

**Docko, Inc.** *Serving the waterfront community since 1987*

P.O. Box 421, Mystic, CT 06355 (860) 572-8939 Fax: (860) 572-7569, email: office@docko.com

April 25, 2022

Mr. William Mulholland, Zoning Official  
Town of East Lyme  
108 Pennsylvania Avenue  
Niantic, CT 06357

Re: William Stone  
297 Old Black Point Rd  
Coastal Site Plan

Dear Mr. Mulholland:

We are pleased to transmit herewith application documents for a Coastal Site Plan for New Platform, Stairs and Landing at the property of Mr. William Stone at 297 Old Black Point Rd in Niantic, Town of East Lyme.

Attached are 6 sets of the application with the following documents included:

- Zoning Permit Application
- Application for Coastal Site Plan Review
- Application Narrative
- Reference & Resource Maps
- Check in the amount of \$260 payable to the Town of East Lyme
- Photographs
- 24"x36" site plans
- Copy of the NDDB Application

I trust that you will find this application complete and acceptable. We look forward to making our presentation to the Planning & Zoning Commission at their next regularly scheduled meeting. If you get a chance, please forward a copy of the agenda so that we can plan our presentation accordingly.

Yours truly,  
DOCKO, INC.

Keith B. Neilson, P.E.

CR# 2035  
\$260.00

KBN: cl  
Enclosures  
CC: Mr. William Stone  
File: 21-08-3197 STONE

**Town of East Lyme**

P.O. BOX 519  
Niantic, CT 06357  
(860) 691-4114  
Fax: (860) 691-0351

Zoning Permit#

Date Entered into ZP Log

**ZONING PERMIT**

Date: October 22, 2021 Assessor's Map/Lot/Unit#: 02/04/11

Affected Property Address: 297 Old Black Point Rd., Niantic

Type of Project {Description Work}: New Stairs, Platform and Landing

Property Owner's Name: William Stone Phone #: (860) 250-1084

Property Owner's Address: 425 Gulfshore Blvd. N. Naples, FL 34102.

Applicant's Name: William Stone Phone #: 860-250-1084

Applicant's Address: 297 Old Black Point Rd, Niantic

PLEASE COMPLETE THE BACK OF THE FORM NOW, THEN, SIGN BELOW!!!

\*\*\*\*\*  
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Site plan/Plot Plan attached? **YES NO**  
CERTIFICATION:

I HEREBY CERTIFY THAT:

x I AM THE OWNER OF RECORD OF THE NAMED PROPERTY OR  
       THAT THE PROPOSED WORK IS AUTHORIZED BY THE OWNER OF RECORD  
AND/OR I

HAVE BEEN AUTHORIZED TO MAKE THIS APPLICATION AS AN AUTHORIZED AGENT,  
AND

WE AGREE TO CONFORM TO ALL APPLICABLE LAWS, REGULATIONS AND  
ORDINANCES.

ALL INFORMATION CONTAINED WITHIN IS TRUE AND ACCURATE TO THE BEST OF MY  
KNOWLEDGE AND BELIEF

Owner's Signature: 

Applicant's Signature: 

Permit Fee: \$200.00

State Fee: \$60.00

Total: \$ \$260.00

ZONING PERMIT Page 2

Approval is based on documentation provided by the applicant. Applicant is responsible to provide accurate and true documentation on plot plan/site plan.

Zone R40 Use Residential Lot Coverage \_\_\_\_\_  
Height N/A Front Yard \_\_\_\_\_ Side Yard 25FT Rear Yard 25 FT MLW

Primary Aquifer? YES \_\_\_\_\_ NO x \_\_\_\_\_

Secondary Aquifer? YES \_\_\_\_\_ NO x \_\_\_\_\_

CAM-within boundary? YES x NO \_\_\_\_\_

Review Required \_\_\_\_\_ Exemption \_\_\_\_\_

Flood HAZARD-FIRM Community Map Panel No. 487J FIRM Zone VE  
Site Plan Review Req. {CA-CB-CM} by Zoning Commission \_\_\_\_\_ ZEO \_\_\_\_\_ N/A \_\_\_\_\_

D.O.T. Traffic Generator Certification Required? YES \_\_\_\_\_ NO x \_\_\_\_\_

Soil Erosion and Sediment Control: **None required for driving piles and rearranging revetment stones.**

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Application is: APPROVED DENIED

Comments/Conditions:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
East Lyme Zoning Enforcement Officer

Date: \_\_\_\_\_

# Town of East Lyme

## Application Form Municipal Coastal Site Plan Review

### For Projects Located Fully or Partially Within the Coastal Boundary

Please complete this form in accordance with the attached instructions (CSPR-INST-11/99) and submit it with the appropriate plans to the appropriate Town of East Lyme agency.

#### Section I: Application Identification

Applicant: <u>William Stone</u>	Date: <u>October 22, 2021</u>
Address: <u>425 Gulfshore Blvd, Naples, FL 34102</u>	Phone: <u>860-250-1084</u>
Project Address or Location: <u>297 Old Black Point Rd, Niantic</u>	
Interest in Property: <input checked="" type="checkbox"/> fee simple <input type="checkbox"/> option <input type="checkbox"/> Lessee <input type="checkbox"/> easement <input type="checkbox"/> other (specify) _____	
List primary contact for correspondence if other than applicant:	
Name: <u>Keith B. Neilson, P.E., Docko, Incorporated</u>	
Address: <u>P.O. Box 421</u>	
City/Town: <u>Mystic</u>	State: <u>CT</u> Zip Code: <u>06355</u>
Business Phone: <u>860-572-8939</u>	
e-mail: <u>office@docko.com</u>	

#### Section II: Project Site Plans

<p>Please provide project site plans that clearly and accurately depict the following information, and check the appropriate boxes to indicate that the plans are included in this application:</p> <ul style="list-style-type: none"><li><input checked="" type="checkbox"/> Project location</li><li><input checked="" type="checkbox"/> Existing and proposed conditions, including buildings and grading</li><li><input checked="" type="checkbox"/> Coastal resources on and contiguous to the site</li><li><input checked="" type="checkbox"/> High tide line [as defined in CGS Section 22a-359(c)] and mean high water mark elevation contours (for parcels abutting coastal waters and/or tidal wetlands only)</li><li><input type="checkbox"/> <b>N/A</b> Soil erosion and sediment controls</li><li><input checked="" type="checkbox"/> Storm water treatment practices</li><li><input checked="" type="checkbox"/> Ownership and type of use on adjacent properties</li><li><input checked="" type="checkbox"/> Reference datum (i.e. National Geodetic Vertical Datum, Mean Sea Level, etc.)</li></ul>
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### Section III: Written Project Information

Please check the appropriate box to identify the plan or application that has resulted in this Coastal Site Plan Review:

- Site Plan for Zoning Compliance
- Subdivision or Resubdivision
- Special Permit or Special Exception
- Variance
- Municipal Project (CGS Section 8-24)

#### Part I: Site Information

1. Street Address or Geographical Description: 297 Old Black Point Road  
City or Town: Niantic, CT 06357
2. Is project or activity proposed at a waterfront site? (includes tidal wetlands frontage)  YES  NO
3. Name of on-site adjacent or downstream coastal, tidal or navigable waters, if applicable:  
Long Island Sound
4. Identify and describe the existing land use on and adjacent to the site. Include any existing structures, municipal zoning classification, significant features of the project site:  

**The site is in the Old Black Point residential zone and is surrounded by properties of a residential nature. Virtually all structures within the Black Point zone are residential and most are single family residential lots. There are some properties that have, proportionally, a significant amount of open space and others that are wooded or undeveloped, and there are some passive recreation facilities owned and operated by the Association including beach access points and tennis courts. The most significant coastal feature is the shoreline which is a highly modified escarpment, almost a developed shorefront facing nearshore waters of Long Island Sound. The beachfront property where work is proposed would be more accurately classified as an escarpment and stone armor rocky shorefront protecting a recently restored pre-1995 home homesite. The most significant features are the rocky beach and views of the Long Island Sound from the higher terrain. This is a single-family home lot in a residential neighborhood in Black Point. All site work in including landscaping is complete. The house and amenities (pool, gardens, etc.) have been occupied for ten years by Mr. Stone and his family.**
5. Indicate the area of the project site: 2.4 acres acres or square feet (circle one)
6. Check the appropriate box below to indicate whether the project or activity will disturb 5 acres or more total acres of land area (please also see Part II.B. regarding proposed stormwater best management practices):
  - Project or activity will disturb 5 or more total acres of land area on the site and may be eligible for registration for the Department of Environmental Protection's (DEP) General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities
  - Project or activity will not disturb 5 or more total acres of land area

**Part II.A. Description of Proposed Project or Activity**

Describe the proposed project or activity including its purpose and related activities such as site clearing, grading, demolition, and other site preparations; percentage of increase or decrease in impervious cover over existing conditions resulting from the project; phasing, timing and method of proposed construction; and new uses and changes from existing uses (attach additional pages if necessary):

This proposed project is to construct a 14FT x 35+/-LF steel pile supported platform with rails and low wattage, downcast deck lighting, construct a 6FT wide x 8+/-LF pile and concrete pedestal supported walkway with rails and deck lighting. Construct a 4FT wide x 5+/-LF wood stairs with rails and tread lighting also construct a 6FT wide x 8+/-LF concrete pedestal supported wood landing with rails and deck lighting on a stone revetment at the southern tip of Black Point. Adjacent to Long Island Sound and landward of the High Tide line and CT Coastal Jurisdiction.

