

City of Milford, Connecticut

Founded 1639 70 West River Street – Milford, CT 06460-3317 Tel 203-783-3245

Website: www.ci.milford.ct.us
Email: dsulkis@milfordct.gov

David B. Sulkis, A.I.C.P. City Planner

PLANNING & ZONING BOARD REVIEW TRANSMITTAL

RE:	27 Point Beach Drive		DATE:	3/14/24		
TO:	City Attorney Mayor's Office Conservation Commission Health Administrator Police Department Sewer Commission DEEP – CAM Report Mail to: John Gaucher, DE 79 Elm Street Hartford, CT 06100 DEEP Permitting Mail to: Sue Jacobson, DE	6	Open Spa Public Wo South Ce Tree Con Resource Commun Building I	shal etlands Commiss ace Agent orks Director entral Regional nmission (203-87	8-4895)	
SUBJ	ECT: Repair concrete seawall					
ADDR	ESS OF PROPERTY: 27 Poin	t Beach Drive				
MAP:	<u>030</u> BLOCK : <u>636</u>	PARCEL	.: <u>11</u>	ZONE:	<u>R-7.5</u>	
APPL	ICANT/AGENT: Adam Vernott,	Race Coastal E	ngineerin	<u>g</u>		
PHON	IE : 860-287-0036	EMAIL:	<u>oceanco</u>	<u>untyadam@gmai</u>	l.com	
PROP	ERTY OWNER: David DeLuke	<u>9</u>				
PLAN	TITLE: Seawall Repair, 27 Poi	nt Beach Dr				
PREPARED BY: Race Coastal Engineering						
DATE OF PLANS: 8/25/2023_						
DATE	RECEIVED BY PLANNING & Z	ONING: 3/4/20	024_			
ΡΙ ΔΝ	PLANNING & ZONING CONTACT: David Sulkis					

These plans/documents have been received and are transmitted to your office for review prior to the submission of a Special Permit to repair concrete seawall to the Planning & Zoning Board

ALL COMMUNICATIONS REGARDING THE REVIEW SHALL BE DIRECTED TO THE APPLICANT/AGENT WITH A COPY TO THE PLANNING & ZONING OFFICE

10 Sets of plans will be required for the Planning & Zoning Board Distribution.

*These commission reviews must be returned within 10 working days.

	CAM REQUIRED YES: NO:				
	G & ZONING BOARD SPECIAL PERMIT				
I (We): Adam Vernott Member of Ocean County Construction HEREBY PETITION FOR A:	ion				
SPECIAL PERMIT:	AMENDMENT TO A SPECIAL PERMIT:				
TO ESTABLISH: Seawall Repairs	OR CONSTRUCT:				
ON THE FOLLOWING PROPERTY:					
ADDRESS OF PROPERTY: 27 Point Beach Dr	CORN. LOT: SEWER: SEPTIC:				
ASSESSORS MAP: 030 BLOCK: 636 PARCEL:	11 ZONE: <u>R7.5</u> ACRES: <u>0.14</u>				
APPLICANT'S NAME: Adam Vernott					
PHONE NUMBER: <u>860-287-0036</u>	EMAIL ADDRESS: oceancountyadam@gmail.com				
APPLICANT'S MAILING ADDRESS: 166 Wintechog Hill Rd. N	North Stonington CT, 06359				
APPLICANT OR DULY AUTHORIZED AGENT SIGNATURE WITH	H TITLE:				
(I HEREBY CERTIFY THAT I AM THE DULY AUTHORIZED AGENT AND AM MAKING OF THE PROPERTY)	THIS APPLICATION ON BEHALF OF AND WITH THE FULL AUTHORITY OF THE OWNER				
PROPERTY OWNER'S NAME: David DeLuke	PHONE NUMBER: 203-395-9266				
PROPERTY OWNER'S MAILING ADDRESS: 27 Point Beach D	Dr., Milford CT				
IF APPEARING BY ATTOREY OR AGENT:					
NAME:					
SIGNATURE:	PHONE NUMBER:				
MAILING ADDRESS:					
HAS ANY PREVIOUS PETITION FOR A SPECIAL PERMIT BEEN	FILED FOR THIS PROPERTY?				
YES: NO:					
IF YES, GIVE DECISION: APPROVED: DENIED:	DATE:				
For Office Use Only NOTE: COPIES OF THIS APPLICATION	TION WILL NOT BE ACCEPTED				
FEE – SEE SCHEDULE OF ZONING FEES RECEIVED OF:	DATE:				
RECEIVED BY: DATE APPLICATION FILED:	AMOUNT: RECEIPT NUMBER: DATE APPLICATION CERTIFIED:				
PLANNING & ZONING BOARD ACTION: DATE:	APPROVED: DENIED:				



City of Milford, Connecticut

- Founded 1639 -

Engineering Bureau 70 West River Street

Milford, CT 06460

Tel: (203) 783-3261 Fax: (203) 783-3676

TO:

DAVID SULKIS

CITY PLANNER

70 WEST RIVER STREET

MILFORD, CT.

06460

FROM:

GREGORY H. PIDLUSKI, P.E.L.S.

CITY ENGINEER

70 WEST RIVER STREET

MILFORD, CT.

06460

18 March 2024

Re:

PROPOSED SEAWALL FOOTING REPAIR

PROPERTY AT:

27 POINT BEACH DRIVE

PROPERTY OF:

DAVID DeLUKE

I am in receipt of the following:

- 1) Certificate of Permission (202306413-COP, "COP") issued by the Connecticut Department of Energy and Environmental Protection ("DEP"), dated October 23, 2023
- 2) Included in the COP is a set of Drawings (9 Sheets, including Cover) entitled: "DeLuke Residence, Seawall Repair, 27 Point Beach Drive, Milford, Connecticut, 06460", dated August 25, 2023, revised through September 26, 2023, prepared by Race Coastal Engineering.

I have performed a limited site inspection and independently researched the USDA (Web Soil Survey) website, the "Coastal Resources Map" (Ct DEP), the FEMA/FIRM map, and the City of Milford GIS.

My observations are as follows:

- A) The Applicant is proposing to repair the existing seawall and patio. (Note, no work is indicated on the existing patio. But it is likely that some work may occur.)
- B) All work proposed has been approved by DEEP.
- C) I defer to the DEEP COP (including Conditions) for work on the Seawall.
- D) It is recommended that the Applicant contact the Milford Building Department to determine what permits, if any, will be required.
- E) Although a Stockpile Area has been indicated, it is unclear how equipment and materials will access the work area. (This is an observation. No action required by this Department.)

My recommendations are as follows:

- A) All conditions of the COP are to be strictly adhered to.
- B) Areas of site access are to be monitored and additional measures are to be implemented, as may be necessary, to contain all sediments on the subject property.

General Comments (as applicable):

- 1) This review has been prepared as a Site Plan review only. It is not a Permit and does not grant license.
- 2) The City reserves the right to make additional comments on other issues that may arise during construction.
- 3) Necessary permits from the City of Milford Engineering Department for the driveway apron and/or sidewalk/curb are to be obtained prior to construction and are to be constructed in accordance with the City of Milford Standards.
- 4) Necessary permits from the City of Milford Engineering Department for any sanitary sewer work are to be obtained prior to construction.
- 5) Developer is to take all necessary steps to protect Catch Basin(s) or other inlets (such as pipe culverts) located such that the site runoff will discharge, <u>OR MAY DISCHARGE</u> to any portion of the MS4 (storm sewer) system of the City of Milford. (In general, this would apply to catch basin(s) located at the subject property and the first catch basin(s) located down gradient of the subject property.) At a minimum:
 - a. Affected Catch basins are to be cleaned and proper protection (Silt Sack or approved equal, or better) is to be installed (at the Developer's sole expense) after the placement of required S&E Controls, prior to site disturbance. Placement of filter fabric geotextile placed between frame and grate is not acceptable.
 - b. Catch Basin protection is to be inspected regularly and cleaned, repaired, replaced, etc. until final site stabilization.

