

**Town of Preston
COASTAL SITE PLAN APPLICATION
Coastal Site Plan**

Application # _____ Date Submitted _____ Amount Paid \$ _____ Check # _____

- ____ 1. Fee of \$110.00 (\$50.00 application fee - \$60.00 state fee)
- ____ 2. Copy of the property deed on file in the Town Clerk's Office.

ALL APPLICATIONS WILL REQUIRE A LEGAL NOTICE TO APPEAR IN THE PAPER AFTER THE COMMISSION TAKES ACTION. PLEASE NOTE THAT A PERMIT WILL NOT BE VALID UNTIL THE LEGAL NOTICE FEE IS PAID. THE AMOUNT OWED WILL BE NOTED IN YOUR ACTION LETTER FROM THE COMMISSION.

Name of applicant _____ Telephone _____

Address of Address of applicant _____

Cellphone _____ Email _____

Location and address of subject property _____

Owner of property _____ Telephone _____

Address of property Address of Property owner _____

Cellphone _____ Email _____

I. PLANS

A. Project Plan(s)

This application must be accompanied by a plan (or plans) of the entire project indicating 1) project location, 2) design of all existing and proposed buildings, structures and uses, 3) all proposed site improvements or alterations, and, 4) ownership and type of use on adjacent properties.

B. Coastal Resources

This application must be accompanied by a plan showing the location of all coastal resources (as defined in Section 22a-93(7) of Chapter 444 of the Connecticut General Statutes) on and contiguous to the site.

FOR TOWN USE:

Date of receipt _____ Date Commission Received _____

Time period(s) 1. _____ 2. _____ Request for extension _____

Public Hearing date _____ Date of Commission action _____ Date filed _____

Referral date _____ Sanitarian _____ 1st Selectman _____

IWC _____

Fire _____ Bldg. _____ PW _____ ZEO _____ Other _____

Required Statutory Reviews: SCOG _____ DEP _____ Towns (list) _____

II. WRITTEN INFORMATION (use additional sheets as necessary)

A. Description of the Proposed Project

Describe the entire project including types of buildings and structures, uses, methods, and timing of construction, type and extent of development adjacent to the site. This information should supplement and/or clarify plans in I. A. above.

B. Description of Coastal Resources

Identify the coastal resources on and contiguous to the site (as shown on the coastal resources map) and describe their condition. This information should supplement and/or clarify the plan in I.B. above.

C. Assessment of the Suitability of the Project for the proposed site and the Capability of the Resources to accommodate the Proposed Use.

(1) Identify any and all **coastal use policies** (in Section 22a-92(b)(1) of Chapter 444 of the Connecticut General Statutes) applicable to the proposed project.

(2) Identify any and all **coastal resource policies** (in Section 22a-92(b)(1) of Chapter 444 of the Connecticut General Statutes) applicable to the proposed project.

(3) Describe how the proposed project is consistent with all of the coastal policies identified in C (1) and (2) above (i.e. describe the extent to which the project complies or conflicts with each policy). Note: If a project conflicts with any policy, the project would be modified to reduce or eliminate the conflict.

D. Evaluation of the Potential Beneficial and Adverse Impacts of the Project and Description of Proposed Methods to Mitigate Adverse Effects.

(1) Identify and describe the potential adverse impacts (as defined in Section 22a-93(15) of Chapter 444 of the Connecticut General Statutes) and potential beneficial impacts of the coastal resources.

FOR WATERFRONT PROPERTY AND PARCELS WITHIN 100 FEET FROM A TIDAL WETLAND ONLY:

(3) Describe the impacts or effects (either positive or negative) that the project will have on future water dependent uses or development on and adjacent to this site as defined in Section 22a-93(17) of Chapter 444 of the Connecticut General Statutes.

(4) Describe the proposed measure to mitigate (reduce or eliminate) any adverse impacts on coastal resources described in D (1) and, if applicable, on future water dependent development opportunities described in D (3).

E. Demonstration of the Acceptability of Remaining or Unmitigated Adverse impacts on Coastal Resources and Future Water Dependent Uses and Development.

(1) Describe any adverse impacts that remain after employing all reasonable mitigation measures.

(2) Explain why these remaining adverse impacts were not mitigated.