This project is for the specific purpose of passive waterfront enjoyment. There will be no excavation and ground disturbance will be minimal and consist of rearranging stone on an existing stone covered escarpment to allow for pile driving and deck anchorage the only impervious cover are the concrete pedestals for the landing for access stairway; everything else is pervious construction materials. The stone escarpment hosts no vegetation and there are no wildlife resources. The only animals seen on the escarpment are rodents and birds; access to the rock beach would be treacherous for larger animals. No adverse impacts are foreseen with this development most of which will be below the elevation of the lawn and barely visible to any one except the two immediate neighbors. No mitigative measures appear to be required.

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**Part II.B.: Description of Proposed Stormwater Best Management Practices**

Describe the stormwater best management practices that will be utilized to ensure that the volume of runoff generated by the first inch of rainfall is retained on-site, especially if the site or stormwater discharge is adjacent to tidal wetlands. If runoff cannot be retained on site, describe the site limitations that prevent such retention and identify how stormwater will be treated before it is discharged from the site.

Also demonstrate that the loading of total suspended solids from the site will be reduced by 80 percent on an average annual basis, and that post-development stormwater runoff rates and volumes will not exceed pre-development runoff rates and volumes (attach additional pages if necessary):

There is no aspect of this project which might affect or induce any changes to existing drainage patterns or storm water management. The deck system will not change the existing free fall pattern of rainfall on the armored escarpment and the stable shoreline armor stone will not be destabilized by the proposed scope of work. Any rainfall which is currently absorbed by the escarpment ground and the remainder of the property will continue to be so absorbed. There is no requirement to retain or detain rainfall runoff due to this project and there will be no changes to runoff patterns as a result of the deck or stair support system. No drainage improvements for this project are required and no storm water management features or provisions are necessary.

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### Part III: Identification of Applicable Coastal Resources and Coastal Resource Policies

Identify the coastal resources and associated policies that apply to the project by placing a check mark in the appropriate box(es) in the following table.

<b>Coastal resources</b>	<b>On-site</b>	<b>Adjacent</b>	<b>Off-site but within the influence of project</b>	<b>Not Applicable</b>
General coastal resources* - Definition: CGS Section 22a-93(7); Policy: CGS Section 22a-92(a)(2)	X	X		
Beaches & Dunes – Definition: CGS Section 22a-93(7)(C); Policy: CGS Sections 22a-92(b)(2)(C) and 22a-92(c)(1)(K)	X	X		
Bluffs & Escarpments – Definition: CGS Section 22a-93(7)(A); Policy: CGS Section 22a-92(b)(2)(A)	X	X		
Coastal Hazard Area – Definition: CGS Section 22a-93(7)(H); Policy: CGS Sections 22a-92(a)(2), 22a-92(a)(5), 22a-92(b)(2)(F), 22a-92(b)(2)(J), and 22a-92(c)(2)(B)	X	X		
Coastal Waters, Estuarine Embayments, Nearshore Waters, Offshore Waters – Definition: CGS Sections 22a-93(5), 22a-93(7)(G), and 22a-93(7)(K), and 22a-93(7)(L) respectively; Policies: CGS Sections 22a-92(a)(2) and 22a-92(c)(2)(A)	X	X		
Developed Shorefront – Definition: CGS Section 22a-93(7)(I); Policy: 22a-92(b)(2)(G)				X
Freshwater Wetlands and Watercourses – Definition: CGS Section 22a-93(7)(F); Policy: CGS Section 22a-92(a)(2)				X
Intertidal Flats – Definition: CGS Section 22a-93(7)(D); Policies: 22a-92(b)(2)(D) and 22a-92(c)(1)(K)				X
Islands – Definition: CGS Section 22a-93(7)(J); Policy: CGS Section 22a-92(b)(2)(H)				X
Rocky Shorefront – Definition: CGS Section 22a-93(7)(B); Policy: CGS Section 22a-92(b)(2)(B)	X	X		
Shellfish Concentration Areas – Definition: Section 22a-93(7)(N); Policy: CGS Section 22a-92(c)(1)(I)		X	X	
Shorelands – Definition: CGS Section 22a-93(7)(M); Policy: CGS Section 22a-92(b)(2)(I)				X
Tidal Wetlands – Definition: CGS Section 22a-93(7)(E); Policies: CGD Sections 22a-92(a)(2), 22a-92(b)(2)(E), and 22a-92(c)(1)(B)				X

\* General Coastal Resource policy is applicable to all proposed activities

#### Part IV: Consistency with Applicable Coastal Resource Policies and Standards

Describe the location and condition of the coastal resources identified in Part III above and explain how the proposed project or activity is consistent with all of the applicable coastal resource policies and standards; also see adverse impacts assessment in Part VII.A below (attach additional pages if necessary):

**The Coastal Resources identified in Part III above including General Resources, Beaches and Dunes, Coastal Hazard Area, Coastal Waters (Nearshore Waters), and Bluffs/Escarpments. The shoreline sediments at the base of the escarpment are a rock covered beach with boulders over gravel, sand and stone. This is a highly stressed environment. There has been no observed tidal wetland or dune vegetation along the shoreline. The addition of new pile supported deck and stair will not change the character of the shore nor will it change the nature of the shoreline or habitat or coastal waters as it has existed for 80 years. There will be no pollution, dilution of salinity or change of water temperature and no adverse environmental impacts to the Public Trust Lands or Waters of the State as a result of this project; the project is entirely upland of Public Trust Land of the State, on private property of the applicant.**

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

- General Development\* - CGS Sections 22a-92(a)(1), 22a-92(a)(2), and 22a-92(a)(9)
- Water-Dependent Uses\*\* - CGS Sections 22a-92(a)(3) and 22a-92(b)(1)(A);  
Definition CGS Section 22a-93(16)
- Ports and Harbors – CGS Section 22a-92(b)(1)(C)
- Coastal Structures and Filling – CGS Section 22a-92(b)(1)(D)
- Dredging and Navigation – CGS Sections 22a-92(c)(1)(C) and 22a-92(c)(1)(D)
- Boating – CGS Section 22a-92(b)(1)(G)
- Fisheries – CGS Section 22a-92(c)(1)(I)
- Coastal Recreation and Access – CGS Sections 22a-92(a)(6), 22a-92(c)(1)(J) and 22a-92(c)(1)(K)
- Sewer and Water Lines – CGS Section 22a-92(b)(1)(B)
- Fuel, Chemicals and Hazardous Materials – CGS Sections 22a-92(b)(1)(C), 22a-(b)(1)(E), and 22a-92(c)(1)(A)
- Transportation – CGS Sections 22a-92(b)(1)(F), 22a-92(c)(1)(F), 22a-92(c)(1)(G), and 22a-92(c)(1)(H)
- Solid Waste – CGS Section 22a-92(a)(2)
- Dams, Dikes and reservoirs – CGS Section 22a-92(a)(2)
- Cultural Resources – CGS Section 22a-92(b)(1)(J)
- Open Space and Agricultural Lands – CGS Section 22a-92(a)(2)



**Part VI: Consistency with Applicable Coastal Use Policies and Standards**

Explain 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 (attach additional pages if necessary): **This project is consistent with DEEP Coastal Use Policies. The land use is residential, as dictated by the Black Point Zoning. The armored shoreline has existed at this site immediately after the Hurricane of 1938 possibly before June 24, 1939, well before 1980, before CAM related zoning was adopted by the Town, and the project site lies landward of the DEEP statutory jurisdiction in the project area. This passive recreation and enjoyment structure will be visible only from the two adjacent shorefront homes and from the water, with no adverse impact.**

**Part VII.A.: 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.

Potential Adverse Impacts on Coastal Resources	Applicable	Not Applicable
Degrading tidal wetlands, beaches and dunes, rocky shorefronts, and bluffs and escarpments through significant alteration of their natural characteristics or functions – CGS Section 22a-93(15)(H)		<b>X</b>
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)		<b>X</b>
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 – CGS Section 22a-93(15)(B)		<b>X</b>
Degrading natural or existing drainage patterns through the significant alteration of groundwater flow and recharge and volume of runoff – CGS Section 22a-93(15)(D)		<b>X</b>
Degrading natural erosion patterns through the significant alteration of littoral transport of sediments in terms of deposition or source reduction – CGS Section 22a-93(15)(C)		<b>X</b>
Degrading visual quality through significant alteration of the natural features of vistas and view points – CGS Section 22a-93(15)(F)		<b>X</b>
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 – CGD Section 22a-93(15)(A)		<b>X</b>
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 – CGS Section 22a-93(15)(G)		<b>X</b>

**Part VII.B.: Identification of Potential Adverse Impacts on Water-dependent Uses**

Please complete the following two sections **only if the project or activity is proposed at a waterfront site**:

1. 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.