- c. Upon final site stabilization, protection is to be removed in a manner specified by the manufacturer and disposed of in an appropriate off-site location.
- d. Prior to issuance of a Certificate of Occupancy, the affected catch basins are to be inspected and cleaned, as necessary.
- e. Records of Items 4(a)-4(d) hereinabove are to be provided to the City of Milford Engineering Department prior to issuance of a Certificate of Occupancy.
- 6) All trenching within the traveled portion of the road (if any) are to be repaired in accordance with Engineering Department Drawings and Specifications.
- 7) The City reserves the right to require permanent pavement repairs for the full frontage of the property, for the full paved width of the paved surface, when the City determines that the roadway has been sufficiently compromised to warrant such permanent repair.
- 8) For all properties with frontage on State Roads, it is the obligation of the Applicant to contact the Connecticut Department of Transportation to determine what permits, if any, are required.

Please feel free to contact me with any questions or comments.

Very truly yours,

Gregory H. Pidluski, P.E.L.S.

City Engineer



City of Milford, Connecticut

- Founded 1639 -

70 West River Street Milford, CT 06460-3317 Tel 203-783-3256

March 19, 2024

Mr. Adam Vernott Race Coastal Engineering 611 Access Road Stratford, CT 06615

Re: IW-24-0024: 27 Point Beach Dr, Map 030 Block 636 Parcel 11; David De Luke; Proposed Seawall repair per CT DEEP COP including work in and within a tidal resource with no construction, grading, or drainage within 100' of an inland wetland in the South Central Shoreline Watershed. P&Z Transmittal.

Dear Mr. Vernott:

The Milford Inland Wetlands and Watercourses Agency has reviewed the Planning & Zoning Transmittal; site plans entitled "Seawall Repair 27 Point Beach Dr. Milford, CT" by Race Coastal Engineering, 9 sheets(8.5 X 11) dated 8/25/23. Based on a review of the above information, the MIWA maps, and Regulations reveal no work is proposed in inland wetlands or watercourses. This work as proposed, done with best management practices will have no significant impact on inland wetlands and watercourses. Therefore, under section 2 of the MIWA Regulations a permit is not required from the MIWA at this time. To ensure protection of natural resources on and off your property please ensure that:

- Proper Soil erosion and sedimentation controls per the site plan, the CT DEEP Certificate of Permission and CT DEEP 2023 Erosion and Sedimentation Control Manual are properly installed and maintained
- Any dewatering/discharge is to be to a sedimentation basin or dirt bag and not directly discharged through pipe or hose to catch basins or watercourses including Long Island Sound. Dewatering to inland or tidal waters requires additional permitting.
- No soil or materials are to be stored on the beach side of the property.
- Construction fencing should be properly installed and maintained.
- Dumpsters should be covered at night to prevent windblown debris
- Port-o-lets should be located away from catch basins, wetlands, and watercourses

Please note that this site is in a flood zone. Dumpsters are to be removed from the site in advance of a significant anticipated flood event. Dumpsters that land in the natural resource are the responsibility of the property owner to remove immediately from the natural resource.

Race Coastal Engineering

Re: IW-24-0024: 27 Point Beach Dr, Map 030 Block 636 Parcel 11; David De Luke; Proposed Seawall repair per CT DEEP COP including work in and within a tidal resource with no construction, grading, or drainage within 100' of an inland wetland in the South Central Shoreline Watershed. P&Z Transmittal.

The applicant is responsible for all other Federal, Local, and State permits that may be required for the site. Should you have any questions concerning this matter, please contact the Inland Wetlands Agency Office at 203-783-3256.

Sincerely,

MaryRose Palumbo

Inland Wetlands Compliance Officer

C:

DPLU

Engineering

Planning & Zoning



Connecticut Department of Energy and Environmental Protection License*

Certificate of Permission

Licensee(s): David DeLuke

Licensee Address(s): 27 Point Beach Drive

Milford, CT 06460

License Number(s): 202306413-COP

Municipality: Milford

Project Description: Repair concrete seawall

Project Address/Location: 27 Point Beach Drive

Waters: Long Island Sound

Authorizing CT Statute(s) CGS Section 22a-359 to 363g; CGS Section 22a-90 to 112;

and/or Federal Law: Section 401 CWA (33 USC 1341)

Applicable Regulations of 22a-426-1 to 9

CT State Agencies:

Agency Contact: Land & Water Resources Division,

Bureau of Water Protection & Land Reuse, 860-424-3019

License Expiration: Five (5) years from the date of issuance of this license.

Project Site Plan Set: Nine sheets of plans prepared by RACE Coastal Engineering

dated August 25, 2023, of which sheets 4-9 were revised

September 26, 2023.

License Enclosures: LWRD General Conditions; Site Plan Set; Land Record Filing;

LWRD Work Commencement Form; LWRD Compliance

Certification Form

^{*}Connecticut's Uniform Administrative Procedure Act defines License to include, "the whole or part of any agency permit, certificate, approval, registration, charter or similar form of permission required by law . . ."











License Number(s): 202306413-COP Page 2 of 3

Authorized Activities:

The Licensee is hereby authorized to conduct the following work as described in application # 202306413-COP and as depicted on any site plan sheets / sets cited herein:

- 1. Retain an approximately 5' wide by 10' long section of a set of concrete stairs waterward of, and extending from, the seawall.
- 2. Repair the approximately 9' 9" long concrete western return wall by:
 - a. filling the voids within the wall with concrete;
 - b. chipping away approximately 4" of concrete from the face of the seawall and replacing it with up to a 4" thick layer of new concrete; and
 - c. replacing, in-kind, the existing reinforced concrete cap having a top elevation of 9.7' NAVD88.
- 3. Repair the approximately 32' long waterward-facing concrete seawall by:
 - a. filling the voids landward of the wall with concrete;
 - b. constructing a 6"-9" thick concrete façade anchored in place; and
 - c. replacing and refacing the existing reinforced concrete cap with up to a 9" thick façade having a top elevation of 9.7' NAVD88
- 4. Repair the approximately 5' 9" long eastern return wall by:
 - a. chipping away approximately 4" of concrete from the face of the seawall and replacing it with up to a 4" think layer of new concrete; and
 - b. replacing, in-kind, the existing reinforced concrete cap having a top elevation of 9.7' NAVD88.

Failure to comply with the terms and conditions of this license shall subject the Licensee and / or the Licensee's contractor(s) to enforcement actions and penalties as provided by law.

This license is subject to the following Terms and Conditions:

- 1. **License Enclosure(s) and Conditions.** The Licensee shall comply with all applicable terms and conditions as may be stipulated within the License Enclosure(s) listed above.
- 2. **Debris Capture and Relocation.** Prior to the commencement of activities authorized herein, tarps shall be placed below the work area to catch all chipped concrete, sediment from behind the walls, and other debris. The tarps and all collected debris shall be removed prior to tidal water exposure. Upon work completion, the tarps and any debris shall be removed to an upland site approved for the disposal of such waste material, as applicable.
- 3. **Construction Excavation Restriction.** All excavation waterward of the seawall sections shall be conducted by hand and the excavated material temporarily stockpiled on the upland patio until it can be replaced after each section of the seawall is repaired.

4. **Height of Tide Restriction.** All work authorized herein shall be conducted during periods of lower water to minimize sedimentation.

Issued under the authority of the Commissioner of Energy and Environmental Protection on:

October 23, 2023

Date

Brian P. Thompson

Division Director

Land & Water Resources Division



79 Elm Street • Hartford, CT 06106-5127

portal.ct.gov/DEEP

Affirmative Action/Equal Opportunity Employer

LWRD General Conditions

- 1. Land Record Filing (for Structures Dredging & Fill, Tidal Wetlands, Certificate of Permission, and Long Island Sound General Permit Licenses only). The Licensee shall file the Land Record Filing on the land records of the municipality in which the subject property is located not later than thirty (30) days after license issuance pursuant to Connecticut General Statutes (CGS) Section 22a-363g. A copy of the Notice with a stamp or other such proof of filing with the municipality shall be submitted to DEEP.LWRDRegulatory@ct.gov no later than sixty (60) days after license issuance. If a Land Record Filing form is not enclosed and the work site is not associated with an upland property, no filing is required.
- 2. Contractor Notification. The Licensee shall give a copy of the license and its attachments to the contractor(s) who will be carrying out the authorized activities prior to the start of construction and shall receive a written receipt for such copy, signed and dated by such contractor(s). The Licensee's contractor(s) shall conduct all operations at the site in full compliance with the license and, to the extent provided by law, may be held liable for any violation of the terms and conditions of the license. At the work site, the contractor(s) shall, whenever work is being performed, have on site and make available for inspection a copy of the license and the authorized plans.
- **3.** Work Commencement¹. Not later than two (2) weeks prior to the commencement of any work authorized herein, the Licensee shall submit to DEEP.LWRDRegulatory@ct.gov, on the Work Commencement Form attached hereto, the name(s) and address(es) of all contractor(s) employed to conduct such work and the expected date for commencement and completion of such work, if any.
 - For water diversion activities authorized pursuant to 22a-377(c)-1 of the Regulations of Connecticut State Agencies, the Licensee shall also notify the Commissioner in writing two weeks prior to initiating the authorized diversion.
 - For emergency activities authorized pursuant Connecticut General Statutes Section 22a-6k, the Licensee shall notify the Commissioner, in writing, of activity commencement at least one (1) day prior to construction and of activity completion no later than five (5) days after conclusion.
- **4.** For Coastal Licenses Only License Notice. The Licensee shall post the first page of the License in a conspicuous place at the work area while the work authorized therein is undertaken.
- **5.** Unauthorized Activities. Except as specifically authorized, no equipment or material, including but not limited to, fill, construction materials, excavated material or debris, shall be

