



Town of Waterford

Department of Planning and Development

www.waterfordct.org

Office Use Only

Date Submitted: _____

Processed By: _____

App. No.: _____

Total Fee: \$ _____

Electronic Submission

Waived: _____ Yes _____ No

PZC Form 1

Planning and Zoning Application

1. Type of Application(s), Use and Property Information (check all that apply)

- | | | |
|--|--|---|
| ☐ Informal Staff Review | ☒ Site Plan/Design Review | ☐ Municipal Project (CGS§8-24) |
| ☐ Special Permit/Design Review ¹ | ☐ Subdivision /Resubdivision | ☐ Lot line Adjustment |
| ☐ Zoning Map Change | ☐ Regulation Amendment(s) | ☐ New District |
| ☐ Multifamily Development | ☒ Coastal Area Management ² | ☒ Earth Excavation |
| ☒ Flood Hazard Area | ☐ Other: _____ | ☐ Other: _____ |

Specify all uses and corresponding section for which this application applies³:

Use: **New home construction** Section: _____

Use: _____ Section: _____

Use: _____ Section: _____

Name of proposed development/subdivision: _____ If subdivision how many lots?: _____

If applicable, are roadways proposed to be private, public or both:

☒ Private

☐ Public

☐ Both⁴

Parcel 1

Map/Block/Lot: **43** / **72** **27** / _____

Street No. & Name: **11 Scotch Cap**

Size SF/AC: **18,900** / **.43**

Zoning District(s): **VR-15**

Parcel 2

Map/Block/Lot: _____ / _____ / _____

Street No. & Name: _____

Size SF/AC: _____ / _____

Zoning District(s): _____

¹ Include a completed list of property owners with Parcel ID, name, address and mailing address. It is the applicant's responsibility to distribute all notices certified return receipt. Evidence of mailing shall be submitted prior to the start of the hearing. Failure to do so will delay the opening of the hearing.

² Coastal Site Plan reviews under Coastal Area Management §25.4 must submit a completed PZC Form 2 in addition to this PZC Form 1.

³ The use listed must correspond to the exact use term noted within the zoning district as a permitted use allowed through site plan or special permit.

⁴ A plan must accompany the application clearly delineating the limits of public and private roads.

2. Applicant Information

Name: Lynn F. Mulholland

Title: owner

Company: _____

Address: 202 West Road

City/State: Salem, CT

Zip Code: 06420

Telephone: 860-604-6096 Fax: n/a Email: lfmcpact109@gmail.com

Applicant's Authority to File Application⁵

☒ Legal Owner of Record

☐ Power of Attorney

☐ Contract to Purchase

☐ Other _____

3. Agent Information; if applicable

Name: _____

Title: _____

Company: _____

Address: _____

City/State: _____

Zip Code: _____

Telephone: _____ Fax: _____ Email: _____

Specify Nature of Agent

☐ Attorney

☐ Civil Engineer

☐ Land Surveyor

☐ Design Professional; _____

☐ Other: _____

Bar/License/Reg. No.: _____

4. Property Owner(s) and Parcel(s) Information**Is owner co-applicant?** ☐ Yes ☒ No

Note: If landowner is an LLC, Corporation, Trust or other legal entity, attach the names, addresses and title of each member or officer, including agent(s). If same as applicant list 'Same'.

Name: Lynn F. Mulholland

Title: owner

Company: _____

Address: 202 West Road

City/State: Salem CT

Zip Code: 06420

Telephone: 960-604-6096

Fax: n/a

Email: lfmcpact109@gmail.com

Name: _____

Title: _____

Company: _____

Address: _____

City/State: _____

Zip Code: _____

Telephone: _____

Fax: _____

Email: _____

⁵ Applicant must submit evidence attesting to the authority to file application (i.e. deed, option for purchase, etc.)

5. Statement of Use

Attached a typed statement of use in conformance with the Zoning Regulations as described in Section 22.4.2. In addition include all hours and days of operation, size of buildings and number of stories, utilities servicing the parcel, variances received, number of employee and structures to be demolished.

6. Statement of Design Compatibility (Site Plans and Special Permits only)

Attach a statement describing how the building and site design is compatible with the neighborhood, character of Waterford and Zoning Regulations.

7. Consistency with Adopted Plan of Preservation, Conservation and Development (all applications)

Attach a statement attesting to how the proposed use, zone change, amendment or design is consistent with the most recent adopted Plan of Preservation, Conservation and Development (the Plan). Note relevant Plan section numbers and pages.

8. Natural and Cultural Resources

Yes	No		(SCALED OFF SURVEY APPROXIMATIONS)	% of Property
☒	☐	a. Are inland wetlands present on site?	Total SF/AC <u>≈ 200</u> /	<u>+/- 1 %</u>
☒	☐	b. Are tidal wetlands present on site?	Total SF/AC <u>≈ 800</u> /	<u>+/- 4 %</u>
☐	☒	c. Are their known or suspected vernal pools on the property?		
☐	☒	d. CT DEEP NDDDB: Are endangered, threatened or species of special concern suspected to be located on the property? <i>Applicant must attach an 8 1/2 x 11 map of the most current CT DEEP Natural Diversity Database with site clearly identified regardless of response provided. If you answered yes to item d., attach a letter from CT DEEP stating the name of the specie(s) that are suspected to be on the property. See Section 22 of the Zoning Regulations for additional information.</i>		
☒	☐	e. Are floodplains or flood hazard areas on the property?	Identify: <u>FEMA designated flood hazard area AE BFE = 10</u>	
☐	☒	f. Is the property located within a local, state or national historic district?	If yes identify district name: _____	
☐	☒	g. Does the site possess any structures or sites listed on the local, state or national register of historic landmarks?	If yes, identify: _____	