Potential Adverse Impacts on Future Water-dependent Development Opportunities and Activities	Applicable	Not Applicable
Locating a non-water-dependent use at a site physically suited for or planned for location of a water-dependent use – CGS Section 22a-93(17)		<b>x</b>
Replacing an existing water-dependent use with a non-water-dependent use – CGS Section 22a-93(17)		<b>x</b>
Siting a non-water-dependent use which would substantially reduce or inhibit existing public access to marine or tidal waters – CGS Section 22a-93(17)		<b>x</b>

Describe 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.):

**The DEEP does not regard residential properties as a “water dependent use” per se, however, this part of Black Point is zoned for residential use and the site is, in fact, residential property; zoning is thus satisfied. Land use planning is a priority of the Coastal Management Act and Old Black Point is zoned residential. This is a residential site and the pre-1980 house was compliant with zoning, as is the current restored home, and thus the CMA requirements of complying with land use planning are also met. Zoning would not be easily changed in the Old Black Point area and any effort to do so would certainly be met with substantial local resistance. The project is consistent with the Coastal Management Act. Public access will not be affected at all by this project. This project is to be built on private property, clear of Public Trust Land of the State, and it will not adversely affect public use of Public Trust Lands or Waters of the State. There are public access right of ways along Black Point, but not at this site, and this project will not impact any of the ROWs in any way. There is no need for public parking, signage or public access accessories. If a legitimate, higher priority water dependent use of this property were to arise, the proposed deck facility would not create a significant impediment to such development and could be removed if necessary.**

**Part VIII: Mitigation of Potential Impacts**

Explain how all potential adverse impacts on coastal resources and/or future water-dependent development opportunities and activities identified in Part VII have been avoided, eliminated, or minimized (attach additional pages if necessary)

There are no known or foreseeable adverse environmental impact associated with this project. There are no tidal wetlands or submerged aquatic vegetation or State listed species in the project area, in fact there is no vegetation on the armored escarpment or beach. Zoning has determined that this area is to be residential and any change to zoning would, no doubt, meet with substantial resistance if the end result was to create a high priority water dependent use. Nonetheless, if a higher priority use for the land and waterfront were to require this site, the proposed deck would not constitute a hinderance to such use or uses The DEEP's NDDB staff has reviewed the project areas and determined, in NDDB Determination No. 202111112 dated October 28, 2021 that there are no rare, threatened or endangered State listed species of plants or animals which might be adversely affected by this project; the same stie characteristics exist on this stie and there will likewise be no adverse impacts on the environment

**Part IX: Remaining Adverse Impacts**

Explain why any remaining impacts resulting from the proposed activity or use have not been mitigated and why the project as proposed is consistent with the Connecticut Coastal Management Act (attach additional pages if necessary):

There are no adverse impacts associated with this project. The project is small, it will not be unsightly, it will make excellent passive recreational use and enjoyment use of otherwise inaccessible and unusable land on private property and will be barely visible from only two adjacent properties other than from the waters of Long Island Sound. In the case of passing boats 500 feet offshore (or more) this small deck will barely be noticeable especially by comparison with the vista of the homes along the coast. This deck proposal is an allowable accessory use in the residential development, consistent with zoning and has no adverse environmental or visual impact which require mitigation. This project is consistent with land and use requirements for zoning and thus is consistent with provisions and requirements of the Coastal Management Act.

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**PROJECT NARRATIVE & SUPPLEMENTAL INFORMATION  
WILLIAM STONE  
297 OLD BLACK POINT ROAD, NIAN TIC, TOWN OF EAST LYME  
NEW PLATFORM, STIARS AND LANDING  
COASTAL SITE PLAN**

**OCTOBER 2021**

**GENERAL – SITE CHARACTERISTICS**

The Stone property is located at 297 Old Black Point Road. The lot is on the southeasterly side of Black Point and is comprised of more than acres with a single-family residential dwelling landscaped including mostly lawn and various small trees and shrubbery along the north east and south west property lines.

The shoreline face of the property is a coastal escarpment facing south-easterly onto Long Island Sound which was modified with stone and boulder cover, a built-in revetment built in 1939 and enhanced thereafter. Adjacent sections of the shore are armored by seawalls and revetment of various sizes and configurations. Much of the stone in the armor revetment is and must be greater than 3-FT nominal diameter to remain stable in this exposure. There are no unprotected properties along this stretch of shoreline. Sections of stone armor had to be enhanced with new revetment facing as a result of Hurricane “Sandy”.

It is the intention of this project to install a pile supported deck for passive recreational enjoyment of the shore in the midst of the shoreline protection stonework. Drawings have been prepared to delineate the areas of the project details of construction and depict the nature of the property and resources. A similar deck was built next door (Mr. VJ Dowling, #295) and a photos of his deck is attached for perspective; there will be no dock at this site.

This narrative is provided to describe the scope of the work and address issues raised in the Municipal Coastal Site Plan Review form required for the Coastal Site Plan. In summary, there are no significant adverse environmental impacts created by the proposed deck improvements and no mitigative measures are considered necessary to lessen any possible adverse environmental impacts.

**APPLICATION CONTENT**

This application has been prepared to demonstrate compliance with the Town of East Lyme Zoning regulations, and in particular the Coastal Area Management section of the regulations and includes necessary and appropriate attachments and a scaled site plan which depicts the existing property conditions and the proposed driven pile support system and access stairway along the shoreline to accommodate this deck project.

- There is a project location map in the upper and upper right-hand corner of the drawing.
- The existing conditions of the site were obtained through a topographic survey and accurately reflect the armored bluff as well as the lawn and landscaping adjacent to the house.

- The coastal resources at the site - include the following:

Modified Coastal Bluff/Escarpment

Coastal Hazard Area.

Nearshore Waters

- The high tide line and Connecticut coastal jurisdiction line are depicted on the survey, as are 1-foot contours based on NAVD 88 vertical datum.
- There are no soil erosion and sedimentation controls required on this project. The structure will be supported by driven piles and concrete pedestals pinned to large boulders or spanning between large boulders. The framing will be welded steel.
- There is no proposed regrading of the site and thus no need for grade changes or regrading of the lawn in order to accommodate drainage features of the site. All stormwater absorptions and runoff will remain as it is now and has been for decades.
- The adjacent properties are all residential, single-family homes on acreages and the owners of those properties are listed on the drawings as required by the regulations.

#### **COASTAL RESOURCE IMPACTS SUMMARY**

The characteristics of the soil, Canton and Charlton according to the New London County Soil Survey, are described as gently sloping, well-drained soil. Permeability of the soil is moderately rapid in the surface layer and subsoil and rapid in the substratum. The available water absorption capacity is moderate. Runoff is medium generally, however, with the lush, flat lawn characteristics of the site, runoff would seem to be negligible. This soil warms up and dries out rapidly in the spring. Most areas of this soil type are cleared and used for home related lawn landscaping or they are idle. Other areas are used for community infrastructure or exist as woodlands or beaches. This soil is well suited to cultivated crops and landscaping. The hazard of erosion is moderate except along the shore where it is severe and, accordingly, there is complete escarpment cover by stone. Minimum tillage and the use of cover vegetation helps to control erosion of the ground's level turfed top surface of the escarpment.

The site of this project is an armored slope, an eroding coastal escarpment which has been covered since the Hurricane of '38 with large stone to reduce its susceptibility to erosion during coastal storms. There is no vegetation or wildlife habitat on the slope or the beach. The proposed deck represents an accessory for a residential dwelling, as shoreline improvement which will not have significant or longterm adverse impact on any coastal resources. This project will involve driving a dozen or possibly half that number of steel support piles at the toe of the revetment slope and casting concrete support pedestals or beams on select, large, stable armor stone for shoreside deck support. Neither the deck and stair support points or any anchorage points will change the character or nature of the shorefront nor will the supports usurp or impede resource quality or the quantity of habitat along the shorefront including wildlife habitat. This project is clear of the intertidal zone and will not adversely affect the benthic community or wildlife habitat along the shoreline of Black Point. The armored nature of the shore is consistent with the existing features of the east side of Black Point in this area. The armored shoreline has been previously authorized to repair damage caused by Hurricane Sandy, and the character of the shoreline will not change.

