



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: One-family dwelling Section: 5.1.1

Use: Coastal Area Management Section: 25.4

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: 122 / 5198 / _____

Street No. & Name: 224 Niantic River Rd

Size SF/AC: 31,372 / 0.72

Zoning District(s): R-40

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: David Yanaros
Title: Owner
Company: _____
Address: 65 Coles Road
City/State: Cromwell CT
Zip Code: 06416-2609
Telephone: 860-836-1997 Fax: _____

Applicant's Authority to File Application⁵☒

Legal Owner of Record

☐

Power of Attorney

☐

Contract to Purchase

☐

Other _____

Email: yazz6@aol.com**3. Agent Information; if applicable**

Name: James Bernardo, LS
Title: Land Surveyor
Company: James Bernardo Land Surveying, LLC
Address: 12A Spithead Rd
City/State: Waterford CT
Zip Code: 06385
Telephone: 860-447-0236 Fax: _____

Specify Nature of Agent☐

Attorney

☐

Civil Engineer

☒

Land Surveyor

☐

Design Professional; _____

☐

Other: _____

Bar/License/Reg. No.: _____

Email: jim@jbsurvey.com**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: David & Cynthia Yanaros
Title: Owners
Company: _____
Address: 65 Coles Rd
City/State: Cromwell CT
Zip Code: 06416-2609
Telephone: 860-836-1997
Fax: _____
Email: yazz6@aol.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		% of Property
☐	☒	a. Are inland wetlands present on site? Total SF/AC _____ / _____	_____
☐	☒	b. Are tidal wetlands present on site? Total SF/AC _____ / _____	_____
☐	☒	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>AE(EL 12), X (0.2%) & X</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: Municipal existing
- ☒ ☐ g. Are public sanitary sewers available or proposed to the site? Identify: Municipal existing
- ☐ ☒ 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>R-40</u>		
Item	Required	Proposed
Minimum Lot Size	40,000	31,372
Frontage	100'	165'
Front Yard	50'	57'
Side Yard	25'	25.2'
Rear Yard	50'	70'
Building Line		
Building Coverage	20%	12%
Parking ⁶	2	2
Landscaping	N/A	N/A
Impermeable Coverage	N/A	N/A

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

Building Plans by Design Connection, LLC

Dated: 08/14/2023

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.

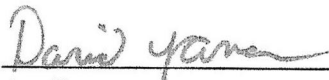
I have read and understand the above provision of the Connecticut General Statutes and understand and agree that whatever discussion, comments and/or recommendations are made through this review are non-binding upon the parties.

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

Printed Name

Date



David Yanaros

9-19-2023

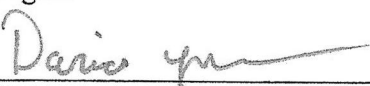
Applicant



James Bernardo

9-19-2023

Agent



David Yanaros

9-19-2023

Land Owner

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.

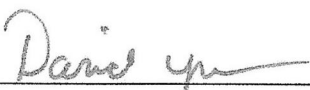
Electronic Data Accuracy and Transmission

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

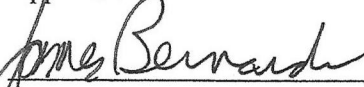
Date



David Yanaros

9-19-2023

Applicant



James Bernardo

9-19-2023

Agent



David Yanaros

9-19-2023

Land Owner

Land Owner

General Statement of Activity/Use

This application is for the construction of a wood-frame, single-family residential house on the property located at 224 Niantic River Road in Waterford, CT. The property currently has a single-family wood dwelling. Town tax records indicate that the house was built in 1800. The current owner is evaluating moving the existing house to comply with zoning setbacks or to demolish the house and build new.

The construction of an individual single family residential structure is typically exempt from Coastal Site Plan review. However, section 25.4.2 5 requires CAM review when the structure is within 100', or other site development is within 50' of the coastal Resource. The wood deck is approximately 55' from the coastal Resource and site grading is proposed within 45' of the Coastal Resource.

The property is located on the west side of Niantic River Road. It is bounded on the north and south by residential homes and on the west by the Niantic River (Keeney Cove)

The property is located in a Special Flood Hazard Area (SFHA) AE (BFE=12) and XZone X as shown on the FIRM 09011C0481j map revised: August 5, 2013. The new residence is located in Zone X outside the 0.2%. The finished floor of the house is elevation 25.0 (NAVD88).



