



BOROUGH OF FENWICK
PLANNING & ZONING COMMISSION

***2007 AMENDMENT TO THE
PLAN OF CONSERVATION & DEVELOPMENT***

ADOPTED 09/27/2007

Legal Requirements:

Section 8-23 of the Connecticut General Statutes requires each local planning commission to prepare, adopt, and amend a plan of conservation and development for its municipality, showing the commission's recommendations for the most desirable land use and density within its jurisdiction. The Statutes require a planning commission to review its plan at least once every ten (10) years, and to adopt such amendments to the plan as the commission deems necessary to update the plan.

The Planning Commission of the Borough of Fenwick adopted a Plan of Development in September 1985, which was amended in 1996. This 2007 Amendment has strengthened the existing Borough Plan, taking into consideration those issues which must be addressed within Connecticut General Statutes 8-23.

Background:

The Borough of Fenwick, which encompasses approximately 235 acres, is located on the west bank of the Connecticut River, where the River enters Long Island Sound. This unique location is characterized by fresh water and tidal wetlands, beaches, woodlands, shorefront flora and fauna, open lawns, and the sweeping green expanses of the Fenwick Golf Course, which provides wide views and vistas of the River, Long Island Sound, and South Cove, from many locations within the Borough of Fenwick. Roads are narrow and uncurbed, including several which are unpaved. Older shingle styled family cottages and some more recent homes are clustered around the edges of the golf course. The special historic character of the Borough of Fenwick has been recognized through its inclusion on the National Register of Historic Places.

The Borough of Fenwick was founded as a summer residential community in 1871, and incorporated by Special Act 271 in 1899. This Plan recognizes the land use standards set forth in the incorporating Act and its subsequent amendments, as a guide to future Borough development. In 1946, the Borough established a Zoning Commission, which has evolved into the present Planning and Zoning Commission. Substantial revisions to the Zoning Regulations were adopted in 1992, and later amended in 2006. The Zoning Regulations establish a single residence A District for the entire Borough. Within the Residence A District, the principal permitted uses are single family residences and community recreational uses, reflecting the historic development pattern of the Borough. The Borough has been in a state of transition from a seasonal recreational community to a year round place of residence for many of its property owners. Care must be taken to assure that this transition does not have an adverse impact on the Borough's physical beauty or result in a loss of the strong sense of community identity that has characterized the Borough of Fenwick since its founding.

Relationship to Other Plans:

Connecticut General Statutes Section 8-23 requires local plans to take into account the State of Connecticut Plan of Conservation and Development as well as any regional Plan of Conservation & Development. The 1998 - 2003 Conservation and Development Policies Plan for Connecticut, clearly indicates the *overall Plan strategy is to reinforce and conserve existing urban areas, to promote staged, appropriate, sustainable development, and to preserve areas of significant environmental value.* Projects occurring within or adjacent to Preservation Areas should incorporate site planning, architectural, or design restrictions and the use of development restrictions, buffers or fencing appropriate to protect and manage the area and to prevent subsequent pressure for additional development or uncontrolled access. The 1992-1997 State of Connecticut Plan of Conservation and Development (Plan), identified Fenwick as a "conservation area" based on its historic and scenic character. Within Fenwick, the 1998-2003 Conservation and Development Plan further identifies natural resource areas which are designated for preservation because of their significant statewide value. Both the State and Regional policies governing conservation and preservation areas encourage long term preservation which will not detract from the appreciation of historic and cultural values, and which will not introduce visual, audible or other elements significantly out of character with the area. The Borough of Fenwick Plan of Conservation & Development provides for reasonable

consideration for both protection as well as restoration of the ecosystem and habitat of Long Island Sound, and is designed to reduce hypoxia, pathogens, toxic contaminants and floatable debris in Long Island Sound.

Fenwick is located wholly within the Town of Old Saybrook. Although the Borough of Fenwick regulates land use independently from the Town, Borough land uses are complementary to those in the Town. The Old Saybrook 1990 Plan of Development showed Fenwick as reserved open space and medium density residential development on its future Land Use Map, recognizing the special historic and scenic character of the Borough, and this is also referred to within the 2003 Plan. This Plan of Conservation and Development for the Borough of Fenwick recognizes that the unique location and natural and cultural resources of Fenwick limit the range of development that is appropriate within the boundaries of Fenwick. This Plan also acknowledges the important function that Old Saybrook land use plays for the residents of the Borough of Fenwick, providing shopping, services, entertainment and additional housing opportunities.