## **IDENTIFICATION OF POTENTIAL ADVERSE IMPACTS ON COASTAL RESOURCES.**

In view of the resources and use issues addressed in the Coastal Site Plan application, the following general information is offered:

The proposed project will not de-grade or adversely impact tidal wetlands, beaches or rocky shorefront characteristics along Black Point at this site or as they may exist nearby. The proposed shoreline access improvements will not increase or change coastal flooding characteristics of Niantic Bay or Long Island Sound. The flooding nature of the Bay and Sound is generated by storm-induced characteristics such as low atmospheric pressure in during higher tides and adverse southeasterly winds which tend to inhibit the ebbing tide cycle through "the Race" or Fishers Island Sound or accelerate the flooding cycle when coastal storms pass south of Montauk Point. The flood levels in Niantic Bay and Long Island Sound build without regard of the coastal shoreline features of this site and this project will not in any way change the characteristics of flooding in Niantic Bay or Long Island Sound.

Neither the existing armored shore or proposed deck will adversely affect water flow and circulation patterns since the patterns of tidal exchange are seaward of the project. The project involves no grade change work on the upland and the drainage patterns will also not change. The lawn will still pitch slightly toward the water so there will be no alteration to the ground water flow and recharge characteristics of Black Point.

This project will be built into existing shoreline armoring and will not change natural erosion patterns or adversely affect littoral transport of sediments on this site and there will be no reflection of waves toward nearby properties. It should be noted that the waters in front of this site become relatively deep and littoral sediment transport occurs in higher energy surf zone predominately close to shore except that the exposure is so energetic that most of the sand has been washed out to sea leaving the beach of rocks which have dropped down to the beach as the escarpment eroded. Because of the rocky nature of the shoreline sediments and significant wave action, the primary support must be with piles, and steel piles at that; this project will not change this rocky shoreline characteristic. In view of the rocky nature of the beach, with significant stone at and on the surface in the intertidal area, longshore littoral sediment transport in this area is well offshore except in high energy storms with onshore winds. This scenario is uncommon and depositional characteristics tend to have only temporary benefits before the sand is washed back out.

Several options have been considered during the design development of this project. The armor stone is the least intrusive, most compatible manner of protection considering the length and height of nearby seawall structures and the immediate proximity to neighboring shoreline protection structures. The proposed deck will not diminish the armored shoreline characteristics or any natural habitat or feature. While this project requires driven steel piles for the deck support, there will be minimal disruption of the existing stone. There is no other suitable, less environmentally impacting approach known for shoreline protection that could be implemented in this case in view of the proximity of the house and elevation difference between the yard and the shoreline and this rock armor will retain its integrity. This project meets the criteria stipulated in the Coastal Management Act.

There will be little change to the visual quality of Black Point as a result of this project. Natural views from shore and offshore vistas will not be adversely affected because this site is right at the southeast corner of the point and barely visible to either neighbor; The deck and rail are at and below the level of the lawn. The predominant vistas from lawn grade on the adjacent properties are from

shoreline looking out onto waters of Long Island Sound, Niantic Bay and Fishers Island beyond to the east, not looking at this site. The proposed shoreline improvements will only really be visible from the neighbor's properties when standing at the property lines.

Water quality will not be in any way affected by this project. The project is above the intertidal zone and is open pile and welded steel from construction, exceptionally strong.

### SUMMARY

This project will not damage or significantly alter nearshore essential wildlife habitat or finfish and shellfish habitat in the shallow subtidal and nearshore waters of the State. There are no State-listed rare or endangered species at this site or nearby next door to the west at the Dowling home or two houses to the northeast at Banever's, both of which went through DEEP permitting and their NDDB Determinations are an attachment to this application for general information immediately adjacent to this site.

The composition of the shoreline is not of high habitat value according to the New London County Soil Survey and it is not being changed. The deck will be pile supported and so the area of the contract will be limited to the piles, approximately 15SF and concrete pedestals on boulders, maybe a hundred square feet. The shoreline is currently rocky and will remain so after the project is complete. There are no special breeding habitats or natural species population characteristics in this area and alterations to the shoreline are not significant and will not change the general, natural characteristics of the shoreline habitat.

This project has been designed specifically to be compliant with requirements of the zoning regulations to preserve conserve soil and vegetation and afford citizens the ability to preserve and enjoy their property and will do so without adversely affecting the environment or usurping the public's rights of access to and enjoyment of the resources of Niantic Bay and Long Island Sound. The project is an open, pile supported deck consistent with FEMA's "no obstruction" criteria and was designed specifically with that intent on those bases, approval is requested.

Respectfully submitted,  
Docko, Inc.

A handwritten signature in blue ink, appearing to read "Keith B. Neilson".

Keith B. Neilson, P.E.

**MR. WILLIAM STONE**  
**297 OLD BLACK POINT RD, NIAN TIC, TOWN OF EAST LYME**  
**COASTAL SITE PLAN, COASTAL EROSION PERMIT/ZONING PERMIT**  
**APRIL 2022**

**ATTACHMENTS**

**FEMA FIRM PANEL NO. 09011C0487J**

**CT DEEP NDDB AREAS MAP**

**CT DEEP SHELLFISH CONCENTRATION MAP**

**US FWS NATIONAL WETLANDS INVENTORY MAP**

**USGS TOPOGRAPHIC MAP**

**NEW LONDON SOIL SURVEY**

**NDDB DETERMINATION**

**SITE PHOTOGRAPHS**



# National Flood Hazard Layer FIRMette

72°12'34"W 41°17'27"N



## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

**SPECIAL FLOOD HAZARD AREAS**

- Without Base Flood Elevation (BFE) Zone AE, V, A99
- With BFE or Depth Zone AE, AQ, AH, VE, AR
- Regulatory Floodway

**OTHER AREAS OF FLOOD HAZARD**

- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee. See Notes. Zone X
- Area with Flood Risk due to Levee Zone D

**OTHER AREAS**

- Area of Minimal Flood Hazard Zone Z
- Effective LOMRMs
- Area of Undetermined Flood Hazard Zone Z

**GENERAL STRUCTURES**

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

**OTHER FEATURES**

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

**MAP PANELS**

- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 4/25/2023 at 4:53 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.




72°11'57"W 41°17'N  
Basemap: USGS National Map - Orthoimagery. Data refreshed October 2020

# Natural Diversity Data Base Areas

EAST LYME, CT

December 2021

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

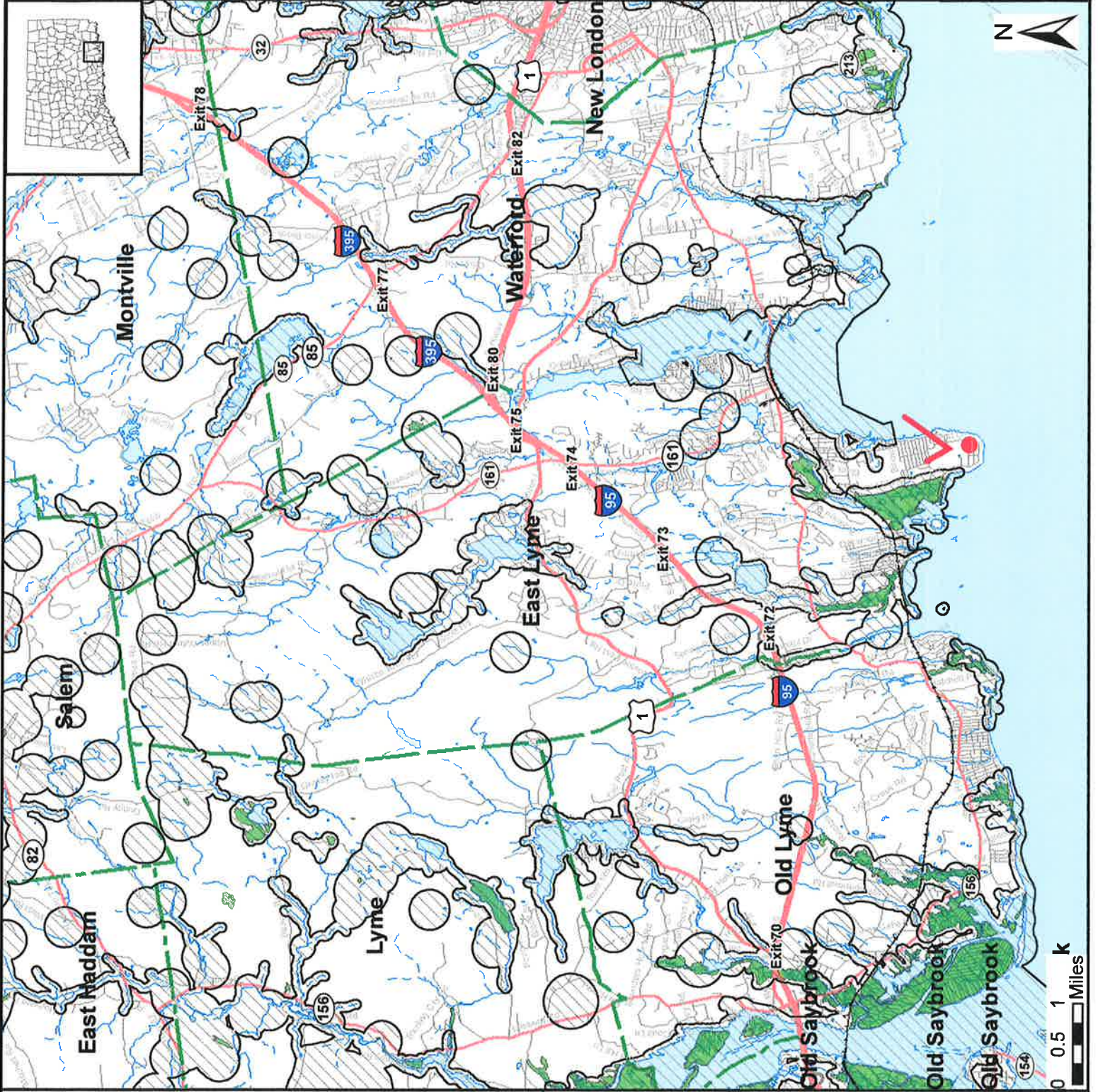
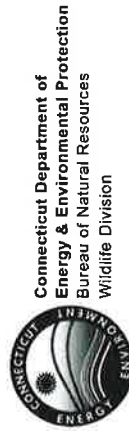
NOTE: This map shows general locations of State and Federal Listed Species and Critical Habitats. Information on listed species is collected and compiled by the Natural Diversity Data Base (NDDDB) from a variety of data sources. Exact locations of species have been buffered to produce the generalized 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, complete a Request for Natural Diversity Data Base State Listed Species Review form (DEP-APP-007), and submit it to the NDDDB along with the required maps and information. More detailed instructions are provided with the request form on our website.

