

TOWN OF WATERFORD



COASTAL SITE PLAN REVIEW WRITTEN FINDINGS & DECISIONS

ORIGINAL TO:

James O'Leary
122 Oswegatchie Road
Waterford, CT 06385

COASTAL SITE PLAN REVIEW TRIGGER:

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

APPLICANT NAME: James M. O'Leary

MAILING ADDRESS: 122 Oswegatchie Road, Waterford, CT 06385

PROJECT ADDRESS: 31 Riverside Drive

PROJECT DESCRIPTION:

The applicant proposes to construct a new single-family dwelling with an attached garage and elevated deck on a vacant parcel located at 31 Riverside Drive. 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 parcel is a conforming lot located within the R-20 zoning district adjacent to the Niantic River, an Estuarine Embayment. The site is served by municipal water and sewer. The dwelling will be located within the envelope of the building lines. The rear of the dwelling will be located approximately 40 feet from the top of the coastal embankment which extends to an existing retaining wall landward of the Coastal Jurisdiction Line. The project includes the construction of a new circular gravel driveway utilizing the existing curb cut to the north with a new curb cut to the south. The proposed roof drain will discharge to a 625 sq ft rain garden located landward from the top of slope of the embankment. The dwelling will be connected to existing municipal water and sewer service and utilities. A FEMA designated special flood hazard zone AE-12 occurs along the coastal embankment. The proposed structure and all site improvements will be located outside of the FEMA regulated flood zone.

Plan title: "Improvement Location Survey, Site Development Plan Prepared for James M. O'Leary, 31 Riverside Drive, Waterford, Connecticut." dated November 14, 2022, Revised June 18, 2024.

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-20 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 .

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 identified on the 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 4 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. No work covered by this permit including the stockpiling of materials shall be conducted outside of the proposed silt fence.
3. Removal of Invasive vegetation on the slope shall be performed by hand only. No equipment shall be permitted on the slope. Any replanting of the area on the slope shall also be conducted by hand and only vegetation that is consistent with a shoreline environment and is not invasive in CT shall be used. A removal and replanting plan shall be submitted to and reviewed by the Permitting Office prior to work on the slope.
4. 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-24-12 at 31 Riverside Drive with conditions 1 thru 4 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.