9. Additional Information

Yes No

- ☐ ☒ a. Is any part of the site within 500' of the Town line? Which town: _____
- ☐ ☒ b. Will any egress or ingress for the property use streets within an adjoining municipality?
- ☐ ☒ c. Is any work proposed in wetlands or watercourses? Explain in Statement of Use
- ☒ ☐ d. Is any work proposed within 100 feet of a wetlands or watercourse? Explain in Statement of Use
- ☐ ☒ e. Is any work proposed within a floodplain or flood hazard area? Explain in Statement of Use
- ☒ ☐ f. Is public water available or proposed to the site? Identify: NEW LONDON PUBLIC UTILITIES
- ☒ ☐ g. Are public sanitary sewers available or proposed to the site? Identify: Waterford Ut. l. Commission
- ☐ ☒ h. Is there a utility, drainage or other easement(s) on the site? Specify: _____
- ☐ ☒ i. Is open space proposed on the property?

How much open space is proposed (SF/AC)? _____ / _____ Percent of property(s) _____

Use and purpose of open space: _____

10. Previous Land Use Permits Associated with the Property(s)

Have previous permits been issued for the Property: ☐ Yes ☒ No (List singularly; attached additional pages if necessary)

Date Issued

Issuing Agency

Approved Use/Activity

11. Change of Zone, Regulation Amendment or New Zoning District, if applicable

Yes No

☐☒

- a. Is this application for a new zoning district and/or regulation not presently established within the Zoning Regulations? If a new zoning district, distinguish type of zone proposed:

☐

Fixed Zone

☐

Floating Zone

☐

Overlay Zone

Identify proposed zone name: _____

For new regulations, list proposed section number(s) and titles(s):

i. _____

ii. _____

iii. _____

☐☒

- b. Is this application an amendment to an existing regulation? Attach proposed amendments, clearly noting any deletions, modifications or additions. List sections proposed to be modified:

i. _____

ii. _____

iii. _____

☐☒

- c. Is this application for a change to a district already established within the regulations? Identify:

Supporting materials:

For new zoning districts or a change in zone provide a legal description of the land involved in the zone district change including the following:

- Location map at 1"=1000'
- Accurate description and acreage of tract(s) to be changed with existing buildings and uses
- Show existing features including but not limited to contours at two-foot intervals, wetlands and watercourses, flood plains, all improvements and structures,
- All lots or parts of lots contained in an area within 500 feet in all directions of the zone change tract
- All lots shown in this area and within the zone change tract shall contain the name and address of owners as recorded in the Assessor's records and shall show the nature of use
- North point, and distance along road from nearest road intersection.
- Scale of map(s)

12. Bulk Zoning Requirements Table

Complete the following table, which must also be included on applicable drawings:

Zoning District(s): <u>VR-15</u>		
Item	Required	Proposed
Minimum Lot Size	15,000 sq ft	18,900 sq. ft
Frontage	50'	115.50'
Front Yard	w/in 5' of 29' average	31'
Side Yard	15'	16.6'
Rear Yard	30'	52.7'
Building Line		
Building Coverage	20%	APPROXIMATE = 77% *
Parking ⁶		
Landscaping		
Impermeable Coverage		
Max Height	20'	less than 20'

* House = 858 sq. ft.
 SHED = 12' x 8' or 96 sq. ft.
 FRONT PORCH = +/- 50 sq. ft.
 REAR DECK = +/- ~~72~~ 322 sq. ft.
 TOTAL = +/- 1,326 sq. ft.

[SCALED OFF SURVEY
 APPROXIMATIONS]

⁶ Attach method used to determine the number of parking spaces required.

13. Planning, Design and Engineering Team

Provide a list of all professionals responsible for the project. Additional pages attached, if necessary: ☐ Yes ☐ No

Discipline:	_____	Telephone:	_____
Name:	_____	Fax:	_____
Company:	_____	Email:	_____
License(s)/ Accreditations:	_____	License(s)/ Accreditation No(s):	_____

Discipline:	_____	Telephone:	_____
Name:	_____	Fax:	_____
Company:	_____	Email:	_____
Licenses and/or Accreditations:	_____	License/ Accreditation No(s):	_____

Discipline:	_____	Telephone:	_____
Name:	_____	Fax:	_____
Company:	_____	Email:	_____
Licenses and/or Accreditations:	_____	License/ Accreditation No(s):	_____

Discipline:	_____	Telephone:	_____
Name:	_____	Fax:	_____
Company:	_____	Email:	_____
Licenses and/or Accreditations:	_____	License/ Accreditation No(s):	_____

Discipline:	_____	Telephone:	_____
Name:	_____	Fax:	_____
Company:	_____	Email:	_____
Licenses and/or Accreditations:	_____	License/ Accreditation No(s):	_____

14. Supporting Documentation

Itemize, including additional attachments, all information provided in support of the application. Titles, dates and sheet/map numbers shall correspond exactly with the corresponding information provided.

Additional pages attached, if necessary: ☒ Yes ☐ No

Lot survey

House Building Plans

BOUNDARY LINE AGREEMENT (ROW)

Q.C. DEED TO APPLICANT

WETLAND REPORTS (Cowen)

15. For Informal Staff Review Use Only

Sec. 7-159b – Pre-application review of use of property. Notwithstanding any other provision of the general statutes, prior to the submission of an application for use of property under chapters 124, 126, 440 and 541 or any other provision of the general statutes authorizing an authority, commission, department or agency of a municipality to issue a permit or approval for use of such property, such authority, commission, department or agency or authorized agent thereof may separately, jointly, or in any combination, conduct a pre-application review of a proposed project with the applicant at the applicant's request. Such pre-application review and any results or information obtained from it may not be appealed under any provision of the general statutes, and shall not be binding on the applicant or any authority, commission, department, agency or other official having jurisdiction to review the proposed project.

