Jullie Pudem

From:	Balint, Marcy <Marcy.Balint@ct.gov>
Sent:	Wednesday, April 25, 2018 1:59 PM
To:	Eric Knapp
Cc:	Jullie Pudem
Subject:	CT DEEP LWRD Comments on Zone Change to Zoning map to align zoning districts to coincide with property lines, Clinton CT
Attachments:	tidal wetlands fs.doc; vegetated buffers fs.doc

Clinton Planning and Zoning Commission April 25, 2018
c/o Eric Knapp, ZEO
54 East Main Street
Clinton CT 06413

Re: CT DEEP LWRD Comments on Zone Change to Zoning map to align zoning districts to coincide with property lines, Clinton CT

Dear Commission Members:

Thank you for the opportunity to comment on the above-referenced mandatory referral to this office for a zone change referral received by email on March 26, 2018. The Land and Water Resources Division (LWRD, formerly the Office of Long Island Sound Programs) has reviewed the proposal with the goals and policies of the Connecticut Coastal Management Act (CCMA) and offers the following comments.

We appreciate this proposal's intention is to take individual properties which are in two separate zones and consolidate them into one zone, and thus minimize potential zoning issues associated with that. However, we are concerned with the potential environmental impact of the proposed lot changes (across from Town Hall on the Indian River) given much of this area on the west side of the river contains abundant coastal resources, namely tidal wetlands and coastal resources (see Tidal Wetlands fact sheet attached for more information). The new B-2 zoned areas, closest to the river would now allow (by right, SE, or SP) for multi-family, excavation and deposit of materials, storage of hazardous materials, rear lots, theatres, restaurant, manufacturing, retail, motels, offices, financial which at more intensity than that

generally allowed in the current R10. Further,the B-2 zone allows a maximum ground coverage of 60 percent and max foot print of 40K on any single lot.

Further, water-dependent uses are not allowed in either R10 or B2 and as you know CCMA requires priority consideration by local commission for such uses on waterfront appropriate sites, but not at the expense of protected resources. The lots that would be changed under this proposal to B-2 along the west side of the River are also located within the CT DEEP's Natural Diversity Data Base area, and it is advisable to determine if any endangered, threatened or species of special concern are located within the areas to be zoned to B-2.

We recommend careful consideration of the above potential coastal management concerns with identification of alternatives prior to any approval given. Finally, consideration should be given to revising to allow a vegetative native (non invasive) riparian buffer within the existing 50 foot Tidal Wetland setback through out town (versus allowing clear cutting up to the river or tidal wetland edge). (See Vegetated Buffer fact sheet attached for more information- hit "read only" to open).

These comments are offered in accordance with CGS Section 22a-104(e) which requires zone changes that affect the coastal boundary be sent to this office to arrive 35 days prior to the scheduling of the local public hearing and are offered pursuant to CGS Section 22a--90 thru 22a-112, inclusive and do not necessarily reflect other planning and zoning considerations which may apply. If you have any questions about this or any other coastal management matter, please feel free to contact me by phone at (860) 424-3623 or by email at Marcy.Balint@ct.gov. Thank you.

Sincerely,

Marcy L. Balint, Sr. Coastal Planner
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