Revised: October, 2017

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¹ The Work Commencement condition and the need for a Work Commencement Form is not applicable to Flood Management Certification approvals.

deposited, placed or stored in any wetland or watercourse on or off-site. The Licensee may not conduct work within wetlands or watercourses other than as specifically authorized, unless otherwise authorized in writing by the Commissioner. Tidal wetlands means "wetland" as defined by section 22a-29 and "freshwater wetlands and watercourses" means "wetlands" and "watercourses" as defined by section 22a-38.

- **6. Management of Materials.** Any materials removed from the site shall be managed in accordance with all federal, state, and local requirements, including Chapter 446K Water Pollution Control, Chapter 445 Hazardous Waste, and Chapter 446d Solid Waste of the Connecticut General Statutes.
- 7. Unconfined Instream Work. Unless otherwise noted in a condition of the license, the following conditions apply to projects in non-coastal waters:
 - Unconfined instream work is limited to the period June 1 through September 30.
 - Confinement of a work area by cofferdam techniques using sand bag placement, sheet pile installation (vibratory method only), portadam, or similar confinement devices is allowed any time of the year. The removal of such confinement devices is allowed any time of the year.
 - Once a work area has been confined, in-water work within the confined area is allowed any time of the year.
 - The confinement technique used shall completely isolate and protect the confined area from all flowing water. The use of silt boom/curtain or similar technique as a means for confinement is prohibited.
- 8. For State Actions Only Material or Equipment Storage in the Floodplain. Unless approved by a Flood Management Exemption, the storage of any materials at the site which are buoyant, hazardous, flammable, explosive, soluble, expansive, radioactive, or which could in the event of a flood be injurious to human, animal or plant life, below the elevation of the five-hundred (500) year flood is prohibited. Any other material or equipment stored at the site below said elevation by the Licensee or the Licensee's contractor must be firmly anchored, restrained or enclosed to prevent flotation. The quantity of fuel stored below such elevation for equipment used at the site shall not exceed the quantity of fuel that is expected to be used by such equipment in one day. In accordance with the licensee's Flood Contingency Plan, the Licensee shall remove equipment and materials from the floodplain during periods when flood warnings have been issued or are anticipated by a responsible federal, state or local agency. It shall be the Licensee's responsibility to obtain such warnings when flooding is anticipated.
- 9. Temporary Hydraulic Facilities for Water Handling. If not reviewed and approved as a part of the license application, temporary hydraulic facilities shall be designed by a qualified professional and in accordance with the Connecticut Guidelines for Soil Erosion and Sediment Control, the 2004 Connecticut Stormwater Quality Manual, or the Department of Transportation's ConnDOT Drainage Manual, as applicable. Temporary hydraulic facilities may include channels, culverts or bridges which are required for haul roads, channel relocations, culvert installations, bridge construction, temporary roads, or detours.

- **10. Excavated Materials.** Unless otherwise authorized, all excavated material shall be staged and managed in a manner which prevents additional impacts to wetlands and watercourses.
- 11. Best Management Practices. The Licensee shall not cause or allow pollution of any wetlands or watercourses, including pollution resulting from sedimentation and erosion. In constructing or maintaining any authorized structure or facility or conducting any authorized activity, or in removing any such structure or facility, the Licensee shall employ best management practices to control storm water discharges, to prevent erosion and sedimentation, and to otherwise prevent pollution of wetlands and other waters of the State. For purposes of the license, "pollution" means "pollution" as that term is defined by CGS section 22a-423. Best Management Practices include, but are not limited, to practices identified in the Connecticut Guidelines for Soil Erosion and Sediment Control as revised, 2004 Connecticut Stormwater Quality Manual, Department of Transportation's ConnDOT Drainage Manual as revised, and the Department of Transportation Standard Specifications as revised.
- 12. In-Water Work Vessel Staging and Storage. (for Structures Dredging & Fill, Tidal Wetlands, Certificate of Permission, and Long Island Sound General Permit Licenses only). For any barge, vessel, skiff or floating work platform ("work vessels") utilized in the execution of the work authorized herein, the Licensee shall ensure that such work vessels:
 - do not rest on, or come in contact with, the substrate at any time, unless specifically authorized in the license.
 - are not stored over intertidal flats, submerged aquatic vegetation or tidal wetland vegetation or in a location that interferes with navigation. In the event any work vessel is grounded, no dragging or prop dredging shall occur to free it.
- 13. Work Site Restoration. Upon completion of any authorized work, the Licensee shall restore all areas impacted by construction, or used as a staging area or accessway in connection with such work, to their condition prior to the commencement of such work.
- **14. Inspection.** The Licensee shall allow any representative of the Commissioner to inspect the project location at reasonable times to ensure that work is being or has been conducted in accordance with the terms and conditions of this license.

15. Change of Use. (Applies only if a use is specified within the License "Project Description")

- a. The work specified in the license is authorized solely for the purpose set forth in the license. No change in purpose or use of the authorized work or facilities as set forth in the license may occur without the prior written approval of the Commissioner. The Licensee shall, prior to undertaking or allowing any change in use or purpose from that which is authorized by this license, request permission from the Commissioner for such change. Said request shall be in writing and shall describe the proposed change and the reason for the change.
- b. A change in the form of ownership of any structure authorized herein from a rental/lease commercial marina to a wholly-owned common interest community or dockominium may constitute a change in purpose as specified in paragraph (a) above.
- 16. De Minimis Alteration. The Licensee shall not deviate from the authorized activity without

prior written approval from the Commissioner. The Licensee may request a de minimis change to any authorized structure, facility, or activity. A de minimis alteration means a change in the authorized design, construction or operation that individually and cumulatively has minimal additional environmental impact and does not substantively alter the project as authorized.

- For diversion activities authorized pursuant to 22a-377(c)-2 of the Regulations of Connecticut State Agencies, a de minimis alteration means an alteration which does not significantly increase the quantity of water diverted or significantly change the capacity to divert water.
- 17. Extension Request. The Licensee may request an extension of the license expiration date. Such request shall be in writing and shall be submitted to DEEP.LWRDRegulatory@ct.gov at least thirty (30) days prior to the license expiration. Such request shall describe the work done to date, what work still needs to be completed, and the reason for such extension. The Commissioner may extend the expiration date of this license for a period of up to one year, in order for the Licensee to complete the authorized activities. It shall be at the Commissioner's sole discretion to grant or deny such request. No more than three (3) one-year extensions will be granted under this license.
- **18. Compliance Certification.** Not later than 90 days after completion of the authorized work, the Licensee shall prepare and submit to DEEP.LWRDRegulatory@ct.gov, the attached Compliance Certification Form. Such Compliance Certification shall be completed, signed, and sealed by the Licensee and a Connecticut Licensed Design Professional. If non-compliance is indicated on the form, or the Commissioner has reason to believe the activities and/or structures were conducted in non-compliance with the license, the Commissioner may require the Licensee to submit as-built plans as a condition of this license.
- **19. Maintenance.** The Licensee shall maintain all authorized structures or work in optimal condition or shall remove such structures or facility and restore the affected waters to their prework condition. Any such maintenance or removal activity shall be conducted in accordance with applicable law and any additional approvals required by law.
- **20.** No Work After License Expiration. Work conducted after the license expiration date is a violation of the license and may subject the licensee to enforcement action, including penalties, as provided by law.
- **21. License Transfer.** The license is not transferable without prior written authorization of the Commissioner. A request to transfer a license shall be submitted in writing and shall describe the proposed transfer and the reason for such transfer. The Licensee's obligations under the license shall not be affected by the passage of title to the license site to any other person or municipality until such time as a transfer is approved by the Commissioner.
- **22. Document Submission.** Any document required to be submitted to the Commissioner under the license or any contact required to be made with the Commissioner shall, unless otherwise specified in writing by the Commissioner, be directed to:

DEEP.LWRDRegulatory@ct.gov or

Regulatory Section
Land & Water Resources Division
Department of Energy and Environmental Protection
79 Elm Street
Hartford, Connecticut 06106-5127
860-424-3019

- 23. Date of Document Submission. The date of submission to the Commissioner of any document required by the license shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under the license, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is personally delivered or the date three (3) days after it is mailed by the Commissioner, whichever is earlier. Except as otherwise specified in the license, the word "day" as used in the license means calendar day. Any document or action which is required by the license to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be submitted or performed on or before the next day which is not a Saturday, Sunday, or a Connecticut or federal holiday.
- **24.** Certification of Documents. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under the license shall be signed by the Licensee and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows: "I have personally examined and am familiar with the information submitted in this document and all attachments and certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief, and I understand that any false statement made in this document or its attachments may be punishable as a criminal offense."
- 25. Accuracy of Documentation. In evaluating the application for the license, the Commissioner has relied on information and data provided by the Licensee and on the Licensee's representations concerning site conditions, design specifications and the proposed work, including but not limited to representations concerning the commercial, public or private nature of the work or structures, the water-dependency of said work or structures, its availability for access by the general public, and the ownership of regulated structures or filled areas. If such information proves to be false, deceptive, incomplete or inaccurate, the license may be modified, suspended or revoked, and any unauthorized activities may be subject to enforcement action.
- **26.** Limits of Liability. In granting the license, the Commissioner has relied on all representations of the Licensee, including information and data provided in support of the Licensee's application. Neither the Licensee's representations nor the issuance of the license shall constitute an assurance by the Commissioner as to the structural integrity, the engineering feasibility or the efficacy of such design.
- 27. Reporting of Violations. In the event that the Licensee becomes aware that they did not or may not comply, or did not or may not comply on time, with any provision of this license or of any document incorporated into the license, the Licensee shall immediately notify the

agency contact specified within the license and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. In so notifying the agency contact, the Licensee shall provide, for the agency's review and written approval, a report including the following information:

- a. the provision(s) of the license that has been violated;
- b. the date and time the violation(s) was first observed and by whom;
- c. the cause of the violation(s), if known;
- d. if the violation(s) has ceased, the duration of the violation(s) and the exact date(s) and times(s) it was corrected;
- e. if the violation(s) has not ceased, the anticipated date when it will be corrected;
- f. steps taken and steps planned to prevent a reoccurrence of the violation(s) and the date(s) such steps were implemented or will be implemented; and
- g. the signatures of the Licensee and of the individual(s) responsible for actually preparing such report.

If the violation occurs outside of normal business hours, the Licensee shall contact the Department of Energy and Environmental Protection Emergency Dispatch at 860-424-3333. The Licensee shall comply with any dates which may be approved in writing by the Commissioner.

- **28. Revocation/Suspension/Modification.** The license may be revoked, suspended, or modified in accordance with applicable law.
- **29. Other Required Approvals.** License issuance does not relieve the Licensee of their obligations to obtain any other approvals required by applicable federal, state and local law.
- **30. Rights.** The license is subject to and does not derogate any present or future property rights or powers of the State of Connecticut, and conveys no property rights in real estate or material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state or local laws or regulations pertinent to the property or activity affected hereby.
- **31.** Condition Conflicts. In the case where a project specific special condition listed on the license differs from, or conflicts with, one of the general conditions listed herein, the project specific special condition language shall prevail. It is the licensee's responsibility to contact the agency contact person listed on the license for clarification if needed prior to conducting any further regulated activities.

DELUKE RESIDENCE SEAWALL REPAIR

DRAWING LIST				
DWG No.	DRAWING TITLE			
1	TITLE SHEET & GENERAL NOTES			
2	VICINITY MAP			
3	TAX ASSESSOR'S MAP			
4	EXISTING SITE PLAN			
5	EXISTING PARTIAL PLAN			
6	PROPOSED PARTIAL PLAN			
7	EXISTING & PROPOSED SECTION 1			
8	EXISTING & PROPOSED SECTION 2			

GENERAL NOTES

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- VICINITY MAP TAKEN FROM USGS TOPOGRAPHIC MAP MILFORD CT QUADRANGLE, CONNECTICUT CO., 7.5 MINUTE SERIES, MILFORD, CT 2021
- 3. ELEVATIONS REFERENCE NATIONAL NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88), UNLESS NOTED OTHERWISE.
- SITE INFORMATION TAKEN FROM A DRAWING TITLED "AS-BUILT PLOT PLAN", PREPARED FOR MARK & DIANA THOMAS, BY GIOECCHINO DE NICOLO, DATED 06/28/2013.
- 5. SUPPLEMENTARY INFORMATION OBTAINED BY RACE COASTAL ENGINEERING, INC. ON 07/24/2023 AND ONLY REPRESENT THE SITE CONDITIONS AT THAT TIME.
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PROJECT TIDAL ELEVATIONS (NAVD 88)			
DATUM	ELEVATION (FT)		
COASTAL JURISDICTION LINE (CJL)	+4.7		
HIGH TIDE LINE (HTL)	+4.7		
MEAN HIGHER HIGH WATER (MHHW)	+3.3		
MEAN HIGH WATER (MHW)	+2.9		
NAVD 88	0.00		
NGVD 29	-1.1		
MEAN LOW WATER (MLW)	-3.4		
MEAN LOWER LOW WATER (MLLW)	-3.6		



611 Access Road Stratford, CT 06615 Tel: 203-377-0663 racecoastal.com Prepared For:

DAVID DELUKE
27 POINT BEACH DR

MILFORD, CT 06460

Project:

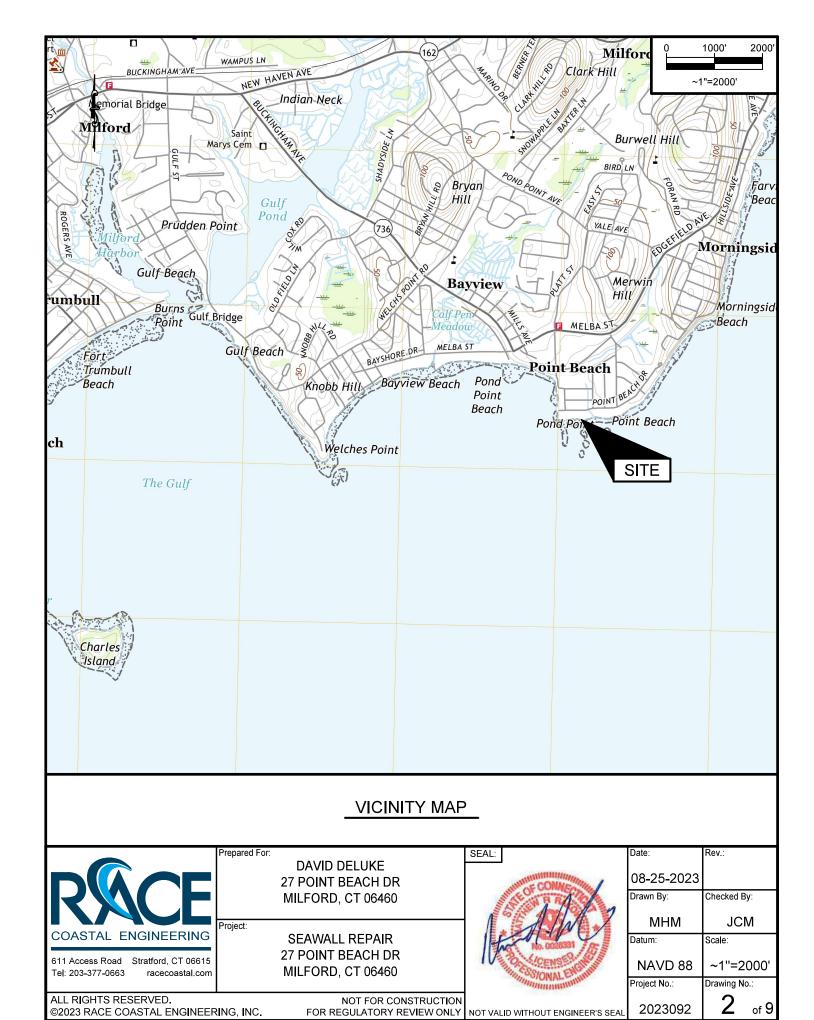
SEAWALL REPAIR 27 POINT BEACH DR MILFORD, CT 06460