79 Elm Street • Hartford, CT 06106-5127

www.ct.gov/deep

Affirmative Action/Equal Opportunity Employer

Generated by eNDDDB on:
9/19/2023

James Bernardo
JAMES BERNARDO LAND SURVEYING, LLC
102A Spithead Rd
Waterford, CT 06385
jim@jbsurvey.com

Subject: Filing # 101047
Yanaros Residence
NDDDB – New Determination Number: 202306901
224 Niantic River Road
Waterford

Expiration Date: 9/19/2025

Based on current data maintained by the Natural Diversity Database (NDDDB) and housed in the DEEP ezFile portal, negative impacts to populations of Federal or State Endangered, Threatened, or Special Concern species (RCSA Sec. 26-306) are not anticipated from the proposed Building and Infrastructure Development (including stormwater discharge associated with construction) / New Residential - single lot, Yanaros Residence.

This NDDDB – New determination may be utilized to fulfill the Endangered and Threatened Species requirements for state-issued permit applications, licenses, registration submissions, and authorizations. However, please be aware of the following limitations and conditions:

- This determination does not preclude the possibility that listed species may be encountered on site. Should this occur, a report must be submitted to the Natural Diversity Database promptly and additional action may be necessary to remain in compliance with certain state permits. Please fill out the [appropriate survey form](#) and follow the instructions for submittal.
- If your project involves preparing an Environmental Impact Assessment, this NDDDB consultation and determination should not be substituted for conducting biological field surveys assessing on-site habitat and species presence.
- This determination applies only to the project as described in the submission and summarized at the end of this letter. Please re-submit an updated Request for Review if the project's scope of work and/or timeframe changes, including if work has not begun by 9/19/2025.

The NDDDB – New determination for the Yanaros Residence at 224 Niantic River Road, Waterford as described in the submitted information and summarized at the end of this document is valid for two years from the date on this letter.

Natural Diversity Database information includes all information regarding listed species available to us at the time of the request. This information is a compilation of data collected over the years by the Department of Energy and Environmental Protection's Natural History Survey and cooperating units of DEEP, land owners, private conservation groups and the scientific community. This information is not necessarily the result of comprehensive or site-specific field investigations. Current research projects and new contributors continue to identify additional populations of species and locations of habitats of concern, as well as, enhance existing data. Such new information is incorporated into the Database and accessed through the ezFile portal as it becomes available.

This letter is computer generated and carries no signature. If however, any clarification is needed, or if you have further questions, please contact the following:

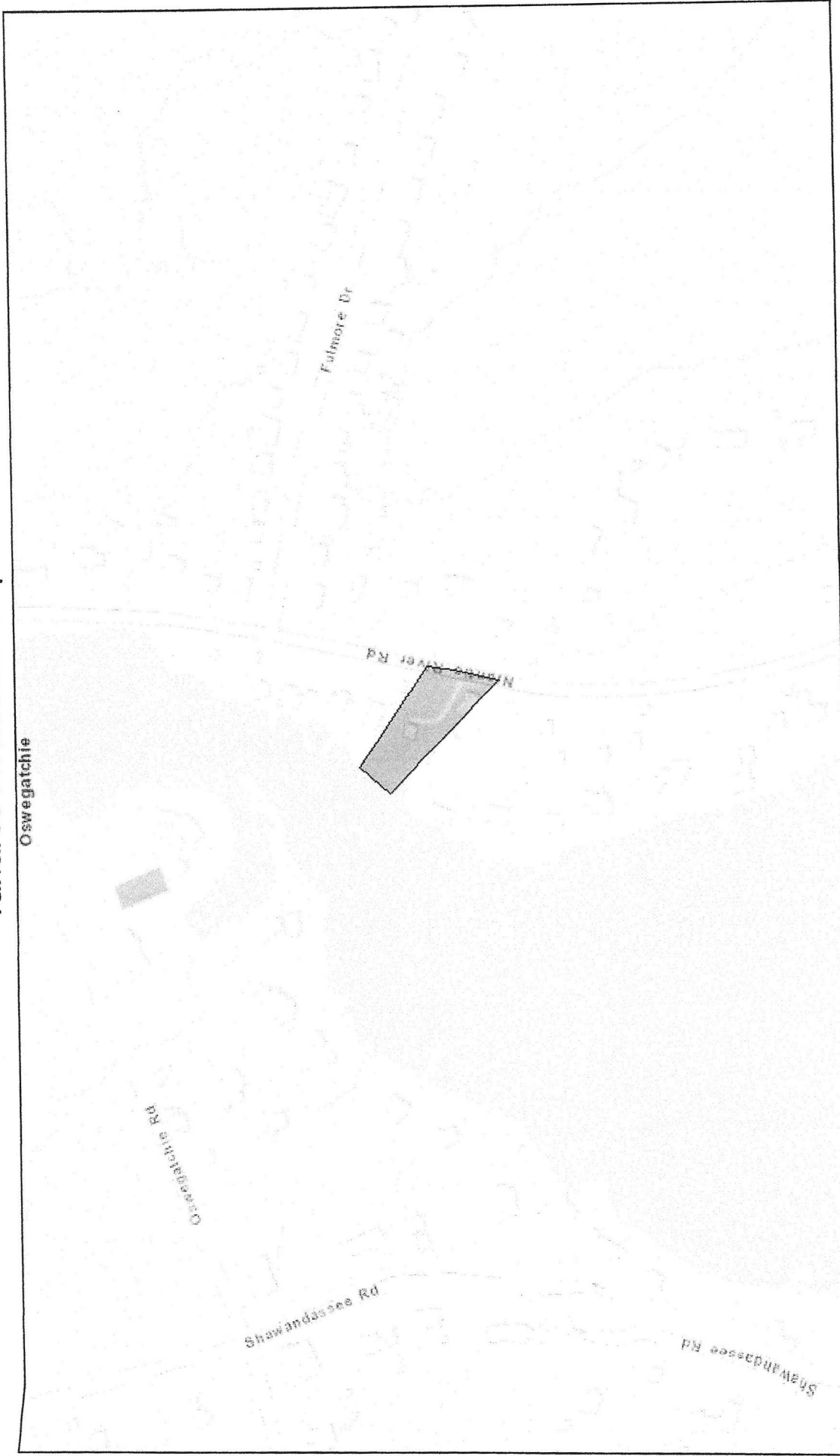
CT DEEP Bureau of Natural Resources
Wildlife Division
Natural Diversity Database
79 Elm Street, 6th floor
Hartford, CT 06106-5127
(860) 424-3011
deep.nddbrequest@ct.gov

Please reference the Determination Number provided in this letter when you e-mail or write. Thank you for submitting your project through DEEP's ezFile portal for Natural Diversity Database reviews.

Application Details:

Project involves federal funds or federal permit:	No
Project involves state funds, state agency action, or relates to CEPA request:	No
Project requires state permit, license, registration, or authorization:	No
DEEP enforcement action related to project:	
Project Type:	Building and Infrastructure Development (including stormwater discharge associate with construction)
Project Sub-type:	New Residential - single lot
Project Name:	Yanaros Residence
Project Description:	

Yanaros Residence Map



1:4,799

0 0.04 0.08 0.16 mi

0 0.05 0.1 0.2 km

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

September 19, 2023

Filing #101047 ezFile NDDb System

Natural Diversity Data Base Areas

WATERFORD, CT

June 2023

-  State and Federal Listed Species
-  Critical Habitat
-  Town Boundary

NOTE: This map shows known locations of State and Federal Listed Species and Critical Habitats. Information on listed species is collected and compiled by the Natural Diversity Data Base (NDDB) from a variety of data sources. Exact locations of species have been buffered to produce the generalized locations.