[www.ct.gov/deep/nddbrequest](http://www.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 NDDDB Areas.

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



CT Department of Agriculture / Bureau of Aquaculture  
 Shellfish Area Classification and Beds  
 Old Saybrook to Waterford



Scale 1:50,000

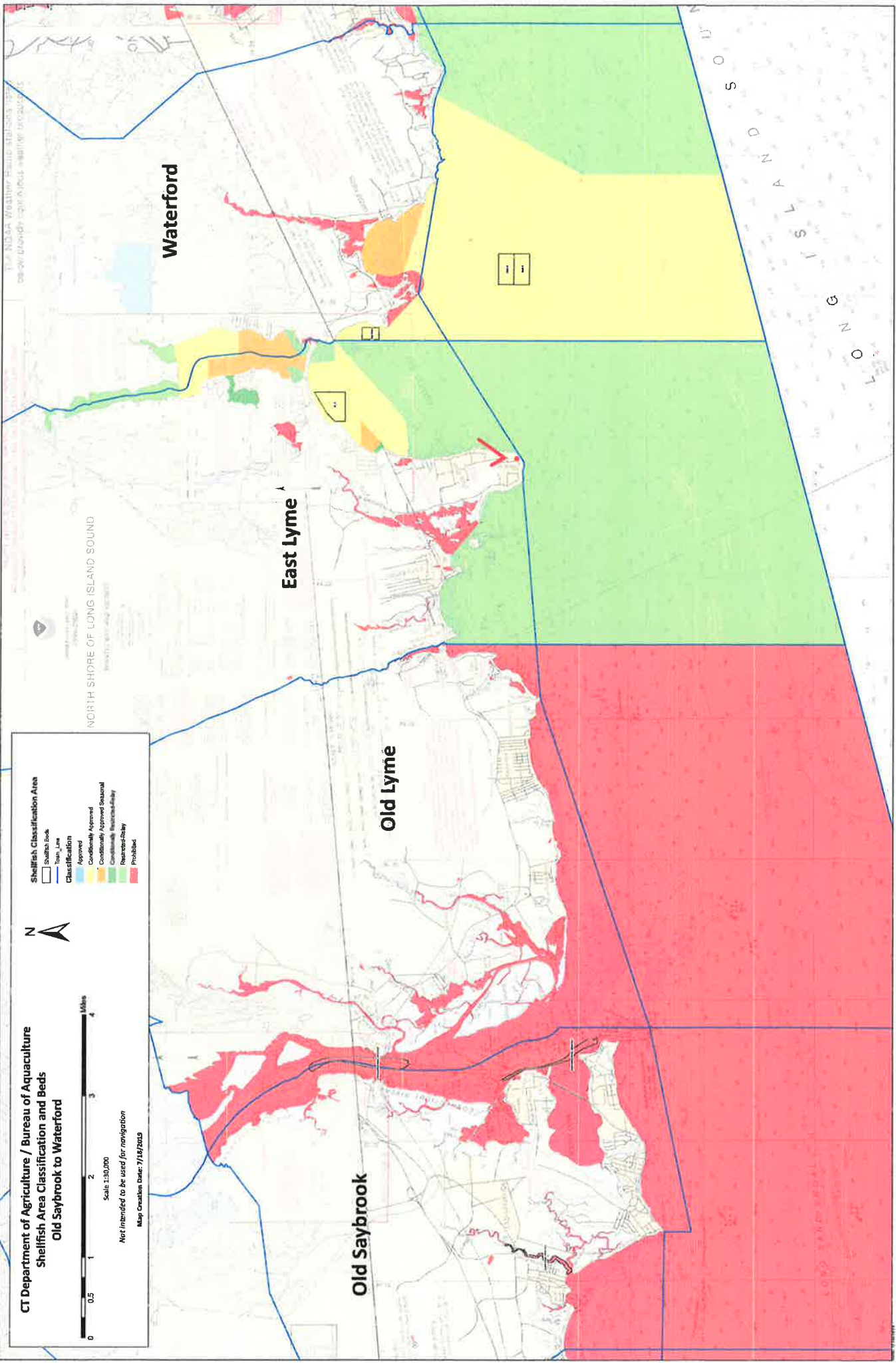
Not intended to be used for navigation

Map Creation Date: 7/18/2013



**Shellfish Classification Area**

Subsistence	Blue
Shell Line	Black
<b>Classification</b>	
Approved	Green
Conditionally Approved	Yellow
Conditionally Approved Seasonal	Orange
Continuously Restricted-Bed	Red
Restricted-Bed	Dark Red
Prohibit	Black



Waterford

East Lyme

Old Lyme

Old Saybrook

LONG ISLAND SOUND

NORTH SHORE OF LONG ISLAND SOUND



U.S. Fish and Wildlife Service

# National Wetlands Inventory

## 297 Old Black Point Rd



April 25, 2022

### Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.



U.S. DEPARTMENT OF THE INTERIOR  
U.S. GEOLOGICAL SURVEY

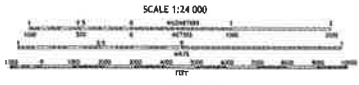


NIANTIC QUADRANGLE  
CONNECTICUT - NEW YORK  
7.5-MINUTE SERIES



Produced by the United States Geological Survey  
North American Datum of 1983 (NAD83)  
Horizontal datum of 1983 (NAD83). Resolutions are  
1:50,000 for the original topographic map, and 1:25,000  
for the digital elevation model. The map was  
generated for this data. Please refer to the  
metadata for more information. Other general terms  
apply to the data.

Project: Niantic, July 2014, November 2014  
Map: Niantic, U.S. Census Bureau, 2014  
Metadata: National Geographic, 2014  
Copyright: National Geographic Society, 2014  
Metadata: National Geographic Society, 2014  
Metadata: National Geographic Society, 2014



ROAD CLASSIFICATION

Primary	Local Connector
Secondary	Loop Road
Arts	RD
Homeless	US Route
	State Route

1	2	3
4	5	6
7	8	9

USGS Digital Data

NIANTIC, CT, NY  
2011



Soil Map—State of Connecticut  
(297 Black Point Rd)








































Map Scale: 1:12,600 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84



## MAP LEGEND

 Area of Interest (AOI)	 Spoil Area
 Soils	 Stony Spot
 Soil Map Unit Polygons	 Very Stony Spot
 Soil Map Unit Lines	 Wet Spot
 Soil Map Unit Points	 Other
<b>Special Point Features</b>	 Special Line Features
 Blowout	<b>Water Features</b>
 Borrow Pit	 Streams and Canals
 Clay Spot	<b>Transportation</b>
 Closed Depression	 Rails
 Gravel Pit	 Interstate Highways
 Gravelly Spot	 US Routes
 Landfill	 Major Roads
 Lava Flow	 Local Roads
 Marsh or swamp	<b>Background</b>
 Mine or Quarry	 Aerial Photography
 Miscellaneous Water	
 Perennial Water	
 Rock Outcrop	
 Saline Spot	
 Sandy Spot	
 Severely Eroded Spot	
 Sinkhole	
 Slide or Slip	
 Sodic Spot	