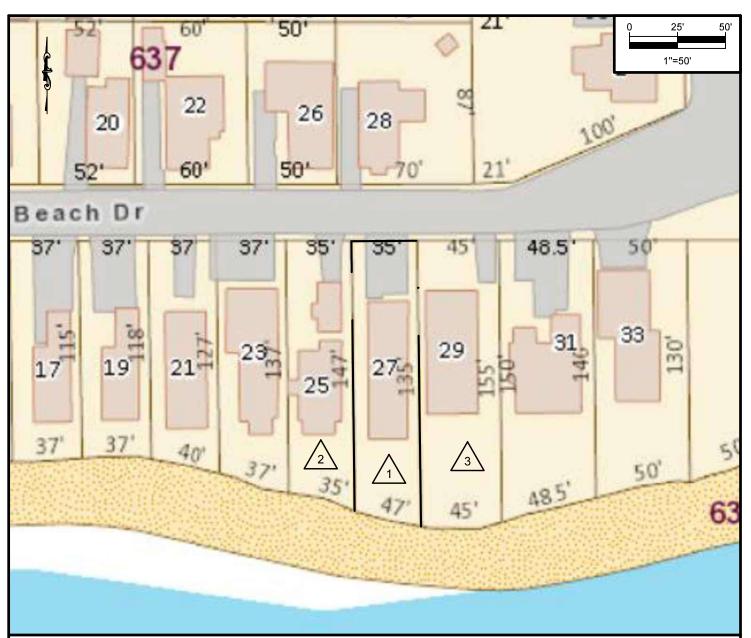
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Date:	Rev.:
08-25-2023	
Drawn By:	Checked By:
МНМ	JCM
Datum:	Scale:
NAVD 88	N/A
Project No.:	Drawing No.:
2023092	1 of 9

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≻O	SYMB	ADDRESS	OWNER/MAILING ADDRESS
ERT	\Box	27 Point Beach Dr.	David DeLuke
ROPI ORIV	2	25 Point Beach Dr.	Edward H McGann Jr.
H F F	3	29 Point Beach Dr.	Patrick J Vitale Jr Revocable Trust

TAX ASSESSOR'S MAP



Tel: 203-377-0663

DAVID DELUKE 27 POINT BEACH DR MILFORD, CT 06460

Project:

Prepared For:

SEAWALL REPAIR 27 POINT BEACH DR MILFORD, CT 06460

NOT FOR CONSTRUCTION



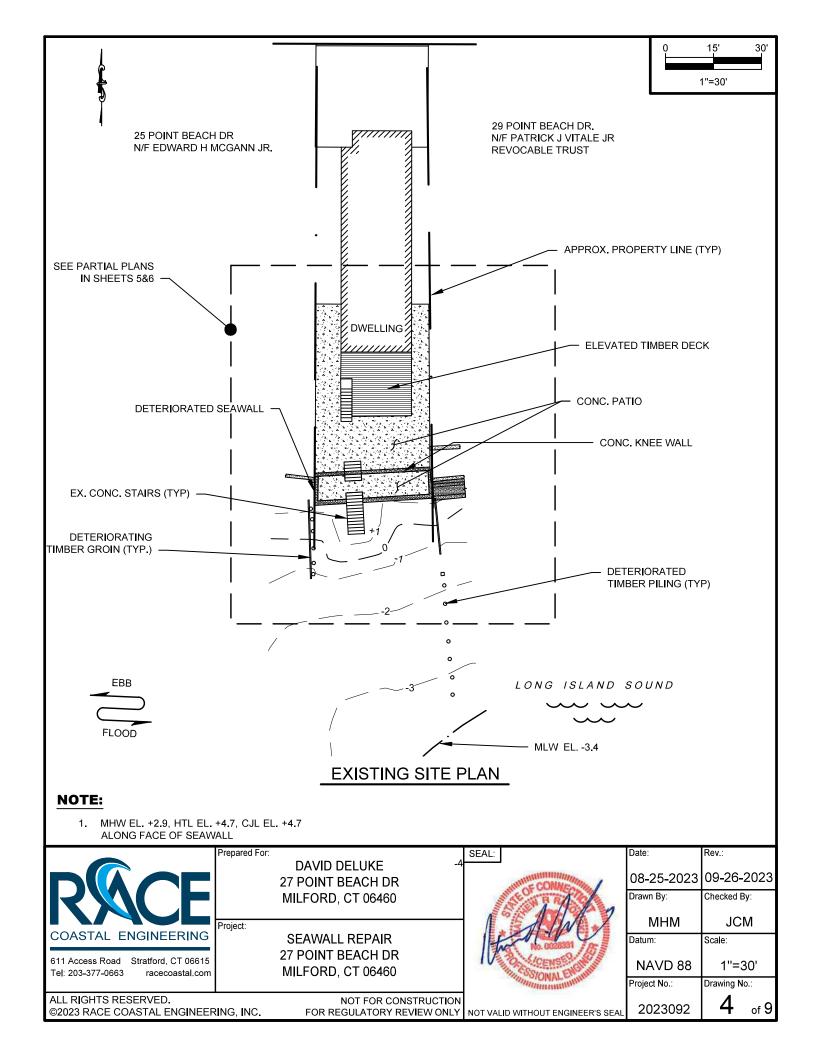
Date: Rev.: 08-25-2023 Drawn By: Checked By: MHM JCM Datum: Scale: NAVD 88 1"=50" Project No.: Drawing No.:

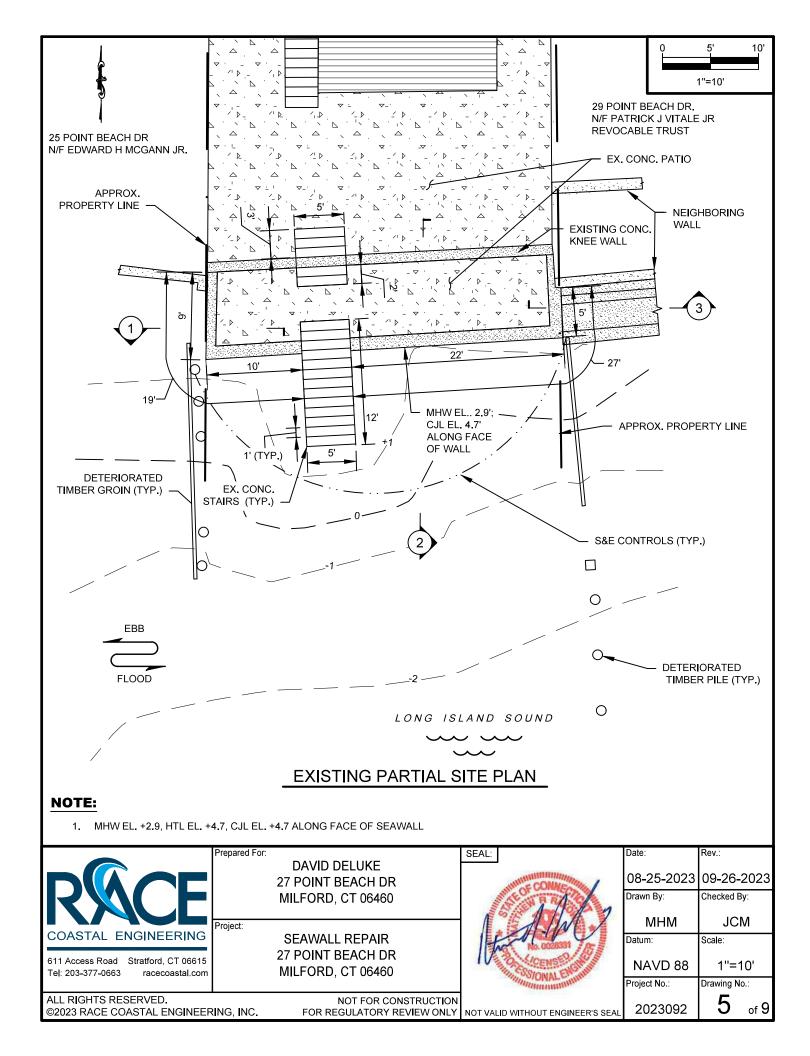
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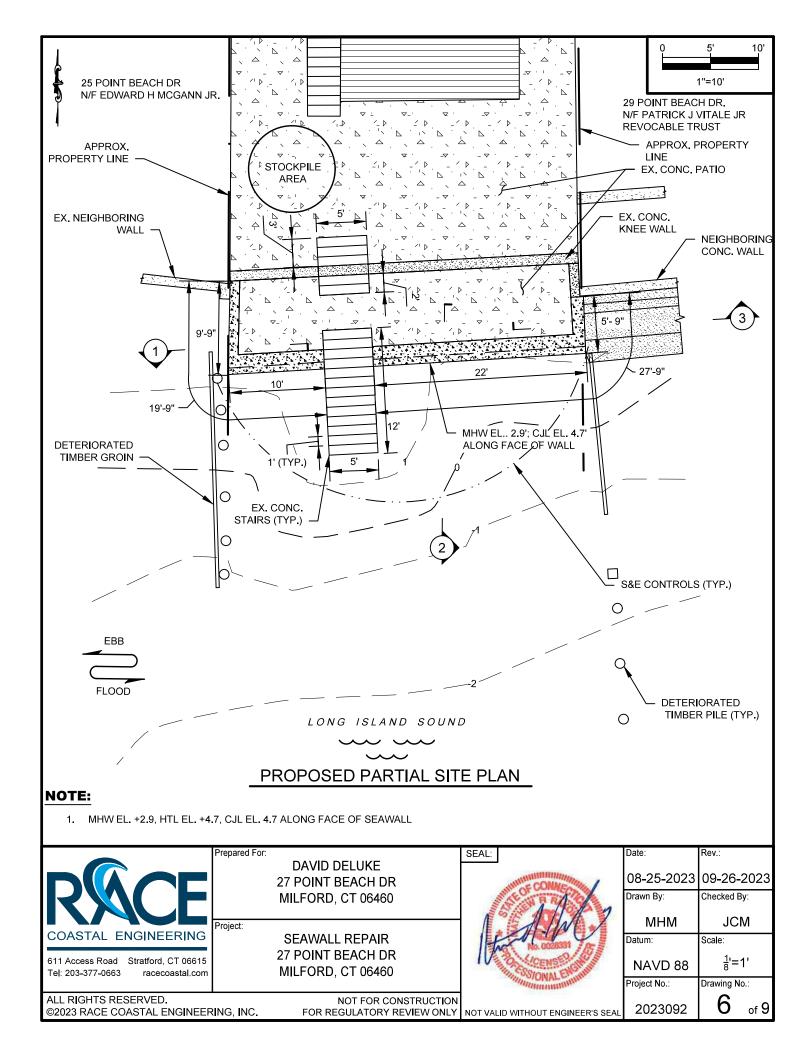
3 2023092 of 9

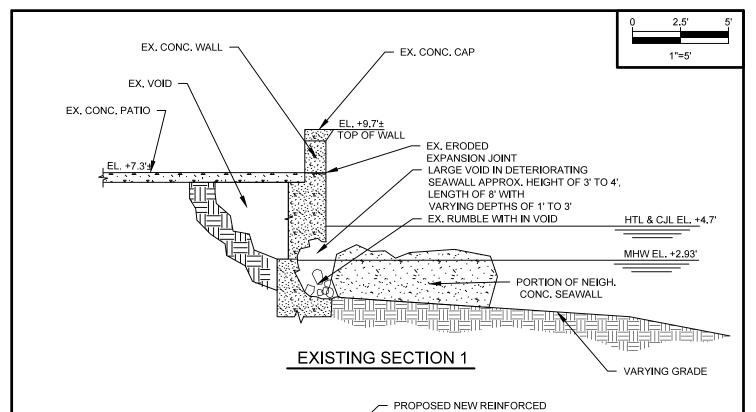
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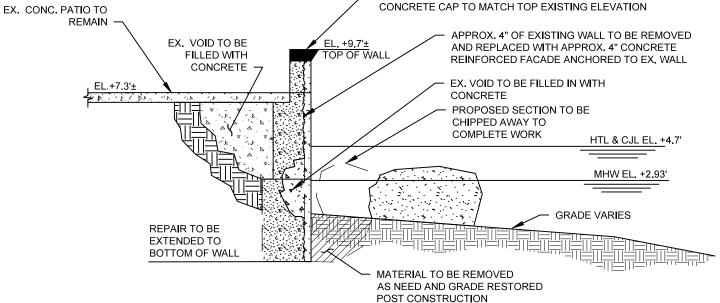
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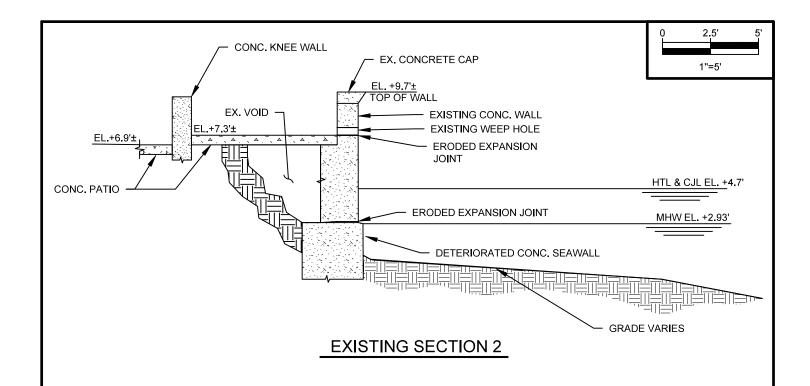


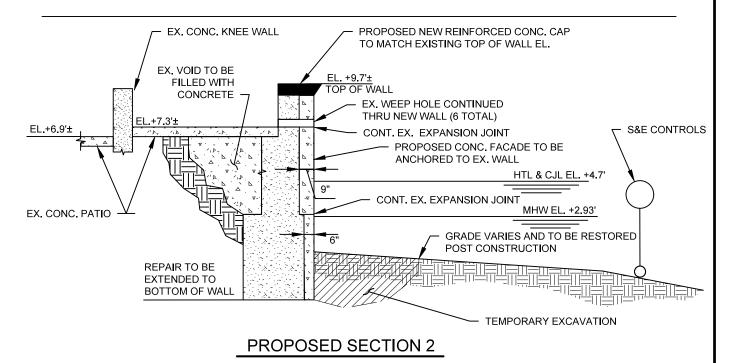
PROPOSED SECTION 1

NOTE:

1. MLW EL. -3.4' IS WATERWARD OF THE SECTION SHOWN

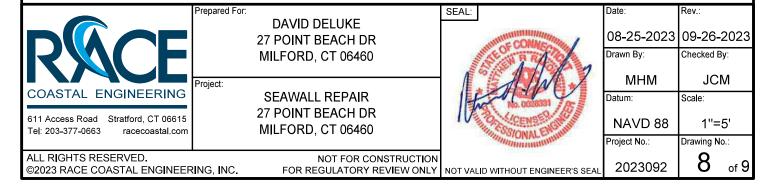
ı		Prepared For:	DAVID DELUKE	SEAL:	Date:	Rev.:
I			27 POINT BEACH DR	WHITE COMPANY	08-25-2023	09-26-2023
I	KW(F		MILFORD, CT 06460	TA A	Drawn By:	Checked By:
ı		Project:		- Allah J	МНМ	JCM
ı	COASTAL ENGINEERING		SEAWALL REPAIR	10.0028331 OF	Datum:	Scale:
ı	611 Access Road Stratford, CT 06615 Tel: 203-377-0663 racecoastal.com		27 POINT BEACH DR MILFORD, CT 06460	CENSE STORING	NAVD 88	1"=5'
L			,	The state of the s	Project No.:	Drawing No.:
	ALL RIGHTS RESERVED. ©2023 RACE COASTAL ENGINEER	RING, INC.	NOT FOR CONSTRUCTION FOR REGULATORY REVIEW ONLY	NOT VALID WITHOUT ENGINEER'S SEAL	2023092	7 of 9