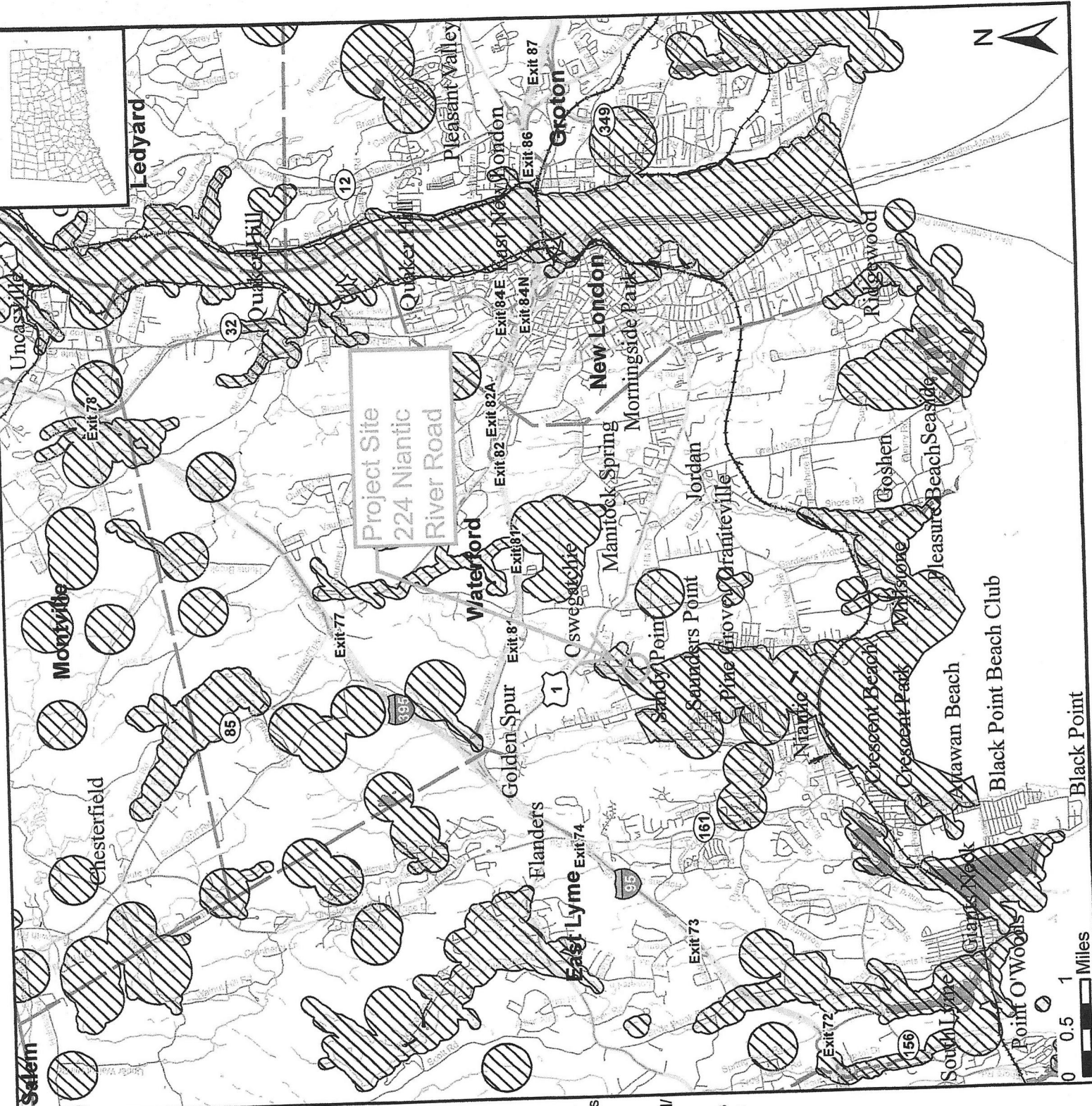
This map is intended for use as a preliminary screening tool for conducting a Natural Diversity Data Base Review Request. To use the map, locate the project boundaries and any additional affected areas. If the project is within a hatched area there may be a potential conflict with a listed species. For more information, use DEEP ezFile <https://filings.deep.ct.gov/DEEPPortal/> to submit a Request for Natural Diversity Data Base State Listed Species Review or Site Assessment. More detailed instructions are provided along with the request form on our website. <https://portal.ct.gov/deep-nddbrequest>

Use the CTECO Interactive Map Viewers at <http://cteco.uconn.edu> to more precisely search for and locate a site and to view aerial imagery with NDDB Areas.