(3) Explain why the commission reviewing this application should find these remaining adverse impacts to be acceptable.

III. SUPPORTING MATERIALS/DOCUMENTATION

The commission or board may request the submission of such additional information that it deems necessary in order to reach a decision on the application.

Include any additional information required by the commission and list any supplemental materials (plans, reports, etc.) that are being submitted in support of this application.

**Application signatures
and
Permission to access the site**

All owners of the property must sign the application, unless the property is owned by a corporation, in which case a corporate resolution authorizing the **signatory to execute any documents required** to be submitted with the application shall be attached to the application.

By signing this application permission is hereby granted by all owners of the property to file the attached application and authorizes Town of Preston representatives to enter onto the property at anytime during the application process or during construction of the project for inspections, and, if applicable, for other appropriate purposes, as outlined in the bond agreement.

Permits are **not transferable** unless the new property owner files all required permit transfer documents and/or applications, which are available from the Town Planner.

Applicant _____ Date _____

(Please print name)

Owner _____ Date _____

(Please print name)

Owner _____ Date _____

(Please print name)

Owner _____ Date _____

(Please print name)

Owner _____ Date _____

**Town of Preston, CT
Zoning Regulation**

SECTION 17 - COASTAL AREA MANAGEMENT

17.1 Purpose. The purpose of this section is to establish requirements and procedures that apply to the coastal area, as defined below, so that the impacts of proposed activities on both coastal resources and future water-dependent development activities are acceptable. The requirements of this section are authorized by Chapter 444 of the CGS.

17.2 Definition of Coastal Area. The coastal area is that area contained by the coastal boundary which shall be a continuous line delineated on the landward side by the interior contour elevation of the one hundred-year (100) frequency coastal flood zone, as defined and determined by the Federal Emergency Management Agency, or a one thousand foot (1,000') linear setback measured from the inland boundary of tidal wetlands mapped under the provisions of Section 22a-20 of the CGS, whichever is farthest inland. The water side of the coastal area shall be the Town boundary. A map showing the Coastal Area and Coastal Resources in Preston is enclosed and is a part of these Regulations.

17.3 Coastal Site Plan. Except where exempted under the provisions of Section 17.4 of these Regulations, in addition to meeting the other requirements of these Regulations, all applicants for zoning permits, special exceptions, or variances relating to uses proposed for location fully or partially within the coastal area shall submit a coastal site plan which shall accomplish the following:

- a. Show the location and spatial relationship of coastal resources on and contiguous to the site; Coastal resources shall be identified by a professional qualified to map the resource, as required by the Commission.
- b. Describe the entire project with appropriate plans, indicating project location, design, timing and methods of construction.
- c. An assessment of the capability of the resources to accommodate the proposed use.
- d. An assessment of the suitability of the project for the proposed site.
- e. An evaluation of the potential beneficial and adverse impacts of the project and a description of proposed methods to mitigate adverse effects on coastal resources.
- f. Any person submitting a coastal site plan shall demonstrate that the adverse impacts of the proposed activity are acceptable and shall demonstrate that such activity is consistent with the goals and policies in Section 22a-92 of the CGS.
- g. A site plan prepared to meet the special requirements of this section may also include information necessary to meet other site plan requirements of these Regulations.

17.4 Exemptions and non-exemption improvements within one hundred feet (100' of a tidal wetland or coastal water). The following are exempt from the coastal site plan review requirements as they relate to Permitted Uses, Special Exceptions and Variances unless the property is located within one hundred feet (100') of tidal wetlands or coastal waters.

- a. Minor additions to or modification of existing buildings or detached accessory buildings, such as garages and utility sheds.
- b. Construction of new or modification of existing structures incidental to the enjoyment and maintenance of residential property including, but not limited to, walks, terraces, driveways, swimming pools, tennis courts, docks, and detached accessory buildings.
- c. Construction of new or modification of existing on-premises structures, including fences, walls, pedestrian walks and terraces, underground utility connections, essential electric, gas, telephone, water and sewer service lines, signs and such other minor structures as will not substantially alter the natural character of coastal resources or restrict access along coastal waters.
- d. Construction of an individual single-family residential structure.
- e. Activities conducted for the specific purpose of preserving soil, vegetation, water, fish, shellfish, wildlife and other coastal land and water resources.