I have read and understand the above provision of the Connecticut General Statutes and understand and agree that whatever discussion, comments and/or recommendations are made through this review are non-binding upon the parties.

Further, I acknowledge and agree that this pre-application review meeting is being conducted prior to and in anticipation of a formal application to the Waterford Planning and Zoning Commission or Conservation Commission to obtain feedback and response to the proposal or design, as it exists on this date, in the interest of preparing an application consistent with the Subdivision, Zoning or Wetlands regulations of the Town of Waterford as the case may be.

Signature


Applicant

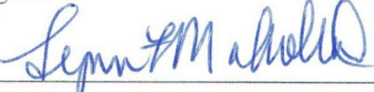
Printed Name

Lynn F. Mulholland

Date

9/11/23

Agent


Land Owner

Lynn F. Mulholland

9/11/23

Land Owner

16. Technical Assistance Review Fee

In accordance with the Waterford Code of Ordinance Chapter 16.08, the Commission may require third party technical assistance review for the evaluation of applications associated with but not limited to site plans, special permits, zone change and regulation amendments and may collect payment for costs associated with the review. This includes but is not limited to civil engineering, architecture, legal assistance, traffic engineering and environmental protection.

17. Acknowledgements; All applications

Application Content

The undersigned hereby acknowledges that this application and statements submitted herewith are true to the best of my knowledge and approval of the application is contingent upon compliance with all requirements of said regulations.

Right of Entry and Inspection

The undersigned hereby authorizes the Waterford Planning and Zoning Commission or its agents, to enter the subject property for the purposes of inspection and enforcement for the said Zoning Regulations until receipt of final Certificate of Occupancy and Certificate of Zoning Compliance.

Electronic Data Accuracy and Transmission

If applicable, the undersigned hereby acknowledges that all electronic data submitted as part of this application is an accurate and true representation of all paper transmissions provided as part of this application and may be transmitted publically when requested and all applicable fees are paid in full by the requesting party.

Signature

Printed Name

Date


Applicant

Lynn F. Mulholland

9/11/23

Agent


Land Owner

Lynn F. Mulholland

9/11/23

Land Owner



Town of Waterford

Building, Conservation, Planning and Zoning

www.waterfordct.org

Office Use Only

Date Submitted: _____

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Rev: 07/24/14

PZC Form 2:

Application for Coastal Area Management Site Plan Permit

Property Address: 11 Scotch Cap Road, Quaker Hill, CT

1. General

- a. This form must be submitted in conjunction with *PZC Form 1: Planning and Zoning Application* or, in the case of minor activities and if permitted by the Zoning Enforcement Officer, *Zoning Compliance Permit*.
- b. This form does not supersede or take the place of any state or federal permits. The applicant shall consult with the necessary agencies to review the possibility of additional permits, including general or individual permits that may be required for specific activities.

2. Authority

Consistent with Connecticut General Statutes, Chapter 444, Secs. 22a-90 to 22a-113j, Waterford's Planning and Zoning Commission, acting in the capacity of the Town's Zoning Commission, regulates certain activities upon properties which lie completely or partially within the coastal area as defined by CGS §22a-94(b). Specifically, the Commission's is authorized, cited in part, by the following:

Sec. 22a-105. Coastal site plan reviews. (a) Coastal municipalities shall undertake coastal site plan reviews in accordance with the requirements of this chapter.

(b) The following site plans, plans and applications for activities or projects to be located fully or partially within the coastal boundary and landward of the mean high water mark shall be defined as "coastal site plans" and shall be subject to the requirements of this chapter: (1) Site plans submitted to a zoning commission in accordance with section 22a-109; (2) plans submitted to a planning commission for subdivision or resubdivision in accordance with section 8-25 or with any special act; (3) applications for a special exception or special permit submitted to a planning commission, zoning commission or zoning board of appeals in accordance with section 8-2 or with any special act; (4) applications for a variance submitted to a zoning board of appeals in accordance with subdivision (3) of section 8-6 or with any special act, and (5) a referral of a proposed municipal project to a planning commission in accordance with section 8-24 or with any special act.

3. Coastal Resources and Policies

- a. By placing a check mark in the appropriate box(es), identify the coastal resources and their policies for each that is located on and adjacent to the property or that may be influenced by the activities associated with the application. Note: A resources may be located on site, adjacent and be off-site but influenced by the activities. Refer to CGS §22a-92(a) for General Coastal Resource Policy, CGS§221-92(b)(2) and CGS §22a-93(7) for definitions of each corresponding policy's coastal resource.

Coastal Resource	On-site	Adjacent	Off-site but within Influence
General Coastal Resources			
Beaches and Dunes			
Bluffs & Escarpments	X		
Coastal Hazard Area	X		
Coastal Waters, Estuarine Embayments, Nearshore Waters, Offshore Waters	X		
Development Shorefront			
Freshwater Wetlands and Watercourses	X		
Intertidal Flats			
Islands			
Rocky Shorefront			
Shellfish Concentration Area			
Shorelands			
Coastal Hazard Area ID Type (i.e. VE, A, etc.)		NA	NA
Base Flood Elevation		NA	NA
Tidal Wetlands	X		

- b. Consistency with Coastal Resources and Policies.

Attached a typed and briefly statement of how the resources checked are consistent or inconsistent with coastal resource policies.

c. Identification of Potential Adverse Impacts on Coastal Resources

Please complete this section for all projects. Identify the adverse impact categories below that apply to the proposed project or activity. The applicable column must be checked if the proposed activity has the potential to generate any adverse impacts as defined in CGS Section 22a-93(15). If an adverse impact may result from the proposed project or activity, please use Part VIII to describe what project design features may be used to eliminate, minimize, or mitigate the potential for adverse impacts.