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: State of Connecticut  
Survey Area Data: Version 21, Sep 7, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Mar 28, 2011—Mar 27, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
3	Ridgebury, Leicester, and Whitman soils, 0 to 8 percent slopes, extremely stony	19.2	2.4%
29A	Agawam fine sandy loam, 0 to 3 percent slopes	9.2	1.1%
29B	Agawam fine sandy loam, 3 to 8 percent slopes	16.9	2.1%
45A	Woodbridge fine sandy loam, 0 to 3 percent slopes	25.7	3.1%
46B	Woodbridge fine sandy loam, 0 to 8 percent slopes, very stony	30.9	3.8%
50B	Sutton fine sandy loam, 3 to 8 percent slopes	17.1	2.1%
60B	Canton and Charlton fine sandy loams, 3 to 8 percent slopes	12.5	1.5%
84B	Paxton and Montauk fine sandy loams, 3 to 8 percent slopes	41.9	5.1%
97	Pawcatuck mucky peat, 0 to 2 percent slopes, very frequently flooded	4.8	0.6%
313	Beaches, sand	4.1	0.5%
601	Hooksan sand, 3 to 8 percent slopes	7.6	0.9%
643	Beaches, boulders-Hooksan-Urban land complex, 0 to 8 percent slopes	11.7	1.4%
812	Napatree gravelly sand, 0 to 3 meter water depth, extremely bouldery	6.9	0.8%
813	Napatree gravelly sand, 0 to 5 meter water depth, extremely bouldery	4.7	0.6%
W	Water	602.1	73.8%
<b>Totals for Area of Interest</b>		<b>815.6</b>	<b>100.0%</b>





79 Elm Street • Hartford, CT 06106-5127

[www.ct.gov/deep](http://www.ct.gov/deep)

Affirmative Action/Equal Opportunity Employer

October 28, 2021

Keith Neilson PE  
Docko Inc  
PO Box 421  
Mystic CT 06355  
[office@docko.com](mailto:office@docko.com)

Project: New Deck, Stone Property, 297 Old Black Point Rd, Niantic, CT  
NDDDB Determination No.: 202111112

Dear Mr. Neilson,

I have reviewed Natural Diversity Database (NDDDB) maps and files regarding the area of work provided for the proposed construction of a new deck at 297 Old Black Point Road in Niantic, Connecticut. I do not anticipate negative impacts to State-listed species (RCSA Sec. 26-306) resulting from your proposed activity at the site based upon the information contained within the NDDDB. The result of this review does not preclude the possibility that listed species may be encountered on site and that additional action may be necessary to remain in compliance with certain state permits. This determination is good for two years. Please re-submit a new NDDDB Request for Review if the scope of work changes or if work has not begun on this project by October 28, 2023.

Natural Diversity Data Base information includes all information regarding critical biological resources 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, cooperating units of DEEP, landowners, private conservation groups and the scientific community. This information is not necessarily the result of comprehensive or site-specific field investigations. Consultations with the NDDDB should not be substitutes for on-site surveys necessary for a thorough environmental impact assessment. 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 as it becomes available.

Please contact me if you have further questions at (860) 424-3378, or [karen.zyko@ct.gov](mailto:karen.zyko@ct.gov) . Thank you for consulting the Natural Diversity Database.

Sincerely,

A handwritten signature in blue ink, appearing to read "Karen Zyko".

Karen Zyko  
Environmental Analyst



**Site at High Tide**



**Similar Deck on Neighboring Property**



Connecticut Department of  
 Energy & Environmental Protection  
 Bureau of Natural Resources  
 Wildlife Division

CPPU USE ONLY	
App #:	_____
Doc #:	_____
Check #:	No fee required
Program:	Natural Diversity Database Endangered Species
Hardcopy	_____ Electronic _____

## Request for Natural Diversity Data Base (NDDDB) State Listed Species Review

Please complete this form in accordance with the instructions (DEEP-INST-007) to ensure proper handling of your request.

**There are no fees associated with NDDDB Reviews.**

### Part I: Preliminary Screening & Request Type

<p>Before submitting this request, you must review the most current Natural Diversity Data Base "State and Federal Listed Species and Significant Natural Communities Maps" found on the <u>DEEP website</u>. These maps are updated twice a year, usually in June and December.</p> <p>Does your site, including all affected areas, fall in an NDDDB Area according to the map instructions:  <input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No    Enter the date of the map reviewed for pre-screening: <u>June 2021</u></p>	
<p>This form is being submitted for a :</p>	
<input checked="" type="checkbox"/> <b>New NDDDB request</b> <input type="checkbox"/> <b>Renewal/Extension of a NDDDB Request, <i>without modifications and within two years of issued NDDDB determination</i></b> (no attachments required)  <small>[CPPU Use Only - NDDDB-Listed Species Determination # 1736]</small>	<input type="checkbox"/> <b>New <b>Safe Harbor Determination</b></b> (optional) must be associated with an application for a GP for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities  <input type="checkbox"/> <b>Renewal/Extension of an existing Safe Harbor Determination</b> <input type="checkbox"/> With modifications <input type="checkbox"/> Without modifications (no attachments required)  <small>[CPPU Use Only - NDDDB-Safe Harbor Determination # 1736]</small>
Enter NDDDB Determination Number for Renewal/Extension:	Enter Safe Harbor Determination Number for Renewal/Extension:

## Part II: Requester Information

*\*If the requester is a corporation, limited liability company, limited partnership, limited liability partnership, or a statutory trust, it must be registered with the Secretary of State. If applicable, the name shall be stated **exactly** as it is registered with the Secretary of State. Please note, for those entities registered with the Secretary of State, the registered name will be the name used by DEEP. This information can be accessed at the Secretary of the State's database CONCORD. ([www.concord-sots.ct.gov/CONCORD/index.jsp](http://www.concord-sots.ct.gov/CONCORD/index.jsp))*

*If the requester is an individual, provide the legal name (include suffix) in the following format: First Name; Middle Initial; Last Name; Suffix (Jr, Sr., II, III, etc.).*

*If there are any changes or corrections to your company/facility or individual mailing or billing address or contact information, please complete and submit the Request to Change company/Individual Information to the address indicated on the form.*

### 1. Requester\*

Company Name: **Docko, Inc.**

Contact Name: **Keith B. Neilson, P.E.**

Address: **P.O. Box 421**

City/Town: **Mystic**

State: **CT**

Zip Code: **06355**

Business Phone: **860-572-8939**

ext.

\*\*E-mail: **office@docko.com**

\*\*By providing this email address you are agreeing to receive official correspondence from the department, at this electronic address, concerning this request. Please remember to check your security settings to be sure you can receive emails from "ct.gov" addresses. Also, please notify the department if your e-mail address changes

a) Requester can best be described as:

Individual       Federal Agency       State agency       Municipality       Tribal

\*business entity (\* if a business entity complete i through iii):

i) Check type  corporation       limited liability company       limited partnership

limited liability partnership       statutory trust       Other:

ii) Provide Secretary of the State Business ID #: \_\_\_\_\_ This information can be accessed at the

Secretary of the State's database (CONCORD). ([www.concord-sots.ct.gov/CONCORD/index.jsp](http://www.concord-sots.ct.gov/CONCORD/index.jsp))

iii)  Check here if your business is **NOT** registered with the Secretary of State's office.

b) Acting as (Affiliation), pick one:

Property owner       Consultant       Engineer       Facility owner       Applicant

Biologist       Pesticide Applicator       Other representative:

### 2. List Primary Contact to receive Natural Diversity Data Base correspondence and inquiries, if different from requester.

Company Name:

Contact Person:

Title:

Mailing Address:

City/Town:

State:

Zip Code:

Business Phone:

ext.

\*\*E-mail:

### Part III: Site Information

This request can only be completed for one site. A separate request must be filed for each additional site.

#### 1. SITE NAME AND LOCATION

Site Name or Project Name: **Stone Property**

Town(s): **Niantic, Town of East Lyme**

Street Address or Location Description:  
**297 Old Black Point Road**

Size in acres, or site dimensions: **2.35 Acres**

Latitude and longitude of the center of the site in decimal degrees (e.g., 41.23456 -71.68574):

Latitude: **41° 17' 13.45" N**

Longitude: **72° 12' 15.07" W**

Method of coordinate determination (check one):

GPS     Photo interpolation using CTECO map viewer     Other (specify): **Google Earth**

2a. Describe the current land use and land cover of the site.

**The site is classified as residential. The site is a stone armored bluff fronting on Long Island Sound. The bluff face is covered with stone of 3 foot to 6 foot diameter. The beach is covered with stone of 1 foot to 6 foot diameter.**

b. Check all that apply and enter the size in acres or % of area in the space after each checked category.

