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**TOWN OF WATERFORD**  
**Inland Wetlands & Watercourses Permit #C-23-05**  
**268 Niantic River Road, Waterford, CT**

The Waterford Conservation Commission, in their capacity as the Town's Inland Wetland Agency, hereby authorizes the applicant to conduct regulated activities in designated areas located at 268 Niantic River Road, Waterford, CT, which are subject to jurisdiction in accordance with CT General Statutes, Section 22a-36 through 22a-45, inclusive, as amended, and the Waterford Inland Wetlands and Watercourses regulations.

This permit is a grant of approval to conduct the following regulated activities:

- 1) Installation of a 120 ft. length gabion retaining wall upgradient of inland wetlands
- 2) Fill and grading in 0.05 acres of upland review area

These regulated activities are associated with the proposed installation of a gabion retaining wall to terrace and stabilize an eroding slope and protect the existing residential structure located at 268 Niantic River Road, Waterford, Connecticut. The regulated activity is shown on site plans entitled; "Site Improvements and Slope Stabilization Plan, Kuenkler Residence, 268 Niantic River Road, Town of Waterford, prepared by H+H Engineering Associates, LLC, dated 7/28/2023.

The Conservation Commission authorizes the regulated activity with the following conditions to minimize impacts associated with the regulated activity and protect the inland wetlands on this site:

**SPECIAL CONDITIONS:**

1. Prior to the start of site clearing, the permittee shall mark the limits of authorized clearing and grading on the property and conduct an inspection with the Commission's agent for a determination of consistency with the approved site plan.
2. Silt fence or other suitable sediment control measures are to be installed and maintained along the authorized limit of disturbance upgradient of the wetlands until construction is completed and site soils are stabilized with vegetative cover.
3. Temporary soil stockpiles and construction access routes shall be protected with sediment control measures to prevent erosion of exposed soils.
4. Upon completion of the regulated activity, the permittee shall notify the Commission's agent to conduct an inspection of final stabilization measures and permit compliance.

**STANDARD CONDITIONS:**

1. The Conservation Commission's agent shall be notified at least 48 hours prior to commencement of any regulated activity.
2. Final stabilization of disturbed soil areas shall be stabilized with the application of loam, seed, required plantings and appropriate erosion control measures.
3. At all times during site work and until soil areas are stabilized, the applicant shall install and maintain erosion and sediment control measures such as fabric filter fence, staked hay bales or other measures deemed necessary by the Commission's agent to prevent erosion and sedimentation impacts to wetlands and watercourses.
4. Erosion control and soil stabilization measures shall comply with the approved plans and the guidelines as established in the Connecticut Guidelines for Soil Erosion and Sediment Control, 2002, CTDEP Bulletin 34.
5. Upon direction of the Commission's agent, erosion and sediment control measures shall be removed by the applicant following stabilization of the site.

All work and all regulated activities conducted pursuant to this authorization shall be consistent with the terms and conditions of this permit. Any structures, excavation, deposition of fill, obstructions of flow, encroachments or other regulated activities not specifically identified and authorized herein shall constitute a violation of this permit and may result in permit modification, suspension or revocation.

In the event that any additional wetland or watercourse regulated activities are required as a result of other agency permitting to support the proposed activity, the Waterford Conservation Commission reserves the right to reconsider the proposed regulated activity and may require modifications to minimize the impact to wetland resources.

In evaluating this application, the Commission has relied on information provided by the applicant. If such information subsequently proves to be false, incomplete and/or inaccurate, this permit may be modified, suspended or revoked.

This permit shall be valid for a period of 5 years. Permit extensions may be authorized in accordance with CT General Statutes sections 22a-36 through 22a-45 inclusive. If the regulated activity is not completed within this time frame, the permit may be held to be invalid by the Conservation Commission or the applicant may be required to petition the Commission for an extension or re-issuance of the permit. The Commission may require the applicant to furnish additional information at that time.

The Conservation Commission renders this Summary Ruling in accordance with the Waterford Inland Wetlands and Watercourses Regulations based on the following considerations:

- A. The regulated activity does not involve direct impacts to wetlands or watercourses and is designed to protect the existing residential structure from erosion.

- B. The regulated activity will not affect the wetland capacity to support wildlife, prevent flooding, protect surface and groundwater discharge, control sediment or facilitate drainage.
- C. Short-term construction-related impacts will be controlled by installation and maintenance of erosion and sediment controls and stabilization of disturbed soil areas.

This permit will be strictly enforced. If the Conservation Commission finds that the applicant has not complied with the permit conditions or has exceeded the scope of this permit as set forth herein, or, if the intended use of the general site is not as represented by the application or the plan of record, the Commission may suspend or revoke this permit, direct the Environmental Officer to issue a cease and desist order, require the applicant to modify, extend or revise the site work, or require the applicant to restore the area to its original condition.

Dated: September 14, 2023

Issued By:

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Chairman, Richard F. Muckle  
Waterford Conservation Commission