<u>Potential Adverse Impacts on Coastal Resources</u>	<u>Applicable</u>	<u>Not Applicable</u>	<u>Mitigation Proposed</u>
i. Degrading tidal wetlands, beaches and dunes, rocky shorefronts, and bluffs and escarpments through significant alteration of their natural characteristics or functions	☐	☒	☐
ii. Increasing the hazard of coastal flooding through significant alteration of shoreline configurations or bathymetry, particularly within high velocity flood zones - CGS Section 22a-93(15)(E)	☐	☒	☐
iii. Degrading existing circulation patterns of coastal water through the significant alteration of patterns of tidal exchange or flushing rates, freshwater input, or existing basin characteristics and channel contours	☐	☒	☐
iv. Degrading natural or existing drainage patterns through the significant alteration of groundwater flow and recharge and volume of runoff	☐	☒	☐
v. Degrading natural erosion patterns through the significant alteration of littoral transport of sediments in terms of deposition or source reduction	☐	☒	☐
vi. Degrading visual quality through significant alteration of the natural features of vistas and view points	☐	☒	☐
vii. Degrading water quality through the significant introduction into either coastal waters or groundwater supplies of suspended solids, nutrients, toxics, heavy metals or pathogens, or through the significant alteration of temperature, pH, dissolved oxygen or salinity	☒	☐	☐
viii. Degrading or destroying essential wildlife, finfish, or shellfish habitat through significant alteration of the composition, migration patterns, distribution, breeding or other population characteristics of the natural species or significant alterations of the natural components of the habitat	☐	☒	☐

4. Coastal Use and Activities Policies and Standards

- a. Identify all coastal policies and standards in or referenced by CGS Section 22a-92 applicable to the proposed project or activity:

- | | |
|---|--|
| ☒ General Development | ☒ Sewer and Water Lines |
| ☐ Water-Dependent Uses | ☐ Energy Facilities |
| ☐ Ports and Harbors | ☐ Fuel, Chemicals and Hazardous Materials |
| ☐ Coastal Structures and Filling | ☐ Transportation |
| ☐ Dredging and Navigation | ☐ Solid Waste |
| ☐ Boating | ☐ Dams, Dikes and Reservoirs |
| ☐ Fisheries | ☐ Cultural Resources |
| ☐ Coastal Recreation and Access | ☐ Open Space and Agricultural Lands |

- b. Consistency With Applicable Coastal Use Policies And Standards

Attach an explanation of how the proposed activity or use is consistent with all of the applicable coastal use and activity policies and standards identified in Part V. For projects proposed at waterfront sites (including those with tidal wetlands frontage), particular emphasis should be placed on the evaluation of the project's consistency with the water-dependent use policies and standards contained in CGS Sections 22a-92(a)(3) and 22a-92(b)(1)(A) -- also see adverse impacts assessment in Part VII.B below:

5. Mitigation of Adverse Impacts and Overall Consistency *(all applications)*

Attach a summary addressing each of the following:

- a. Describe the methods proposed to mitigate any adverse impacts.
- b. Explain why adverse impacts are not being mitigated, if applicable.
- c. Summarize why the project as proposed is consistent with the Connecticut Coastal Management Act

6. Potential Adverse Impacts on Water-dependent Uses (for project or activity is proposed at a waterfront site)

- a. Identification of existing and/or proposed Water-dependent Uses: Attach a description of the features or characteristics of the proposed activity or project that qualify as water-dependent uses as defined in CGS Section 22a-93(16). If general public access to coastal waters is provided, please identify the legal mechanisms used to ensure public access in perpetuity, and describe any provisions for parking or other access to the site and proposed amenities associated with the access (e.g., boardwalk, benches, trash receptacles, interpretative signage, etc.):
- b. Identify the adverse impact categories below that apply to the proposed project or activity. The applicable column must be checked if the proposed activity has the potential to generate any adverse impacts as defined in CGS Section 22a-93(17). If an adverse impact may result from the proposed project or activity, use Part VIII to describe what project design features may be used to eliminate, minimize, or mitigate the potential for adverse impacts.

<i>Potential Adverse Impacts on Future Water-dependent Development Opportunities and Activities</i>	<i>Applicable</i>	<i>Not Applicable</i>	<i>Mitigation Proposed</i>
i. Locating a non-water-dependent use at a site physically suited for or planned for location of a water-dependent use	☐	☒	☐
ii. Replacing an existing water-dependent use with a non-water dependent use	☐	☒	☐
iii. Siting a non-water-dependent use which would substantially reduce or inhibit existing public access to marine or tidal waters	☐	☒	☐

7. Acknowledgements; All applications

Application Content

The undersigned hereby acknowledges that this application and statements submitted herewith are true to the best of my knowledge and approval of the application is contingent upon compliance with all requirements of said regulations.

Signature


Applicant

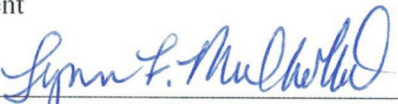
Printed Name

Lynn F. Mulholland

Date

9/11/23

Agent


Land Owner

Lynn F. Mulholland

9/11/23

Land Owner

Supplement to
Coastal Management (CAM) Application
Property of Lynn F. Mulholland

Re: 11 Scotch Cap Road, Quaker Hill, CT

PZC FORM §. 5, 6 & 7

**Combined Statement re: General Use, Design & Consistency with
adopted plan for Preservation, Conservation and Development**

This application is for the construction of a wood-frame, single story, single-family house of 858 square feet to be built on an existing un-developed building lot located at 11 Scotch Cap Road, Quaker Hill, CT. The lot is 18,900 square feet +/- . The lot fronts on Smith Cove a distance of 53' (+/-) along high water line, as shown on the survey plan.

The houses in the general area are mixed in design, use and size. The house to be built is a modern design, which will generally fit with the character of the existing structures.

