

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. Three (3) complete sets of full size plans are required, and one (1) 11" x 17" set of plans.

Section I: Application Identification

Applicant: <u>Old Black Point Association, Inc.</u>	Date: <u>3/12/24</u>
Address: <u>PO Box 260 Niantic</u>	Phone: _____
Project Address or Location: <u>201 Old Black Point Road</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>Joe Wren, PE</u>	
Address: <u>40 Elm Street, 2nd Floor</u>	
City/Town: <u>Old Saybrook</u>	State: <u>CT</u> Zip Code: <u>06475</u>
Business Phone: <u>860-388-9343</u>	
e-mail: <u>jwren@indigo-land.com</u>	

Section II: Project Site Plans

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:

- Project location
- Existing and proposed conditions, including buildings and grading
- Coastal resources on and contiguous to the site
- 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) (CJL)
- Soil erosion and sediment controls
- Storm water treatment practices
- Ownership and type of use on adjacent properties
- Reference datum (i.e. National Geodetic Vertical Datum, Mean Sea Level, etc.) **NAVD - 88**

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 Application
- Special Permit or Special Exception
- Variance
- Municipal Project (CGS Section 8-24)

Part I: Site Information

1. Street Address or Geographical Description:
201 Old Black Point Road
Town of East Lyme

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 current and long-standing use of the subject property is a private beach club for the Old Black Point Association. Presently, there is a paved driveway and parking area, 4 buildings, and a wooden deck structure with beach cabanas, play areas, septic system, swim pier, and associated improvements. The property consists of sandy beach, wooded upland areas, inland and tidal wetlands and is within FEMA VE13 and AE13 flood zones. The site is zoned residential RU40/20.

5. Indicate the area of the project site: 17.25 ac +/- 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 project entails the demolition of the existing beach cabanas and decking and reconstructing the structure to conform to current FEMA regulations and modern construction and accessibility standards along with other associated improvements as depicted on the site plan. The access driveway is proposed to be raised a maximum of one foot to reduce daily flooding – due to this approximately 100 cubic yards of fill will be needed within the footprint of the existing driveway. There are inland and tidal wetlands on the site as shown on the plan. No activity within in any wetland is proposed. A portion of existing excess pavement is proposed to be removed and planted as a buffer to the adjacent tidal wetland. A new code-compliant septic system will be installed. The duration of the construction will likely be about 3 to 4 months and begin in September 2024.

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):

The proposed decking will be raised about 8 feet off the ground in conformance with FEMA regulations and local flood ordinances. Precipitation will drain through the floor boards to the sand below. Approximately 1,700 s.f. of existing pavement is proposed to be removed within 25' of tidal wetlands and the area planted with native planting (see plan). With this reduction of pavement and raising the deck to meet FEMA codes, the overall site will be more permeable to promote infiltration to the sandy soil thereby reducing runoff and enhancing water quality. Additionally, the existing older septic system will be replaced with a new health code compliant system to further enhance groundwater quality.

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.

Coastal resources	On-site	Adjacent	Off-site but within the influence of project	Not Applicable
General coastal resources* - Definition: CGS Section 22a-93(7); Policy: CGS Section 22a-92(a)(2)	✓			
Beaches & Dunes – Definition: CGS Section 22a-93(7)(C); Policy: CGS Sections 22a-92(b)(2)(C) and 22a-92(c)(1)(K)	✓			
Bluffs & Escarpments – Definition: CGS Section 22a-93(7)(A); Policy: CGS Section 22a-92(b)(2)(A)				✓
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)	✓			
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)	✓			
Developed Shorefront – Definition: CGS Section 22a-93(7)(I); Policy: 22a-92(b)(2)(G)				✓
Freshwater Wetlands and Watercourses – Definition: CGS Section 22a-93(7)(F); Policy: CGS Section 22a-92(a)(2)	✓			
Intertidal Flats – Definition: CGS Section 22a-93(7)(D); Policies: 22a-92(b)(2)(D) and 22a-92(c)(1)(K)				✓
Islands – Definition: CGS Section 22a-93(7)(J); Policy: CGS Section 22a-92(b)(2)(H)				✓
Rocky Shorefront – Definition: CGS Section 22a-93(7)(B); Policy: CGS Section 22a-92(b)(2)(B)				✓
Shellfish Concentration Areas – Definition: Section 22a-93(7)(N); Policy: CGS Section 22a-92(c)(1)(I)			✓	
Shorelands – Definition: CGS Section 22a-93(7)(M); Policy: CGS Section 22a-92(b)(2)(I)				✓
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)	✓			

* 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):

As mentioned above and as shown on the plan, there are inland and tidal wetlands, sandy beach, wooded areas, and FEMA flood zones on site. Proper e&s controls are proposed and will be implemented during construction. The proposed project is an overall benefit to adjacent coastal resources since impervious area is reduced and the new structure will be built to FEMA standards and local flood ordinances.

Part V: Identification of Applicable Coastal Use and Activity Policies and Standards

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)

* General Development policies are applicable to all proposed activities

** Water-Dependent Use policies are applicable to all activities proposed at waterfront sites, including those with tidal wetlands frontage.

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): _____

As mentioned above and as shown on the plan, proper e&s controls are proposed and will be implemented during construction. The proposed project is an overall benefit to adjacent coastal resources since impervious area is reduced and the new structure will be built to FEMA standards and local flood ordinances. _____

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)		X
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)		X
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)		X
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)		X
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)		X
Degrading visual quality through significant alteration of the natural features of vistas and view points – CGS Section 22a-93(15)(F)		X
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)		X
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)		X

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)		X
Replacing an existing water-dependent use with a non-water-dependent use – CGS Section 22a-93(17)		X
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)		X

2. Identification of existing and/or proposed Water-dependent Uses

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 long-standing use of the subject property is a private beach club for the Old Black Point Association and will remain. The beach cabanas are not themselves water dependent but of course water proximity dependent. This is a private beach club for residents and is not open to the public. There are no existing or proposed public accessways over the property. The land adjacent to the west is Nature Conservancy.

* If there are no water-dependent use components, describe how the project site is not appropriate for the development of a water-dependent use.

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)

As mentioned above and as shown on the plan, any impacts to coastal resources have been eliminated or minimized by implementing proper e&s controls during construction, reducing impervious areas on site, and the construction new structure in conformance with FEMA standards and local flood ordinances.



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):

No known remaining adverse impacts.

The undersigned hereby applies for approval of the foregoing Permit and declares that the statements contained in this application and in all documents and/or drawings submitted as part of same are, to the best of his/her knowledge and belief, true and accurate as presented.

Further, as owner, the undersigned covenants and grants hereby permission to the East Lyme Zoning Commission and its authorized representatives to enter upon the property for purposes of inspection and enforcement of the Zoning Regulations of the Town of East Lyme and of the provisions of this permit prior to, during, and after completion of the operation applied for and/or approved. This agreement shall be binding on the heirs, executors, administrators, assigns, and successors of the undersigned.

Applicant:		Robert Ferreira	Date: 3-11-24
	Signature	Print Name	
Preparer:		Joe Wren, PE	Date: 3-11-24
	Signature	Print Name	
Owner:	Same as applicant		Date: _____
	Signature	Print Name	