

TOWN OF WATERFORD



COASTAL SITE PLAN REVIEW WRITTEN FINDINGS & DECISIONS

ORIGINAL TO:**COASTAL SITE PLAN REVIEW TRIGGER:**

- Zoning Compliance (Site Plan)
- Subdivision
- Special Exception or Permit
- Variance
- Municipal Improvement

APPLICANT NAME: Mark Spery

MAILING ADDRESS: 21 Oswegatchie Rd, Waterford, CT 06385

PROJECT ADDRESS: 21 Oswegatchie Rd

PROJECT DESCRIPTION:

The overall project is to construct a stone retaining wall of approximately 20 feet in length with a 6 foot return at the north property line, excavate approximately 10 cubic yards of sand, stone and gravel behind the retaining wall and backfill landward to existing grade elevation of 11. The approximate 10 cubic yards of fill is proposed to be placed within the Coastal Management Area that lies within the jurisdiction of the Town of Waterford. The fill will be graded to create a vegetated slope that extends to the existing grade line of elevation 11.

The proposed stone retaining wall will be placed waterward of the Coastal Jurisdiction Line within the CT DEEP jurisdiction and is currently under review through DEEP Structures and Dredging Permit Application #202207900. Copy of which is contained within the record.

Plan title: "Coastal Site Plan, New Stone Scour Wall, Niantic River, January 3, 2023, Property of Mark Spery & Anabel S. Frish, 21 Oswegatchie Road - Waterford, CT 06385"

COASTAL RESOURCES AND RESOURCE POLICIES:				
	ON-SITE	ADJACENT TO SITE	POTENTIALLY INCONSISTENT	NOT APPLICABLE
General Coastal Resources*	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Beaches and Dunes	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bluffs and Escarpments (Modified Escarpment)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Coastal Hazard Area	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Coastal Waters and/or Estuarine Embayments	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Developed Shorefront	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Freshwater Wetlands and Watercourses Intertidal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Flats	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Islands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rocky Shorefront	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shellfish Concentration Areas	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shorelands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tidal Wetlands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ADVERSE IMPACTS ON COASTAL RESOURCES:			
	Appears Acceptable	Potentially Unacceptable	Not Applicable
Degrades tidal wetland, beaches and dunes, rocky shorefronts, or bluffs and escarpments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Degrades existing circulation patterns of coastal waters	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Increases coastal flooding hazard by altering shoreline or bathymetry	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Degrades natural or existing drainage patterns	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Degrades natural shoreline erosion and accretion patterns	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Degrades or destroys wildlife, finfish, or shellfish habitat	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Degrades water quality	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Degrades visual quality	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

COASTAL USE POLICIES:**		
	Applies	Potentially Inconsistent
General Development*	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Boating	<input type="checkbox"/>	<input type="checkbox"/>
Coastal Recreation and Access	<input type="checkbox"/>	<input type="checkbox"/>
Coastal Structures and Filling	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cultural Resources	<input type="checkbox"/>	<input type="checkbox"/>
Fisheries	<input type="checkbox"/>	<input type="checkbox"/>
Fuels, Chemicals, or Hazardous Materials	<input type="checkbox"/>	<input type="checkbox"/>
Ports and Harbors	<input type="checkbox"/>	<input type="checkbox"/>
Sewer and Water Lines	<input type="checkbox"/>	<input type="checkbox"/>
Solid Waste	<input type="checkbox"/>	<input type="checkbox"/>
Transportation	<input type="checkbox"/>	<input type="checkbox"/>
Water-dependent Uses	<input type="checkbox"/>	<input type="checkbox"/>

* General Coastal Resources and General Development policies are applicable to all proposed activities.