The lot is located in a Special Flood Area - AE (BFE=10), as shown on the survey plan being submitted herewith. As proposed, and as shown on said survey plan, the foundation top of the house is at 49.00 feet elevation.

The applicant believes that the house construction is consistent with the town's plan of preservation, conservation and development.

PZC FORM 2 § 3.b STATEMENTS
(Consistency with Coastal Resources and Policies)

In PZC form 3.a the applicant checked off various coastal resources as being on site. As to each, the applicant provides the following discussion:

Bluffs & Escarpments are defined to mean naturally eroding shorelands marked by dynamic escarpments or sea cliffs which have slope angles that constitute an intricate adjustment between erosion, substrate, drainage and degree of plant cover. Conn. Gen. Stat. § 22a-93 (7) (A). A policy goal of the CAM is "to manage coastal bluffs and escarpments to as to preserve their slope and toe." Conn. Gen. Stat. § 22a-92 (10) (b) (2).

As can be seen from the survey plan, the eastern side of the lot forms a gully. The elevations drop steeply from the western side into this gully formation, which opens to the cove. The applicant is unable to say that the gully on the lot fits the above definition for "bluffs & escarpments." However, the

applicant wishes to address these land characteristics in case the gully is indeed deemed to fit within such definition.

In this regard, applicant notes that none of the work or activity involved in the construction of the proposed house upland from the gully will affect the slope or toe of the gully slope. The survey plan also shows the types of sediment and erosion control measures to be used and their approximate location on the land during all construction activities, which should prevent issues in the gully or its slopes.

Coastal Hazard Areas are defined as those land areas inundated during coastal storm events or subject to erosion induced by such events, including flood hazard areas as defined and determined by the National Flood Insurance Act, as amended . . . and all erosion hazard areas as determined by the commissioner. Conn. Gen. Stat. §22a-93(7)(H). In general, coastal flood areas include all areas designated as within A-zone and V-zones by FEMA. A-Zones are subject to still water flooding during so-called “100-year” flood events. During 100-year flood events, V-Zones are subject to direct action by waves three feet or more in height.

Relative thereto, the CAM seeks “to manage Coastal Hazard Areas so as to ensure that development proceeds in such a manner that hazards to life and property are minimized and to promote nonstructural solutions to flood and erosion problems . . .”

As shown on the survey plans, and as noted, the property is in Special Flood Hazard Area AE=10 (BFE=10). The proposed house, however, is to be built at an elevation far above BFE=10, indeed as can be seen from the survey plan, the top of the foundation is at 49' elevation.

Estuarine Embayments are defined as a protected coastal body of water with an open connection to the sea in which the saline sea-water is measurably diluted by fresh water including tidal rivers, bays, lagoons and covers. Conn. Gen. Stat. § 22a-93 (7) (G).

Smith Cove meets the definition of an Estuarine Embayment. Of primary concern is the degradation of water quality through the introduction of suspended solids and nutrients into the cove. This property is served by public water and by municipal sewers. No significant changes in drainage flow paths are anticipated. The proposed house is to have a “crawl space” foundation, which will limit the disturbance to the property, as compared with full basement foundations.

Furthermore, all development work on the house construction will be at significantly higher elevations and at a respectable distance from the coastal shoreline, as is shown the survey plan. The survey plan also shows the types of sediment and erosion control measures to be used and their approximate location on the land during all construction activities, which should prevent or mitigate any run off to the cove.

Freshwater wetlands and Watercourses means “wetlands” and “watercourses” as defined by Conn. Gen. Stat. § 22a-38, Conn. General Stat. § 22a-93 (7) (F), which definitions are incorporated herein by reference as if fully stated herein.

As shown on the survey plan the applicant retained a James R. Cowen, a soil scientist, to flag the lot for any wetland, which he did and which is shown on the survey plan. The small wetland area is on the eastern border of the lot, all situated below the 10-foot elevation marking on the plan. No activity is proposed in the wetland. Otherwise, all activity will be more than 50’ distant from the edges of the wetland area. Moreover, the survey plan shows the type of sediment and erosion control measures to be used and their approximate location on the land during all construction activities, which should prevent any run off from ever reaching or otherwise affecting the wetland area.

Tidal wetlands means “wetland” as defined by Conn. Gen. Stat. § 22a-29, Conn. General Stat. § 22a-93 (7) (E), which definition is incorporated herein by reference as if fully stated herein.

The CAM aims “to preserve tidal wetlands and to prevent the despoliation and destruction thereof in order to maintain their vital natural functions; to encourage the rehabilitation and restoration of degraded tidal wetlands and where feasible and environmentally acceptable, to encourage the creation of wetlands for purposes of shellfish and finfish management, habitat creation and dredge spoil disposal.” Conn. Gen. Stat. § 22a-92 (10) (2) (E).

As shown on the survey plan the applicant retained a James R. Cowen, a soil scientist, to flag the lot for any wetlands, including tidal wetlands as so defined, which he did and which is shown on the survey plan. The survey plan also gives a 100’ arc from the nearest edge of the tidal wetland area, which shows that a part of the deck for the house and a very small portion of the proposed storage shed will lie just barely within such 100’ foot arc. There is not a lot of room on the lot for placement of the building structures, other than where proposed on the survey, given the topography of the lot. Again, the survey plan shows the type of sediment and erosion control measures to be used and their approximate location on the land during all construction

activities, which should prevent any run off from ever reaching or otherwise affecting the tidal wetland area.

Conclusion on 3.B: The application pertains to the construction of a single family house of 858 square feet on this small sized lot. Minimal excavation is anticipated – crawl space foundation, as noted. The construction activities ought not to impact or otherwise have any adverse affect to any coastal resources.

