

# APPLICATION to ZBA with COASTAL SITE PLAN REVIEW



Zoning Board of Appeals  
Borough of Fenwick  
580 Maple Avenue, PO Box 126  
Old Saybrook, Connecticut 06475  
Phone: (860) 388-3499 fax: (860) 388-1469

Application Number: \_\_\_\_\_  
Date of Submission: \_\_\_\_\_  
Date of Receipt: \_\_\_\_\_  
Fee Paid: \_\_\_\_\_ DEEP Fee: \_\_\_\_\_

## TYPE OF APPLICATION

- Variance from Zoning Regulations  Variance from Special Flood Hazard Area Regulations  
 Appeal from decision of Zoning Enforcement Officer (Attach copy of denial or order from ZEO; Sections 11-14 and CSPR Parts I and II below may be omitted.)

### 1. PROPERTY LOCATION AND DESCRIPTION:

Street Address: \_\_\_\_\_ Map: \_\_\_\_\_ Lot: \_\_\_\_\_  
Lot Size: \_\_\_\_\_ sq.ft. Lot Width: \_\_\_\_\_ ft. Total Lot Coverage: \_\_\_\_\_ sq.ft. Flood Zone: \_\_\_\_\_

### 2. RECORD OWNER:

a. Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ email: \_\_\_\_\_  
b. Mailing Address: \_\_\_\_\_

### 3. APPLICANT:

a. Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ email: \_\_\_\_\_  
b. Mailing Address: \_\_\_\_\_  
c. Interest in Property:  
 fee simple  option  lessee  easement  other (specify) \_\_\_\_\_

### 4. PROFESSIONAL ENGINEER:

a. Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ email: \_\_\_\_\_  
b. Mailing Address: \_\_\_\_\_

### 5. LICENSED LAND SURVEYOR:

a. Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ email: \_\_\_\_\_  
b. Mailing Address: \_\_\_\_\_

### 6. LICENSED ARCHITECT / DESIGNER: (check here if not applicable )

a. Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ email: \_\_\_\_\_  
b. Mailing Address: \_\_\_\_\_

### 7. LANDSCAPE ARCHITECT / LANDSCAPE CONSULTANT: (check here if not applicable )

a. Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ email: \_\_\_\_\_  
b. Mailing Address: \_\_\_\_\_

### 8. ATTORNEY: (check here if not applicable )

a. Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ email: \_\_\_\_\_  
b. Mailing Address: \_\_\_\_\_

### 9. DESIGNATED CONTACT (REQUIRED):

a. Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ email: \_\_\_\_\_  
b. Mailing Address: \_\_\_\_\_

### 10. Describe proposed application – change or action, including all work proposed (use additional sheet if necessary):

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11. **State Variance(s) requested** and note Section(s) of the Regulations (attach information provided by ZEO on noncompliance):

SECTION	VARIANCE REQUESTED
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

12. Describe the **UNUSUAL HARDSHIP** or **EXCEPTIONAL DIFFICULTY** that necessitates this variance:  
\_\_\_\_\_  
\_\_\_\_\_

13. Describe the **UNIQUE PROPERTY CONDITIONS** that produce this hardship:  
\_\_\_\_\_  
\_\_\_\_\_

14. Describe how this variance will be in harmony with the general purpose and intent of the regulations:  
\_\_\_\_\_  
\_\_\_\_\_

15. Have any **previous appeals** been filed in connection with these premises?       YES       NO

Date: _____	Application No.: _____	Request: _____	Decision: _____
Date: _____	Application No.: _____	Request: _____	Decision: _____
Date: _____	Application No.: _____	Request: _____	Decision: _____
Date: _____	Application No.: _____	Request: _____	Decision: _____

16. List **abutting properties**: address, owner, and mailing address:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CSPR Section III: Written Project Information**  
**Part I**

1. Name of on-site, adjacent or downstream wetlands or waterbodies:  
\_\_\_\_\_

Long Island Sound in this area is included in the most recent *List of Connecticut Waterbodies Not Meeting Water Quality Standards* (see <http://www.ct.gov/dep/iwqr>). The impaired designated uses have included shellfish harvesting for direct consumption where authorized; the potential cause has been fecal coliform; and the potential sources include non-point source pollution; on-site treatment systems (septic systems), waterfowl, unspecified urban stormwater, and marina/boating sanitary on-vessel discharges. Responses in Part II of this application should include measures to ensure that the impairment is not made worse by the proposed activity.