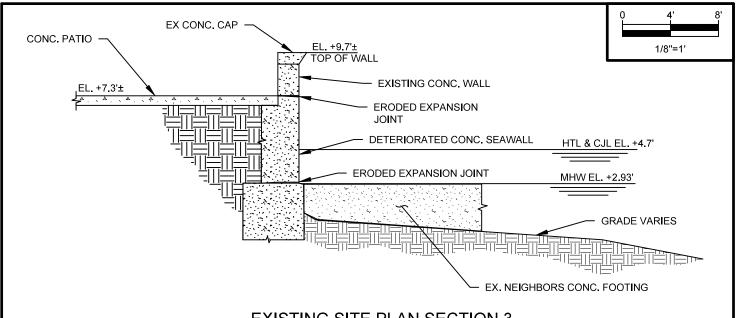




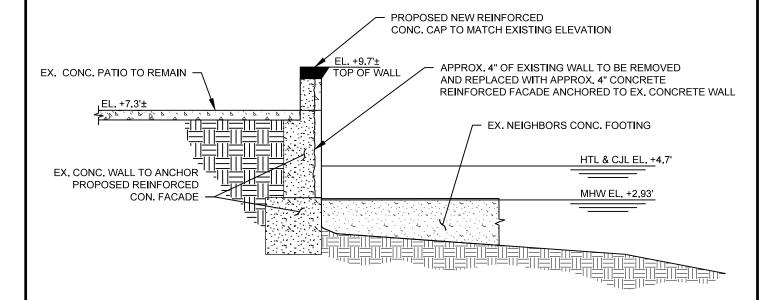
NOTE:

1. MLW EL. -3.4' IS WATERWARD OF THE SECTION SHOWN





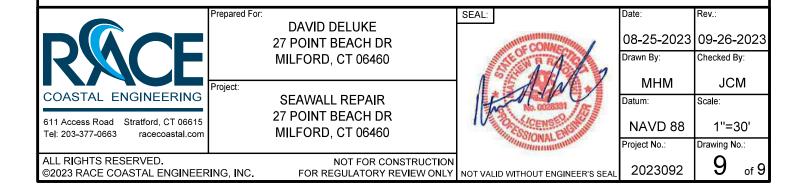
EXISTING SITE PLAN SECTION 3



PROPOSED PLAN SECTION 3

NOTE:

1. MLW EL. -3.4' IS WATERWARD OF THE SECTION SHOWN





79 Elm Street • Hartford, CT 06106-5127

portal.ct.gov/DEEP

Affirmative Action/Equal Opportunity Employer

Land Record Filing*

<u>To</u>: DO NOT FILE

Signature and

NOTE: Due to the electronic delivery of this license and the legal requirement to have a live signature on this document, the "Land Record Filing" as detailed in General Condition #1 will be sent to the Licensee via U.S. Mail for the Licensee to file with the city/town clerk.

Date :	
Subject:	
	License #

If you have any questions pertaining to this matter, please contact the Land & Water Resources Division at 860-424-3019.

Return to:

Land & Water Resources Division
State of Connecticut
Department of Energy & Environmental Protection
79 Elm Street
Hartford, CT 06106-5127

^{*}The Licensee shall file the Land Record Filing on the land records of the municipality in which the subject property is located not later than thirty (30) days after license issuance pursuant to Connecticut General Statutes (CGS) Section 22a-363g. A copy of the Notice with a stamp or other such proof of filing with the municipality shall be submitted to the Commissioner no later than sixty (60) days after license issuance.

Bureau of Water Protection & Land Reuse Land & Water Resources Division

79 Elm Street • Hartford, CT 06106-5127

portal.ct.gov/DEEP

Affirmative Action/Equal Opportunity Employer

LWRD Work Commencement Form

To: <u>DEEP.LWRDRegulatory@ct.gov</u> or

Regulatory Section

Department of Energy and Environmental Protection

Land & Water Resources Division

79 Elm Street

Hartford, CT 06106-5127

David DeLuke		
which the project is occurring	g: Milford	
o(s): 202306413-COP		
E OF COMMENCEMENT C	OF WORK:	
E OF COMPLETION OF W	ORK:	
(Signature)	(Date)	
	which the project is occurring o(s):202306413-COP) received a copy approved plans: TE OF COMMENCEMENT OF WORK: TE OF COMPLETION OF WORK:

79 Elm Street • Hartford, CT 06106-5127

portal.ct.gov/DEEP

Affirmative Action/Equal Opportunity Employer

Compliance Certification Form

The following certification must be signed by the licensee working in consultation with a Connecticut-licensed design professional and must be submitted to the address indicated at the end of this form within ninety (90) days of completion of the authorized work.

1. Licensee Name:David DeLuke				
DEEP License Number(s):202306413-COP				
Municipality in which project is occurring:Milford	<u> </u>			
2. Check one:				
	or structures are in general conformance with the approved attach to this form.			
(b) "The final site conditions and / or structure plans. The enclosed "as-built" plans note the	es are not in general conformance with the approved site he modifications".			
3. "I understand that any false statement in this certificat 157b of the General Statutes and under any other applical				
Signature of Licensee	Date			
Name of Licensee (print or type)				
Signature of CT-Licensed Design Professional	Date			
Name of CT-Licensed Design Professional (print or type)				
Professional License Number (if applicable)	Affix Stamp Here			
 As-built plans shall include: elevations or tidal datums, as applicable, and structures, including any proposed elevation views and cross sections included in the approved license plans. Such as-built plans shall be the original ones and be signed and sealed by an engineer, surveyor or architect, as applicable, who is licensed in the State of Connecticut. 				
• The Licensee will be notified by staff of the Land and Water Resources Division (LWRD) if further compliance review is necessary. Lack of response by LWRD staff does not imply compliance.				
Submit this completed form to: DEEP.LWRDRegulatory@ct.gov or Regulatory Section Department of Energy and Environmental Protection Land & Water Resources Division 79 Elm Street Hartford, CT, 06106-5127				



DEPARTMENT OF THE ARMY

NEW ENGLAND DISTRICT, CORPS OF ENGINEERS 696 VIRGINIA ROAD CONCORD, MASSACHUSETTS 01742-2751

October 2, 2023

Regulatory Division

File Number: NAE-2023-02000

David DeLuke 27 Point Beach Drive Milford, Connecticut 06460 Via email: deluke@optonline.net

Dear Mr. DeLuke:

PROPOSED WORK/LOCATION: <u>Repair and retain approximately 40 linear feet of pre-1995</u> concrete seawall along the waterfront property by anchoring a 24 sq. ft. concrete façade over the existing deteriorated sea wall and approximately 50 sq. ft. of temporary turbidity curtains will be placed below mean high water into the Long Island Sound at 27 Point Beach Drive, Milford, Connecticut 06460.

CT DEEP FILE #: 202306413

We have reviewed your proposal to perform work within U.S. Army Corps of Engineers jurisdiction. We have assigned this file number <u>NAE-2023-02000</u>. Please reference this number in any future correspondence with us.

Since your project may have only minimal individual and cumulative impacts on waters and wetlands of the United States, it is authorized by the U.S. Army Corps of Engineers under the Connecticut General Permits (GPs). This authorization does not obviate the need to obtain other federal, state, or local approvals. You are responsible for ensuring that the work meets the terms and conditions of the CT GPs. We have recorded this project as permittee self-verification of the CT GPs in our database.

Please contact Andrea Williams of my staff at <u>Andrea.N.Williams@usace.army.mil</u> or (978) 318-8494 if you have any questions.

Sincerely,

Kevin R. Kotelly, P.E.

