviewed the project several months back and rendered an opinion saying that it would not oppose the granting of the requested variances (encroachment of approximately 49 feet into 100 foot structure setback and 100 foot riparian buffer) based upon conditions to be imposed which will control the tree and vegetation retention on the marsh front side of the development and the presentation of an extensive landscape restoration plan. The residential structure, which includes a pool and patio fronted by a retaining wall, extended approximately 49 feet into the setback/riparian buffer. The first application, with Gateway "not opposing" based upon consistency with GW protective standards and substantial conditions regarding the landscape restoration project that was proposed, was then denied by the ZBA for lack of hardship as to why the structure couldn't be located outside of the setback (an almost identical application was previously approved by the ZBA in 2014). Through subsequent discussions, the applicant decided to attempt to convince the ZBA to accept a slightly modified revision despite its statutory ability to deny rehearing an application that wasn't substantially different within six months of the original denial. The applicant proposed the relocation of the same structure one (1) foot further inland than the previous proposed location and the ZBA decided to rehear this revised application. Upon a motion by **Fischbach**, seconded by **Bement**, the Commission requested that Downes (1) confirm that the application was indeed received (as opposed to being a subject of discussion or rejected as being not substantially different) and (2) voted to not oppose the granting of the variance but added that the letter should report that the Gateway preference would be to construct a house which fits between the ledge and the newly proposed location. The motion passed unanimously.

#### Committee Reports

Land. Haddam Neck. On behalf of an absent **Wilson, Cable** reported that property owner Messina-Dessina said that he is not interested in a "bargain-basement" offer of an amount close to a recently received appraised value, deciding to stick instead with his purchase amount which is substantially higher than the discussed offer. The Commission noted that all they could do was wait, with the offer indicating to the property owner that there was interest on which he could follow up at some future time.

Deep River Land Trust. Downes reported that the DRLT hired an appraiser as suggested by Gateway. **Wilson**, Downes and land trust member Janet Stone are coordinating to find a time to meet and exchange appraised value

information. The meeting was unable to be scheduled prior to the October 26, 2017 Gateway meeting. Motion was made by **Fischbach**, seconded by **Matthews**, to offer up to \$5,000 for a refundable deposit if DRLT itself does not have the funds in time for the seller-imposed purchase deadline (which is said to have been extended to February, 2018).

Governance. The Commission recognized that the Lower CT River Land Trust bylaws discussion occurred earlier during the LCRLT annual meeting. **Fischbach** reported that efforts to complete the proposed Gateway standards will resume now that the LCRLT bylaws have been moved forward.

Outreach. **Cotton** reported that the Outreach Committee recently met and talked about the following issues:

- (1) How to identify key players to contact for educational purposes (government, realtors, etc.) – agreed that Downes can assist.
- (2) Suggestion that *newly-elected* municipal Commission members be the priority target for the 2018 Gateway boat trip.
- (3) Suggestion for the conducting of a Gateway-related seminar on a Saturday in middle-winter (February). At Essex Town Hall(?) **Matthews** recalled a staff presentation to the Essex Garden Club several years back.
- (4) A discussion ensued regarding the possibility of making such a presentation to individual municipal commissions by the Gateway representatives and Downes.
- (5) Suggestion of developing a one to three year plan.
- (6) Discussion of press releases and their value.
- (7) Request made for an updated Roster of member contact information (Downes updated and sent out on Friday, October 29, 2017).
- (8) Suggestion was made by **Thompson** for each member to prepare a short “bio” describing their background, skill sets, etc.
- (9) Newsletter was briefly discussed as well as including a Gateway “article” in the Town Events magazines in the Conservation Zone.

Old Business. None.

New Business.

**Fischbach** conceded to act as Interim Secretary of the Gateway Commission until officers are elected at the December 7, 2017 Annual Meeting. Motion passed unanimously.

Adjournment. Motion to adjourn at 9:05pm by **Bement**, seconded by **Hill**, passed unanimously.