2. Identify and describe the existing land use on and adjacent to the site. Include any existing structures or significant features of the project site:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. 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. Show all indicated coastal resources on the site plan.

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)	<b>X</b>	<b>X</b>	<b>X</b>	<input type="checkbox"/>
Beaches & Dunes - Definition: CGS Section 22a-93(7)(C); Policies: CGS Sections 22a-92-(b)(2)(C) and 22a-92(c)(1)(K)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bluffs & Escarpments - Definition: CGS Section 22a-93(7)(A); Policy: CGS Section 22a-92(b)(2)(A)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Developed Shorefront - Definition: CGS Section 22a-93(7)(I); Policy: 22a-92(b)(2)(G)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Freshwater Wetlands and Watercourses - Definition: CGS Section 22a-93(7)(F); Policy: CGS Section 22a-92(a)(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Intertidal Flats - Definition: CGS Section 22a-93(7)(D); Policies: 22a-92(b)(2)(D) and 22a-92(c)(1)(K)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Islands - Definition: CGS Section 22a-93(7)(J); Policy: CGS Section 22a-92(b)(2)(H)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rocky Shorefront - Definition: CGS Section 22a-93(7)(B); Policy: CGS Section 22a-92(b)(2)(B)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shellfish Concentration Areas - Definition: CGS Section 22a-93(7)(N); Policy: CGS Section 22a-92(c)(1)(I)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shorelands - Definition: CGS Section 22a-93(7)(M); Policy: CGS Section 22a-92(b)(2)(I)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

4. Check the appropriate box below to indicate whether the project or activity will disturb 1 to 5 acres or more total acres of land area, including all phases (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 DEEP General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities
- Project or activity will disturb between 1 and 5 total acres of land area on the site and discharges to the municipal separate storm sewer system or directly to the waters of the state, and may be subject to municipal stormwater management plan review and approval
- Project or activity will not disturb more than one total acre of land area and is not part of a larger common plan of development or sale that would disturb one acre or more
- Other (describe) \_\_\_\_\_

**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, filling, 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 or indicate if this information has been included in Item 11 above):

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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 construction-related and post-construction stormwater will be adequately treated and managed. Identify how these stormwater controls are consistent with the *2004 Connecticut Stormwater Quality Manual* and address any stormwater-related water quality impairments identified in Part I. If the site or stormwater discharge is adjacent to tidal or inland wetlands or watercourses, describe how the volume of runoff generated by the first inch of rainfall, or any portion thereof, will be retained on-site. 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):

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**Part II.C.: Description of Proposed Soil Erosion and Sediment Controls**

Describe the soil erosion and sediment controls that will be utilized to ensure that on- and off-site resources and watercourses will not be adversely affected by sedimentation or soil erosion from the site during construction. Identify how these controls are consistent with the *Guidelines for Soil Erosion and Sediment Control* and address any erosion and sedimentation-related water quality impairments identified in Part I. Identify by name and telephone number the individual responsible for maintenance of soil erosion and sediment controls for the duration of the project (attach additional pages if necessary):

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**Part II.D.: Description of Proposed Septic System**

Describe the proposed septic system and how its design conforms to the *Connecticut Public Health Code* and the *Regulations and Technical Standards for Subsurface Sewage Disposal Systems*. Please attach any approvals already obtained. Describe how design of the septic system and its location on the subject site will not adversely impact on- and off-site resources and watercourses during installation or system operation (including additional water quality impairments); adverse impacts to coastal waters from nitrogen; and flood hazard impacts to and from the system, if applicable). Identify what soil types are found on-site in the immediate vicinity of the proposed location of the septic system and how they are adequate to accommodate a system (attach additional pages if necessary):

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**Part III: Consistency with Applicable Zoning Regulations and Municipal Plan of Conservation and Development**