Plan, Goals, and Policies:

As required by Section 8-23 of the Connecticut General Statutes, the amended Borough of Fenwick Plan of Conservation and Development is a statement of policies, goals and standards for the physical and economic development of Fenwick, as follows:

- 1. Goal: Retain the scenic and historic open character of the Borough, which provides generous views of the Connecticut River, South Cove, and Long Island Sound, for its residents and visitors, maintaining the area's historic link to the waters that surround it.***

Do not allow additional development within the Borough which would diminish the Borough's existing open areas, or which would block existing views and vistas of the Connecticut River, South Cove, and Long Island Sound. Through Zoning Regulations, seek to maintain the existing mix of uses, including open spaces, space for community activities, and single family cottages. Through the use of conservation easements and any other appropriate mechanism, to preserve the man-made open areas and unique natural resources features that characterize the Borough.

- 2. Goal: Provide recreational and community facilities for residents and visitors to Fenwick, recognizing and reinforcing the original development of Fenwick as a family summer resort community. Foster activities and facilities which help create a sense of community within Fenwick.***

Retain and maintain existing community facilities, including the golf course, tennis courts, beach, pier, Fenwick Yacht Club, and St. Mary's by-the-sea Chapel, for residential family use. Maintain and repair existing facilities, including Borough roadways, only to the extent necessary to avoid deterioration. Avoid expansion of facilities or excessive improvements that conflict with the historic rural and recreational character of the Borough. Discourage widening, paving, curbing, lighting, installation of unnecessary storm drainage, which otherwise would alter Borough roadways beyond their current limits, other than what may be required for traffic or safety considerations. Continue to not only protect, but also preserve and enhance the eco-environment, including the designated dunes and marsh areas; also encourage conservation and over-sight of the waters surrounding the Borough of Fenwick, which fall under the jurisdiction of the Planning and Zoning Commission through the Coastal Site Plan Review process. Where such resources are damaged, it will be the policy of the Borough of Fenwick to require appropriate remediation efforts be undertaken which are deemed appropriate, as well.

3. Goal: Protect and preserve the unique natural resources located within the boundaries Borough of Fenwick.

Due to the Borough's location at the mouth of the Connecticut River Estuary, the area is blessed with a wealth of natural resources, including several rare and endangered species of plants, and aviaries. All new development should be consistent with the protection of resources that make the area special. Use both zoning and environmental regulations as well as the Public Health Code and Building Code to protect the natural resources. Take appropriate measures, including enforcement of coastal management and flood mitigation requirements, to assure that all development within the Borough is planned with reasonable consideration for the restoration and protection of the ecosystem and habitat of the Connecticut River, South Cove, and Long Island Sound. Sub-Surface Sewage Disposal Systems meet or exceed all applicable Federal, State and local health code and flood hazard requirements. Construction and care of community facilities such as golf course maintenance, and road repairs are made with proper provision for control of toxic contaminants and control of sedimentation and erosion.

Continue to encourage dedication of conservation easements in favor of the Lynde Point Land Trust, a non-profit corporation established in the early 1990's for the purpose of accepting donations of land and easements to preserve natural resources and recreation areas within the Borough. Maintain all remaining open space in the Borough, including Borough-owned properties under conservation easements. Continue to preserve the woodland "Grove" area on the west side of Route 154 (Maple Avenue), under conservation easement to the Lynde Point Land Trust. Avoid encroachment upon inland wetland and tidal wetlands, beaches and dunes by new residential or community development. Encourage all new development or expansion of existing development to maintain natural buffers which are a minimum of fifty (50) feet from all water features.

4. Goal: Assure that all new construction, including new single family dwellings or accessory structures, and all additions to existing dwellings, are compatible with the scale, massing, location, design, and historic character of existing development.

Continue enforcement of the architectural character by the Borough of Fenwick Historic District Commission for compatibility with the character of existing development. Continue enforcement of zoning standards including adequate setbacks, limitations on lot coverage, and strict enforcement of density requirements. Through Coastal Site Plan Reviews and Historic District Commission, review and require that new facilities, dwellings, and accessory structures and uses be located with a strong awareness of the critical need to preserve the relationships among various features of the Borough of Fenwick landscape.