QUESTIONS: Department of Energy and Environmental Protection (DEEP)
79 Elm St., Hartford, CT 06106
email: deep.nddbrequest@ct.gov
Phone: (860) 424-3011



Connecticut
Department of Energy &
Environmental Protection





Town of Waterford

Building, Conservation, Planning and Zoning

www.waterfordct.org

Office Use Only

Date Submitted: _____

Processed By: _____

App. No.: _____

Rev: 07/24/14

PZC Form 2:

Application for Coastal Area Management Site Plan Permit

Property Address: 224 Niantic River Road

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	X	X	
Beaches and Dunes			
Bluffs & Escarpments	X	X	
Coastal Hazard Area			
Coastal Waters, Estuarine Embayments, Nearshore Waters, Offshore Waters			
Development Shorefront			
Freshwater Wetlands and Watercourses			
Intertidal Flats			
Islands			
Rocky Shorefront			
Shellfish Concentration Area			
Shorelands			
Coastal Hazard Area ID Type (i.e. VE, A, etc.)	AE & X	NA	NA
Base Flood Elevation	12	NA	NA
Tidal Wetlands			

- 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

Printed Name

Date

Applicant

David Yanaros

Agent

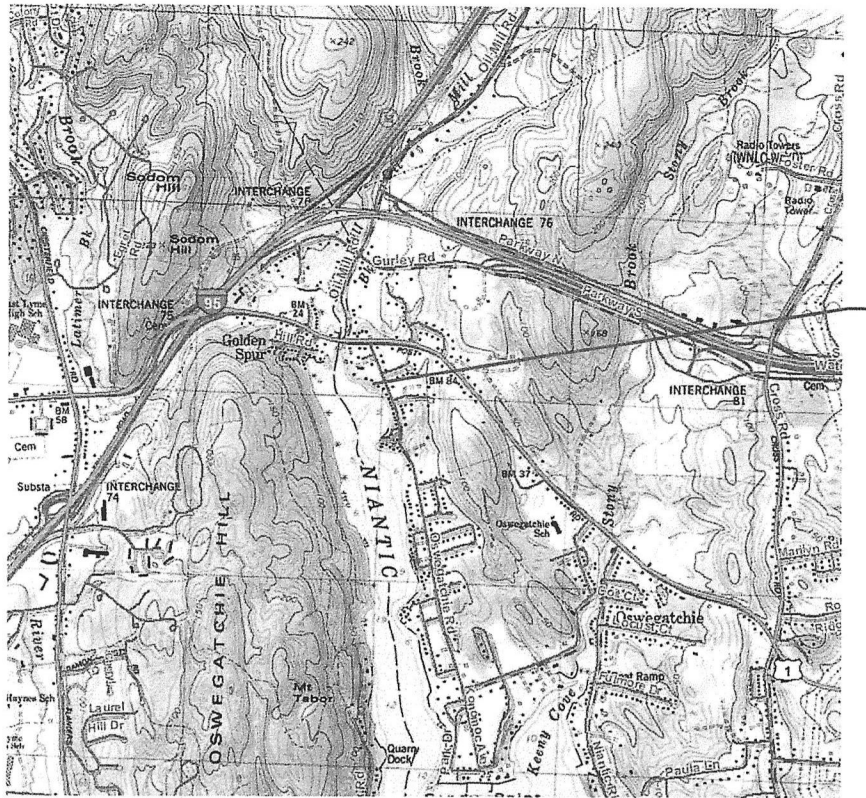
James Bernardo, LS

Land Owner

David Yanaros

Land Owner

COASTAL AREA MANAGEMENT APPLICATION



Property Of
Cynthia & David Yanaros
224 Niantic River Road
Waterford, CT 06385
September 14, 2023

James Bernardo Land Surveying, LLC
James Bernardo, LS
102A Spithead Road
Waterford, CT 06385
860-447-0236
jim@jbsurvey.com

Supplement To

Coastal Area Management (CAM) Application

Property of: Cynthia & David Yanaros

224 Niantic river Road

Waterford, CT 06385

General Statement of Activity

This application is for the construction of a wood-frame, single-family residential house on the property located at 224 Niantic River Road in Waterford, CT. The property currently has a single-family wood dwelling. Town tax records indicate that the house was built in 1800. The current owner is evaluating moving the existing house to comply with zoning setbacks or to demolish the house and build new.

The construction of an individual single family residential structure is typically exempt from Coastal Site Plan review. However, section 25.4.2 5 requires CAM review when the structure is within 100', or other site development is within 50' of the coastal Resource. The wood deck is approximately 55' from the coastal Resource and site grading is proposed within 45' of the Coastal Resource.