PZC Form 2, § 3.c (vii) statement

There is the potential for degrading water quality during this construction project and associated grading through the significant introduction into the coastal waters of Smith Cove of suspended solids (sentiment). Any potential impact is to be mitigated through the use of sediment and erosion controls, all as shown and described on the survey plan.

PZC Form 2, § 4b Statement

The Coastal Area Management (CAM) regulations permit the reasonable uses of coastal properties consistent with Coastal Resources and Policies. Adverse impacts to Coastal Resources must be mitigated to the extend possible. All disturbed areas will be stabilized upon completion of the construction project.

The location of the proposed house is on privately owned land, and it will not impact or change the existing water access for the property.

CAM regulations emphasize the importance of locating water-dependent uses at waterfront sites. However, the property is located in the VR-15 zone, which has a limiting affect on water dependent uses. Moreover, shallow water depths in Smith Cove, especially in the “inner-cove,” where is lot is situated, restrict access to adequate channel and open water. All this is compounded by the rail-road bridges which must be navigated to gain access to the Thames River, and which bridges allow no more than 5-6 feet of vertical clearance as measured at mean high water.

PZC FORM 2, § 5 STATEMENTS

- a. Virtually all the construction activities will take place more than 100' from the Tidal wetlands and all of it outside 50' from the wetlands, all as shown on the survey plan. The survey also details the erosion and sediment controls proposed for the project, which

are incorporated here by reference, which should be more than sufficient to prevent adverse impacts.

- b. N/A
- c. The proposed project meets with the stated purpose of the CAM of ensuring that the development, preservation or use of the land and water resources of the coastal area is consistent with the rights of private property owners and capability of the land and water resources to support development, preservation or use without significantly disrupting either the natural environment or sound economic growth.

PZC FORM 2, §. 6 STATEMENTS

A water dependent use means:

Those uses and facilities which require direct access to, or location in, marine or tidal waters and which therefore cannot be located inland, including but not limited to: Marinas, recreational and commercial fishing and boating facilities, finfish and shellfish processing plants, waterfront docks and port facilities, shipyards and boat building facilities, water-based recreational uses, navigational aides, basins and channels, industrial uses dependent upon water-borne transportation or requiring large volumes of cooling or process water which cannot reasonably be located or operated at an inland site and uses which provide general public access to marine and tidal waters.

Conn Gen. Stat. § 22a-93 (16)

N/A

Other Statements:

- The building plans show house gutters and footing drains. However, as noted on the survey, the applicant does not intend to not use gutters or install footing drains. Instead, the applicant intends to install louvered rain handlers all along the roof edge, except on the backside of the house. The roof slants at 12 degrees to the front along its entire course and therefore nearly all the rain run off from the roof should fall on to the permeable driveway surface to be percolated and absorbed.

Such rain that should fall along either side edge should be minimal.
And, there is only a crawl space foundation.

- The title search for the lot does not show a utility easement, but there is a power line running across the very top left corner of the lot, as is shown on the survey.
- A copy of the right of way/access agreement favoring the lot is attached.
- Copy of deed into applicant is attached.

INDEX OF ATTACHMENTS
TO PZC FORMS 1 & 2
APPLICANT LYNN F. MULHOLLAND
11 SCOTCH CAP ROAD, QUAKER HILL

- Copy recorded agreements re: boundary -line and ingress and egress;
- Copy of recorded quit claim deed of property to applicant;
- Copies report prepared by James R. Cowen, soil scientist

RETURN TO: Lynn F. Mulholland
202 West Road
Salem, CT 06420

AGREEMENTS REGARDING LOT BOUNDARIES
AND INGRESS AND EGRESS RIGHTS AFFECTING
9 SCOTCH CAP ROAD & 11 SCOTCH CAP ROAD,
WATERFORD [QUAKER HILL], CONNECTICUT

This agreement is made by and between Paul Nguyen ["Nguyen"] of Braintree, Massachusetts, and Lynn F. Mulholland of Salem, Connecticut ["Mulholland"], and shall be effective on the date of last signing.

WHEREAS, Nguyen and Mulholland are the fee owners of certain adjoining lands located on Scotch Cap Road in the Quaker Hill section of the Town of Waterford, County of New London and State of Connecticut, to wit: #9 [Nguyen] and #11 [Mulholland]; and

WHEREAS, the deed to Nguyen, dated September 26, 2018, was recorded on the Waterford, Connecticut land records on October 1, 2018 in book or volume 1573, page 1, to which reference may be had for a more complete description of said property; and

Whereas, the deed to Mulholland, dated February 4, 2021, was recorded on the Waterford Connecticut land records on February 5, 2021 in book or volume 1693, page 293, to which reference may be had for a more complete description of said property; and

Whereas, the Nguyen and Mulholland properties originally together formed a larger piece or tract of land; and

Whereas, the Mulholland parcel [#11 Scotch Cap] was divided out from the said larger tract or piece of land by a quit claim deed in 1972, to Melvin Ernest Carson in Volume 201, Page 266 of the Waterford Land Records, leaving the Nguyen lot or parcel remaining; and

Whereas, the relevant property deeds for #9 and #11 Scotch

Cap Road referenced each as being described on a "Plan showing the Property of Melvin E. and Alice M. Carson, in the Town of Waterford on Scotch Cap Road Scale 1" = 20, July 1972 Anthony C. Janovicz R.L.S," #9 Scotch Cap as "parcel No. 1," and #11 Scotch Cap as "parcel No. 2.; and

Whereas, said map or plan was not recorded on the Waterford land records and otherwise cannot be located; and

Whereas, when subdivided from the larger lot in 1972, #11 Scotch Cap, was granted the right of ingress and egress over the northerly one hundred seventeen and six-tenths (117.6) feet of the fifteen foot wide driveway on #9 Scotch Cap, the remaining part of the whole, which right of way was said to be more fully shown on the above lost map or plan. See, Volume 201, page 266 of the Waterford land records; and