** Policies that are not applicable are not checked in this chart.

ADVERSE IMPACTS ON FUTURE WATER-DEPENDENT DEVELOPMENT ACTIVITIES AND OPPORTUNITIES:			
	Appears Acceptable	Potentially Unacceptable	Not Applicable
Replaces an existing water-dependent use with a non-water-dependent use	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reduces existing public access	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Locates a non-water-dependent use at a site that is physically suited for a water-dependent use for which there is a reasonable demand	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Locates a non-water-dependent use at a site that has been identified for a water-dependent use in the plan of development or zoning regulations	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES OF CONCERN (SEE SUMMARY AND RECOMMENDATIONS BOX FOR ADDITIONAL DETAIL):	
<input type="checkbox"/>	Insufficient information
<input type="checkbox"/>	Potential increased risk to life and property in coastal hazard area
<input type="checkbox"/>	Adverse impacts on future water-dependent development opportunities
<input type="checkbox"/>	Proximity of disturbance to sensitive resources/need for additional vegetated setback
<input checked="" type="checkbox"/>	Potential to cause erosion/sedimentation; need for adequate sedimentation and erosion control measures
<input checked="" type="checkbox"/>	Water quality and/or stormwater impact
<input type="checkbox"/>	Other coastal resource impacts:
<input type="checkbox"/>	Other:

SUMMARY AND RECOMMENDATIONS:

CGS section 22a-92(b)(2)(F) states, in part, that one of the purposes of the Coast Area Management Act is to "Promote nonstructural solutions to flood and erosion problems except in those instances where structural alternatives prove unavoidable and necessary to protect commercial and residential structures and substantial appurtenances that are attached or integral thereto, constructed as of January 1, 1995, infrastructural facilities or water dependent uses." Statutory policy of the CGS section 22a-92(b)(2)(J) states that "Structural alternatives are permissible when necessary and unavoidable for the protection of infrastructural facilities, water dependent uses, or existing inhabited structures, and where there is no feasible, less environmentally damaging alternative and where all reasonable mitigation measures and techniques have been provided to minimize adverse environmental impacts." The placement and installation of the stone scour wall and all work located within the jurisdiction of the State of Connecticut which is defined as water-ward of the Coastal Jurisdiction Line (CJL El. 3.7) is pending review through the CT DEEP Structures and Dredging Permit Application #202207900. The area of concern within the Town of Waterford's Coastal Management Area jurisdiction, landward of the CJL includes fill and grading to continue the slope to existing grade behind the house. The Commission finds that the continuation of the slope to the extent necessary in order to maintain an adequate grade and provide a vegetated slope is acceptable and necessary.

Potential to cause erosion/sedimentation; need for adequate sedimentation and erosion control measures:

The project as presented identifies the proximity of the disturbance to the coastal resource. This disturbance is of a temporary nature during the construction of the stone scour wall. Erosion controls shall be incorporated as identified on the site plan and at the top of slope in order to mitigate any adverse impacts from erosion that may occur from surface runoff during the regrading, soil and vegetation installation.

The erosion controls shall be left in place until the site has been permanently stabilized.

Water quality and/or stormwater impact:

There is a potential for a temporary negative impact to water quality during the construction phase of the project. This potential will be mitigated through the installation and maintenance of erosion control measures as identified on the plan.

Conditions:

- 1. If erosion control measures identified on the plan are determined to not provide adequate erosion control during construction, additional containment measures shall be incorporated in the field.

The Waterford Planning and Zoning Commission has examined the plans and all other documentation and comments offered by the applicant and reviewing agencies and finds the application consistent with Section 25 of the Waterford Zoning Regulations. The proposal, as presented and submitted with conditions, is consistent with stated Coastal Area Management policies.

FINDING: (Please see summary and recommendations section on page 3 for discussion)

- CONSISTENT WITH ALL APPLICABLE COASTAL POLICIES, COMMENTS INCLUDED
- CONSISTENT WITH MODIFICATIONS OR CONDITIONS
- ADDITIONAL INFORMATION NEEDED PRIOR TO COMPLETE CSPR EVALUATION

SUPPORTING DOCUMENTATION ATTACHED TO THIS CHECKLIST:

- Copies of photographs of the site dated:
- Copies of aerial photographs dated:
- GIS maps depicting:
- Coastal resources maps dated:
- OLISP Fact Sheet(s): Shoreline Flood and Erosion Control Structures
- Other:

Please be advised that, separate from the municipal review, the following Department of Environmental Protection permits may be required:

- Structures, Dredging, and Fill in Tidal Coastal or Navigable Waters
- Tidal Wetlands
- Stormwater General Permit (construction / industrial / commercial)
- Other:

For more information, contact:

