

CONNECTICUT RIVER GATEWAY COMMISSION

REGULAR MEETING MINUTES

October 26, 2006

Present/Absent:	CHESTER	Margaret Wilson, Christine Nelson
	<i>DEEP RIVER</i>	Amy Petrone, Nancy Fischbach
	EAST HADDAM	<i>Logan Clarke, Robert Boulware</i>
	ESSEX	Fred Vollono, Ed Marlowe
	<i>FENWICK</i>	<i>Chuck Chadwick</i>
	HADDAM	<i>Scott Thompson, Susan Bement</i>
	LYME	<i>Kevin Mazer, J. Melvin Woody</i>
	OLD LYME	Rudi Besier, Ted Crosby
	OLD SAYBROOK	Madge Fish, David LeMay
	<i>CRERPA</i>	Steve Williams
	MIDSTATE RPA	<i>Raul De Brigard, Stasia DeMichele</i>
	DEP	David Blatt
	STAFF	Linda Krause, Dorothy Papp
	TIDEWATER	<i>Judy Preston</i>

Call to Order

Treasurer, Peggy Wilson, called the regular meeting of the Gateway Commission to order at 7:35 pm in the CRERPA meeting room. Chairman Fred Vollono arrived shortly thereafter and chaired the meeting.

Approval of Minutes

Rudy Besier moved to approve the minutes of September 28, 2006. Nancy Fischbach seconded with the correction that the time of adjournment be stated as 8:50 pm. All were in favor of approving the minutes as corrected.

Guests

1. Stephen Lloyd, Architect, representing the Gregors, owners of property at **94 River Street, Old Saybrook**, described an addition to an existing dwelling that would require a variance of the 100 foot structural setback from the high tide line of the Connecticut River. Mr. Lloyd showed the Commission building elevations, a site plan and photographs of the site, separated from the open water of the river by the extensive marsh area along Ragged Rock Creek. The existing house is located within 100 feet of high tide, and a variance is being requested to allow construction of the addition within the 100 foot limit. Linda commented that the Gateway Commission is reviewing the variance, but that the development is also subject to the required special permit for structures exceeding 3500 square feet in total floor area. The 3500 sq. ft. threshold, which was adopted by the Town of Old Saybrook, is more restrictive than the 4000 sq. ft. Gateway standard. Gateway staff will assist towns with this special permit review, but a referral to the full Gateway Commission for the special permit is not required. She

asked Mr. Lloyd to discuss with the Commission, however, how his design meets the special permit guidelines, as a good example of how a structure can capture the spirit of the standards. The structure will have a minimum impact on the natural and traditional river scene, adapting to the existing terrain. It is located far from the open water, and is not highly visible from the traveled portion of the river. A discussion of the design followed. Madge Fish disqualified herself from the discussion as a member of the Old Saybrook Zoning Commission.

2. Centerbrook Architect partner Charles Mueller was present representing the Terans, who were proposing an addition to an existing dwelling at **65 Landing Road in Haddam**. Also present on behalf of the applicants were Mary Lynn Radych of Centerbrook Architects, engineer Roger Nemergut, landscape architect Ann Penniman, and attorney Jim Carey. The applicant is seeking a variance of the 100 foot structural setback to construct an addition to an existing house. Mr. Mueller stated that the total structures on the site do not exceed 4,000 square feet and no special permit is required from Haddam, but they were presenting a landscaping plan to demonstrate that they have taken measures to fit the site into the natural and traditional river scene. The plan is to remove 1950s era additions from the original 1820s house and to build a new addition in the form of a “hyphen” and an “ell”, which is more in keeping with the original character. Considerable effort has been made to retain existing trees, especially a large elm to the north of the house. A new septic system will be installed, using geomat technology, which has the smallest possible footprint for a code-compliant leaching system. Landscape designer Ann Penniman described her efforts to maintain a riparian edge retaining existing trees, planting a vegetative buffer on the top of the slope, and using permeable pavement for the proposed courtyard. The design team showed a power point presentation including pictures of the site as it now exists, proposed building elevations, the landscape plan, and a three dimensional model of the new development from various angles. Mr. Mueller announced that there was “breaking news”. It was discovered, since the property owner has left for the winter that the original house is in poor condition and may not be able to be renovated. If that is the case, the existing house will be demolished. Due to modern code requirements, the house will need to be higher to comply with ceiling height. The entire structure would be raised another three feet, including the new additions. A discussion followed, with questions about the need to raise the height of the entire structure, the nature of the existing retaining walls, the total increase in façade length and other matters. (Commissioner Amy Petrone left at this time.) The Commission thanked the team for their presentation.

3. Attorney Campbell Hudson was present on behalf of Timothy Mellon, owner of Goodspeed Airport in East Haddam to discuss the offer of **a scenic easement on the airport property in favor of the State of Connecticut**. Mr. Mellon is offering an easement on the property which would permanently restrict future development on the property to an airport and its associated facilities. Attorney Hudson pointed out that this would prohibit future development of the site for other commercial, industrial or residential uses. It was noted that Mr. Mellon was currently residing in Wyoming much of the year. The easement contains similar language to that in a scenic easement offered several years ago. At that time a lawsuit between Mr. Mellon and the State, as well as with the Town of East Haddam, made discussion of the easement difficult among the involved parties.

Mr. Hudson has once again approached DEP to accept the easement. Linda read several portions of the proposed easement in response to members' questions. The restriction would allow tree and brush cutting and expansion of the airport buildings and runway. It would also allow for expansion of the seaplane landing area. Linda asked Mr. Hudson if the proposal had been referred to East Haddam. It has not. Linda asked Mr. Hudson for an electronic copy of the proposed easement so that it could be distributed to Gateway members. She suggested that the Gateway Commission should seek comments from East Haddam officials. The Gateway Commission will discuss the matter further at the next meeting on December 6.

Staff Report

Linda noted that Campbell Hudson is the attorney for the Borough of Fenwick. She asked Mr. Hudson to discuss the current controversy about Fenwick's participation in the Gateway Commission. Borough officials have received a petition requesting the Borough Planning and Zoning Commission to remove any references to the Gateway Commission from their proposed zoning amendments. Fenwick was not mentioned by name in the original Gateway legislation, although the Borough is located within the Gateway Boundary described in the act. This appears to have been an oversight. A large number of Borough property owners do not want the Borough to adopt Gateway standards.

The P&Z Commission would like to follow the spirit of the standards. It is felt that not all standards are appropriate for Fenwick due to its virtually flat topography. It is hoped that a positive relationship can be maintained over time.

Linda reported that she had attended a meeting of the Old Lyme Zoning Commission to discuss their adoption of the Gateway standards. Old Lyme Commission members had varied responses to the standards. Some of the members were concerned about additional regulations and their adverse impact on "property rights". The same members objected to an "outside agency telling them what to do". The discussion lasted almost two hours. Based on the opinions of those present at the meeting, she feels it unlikely that Old Lyme will adopt the standards in the near future.

Linda reported that regional directors had viewed a presentation by Pictometry, an aerial photograph and mapping firm, which has been contracted by the State to create oblique angle photography for the SLOSH areas along the shore (those areas that are likely to be flooded during category 1 through 5 hurricanes).

Treasurer's Report

Treasurer Peggy Wilson and members Nancy Fischbach and Logan Clark met with investment advisor Liz David to finalize arrangements for the managed account with Merrill Lynch. The paperwork is being completed.

Two bills were submitted to September services: one from CRERPA for \$748, and one from Tidewater for \$1120. Nancy Fischbach moved and Susan Bement seconded a motion to approve payment and all were in favor.

Referrals

Gateway members discussed the proposed **addition to an existing house at 94 River Street in Old Saybrook which requires a variance** of the required 100 foot river setback. Several noted that the project had been designed to minimize the visual impact from the Connecticut River. Its location, design and color, along with the existing landscaping, all work to keep the structure in its appropriate context. It was felt that Mr. Lloyd had done a fine job capturing the intent of the Gateway Standards. The project will also require a special permit from the Old Saybrook Zoning Commission. CRERPA staffer Torrance Downes has written an analysis of the proposal for the zoning commission. **Nancy Fischbach moved and Peggy Wilson seconded a motion to send a letter to the Old Saybrook ZBA indicating that they do not oppose the granting of this variance.** The motion was approved by all present except Madge Fish, who abstained due to her membership on the Old Saybrook Zoning Commission. It was agreed that the letter should acknowledge the efforts of the architect to follow the Gateway standards.

Members discussed the proposal to **add a new wing to an existing house at 65 Landing Road in Haddam.** During the presentation by Centerbrook Architects, Charles Mueller reported that it may be necessary to demolish the original house due to its poor condition. If that is the case, the new structure must be taller to meet current building codes. Members expressed concern that the new addition was within 29 feet of the high tide line, closer than the portion of the house being restored. It was even closer to the top of the rock embankment down to the river. Although there was a significant attempt to add new landscaping and enhance the riparian buffer area, it was felt that the new addition would add considerable mass to the existing structure, very close to the river. **Nancy Fischbach moved and Peggy Wilson seconded a motion to recommend that the variance be denied. The motion was approved by all present except Stasia DeMichele, who abstained due to her position on the Haddam Planning and Zoning Commission.**

Members discussed the offer of a scenic easement from owner Timothy Mellon for the Goodspeed Airport property, as presented by his attorney Campbell Hudson. It was agreed to write to Mr. Mellon, thanking him for his offer and reporting that the Gateway Commission will take the offer under advisement.

It was agreed to send a letter to the Town of East Haddam asking for their recommendation in this matter. The offer will be discussed at a future meeting.

Adjournment

There being no further business, the meeting was adjourned at 10:20 pm.

Respectfully submitted,
Linda Krause, Acting Clerk

The next meeting of the Gateway Commission is December 7, 2006.