Whereas, the said Nguyen deed holds that his land is subject to the right of way referenced in the deed to "said Parcel No. 2 to Melvin Ernest Carlson," which deed is recorded in Volume 201, Page 266 of the Waterford Land Records; and

Whereas, Mulholland had a Class A-2 survey done for her land or lot at #11 Scotch Cap Road, known as "*Plan Showing Property of James C. Mulholland and Lynn F. Mulholland 11 Scotch Cap Road, Waterford, Connecticut Scale 1" = 20', June 2019;*" and

Whereas, said map or plan was recorded on the Waterford Land Records on February 5, 2021, to which reference may be had; and

Whereas, said A-2 survey shows Nguyen's #9 Scotch Cap Road property under "*Kathie Carson, et al;*" and

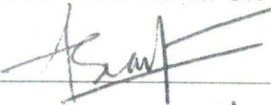
Whereas, said map or plan shows a fifteen (15') foot wide right of way favoring #11 Scotch Cap Road and burdening Nguyen's said Scotch Cap Road property over the northerly one hundred seventeen and six-tenths (117.6) feet of the existing driveway; and

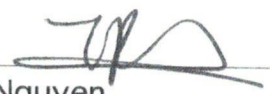
Whereas, Nguyen and Mulholland wish to remove and resolve any uncertainty as to the metes and bounds of the said right of way favoring #11 Scotch Cap Road over #9 Scotch Cap Road, and also any

uncertainties regarding the boundary lines generally separating #11 and #9 Scotch Cap Road.

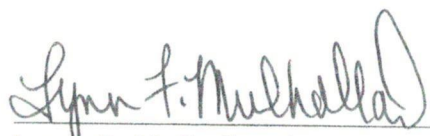
Now therefore, Nguyen and Mulholland do mutually for themselves, their heirs, successors and assigns covenant and agree that: (1) #11 Scotch Cap Road, the Mulholland property, shall have a right of ingress and egress over #9 Scotch Cap Road, the Nguyen property, as shown on said "Plan Showing Property of James C. Mulholland and Lynn F. Mulholland 11 Scotch Cap Road, Waterford, Connecticut Scale 1" + 20', June 2019," which conforms with the right of way originally granted as stated above, just providing more definition and clarity; and (2) the boundary lines dividing each lot, shall also be and are as shown on the said map or plan.

IN WITNESS WHEREOF, PAUL NGUYEN and LYNN F. MULHOLLAND have each set their hand on the respective dates below given.


SA PHAN


Paul Nguyen

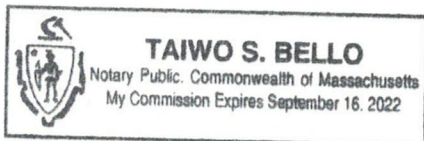

Marie-Anne Perrone


Lynn F. Mulholland


Xhesika Kambori

STATE OF CONNECTICUT ~~MA~~ : ss:
COUNTY OF ~~NEW LONDON~~ **NORFOLK**.

The foregoing instrument was acknowledged before me this **8TH**
day of October 2021 by Paul Nguyen as his free act and deed.



[Handwritten Signature]

Comm'r of Sup. Court
✓ Notary Public
Commission Expires

STATE OF CONNECTICUT
COUNTY OF NEW LONDON

ss: **Salem, CT.**

The foregoing instrument was acknowledged before me this **22ND** day
of ~~October~~ **NOVEMBER** 2021 by Lynn F. Mulholland as her free act and deed.

My Commission Exp. 8/31/2023
Marjorie Ann Ferrone
Marjorie Ann Ferrone
Comm'r of Sup. Court
NOTARY PUBLIC

RECEIVED FOR RECORD
Dec 07, 2021 03:13P
DAVID L. CAMPO
TOWN CLERK
WATERFORD, CT

RET: Lynn F. Mulholland
202 West Road
Salem, CT 06420

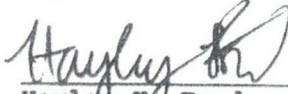
QUIT CLAIM DEED
STATUTORY FORM

James C. Mulholland of the Town of Salem, County of New London and State of Connecticut for consideration given grants to his wife, Lynn F. Mulholland, also of the Town of Salem, County of New London and State of Connecticut with **QUIT CLAIM COVENANTS** all his interest in and to a certain tract of land containing 18,900 square feet, more or less, situated on the south side of Scotch Cap Road in the Town of Waterford, County of New London and State of Connecticut being shown and described on a certain map or plan entitled "Plan showing property of James C. Mulholland and Lynn F. Mulholland, 11 Scotch Cap Road, Waterford, Connecticut, scale: 1" = 20', June 2019," prepared by Dieter & Gardner, land surveyors - planners, 1641 Route 12 Gales Ferry, CT 0633, which map or plan is filed or will be filed on the Waterford, Connecticut town land records. Such piece or parcel of land is further described as shown on Schedule A, attached hereto and incorporated herein by reference.

Being all the same property conveyed to James C. Mulholland and Lynn F. Mulholland, grantees, by Kathie Rochester and Debora Schildt, grantors, by warranty deed dated May 2, 2019 and recorded on May 3, 2019 in Volume 1597, p. 100 of the Waterford Land Records.

Said property is known as 11 Scotch Cap Road, Waterford, Connecticut.

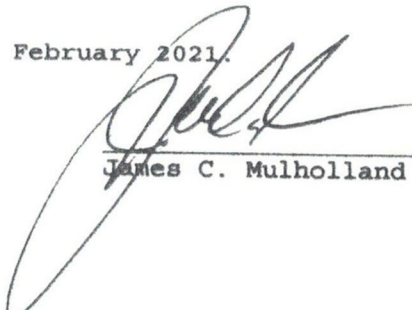
Signed and witnessed this 4th day of February 2021.