<input type="checkbox"/> Industrial/Commercial _____	<input checked="" type="checkbox"/> Residential <u>90%</u>	<input type="checkbox"/> Forest _____
<input type="checkbox"/> Wetland _____	<input type="checkbox"/> Field/grassland _____	<input type="checkbox"/> Agricultural _____
<input type="checkbox"/> Water _____	<input type="checkbox"/> Utility Right-of-way _____	
<input type="checkbox"/> Transportation Right-of-way _____	<input type="checkbox"/> Other (specify): <b>10% armored bluff</b>	

### Part IV: Project Information

#### 1. PROJECT TYPE:

Choose Project Type: Dock/Pier, Seawall, Bulkhead construction/Maint. , If other describe: **New Deck**

2. Is the subject activity limited to the maintenance, repair, or improvement of an existing structure within the existing footprint?     Yes     No    If yes, explain.

**Construct a new pile supported deck on the existing stone beach and revetment armored bank landward of the High Tide Line and Coastal Jurisdiction line.**

**Part IV: Project Information (continued)**

3. Give a detailed description of the activity which is the subject of this request and describe the methods and equipment that will be used. Include a description of steps that will be taken to minimize impacts to any known listed species.

**Mr. Stone would like to construct a deck for passive recreational enjoyment of the water's edge at the toe of the bluff which is otherwise inaccessible because of the armor stone cover on the face of the bluff. The work will be to construct a 14 foot wide by 35 foot long steel pile and steel frame supported wood deck with safety railing and access stairway from the top of the bluff. All work will be on dry land above a rocky beach landward of the Coastal Jurisdiction line and the High Tide Line. Piles will be driven into the stone foreshore and revetment, or pinned to rocks of adequate size in the revetment. Concrete columns or pedestals can also be set on large boulders to provide support for the deck.**

4. If this is a renewal or extension of an existing Safe Harbor request *with* modifications, explain what about the project has changed.

**This project is not a Safe Harbor Request.**

5. Provide a contact for questions about the project details if different from Part II primary contact.

Name:

Phone:

E-mail:

## Part V: Request Requirements and Associated Application Types

Check *one* box from either Group 1, Group 2 or Group 3, indicating the appropriate category for this request.

Group 1. If you check one of these boxes, complete Parts I – VII of this form and submit the required attachments A and B.

- Preliminary screening was negative but an NDDB review is still requested
- Request regards a municipally regulated or unregulated activity (no state permit/certificate needed)
- Request regards a preliminary site assessment or project feasibility study
- Request relates to land acquisition or protection
- Request is associated with a *renewal* of an existing permit, with no modifications

Group 2. If you check one of these boxes, complete Parts I – VII of this form and submit required attachments A, B, and C.

- Request is associated with a *new* state or federal permit application
- Request is associated with modification of an existing permit
- Request is associated with a permit enforcement action
- Request regards site management or planning, requiring detailed species recommendations
- Request regards a state funded project, state agency activity, or CEPA request

**Group 3.** If you are requesting a **Safe Harbor Determination**, complete Parts I-VII and submit required attachments A, B, and D. Safe Harbor determinations can only be requested if you are applying for a GP for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities

If you are filing this request as part of a state or federal permit application(s) enter the application information below.

Permitting Agency and Application Name(s):

**Town of East Lyme Zoning Permit, Coastal Site Plan**

State DEEP Application Number(s), if known: \_\_\_\_\_

State DEEP Enforcement Action Number, if known: \_\_\_\_\_

State DEEP Permit Analyst(s)/Engineer(s), if known: \_\_\_\_\_

Is this request related to a previously submitted NDDB request?  Yes  No

If yes, provide the previous NDDB Determination Number(s), if known: \_\_\_\_\_

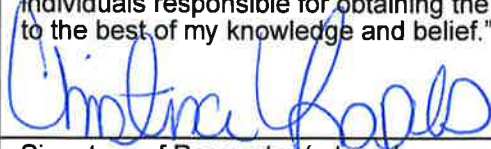

## Part VI: Supporting Documents

Check each attachment submitted as verification that *all* applicable attachments have been supplied with this request form. Label each attachment as indicated in this part (e.g., Attachment A, etc.) and be sure to include the requester's name, site name and the date. **Please note that Attachments A and B are required for all new requests and Safe Harbor renewals/extensions with modifications.** Renewals/Extensions with no modifications do not need to submit any attachments. Attachments C and D are supplied at the end of this form.

<input checked="" type="checkbox"/> Attachment A:	<b>Overview Map:</b> an 8 1/2" X 11" print/copy of the relevant portion of a USGS Topographic Quadrangle Map clearly indicating the exact location of the site.
<input checked="" type="checkbox"/> Attachment B:	<b>Detailed Site Map:</b> fine scaled map showing site boundary and area of work details on aerial imagery with relevant landmarks labeled. (Site and work boundaries in GIS [ESRI ArcView shapefile, in NAD83, State Plane, feet] format can be substituted for detailed maps, see instruction document)
<input type="checkbox"/> Attachment C:	<b>Supplemental Information, Group 2 requirement (attached, DEEP-APP-007C)</b> <input type="checkbox"/> Section i: Supplemental Site Information and supporting documents <input type="checkbox"/> Section ii: Supplemental Project Information and supporting documents
<input type="checkbox"/> Attachment D:	<b>Safe Harbor Report Requirements, Group 3 (attached, DEEP-APP-007D)</b>

## Part VII: Requester Certification

The requester *and* the individual(s) responsible for actually preparing the request must sign this part. A request will be considered incomplete unless all required signatures are provided.

<p>"I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that based on reasonable investigation, including my inquiry of the individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief."</p>	
 Signature of Requester (a typed name will substitute for a handwritten signature)	 Date
<b>Christina Lopes</b> Name of Requester (print or type)	<b>Project Administrator</b> Title (if applicable)
Signature of Preparer (if different than above)	Date
Name of Preparer (print or type)	Title (if applicable)

Note: Please submit the completed Request Form and all Supporting Documents to:

CENTRAL PERMIT PROCESSING UNIT  
 DEPARTMENT OF ENERGY & ENVIRONMENTAL PROTECTION  
 79 ELM STREET  
 HARTFORD, CT 06106-5127

Or email request to: [deep.nddbrequest@ct.gov](mailto:deep.nddbrequest@ct.gov)



# Attachment C: Supplemental Information, Group 2 requirement

## Section i: Supplemental Site Information

### 1. Existing Conditions

Describe all natural and man-made features including wetlands, watercourses, fish and wildlife habitat, floodplains and any existing structures potentially affected by the subject activity. Such features should be depicted and labeled on the site plan that must be submitted. Photographs of current site conditions may be helpful to reviewers.

**The coastal resource in this area are Long Island Sound, classified as near-shore waters at this site. The area is also dominated by rocks along the shoreline and is classified as Rocky Shorefront. There are no tidal wetlands on this site and no submerged aquatic vegetation colonies in the nearshore waters. The proposed dock site is landward of an active wave break zone and so only small amounts of coarse gravel exists in amongst the rocks on the stony beach.**

- Site Photographs (optional) attached**
- Site Plan/sketch of existing conditions attached**

### 2. Biological Surveys

Has a biologist visited the site and conducted a biological survey to determine the presence of any endangered, threatened or special concern species  Yes  No

If yes, complete the following questions and submit any reports of biological surveys, documentation of the biologist's qualifications, and any NDDB survey forms.

Biologist(s) name: \_\_\_\_\_

Habitat and/or species targeted by survey: \_\_\_\_\_

Dates when surveys were conducted: \_\_\_\_\_

- Reports of biological surveys attached**
- Documentation of biologist's qualifications attached**
- NDDB Survey forms for any listed species observations attached**

## Section ii: Supplemental Project Information

1. Provide a schedule for all phases of the project including the year, the month and/or season that the proposed activity will be initiated and the duration of the activity.

**It is anticipated that work will begin on the construction of the pier extension upon the receipt of the requested Town zoning permit, late fall 2021 or late spring 2022.**

2. Describe and quantify the proposed changes to existing conditions and describe any on-site or off-site impacts. In addition, provide an annotated site plan detailing the areas of impact and proposed changes to existing conditions.

