

**37 OSWEGATCHIE ROAD
1 POINT COMFORT LLC**

APPLICATION NARRATIVE

Applicant 1 Point Comfort LLC ("Applicant"), as owner of 37 Oswegatchie Road ("Property"), seeks to redevelop the existing non-conforming lot with a new home designed to bring the property into greater compliance with the Waterford Zoning Regulations and Coastal Area Management ("CAM") goals. To achieve this goal, Applicant requires several variances as set forth in the attached zoning chart.

Background:

The Property, approximately 10,571 square feet, is an existing non-conforming corner lot located in the R-20W Zone. The existing house, constructed in 1935, is located directly along the Niantic River. It predates the 1954 adoption of the Zoning Regulations as well as the Zoning Commission's creation in 1939, and is non-conforming with respect to the Zoning Regulations and coastal management and FEMA regulations.

As shown in the accompanying plans, Applicant seeks to demolish the existing home and rebuild on the existing home's footprint. Unlike the existing house, the new home will be compliant with modern fire, building and energy codes. The proposed home is consistent with the scale and nature of the surrounding residential uses, many of which have been redeveloped over the years.

Lot Line Adjustment:

To minimize the requested variances and address several non-conformities, the Applicant proposes a lot line revision to the existing northerly boundary between the Property and the adjacent property at 35 Oswegatchie Road, which is owned by an affiliate of the Applicant.¹ This adjustment will be an even exchange of land, with both lots continuing to have the same amount of land before and after the adjustment. As an additional benefit, the adjustment will reduce the non-conformities on the 35 Oswegatchie property by increasing the lot width by 26 feet and increasing the side yard setback non-conformity for both the house and garage on that property.

¹ If the variances are granted, the Applicant will record the lot line revision simultaneously with the recording of the variance notice.

Compliance with CAM Goals:

This development is consistent with CAM policies and the POCD goal of protecting coastal resources, most notably by avoiding new disturbances to the coastal bluff and steep slope. The proposal mitigates any adverse impact to coastal resources and achieves enhancement of the coastal bluff, with additional plantings proposed surrounding the proposed home. Existing trees within the coastal bluff will also be maintained, thereby avoiding further disturbance in an area of steep slopes directly adjacent to the neighboring property at 3 Point Comfort. The current bulkhead and wood dock will be maintained to minimize further coastal disturbance.

Requested Variances and Basis for Request:

As currently developed, the Property contains a wide variety of non-conformities, including lot size, street line setback, both side yard setbacks, and rear yard setback. It is a long narrow lot with steep slopes extending to the riverfront. When the Zoning Regulations are applied to the Property in its current land configuration, 97.1% of the lot is undevelopable – only 307 square feet of developable land – creating a significant hardship unique to this Property.

The Applicant minimizes the scope of its request by proposing a lot line revision that facilitates increased setbacks beyond what could be achieved under the existing lot configuration. The proposed lot line revision also enhances the non-conforming aspects of the adjacent property at 35 Oswegatchie Road, owned by an affiliate of the Applicant. The adjusted boundary increases the side yard setbacks and the lot width, bringing that property into greater conformity with the Zoning Regulations. As the Board is likely aware, the reduction of non-conformities serves as an alternate basis for a variance under Connecticut law.

Finally, the development plan takes the Property's location within the surrounding neighborhood into consideration. By orienting the new house in the existing location, it maintains reasonable setbacks to the adjacent home and shed at 3 Point Comfort. By utilizing the current driveway and maintaining the garage in its current location, Applicant avoid further variance requests and the construction activity associated with relocation of that structure.