17.4.1 All zoning permit uses not exempt because improvements are within one hundred feet (100') of tidal wetlands or coastal waters) shall be subject to coastal site plan approval by the Commission; however, if a variance is required such approval shall be obtained by the ZBA.

17.5 Other Exemptions not subject to Commission or ZBA approval whether or not the work is within one hundred feet (100') of a tidal wetland or coastal waters.

- a. Interior modifications to buildings.
- b. Minor changes in use of a building, structure, or property.
- c. Gardening, grazing, and the harvesting of crops.

17.6 Permitted Uses. All uses listed as being permitted By Right in a particular zoning district are permitted in the coastal area as well, provided they meet the additional requirements of this section.

17.7 Special Exceptions. All Special Exception uses listed in the particular zoning district are permitted in the coastal area of that district as well, provided they meet the additional Special Exception requirements of this section and Section 18.

17.8 Additional Coastal Area Special Exception Uses. In addition to other uses allowed by Special Exception in parts of zoning districts located within the coastal area, the following uses are permitted by Special Exception throughout the coastal area, regardless of the zoning district classification;

- a. Boat liveries providing rental of small sail boats (eighteen feet (18') or less in length), rowboats and canoes. No motor boat or motor boat rentals, sales, or services are allowed in Residential Districts.
- b. Boat launching facilities.
- c. Fishing bait and tackle shops.
- d. Water-dependent uses acceptable to the Commission that do not impact the character of an adjacent residential district.

17.9 Coastal Site Plan Review. In addition to any other applicable site plan review criteria prescribed by these Regulations, a coastal site plan required under this section shall be reviewed and may be modified, conditioned or denied in accordance with the procedures and criteria listed in this section of these Regulations.

- a. The Commission may, at its discretion, hold a public hearing on any coastal site plan submitted for review.
- b. In determining the acceptability of potential adverse impacts of the proposed activity described in the coastal site plan on both the coastal resources and the future water-dependent opportunities, the Commission shall: (a) consider the characteristics of the site, including the location and condition of any coastal resources defined in Section 22a-93 of the CGS. (b) consider the potential effects, both beneficial and adverse, of the proposed activity on coastal resources and future water-dependent development opportunities; and (c) follow all applicable goals and policies stated in Section 22a-92 of the CGS and identify any conflicts between the proposed activity and any goal or policy.
- c. When approving, modifying, conditioning or denying a coastal site plan on the basis of the criteria herein prescribed, the Commission shall state in writing the findings and reasons for its action and shall send a copy of any decision by certified mail to the person who submitted such plan within fifteen (15) days after such decision is rendered.
- d. In approving any activity proposed in a coastal site plan, the Commission shall make a written finding that the proposed activity with any conditions or required modification (a) is consistent with all applicable goals and policies in Section 22a-92 of the General Statutes; and (b) incorporate as conditions or modifications all reasonable measures which would mitigate the adverse impacts of the proposed activity on both coastal resources and future water-dependent development activities.

17.10 Time Limitations. Whenever the approval of the coastal site plan is the only requirement to be met or remaining to be met under these Regulations for a proposed building use or structure, a decision on an application shall be rendered within sixty-five (65) days after receipt of such plan. The applicant may consent to one or more extensions of such period, provided the total period of any such extension or extensions shall not exceed two (2) sixty-five (65) day periods, or may withdraw such a plan. The review of any coastal site plan shall not be deemed complete and valid unless the Commission has rendered a final decision thereon. If the Commission fails to render a decision

within the time period prescribed above in this paragraph, the coastal site plan shall be deemed rejected.

17.11 Bond. As a condition to a coastal site plan approval, the Commission may require a bond or other surety or financial security arrangement to secure compliance with any modifications, conditions, or other terms stated in its approval of the plan.

17.12 Violations. Any activity within the defined coastal area not exempt from coastal site plan review pursuant to Section 17.4 and 17.5 above, which occurs without having received a lawful approval from the Commission under all of the applicable procedures and criteria prescribed by these Regulations or which violates the terms and conditions of such approval, shall be deemed a public nuisance and appropriate legal remedies will be taken by the Commission for abatement of such nuisance.