Hayley K. Ford



Rachel Gonzalez



James C. Mulholland

STATE OF CONNECTICUT
COUNTY OF

ss: New Britain

On this 4th day of February 2021 personally appeared James C. Mulholland, a person known to me, and before me the undersigned officer he acknowledged that he signed this document as his free act and deed and with knowledge of the purposes for the document.



Andrew M. LeGrant
Comm'r of Superior Court

GRANTEE'S MAILING ADDRESS:

202 West Road, Salem, CT 06420

SCHEDULE A
DESCRIPTION

Beginning at a monument in the south line of said road at the northwest corner of land now or formerly of Neal W. Cabral, thence westerly along said road N 61 degrees 41' 04" W one hundred fifteen and five tenths (115.5) feet to a point in the south line of said road fifteen (15) feet east of a monument and other land of the Releasor; thence S 27 degrees 34' 24" W one hundred seventeen and six tenths (117.6) feet to a corner; thence S 33 degrees 39' 18" E forty-nine and six tenths (49.6) feet to a corner; thence S 55 degrees 47' W twenty-seven and five tenths (27.5) feet to a corner; thence S 19 degrees 53' E sixty and no tenths (60.0) feet to the shore of the cove, the last four courses being bounded westerly by other land of the Releasor shown as Parcel No. 1 on said plan; thence easterly along the shore of the cove fifty (50) feet, more or less to a drill hole in a boulder and the southwest corner of said Cabral land; thence N 28 degrees 16' 34" E one hundred seventy-four and eight tenths (174.8) feet along said Cabral land to the beginning. Together with a right of ingress and egress over the northerly one hundred seventeen and six tenths (117.6) feet of the fifteen foot wide drive as shown on said plan.

Cowen EcoDesign, LLC

Ecological Design, Wetland, Biological and Soil Sciences

June 26, 2020

James Colin Mulholland, Esq.
202 West Road
Salem, CT 06420

RE: 11 Scotch Cap Road
Quaker Hill, CT

Dear Mr. Mulholland:

I conducted a SAV survey on June 25, 2020 at 8 AM--low tide. Conditions were sunny and calm. No SAV survey was observed to 40+ feet from the tidal wetland boundary. Visibility was good to the bottom. Substrate was cobbles near the shore and transitioned to deeper sediments further from shore. The intertidal zone was covered with a mat of seaweed (*Cladophora sp.*). Tidal wetland vegetation consisted of scattered Common Reed (*Phragmites australis*), Jewelweed (*Impatiens capensis*), and Poison Ivy (*Toxicodendron radicans*).

Yours truly,



James R. Cowen
Registered Soil Scientist
Certified Professional Wetland Scientist

Cowen EcoDesign, LLC

Ecological Design, Wetland, Biological and Soil Sciences

February 27, 2020

James Colin Mulholland, Esq.
202 West Road
Salem, CT 06420

RE: 11 Scotch Cap Road
Quaker Hill, CT

Dear Mr. Mulholland:

I am writing to report the results of a wetland investigation conducted at the referenced site on February 27, 2020. The work was conducted according to the requirements of the CT Tidal Wetlands and Inland Wetlands and Watercourses Acts. Inland Wetlands are defined as areas of poorly drained, very poorly drained, floodplain, and alluvial soils, as delineated by a soil scientist. Watercourses are defined as bogs, swamps, or marshes, as well as lakes, ponds, rivers, streams, etc., whether natural or man-made, permanent or intermittent. Watercourses may be delineated by any competent professional. Tidal wetlands are defined as areas at or below 1 foot above local extreme high water, with an existing or former connection to tidal waters that support, or have the capacity to support, certain forms of vegetation.

The tidal wetlands were delineated and those areas meeting the requirements noted above were marked with pink plastic flagging tape numbered TW1-9.

These tidal wetlands are subject to the exclusive jurisdiction of the CT DEEP Office of Long Island Sound Programs.

The inland wetlands were delineated by walking across the parcel in question and examining the upper 20" of the soil profile with a spade and auger. Those areas meeting the requirements noted above were marked with pink plastic flagging tape numbered WL1-5.

SOILS

The wetlands consist of¹:

3--Ridgebury, Leicester, and Whitman soils, extremely stony

¹ Soil map unit designations and descriptions are derived from NRCS Web Soil Survey.
<http://websoilsurvey.nrcs.usda.gov>

Ridgebury soils

This component occurs on upland drainageway and depression landforms. The parent material consists of lodgement till derived from granite, schist, and gneiss. The slope ranges from 0 to 5 percent and the runoff class is very low. The depth to a restrictive feature is 20 to 30 inches to densic material. The drainage class is poorly drained.

Leicester soils

This component occurs on upland drainageway and depression landforms. The parent material consists of melt-out till derived from granite, schist, and gneiss. The slope ranges from 0 to 5 percent and the runoff class is very low. The depth to a restrictive feature is greater than 60 inches. The drainage class is poorly drained.

Whitman soils

This component occurs on upland drainageway and depression landforms. The parent material consists of lodgement till derived from gneiss, schist, and granite. The slope ranges from 0 to 2 percent and the runoff class is very low. The depth to a restrictive feature is 12 to 20 inches to densic material. The drainage class is very poorly drained.

Non-wetland Soils

The non-wetland soils were not examined in detail, except as was necessary to determine the wetland boundary. They consist primarily of:

38E Hinckley loamy sand, 15 to 45 percent slopes

The Hinckley component is on eskers on valleys, kames on valleys, outwash plains on valleys, terraces on valleys. Slopes are 3 to 15 percent. The parent material consists of sandy and gravelly glaciofluvial deposits derived from granite and/or schist and/or gneiss. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is excessively drained

Yours truly,



James R. Cowen
Registered Soil Scientist
Certified Professional Wetland Scientist