

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. 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>The Roderick Cornish Revocable Trust</u>	Date:	<u>07.01.25</u>
Address:	<u>185 Main St. #301 Niantic, CT. 06357</u>	Phone:	<u>860.287.2524</u>
Project Address or Location:	<u>49 Brainard Road</u>		
Interest in Property:	☒ fee simple ☐ option ☐ Lessee ☐ easement ☐ other (specify) _____		
List primary contact for correspondence if other than applicant:			
Name:	<u>John Paul Mereen, LLS</u>		
Address:	<u>P.O. Box 565</u>		
City/Town:	<u>East Lyme</u>	State:	<u>CT.</u> Zip Code: <u>06333</u>
Business Phone:	<u>860.442.2201</u>		
e-mail:	<u>jp@gervickmereen.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) ☒ 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.)
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Section III: Written Project InformationTown of East Lyme
Land Use

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 Exception
- ☐ Variance
- ☐ Municipal Project (CGS Section 8-24)

Part I: Site Information

1. Street Address or Geographical Description: _____
49 Brainard Road

City or Town: East Lyme, CT.
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:
Pattagansett River, Niles Creek
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:
Existing single family house, barn garage and cell tower. Zone R-40

5. Indicate the area of the project site: Creation of a 1.6 ac. additional lot 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):

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 loadings 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):

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)	X	X	X	X
Beaches & Dunes - Definition: CGS Section 22a-93(7)(C); Policies: CGS Sections 22a-92-(b)(2)(C) and 22a-92(c)(1)(K)				X
Bluffs & Escarpments - Definition: CGS Section 22a-93(7)(A); Policy: CGS Section 22a-92(b)(2)(A)				X
Coastal Hazard Area - Definition: CGS Section 22a-93(7)(H); Policies: 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
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
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
Shellfish Concentration Areas - Definition: CGS Section 22a-93(7)(N); Policy: CGS Section 22a-92(c)(1)(I)				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: CGS 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):

SEE ATTACHED

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-92(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):

SEE ATTACHED

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 - CGS 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.):

N/A

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

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):

SEE ATTACHED

[illegible]

C.A.M. APPLICATION
The Roderick M. Cornish Revocable Trust
49 Brainard Road.
East Lyme, CT.

II. A. Description of Proposed Activity

The proposed project consists of creating a 1.6 acre +- single family house lot out of a 52.8+- parcel.

The proposed structure will be stick built. Grading for the structure will be minimal.

Construction is anticipated to begin in the fall of 2025 or later.

II. B. Description of Proposed Stormwater Best Management Practices

Silt fence will be placed down gradient from disturbed area.

Part III. See application

Part IV. Consistency with Applicable Coastal Resource Policies and Standards

Briefly describe how the resources were checked whether on site adjacent or affected by the activity are consistent or inconsistent with coastal resource policies.

- **I- A General Resource**

Coastal resources are the coastal waters of the state and the adjacent shorelands. As this site lies within the C.A.M. zone, it is by definition a land resource. The basic intent of this section is to preserve and enhance coastal resources. This existing lot has accommodated residential structure since about 1890 (per Assessors records). The proposed new lot and house construction has a minimal impact on the coastal resources and is consistent with the policies of this section.

- **I – D Beaches and Dunes**

This lot is not part of the beach system.

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- I-H Coastal Hazard Area

Coastal hazard areas are those lands inundated during coastal storms or are subject to erosion during such events. As noted earlier, this lot is located within AE 12 & X Zone. The proposed house will not be located within a hazard zone.

- I-K Shorelands

Are those areas within the coastal zone which are comprised of typical upland features. The policy of this section is “to regulate shoreland use and development in a manner which minimizes adverse impacts upon adjacent coastal systems and resources.” This area has been a developed and the proposed modification to the site will not fundamentally change the character of the area.

- I-M Coastal Waters & Estuarine Embayments

The proposed new structure location will be approximately 625’ from LIS and will have no impact on the Sound and will not cause any pollution to, or have any significant impact on, the environment.

Part VI Consistency with Applicable Coastal Use Policies and Standards

**adjacent Briefly describe how the resources were checked, whether on site,
or affected by the activity are consistent or inconsistent with coastal
resource policies.**

General Development

C.A.M. APPLICATION
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49 Brainard Road.
East Lyme, CT.

Policies A and B of this section are aimed at insuring that development is in a consistent manner with the capabilities of the land and water resources without significantly disrupting the natural environment or sound economic growth. They additionally are intended to resolve conflicts between competing uses so as to give preference to uses that minimize adverse impacts. This section presupposes that some form of development will take place. This existing lot and proposed structure are consistent with the use of the property and area that has existed for at least the last 80 plus years. The placement of the proposed house will be consistent with the goals of this policy.

Part VII B. 2. Identification of Water dependent Uses

None Existing or Proposed.

Part VIII Mitigation of Potential Adverse Impacts

- **Degrading water quality:** The proposed house will be served by on-site water and on-site septic system. Runoff from the site will be effectively the same as what has historically run off from this site. This site plan will not have significant potential for degrading water quality. An engineer's nitrogen loading report is part of the overall application.
- **Degrading existing circulation patterns of coastal waters:** No activities are proposed that will alter the circulation patterns within the near shore waters of LIS.
- **Degrading natural erosion patterns:** There will be no fundamental change to the lot.
- **Degrading natural or existing drainage patterns:** No modification of any drainage patterns has been proposed within the site.

Increasing hazard of Coastal Flooding: The proposed structure is being will not increase the hazard of coastal flooding.

- **Degrading visual quality:** This policy section is intended to protect broad vistas and not private property views of nearby lots. This area is a large wooded

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area at the end of a dead-end road. There will be no degrading of visual quality.

- **Degrading or destroying essential wildlife, fin fish or shellfish habitat;**
There are no essential habitats for wildlife, finfish or shellfish on this site. Nor is the proposed structure significantly different from the existing site conditions. No habitats will be degraded or destroyed.
- **Degrading tidal wetlands, beaches and dunes, rocky shore fronts or bluffs and escarpments, through significant alteration of their natural characteristics or functions;**

There are no significant alterations of the natural characteristics of the above noted resources.

Part IX. Remaining Adverse Impacts

There are no additional adverse impacts that have not been addressed.