Explain how the proposed activity or use is consistent with all of the applicable regulations and policies contained in the municipal zoning regulations and Plan of Conservation and Development. Demonstrate how the strict application of the regulations would result in an undue hardship, and that the hardship imposed by the regulations is unique to the property in question; the property owner did not create his/her own hardship; and the variance will not negatively impact surrounding properties or adjacent natural resources, especially for

variances from resource setback regulations (attach additional pages if necessary):

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**Part IV: Mitigation of Potential Adverse Impacts**

Explain how all potential adverse impacts on resources such as wetlands and watercourses have been avoided, minimized, or mitigated (attach additional pages if necessary):

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**Part V: Remaining Adverse Impacts**

Explain why any remaining adverse impacts resulting from the proposed activity or use have not been mitigated (attach additional pages if necessary)

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*It is helpful for ZBA members to have seen the property prior to their review of your application. Do you give Board members permission to go on your property for the purpose of observing existing conditions?*

YES       NO

I hereby declare that all statements contained in any documents and/or drawings submitted as part of this application are, to the best of my knowledge and belief, true and accurate as presented

Signature of Owner/Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

*(If the applicant is not the owner, the owner shall submit a statement authorizing the applicant to act as his/her agent in making this application.)*

## Plan Checklist

Please provide project site plans that clearly and accurately depict the following information, and check the appropriate boxes to indicate that the items are shown on the plans included in this application:

- Project location
- Existing conditions, including resources, contours, buildings, and grading
- Proposed conditions, including all natural and coastal resources, contours, buildings, and grading
- Stormwater treatment practices
- Soil erosion and sediment controls
- Septic system location, if applicable
- Ownership and type of use on adjacent properties
- Reference datum (i.e., National Geodetic Vertical Datum, Mean Sea Level, etc.)

This application form shall be accompanied by, in writing, the following:

- An original **Proposed Plan**, signed and stamped by the originator, with a scale of one (1) inch equals twenty (20) feet, showing the tax map, lot number or numbers of the land to which such application relates, and clearly disclosing the following information:
  - All revision dates and necessary definitions and legends, and the true scale of the survey, in which one inch (1") shall be equal to no more than twenty feet (20').
  - The direction of true north.
  - The actual shape and dimensions of the lot to be used.
  - The exact size and location on the lot of existing and proposed buildings and structures, with all mechanical and electrical appurtenances, including generators, heat pumps, and air conditioning units; utilities; septic system areas; wells; driveways and parking areas; and drainage facilities.
  - The location of all required setbacks or yard lines, and of all easements.
  - A computation of lot and building coverage with indication of how it was computed.
  - Topographic contours at an interval no greater than five feet and indication of the datum on which the elevations were based.
  - Watercourses, inland wetlands and tidal wetlands, tidal marshes, floodprone and flood hazard areas, and any proposed alterations or encroachments into such areas.
  - The location and name of all streets, roads, or highways that pass through or adjoin the lot or, if no such street, road, or highway passes through or adjoins the lot, the entire route of vehicular access to the lot from such a street, road, or highway.
  - A detailed plan for erosion and sedimentation control covering all proposed work, which shall indicate measures taken to control erosion and sedimentation both during and after construction.
  - A list, keyed to the Proposed Plan, of the names and addresses of the record owners of abutting land, and land directly across any roadway from the land to which the application relates.
  - If subsurface sewage disposal facilities or wells must be constructed or altered for the proposed use pursuant to the Public Health Code or other applicable requirements, the applicant must provide written proof that all such requirements will be or have been met.
- An A-2 survey by a licensed, registered land surveyor of the State of Connecticut, showing the locations of the structure or structure's foundation with reference to all front, side, and rear setbacks at the time any new foundation is constructed. All required documentation, such as Plans, As-Builts, and Architectural Drawings, must be sealed with original signatures, for property within
- For property wholly or partially within a Special Flood Hazard Area, the ADDENDUM TO ZONING PERMIT FOR CONSTRUCTION WITHIN A SPECIAL FLOOD HAZARD AREA must be completed and attached.