**There are no known adverse impacts associated with this project. All work will be above the CJL/HTL and mounted to driven piles or rock mounted concrete pedestals. There will be no excavation.**

- Annotated Site Plan attached**

## Attachment D: Safe Harbor Report Requirements

Submit a report, as Attachment D, that synthesizes and analyzes the information listed below. Those providing synthesis and analysis need appropriate qualifications and experience. A request for a safe harbor determination shall include:

- 1. Habitat Description and Map(s), including GIS mapping overlays, of a scale appropriate for the site, identifying:**
  - wetlands, including wetland cover types;
  - plant community types;
  - topography;
  - soils;
  - bedrock geology;
  - floodplains, if any;
  - land use history; and
  - water quality classifications/criteria.
- 2. Photographs** - The report should include photographs of the site taken from the ground and also all reasonably available aerial or satellite photographs and an analysis of such photographs.
- 3. Inspection** - A visual inspection(s) of the site should be conducted, preferably when the ground is visible, and described in the report. This inspection can be helpful in confirming or further evaluating the items noted above.
- 4. Biological Surveys** - The report should include all biological surveys of the site where construction activity will take place that are reasonably available to a registrant. A registrant shall notify the Department's Wildlife Division of biological studies of the site where construction activity will take place that a registrant is aware of but are not reasonably available to the registrant.
- 5. Based on items #1 through 4 above, the report shall include a Natural Resources Inventory of the site of the construction activity.** This inventory should also include a review of reasonably available scientific literature and any recommendations for minimizing adverse impacts from the proposed construction activity on listed species or their associated habitat.
- 6. In addition, to the extent the following is available at the time a safe harbor determination is requested, a request for a safe harbor determination shall include and assess:**
  - Information on Site Disturbance Estimates/Site Alteration information
  - Vehicular Use
  - Construction Activity Phasing Schedules, if any; and
  - Alteration of Drainage Patterns



CT Department of Agriculture / Bureau of Aquaculture  
Shellfish Area Classification and Beds  
Old Saybrook to Waterford



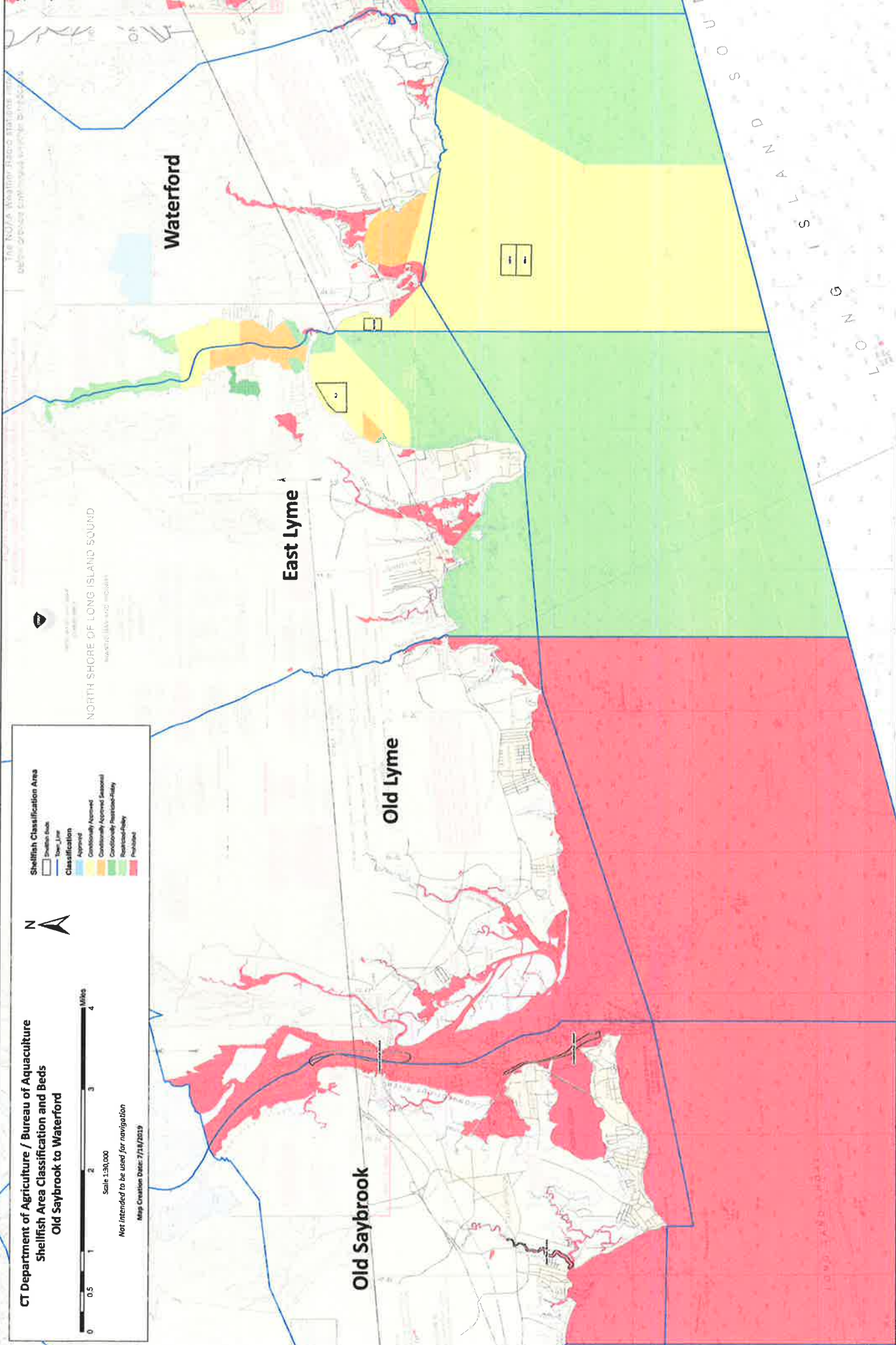
Scale 1:50,000

Not intended to be used for navigation

Map Creation Date: 7/15/2019



- Shellfish Classification Area**
- Shellfish Beds
  - Shellfish Area
- Classification**
- Approved
  - Conditionally Approved
  - Conditionally Approved Seasonal
  - Conditionally Restricted-Pollution
  - Restricted-Pollution
  - Prohibited



Waterford

East Lyme

Old Lyme

Old Saybrook

LONG ISLAND SOUND



Tigre & Bond

**297 OLD BLACK PT RD**

10/22/2021 9:51:45

1"=300'

**Property Information**

<b>Parcel ID</b>	02.4 11
<b>Address</b>	297 OLD BLACK PT RD
<b>Sale Price</b>	1350000




The information depicted on this map is for planning purposes only. It is not adequate for legal boundary definition, regulatory interpretation, or parcel-level analyses.



# Stone Property

## Legend

 297 Old Black Point Rd



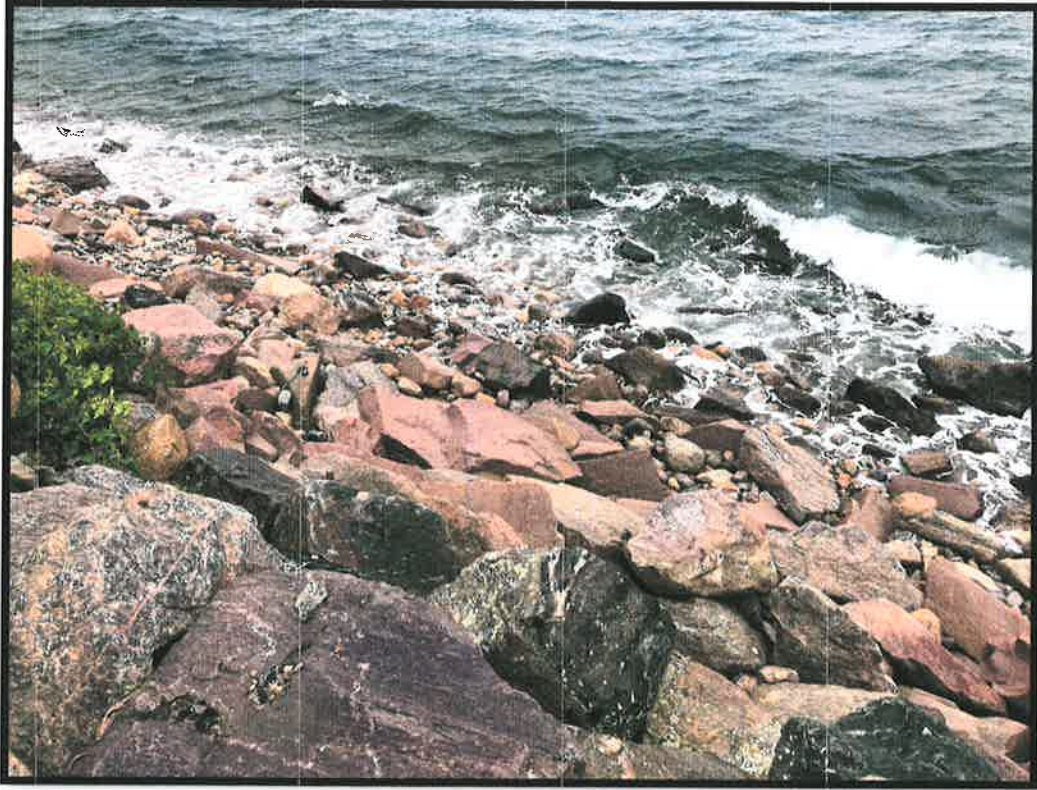
Old Black Point Rd

297 Old Black Point Rd

Google Earth

300 ft





**Site at High Tide**



**Similar Deck on Neighboring Property**