The property is located on the west side of Niantic River Road. It is bounded on the north and south by residential homes and on the west by the Niantic River (Keeney Cove)

The property is located in a Special Flood Hazard Area (SFHA) AE (BFE=12) and XZone X as shown on the FIRM 09011C0481j map revised: August 5, 2013. The new residence is located in Zone X outside the 0.2%. The finished floor of the house is elevation 25.0 (NAVD88).

3b. Consistency with Coastal Resources and policies

General Coastal Resources

Means the coastal waters of the state, their natural resources, related marine and wildlife habitat and adjacent shorelands, both developed and undeveloped, that together form an integrated terrestrial and estuarine ecosystem.

Coastal resources on and adjacent to this site include coastal waters which include the adjacent Niantic River (Keeney Cove) and Coastal Bluffs and Escarpments. The existing lot is zoned for residential development. The foundation for the new house will be built approximately 60' from the coastal resource. However, the basement will have a walk-out level on the west side which will require minor site grading within 50' of the coastal resource.

Coastal Hazard Areas

Coastal hazard areas are statutorily 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 and all erosion hazard areas as determined by the Commissioner [Connecticut General Statutes (CGS) section 22a-93(7)(H)]. In general, coastal flood hazard areas include all areas designated as within A-zone and V-zones by the Federal Emergency Management Agency (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

As previously stated, the property is in a Special Flood Hazard Area (SFHA) AE (BFE=12) as shown on the FIRM 09011C0481j map revised: August 5, 2013. The new residence is located in Zone X. Special Flood Hazard Areas are a subject to the 1% annual chance flood (100-year flood). It is the flood that has a 1% chance of being equaled or exceeded in any given year. No activity is proposed within the AE zone.

The building and all habitable spaces will be elevated to elevation 25.

Coastal Waters and Estuarine Embayments

Coastal waters are those waters of Long Island Sound and its harbors, embayments, tidal rivers, streams and creeks, which contain a salinity concentration of at least five hundred parts per million under the low flow stream conditions as established by the commissioner [Connecticut General Statutes (CGS) section 22a-93(5)].

Coastal waters can be separated into "nearshore waters," "offshore waters" and "estuarine embayments."

The Keeney Cove portion of the Niantic River satisfies the definition of an Estuarine Embayments. 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 municipal sanitary sewer and water. No significant changes in drainage flow paths are anticipated. Stormwater BMP's, primarily the installation of sediment fence and final site stabilization, has been incorporated into the site design during and after construction. The excavation and site disturbance associated with the foundation will be limited to the minimal amount necessary.

Coastal Hazard Areas

Coastal hazard areas are statutorily 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 and all erosion hazard areas as determined by the Commissioner [Connecticut General Statutes (CGS) section 22a-93(7)(H)]. In general, coastal flood hazard areas include all areas designated as within A-zone and V-zones by the Federal Emergency Management Agency (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

As previously stated, the property is in a Special Flood Hazard Area (SFHA) AE (BFE=12) as shown on the FIRM 09011C0481j map revised: August 5, 2013. No activity is proposed within the SFHA.

3c. Possible degradation of water quality.

Construction on or adjacent to coastal resources has the potential to introduce pollutants from runoff and erosion into the coastal resources. A detailed site plan has been submitted. The proposed house is no closer than the existing house. Although it is slightly larger in size. Only minor grading is proposed within 50' of the Coastal Resource. Stormwater BMP's have been incorporated into the site to mitigate erosion and minimize the impact to the coastal resources.

4b. Consistency with Coastal Resources and policies

The Coastal Area Management Regulations permit for the reasonable uses of coastal properties consistent with Coastal Resources and Policies. Adverse impacts to Coastal Resources must be mitigated to the extent possible. All disturbed areas will be stabilized and seed upon completion of construction.

The location of the house, on privately owned land, will not impact water access. Ample water access is available nearby at the Keeney Beech property owned by the Town of Waterford, Parks & Recreation Department.

The Coastal Area Management Regulations emphasize the importance of locating water-dependent uses at waterfront sites. However, the property is located in the R-40 zone. The current Town of Waterford Zoning Regulations allow very limited commercial water dependent uses in this zone. In addition, shallow water depths in Keeney Cove significantly limit access to adequate channel and open water depths.