

12.1 COASTAL AREA MANAGEMENT (CAM)

A. **Purpose:** All buildings, uses, and structures fully or partially within the coastal boundary, as defined in Chapter 444, §22a-94 of the Connecticut General Statutes and depicted on the Town of Ledyard Zoning Map, shall be subject to the Coastal Site Plan review requirements and procedures in §s 22a-105 through 22a-109 of the Connecticut General Statutes.

B. The following applications are subject to the Coastal Site Plan review requirements and procedures if located fully or partially within the coastal area:

1. Site Plans submitted to the Commission in accordance with §22a-109 of the Connecticut General Statutes;
2. ~~Applications for a Special Permit submitted to the Commission in accordance with §8-2 of the Connecticut General Statutes and §11.3 of these regulations;~~
3. ~~Plans submitted to a planning commission for subdivision or resubdivision in accordance with section §8-25 and §11.3 of these regulations.~~
4. ~~Applications for a variance submitted to the Zoning Board of Appeals in accordance with subdivision (3) of §8-6 of the Connecticut General Statutes and §14.0 of these regulations; and,~~
5. ~~Applications for a special exception or special permit submitted to a planning commission, zoning commission or zoning board of appeals in accordance with section §8-2 and §14.0 of these regulations .~~
6. **Applications for a variance submitted to a zoning board of appeals in accordance with subdivision (3) of section §8-6.**
7. A referral of a proposed municipal project to the Planning & Zoning Commission in accordance with §8-24 of the Connecticut General Statutes.

C. The following activities are hereby exempted from Coastal Site Plan review requirements under the authority of subsection (b) of §22a-109 of the Connecticut General Statutes:

1. Gardening, grazing, and the harvesting of crops,
2. Minor additions to, or modifications of, existing Buildings or Accessory Buildings,
3. 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, tennis courts, and accessory buildings,
4. Construction of new, or modification of existing, on-premise 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 as defined by §22a-93 (7) of the Connecticut General Statutes,
5. ~~Construction of a single-family dwelling except in or within one hundred (100) feet of the following coastal resource areas as defined by §22a-93 (7) of the Connecticut General Statutes: tidal wetlands, coastal bluffs and escarpments, and beaches and dunes;~~
6. Activities conducted for the specific purpose of conserving or preserving soil, vegetation, water, fish, shellfish, wildlife, and other coastal land and water resources,
7. Interior modifications to buildings, and

8. Minor change in uses of buildings, structures, or property, except those changes occurring on properties adjacent to or abutting coastal waters.

D. Coastal Site Plan: In addition to meeting the other requirements of these regulations, all applicants for Zoning Permits, Special Permits, 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:

1. Show the location and spatial relationship of coastal resources on and contiguous to the site;
2. Describe the entire project with appropriate plans, indicating project location, design, timing and methods of construction;
3. Assess the capability of the resources to accommodate the proposed use;
4. Assess the suitability of the project for the proposed site;
5. Evaluate the potential beneficial and adverse impacts of the project and describe proposed methods to mitigate adverse effects on coastal resources; and
6. Demonstrate that the adverse impacts of the proposed activity are acceptable and demonstrate that such activity is consistent with the goals and policies in §22a-92 of the Connecticut General Statutes.

E. Coastal Site Plan Review: In addition to any other applicable Site Plan review criteria prescribed by these Zoning Regulations and Appendix B, 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 Zoning Regulations.

1. The Commission may, at its discretion, hold a public hearing on any Coastal Site Plan submitted to it for review.
2. 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 development opportunities, the Commission shall:
 - a. Consider the characteristics of the site, including the location and condition of any coastal resources defined in §22a-93 of the Connecticut General Statutes;
 - 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 §22a-92 of the Connecticut General Statutes and identify any conflicts between the proposed activity and any goal or policy. When approving, modifying, conditioning or denying a Coastal Site Plan based on 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.
3. **A copy of each coastal site plan submitted for any shoreline flood and erosion control structure shall be referred to the Commissioner of Energy and Environmental Protection within fifteen days (15) of its receipt by the zoning commission. The day of receipt shall be determined in accordance with subsection (c) of section §8-7d. The commissioner may comment on and make recommendations on such plans. Such comments and recommendations shall be submitted to the zoning commission within thirty-five days (35) of the date of receipt of the coastal site plan by the commissioner and shall be considered by the zoning commission before final action on the plan. If the commissioner fails to comment on a plan within the thirty-five-day (35) period**

or any extension granted by the zoning commission, the zoning commission may take final action on such plan. Failure to comment by the commissioner shall not be construed to be approval or disapproval as stated in §22a-109(d) of the Connecticut General Statutes .

4. In approving any activity proposed in a coastal area, 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 §22a-90 of the Connecticut General Statutes; and
 - b. Incorporates as conditions or modifications all reasonable measures that would mitigate the adverse impacts of the proposed activity on both coastal resources and future water-dependent development activities.
- F. **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 for any public improvements stated in its approval of the plan.
- G. **Violations**: Any activity within the defined coastal area not exempt from Coastal Site Plan review pursuant to §12.1(C) above, which occurs without having received a lawful approval from the Commission under all the applicable procedures and criteria prescribed by these Zoning 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 the abatement of such nuisance.
- H. **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 for approval of such Site Plan shall be rendered within sixty-five (65) days after receipt of such plan. The applicant may consent to one (1) or more extensions of such period, provided the total period of any such extension or extensions shall not exceed one (1) additional sixty-five (65) day period per CGS §8-7d(b), or may withdraw such plan.

