



TOWN OF WATERFORD

COASTAL SITE PLAN REVIEW WRITTEN FINDINGS & DECISIONS

ORIGINAL TO:

James G. Gerrish
255 Park Avenue, Suite 1000
Worcester, MA 01609

COASTAL SITE PLAN REVIEW TRIGGER:

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

APPLICANT NAME: James G. Gerrish

MAILING ADDRESS: 255 Park Avenue, Suite 1000, Worcester, MA 01609

PROJECT ADDRESS: 163 Oswegatchie Road

PROJECT DESCRIPTION:

The applicant proposes to construct a new single-family dwelling on a vacant parcel located at 163 Oswegatchie Road. Based upon the proximity of the work associated with construction of the new dwelling, a Coastal Site Plan review by the Planning and Zoning Commission is required. The southwesterly portion of the parcel is adjacent to Keeney Cove, an Estuarine Embayment that is associated with the Niantic River. A FEMA designated special flood hazard zone AE-12 occurs within the southwesterly portion of the parcel. The proposed structure and all site improvements will be located outside of the FEMA regulated flood zone. A drainage easement in favor of the Town of Waterford is located on the northwesterly corner of the parcel adjacent to Oswegatchie Road in order to convey stormwater drainage from Oswegatchie Road onto the parcel. This drainage easement will not be impacted by the proposed development. The parcel contains 22,500 square feet of lot area and is located within the R-40 Zone District, which requires a minimum lot size of 40,000 square feet. The parcel is a pre-existing nonconforming lot relative to lot area. In accordance with Section 24.3 of the Zoning Regulations, a single-family dwelling is a permitted use on a nonconforming lot provided it conforms to all other provisions of the zoning regulations. The site plan submitted indicates that the proposed location of the dwelling on the property complies with the required setbacks for the R-40 Zone District.

The dwelling will be located within the envelope of the building lines. The rear of the dwelling will be located approximately 40 feet inland from the top of the coastal embankment which extends to an existing retaining wall at the Coastal Jurisdiction Line. No work or site improvements are proposed within the Coastal Embankment. The dwelling will be connected to existing municipal water and sewer service and utilities.

Plan title: "Zoning Location Survey, Coastal Site Plan Prepared for James G. Gerrish, for property located at 163 Oswegatchie Road, Town of Waterford, County of New London, Connecticut" dated February 7, 2025."

COASTAL RESOURCES AND RESOURCE POLICIES:				
	ON-SITE	ADJACENT TO SITE	POTENTIALLY INCONSISTENT	NOT APPLICABLE
General Coastal Resources*	☒	☒	☐	☐
Beaches and Dunes	☐	☐	☐	☒
Bluffs and Escarpments	☐	☐	☐	☒
Coastal Hazard Area	☒	☒	☐	☐
Coastal Waters and/or Estuarine Embayments	☐	☒	☐	☐
Developed Shorefront	☒	☒	☐	☐
Freshwater Wetlands and Watercourses	☐	☐	☐	☒
Intertidal Flats	☐	☐	☐	☒
Islands	☐	☐	☐	☒
Rocky Shorefront	☐	☐	☐	☒
Shellfish Concentration Areas	☐	☐	☐	☒
Shorelands	☒	☒	☐	☐
Tidal Wetlands	☐	☐	☐	☒

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

COASTAL USE POLICIES:**		
	Applies	Potentially Inconsistent
General Development*	☒	☐
Boating	☐	☐
Coastal Recreation and Access	☐	☐
Coastal Structures and Filling	☐	☐
Cultural Resources	☐	☐
Fisheries	☐	☐
Fuels, Chemicals, or Hazardous Materials	☐	☐
Ports and Harbors	☐	☐
Sewer and Water Lines	☐	☐
Solid Waste	☐	☐
Transportation	☐	☐
Water-dependent Uses	☐	☐

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

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

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

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

SUMMARY AND RECOMMENDATIONS:

The construction and use of a single family residential structure within the R-40 Zone District is consistent with the Town Zoning Regulations and 2012 Plan of Conservation and Development. The placement of the structure as far from the coastal resource as practical and still within the required zoning setbacks reduces the effect of proposed grading onto the coastal resources.

The coastal hazard FEMA designated Flood Zone AE-12 was identified on the site with all work and associated site improvements in support of the single family dwelling to occur outside of the FEMA designated Flood Hazard Area.

DEEP LWRD Recommendation:

- Views of the property indicate the existence of a stone flood and erosion control wall along the water side of the property. A review of DEEP's Data Viewer and Permitting Database does not show any previous authorization for said structure. Therefore, the Applicant will need to contact LWRD's Permitting East Section regarding compliance with DEEP coastal regulatory program requirements.

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

The project as presented identifies the proximity of site disturbance to the coastal resources. This disturbance is of a temporary nature during the construction of the single family dwelling. Erosion controls shall be incorporated as identified on the plan in order to mitigate any erosion that may occur from surface runoff during construction. The erosion controls shall be constantly inspected and left in place until the site has been permanently stabilized.

- Water quality and/or storm-water impact:

There is a potential for a temporary negative impact to water quality during the construction phase of the project. This potential will be mitigated through the installation and maintenance of erosion control measures as modified on the site plan. The site plan indicates a roof drain installed and will discharge into a constructed rain garden. The proposed rain garden is designed to mitigate the amount of roof and surface storm water generated on the site post construction. The use of a rain garden is a Low Impact Stormwater element that is supported by the Zoning Regulations and reduces the potential for negative impact to the adjacent coastal resources.

This project as approved with conditions 1 thru 5 is consistent with all applicable coastal policies and includes all reasonable measures to mitigate adverse impacts.

1. Erosion control measures during construction shall be installed and remain on site for the duration of the project and until the establishment of vegetative cover on disturbed areas.
2. Silt fence as depicted on the site plan shall be backed by haybales for its entire length. The detail on the site plan shall be modified to reflect this modification.
3. No work covered by this permit including the stockpiling of materials as shown on the site plan shall be conducted outside of the proposed silt fence.
4. A foundation location certification shall be provided to the Zoning Official prior to framing in order to verify the location of the foundation complies with the setback requirements for the Zone District.
5. An as-built survey shall be submitted and approved by the Zoning Official prior to issuance of a Certificate of Zoning Compliance. This requirement is to verify that all improvements have been constructed in accordance with the approved site plan.

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

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

SUPPORTING DOCUMENTATION ATTACHED TO THIS CHECKLIST:

- ☐ Copies of photographs of the site dated:
- ☐ Copies of aerial photographs dated:
- ☐ GIS maps depicting:
- ☐ Coastal resources maps dated:
- ☐ OLISP Fact Sheet(s):
- ☐ Other:

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

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

For more information, contact:

Proposed Motion

To approve with conditions Site Plan CAM Application PL-25-4 located at 163 Oswegatchie Road with conditions 1 thru 5 and to find that the project as approved with conditions is consistent with all applicable coastal policies and includes all reasonable measures to mitigate adverse impacts.