Chief, Permits & Enforcement Branch

Regulatory Division

Enclosure (plans)

cc:

[AGENT] Jonathan Mendoza, Race Coastal Engineering, 611 Access Road, Stratford, CT 06615; jmendoza@racecoastal.com
Susan Jacobson, CT DEEP, Land & Water Resources Division; susan.jacobson@ct.gov

DELUKE RESIDENCE SEAWALL REPAIR

DRAWING LIST				
DWG No. DRAWING TITLE				
1 TITLE SHEET & GENERAL NOTES				
2 VICINITY MAP				
3 TAX ASSESSOR'S MAP				
4 EXISTING SITE PLAN				
5 EXISTING PARTIAL PLAN				
6 PROPOSED PARTIAL PLAN				
7 EXISTING & PROPOSED SECTION 1				
8	EXISTING & PROPOSED SECTION 2			

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MEAN LOWER LOW WATER (MLLW)	-3.6		



611 Access Road Stratford, CT 06615 Tel: 203-377-0663 racecoastal.com

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DAVID DELUKE
27 POINT BEACH DR
MILFORD, CT 06460

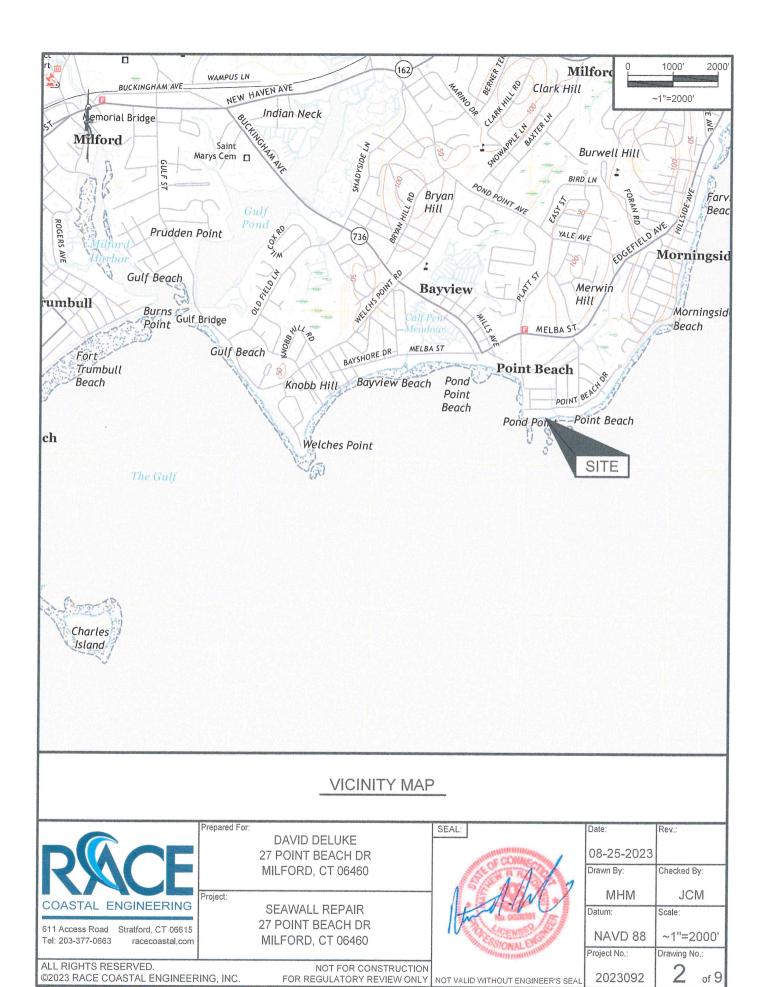
Project:

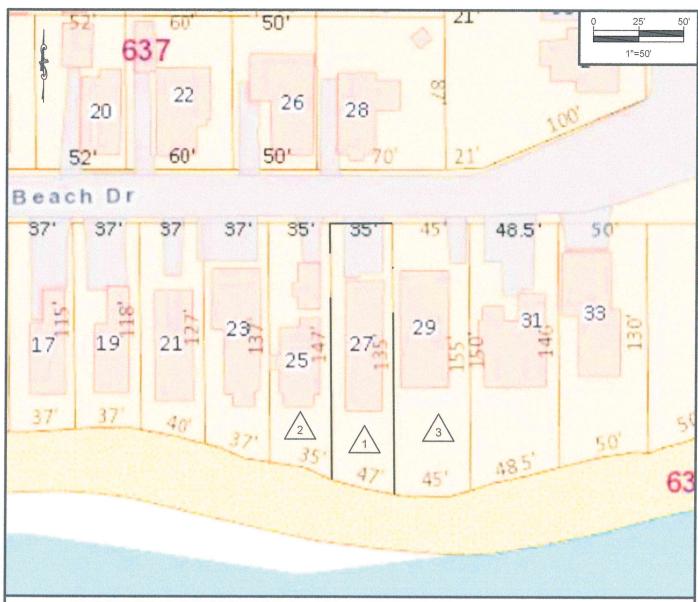
SEAWALL REPAIR 27 POINT BEACH DR MILFORD, CT 06460

NOT FOR CONSTRUCTION
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	Date:	Rev.:
	08-25-2023	
	Drawn By:	Checked By:
	МНМ	JCM
	Datum:	Scale:
	NAVD 88	N/A
	Project No.:	Drawing No.:
AL	2023092	1 of 9





PROPERTY INFORMATION	SYMB	ADDRESS	OWNER/MAILING ADDRESS
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	2	25 Point Beach Dr.	Edward H McGann Jr.
	3	29 Point Beach Dr.	Patrick J Vitale Jr Revocable Trust

TAX ASSESSOR'S MAP



611 Access Road Stratford, CT 06615 Tel: 203-377-0663 racecoastal.com Prepared For: DAVID DELUKE 27 POINT BEACH DR MILFORD, CT 06460

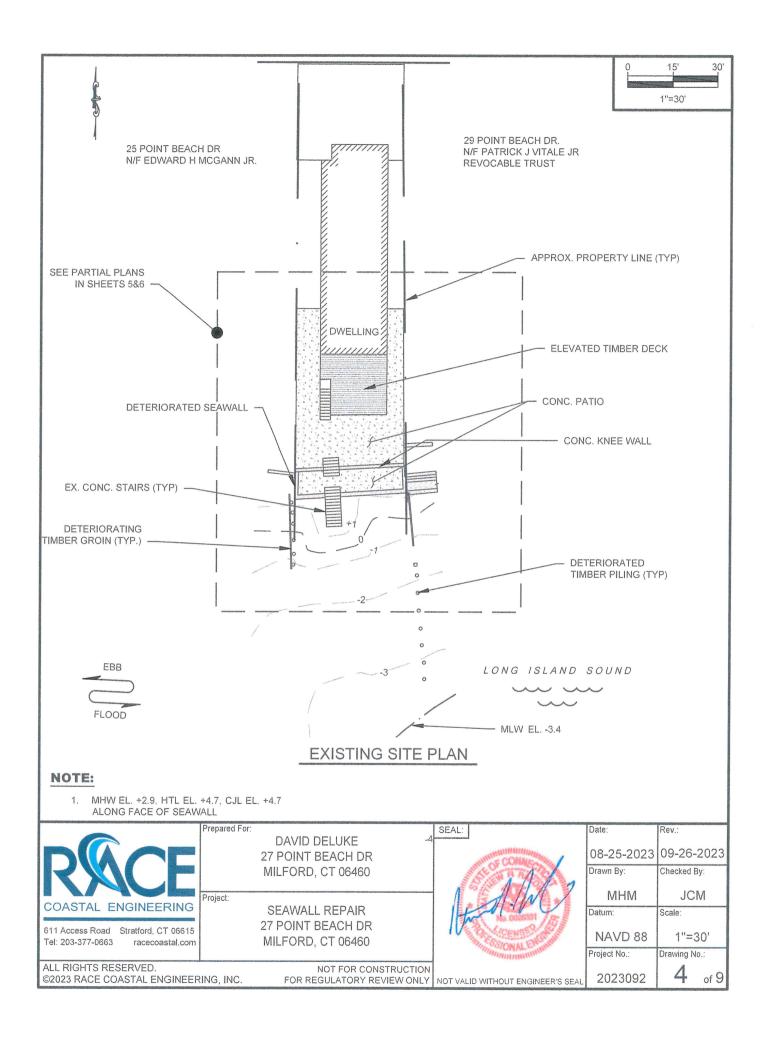
Project: SEAWALL REPAIR 27 POINT BEACH DR MILFORD, CT 06460

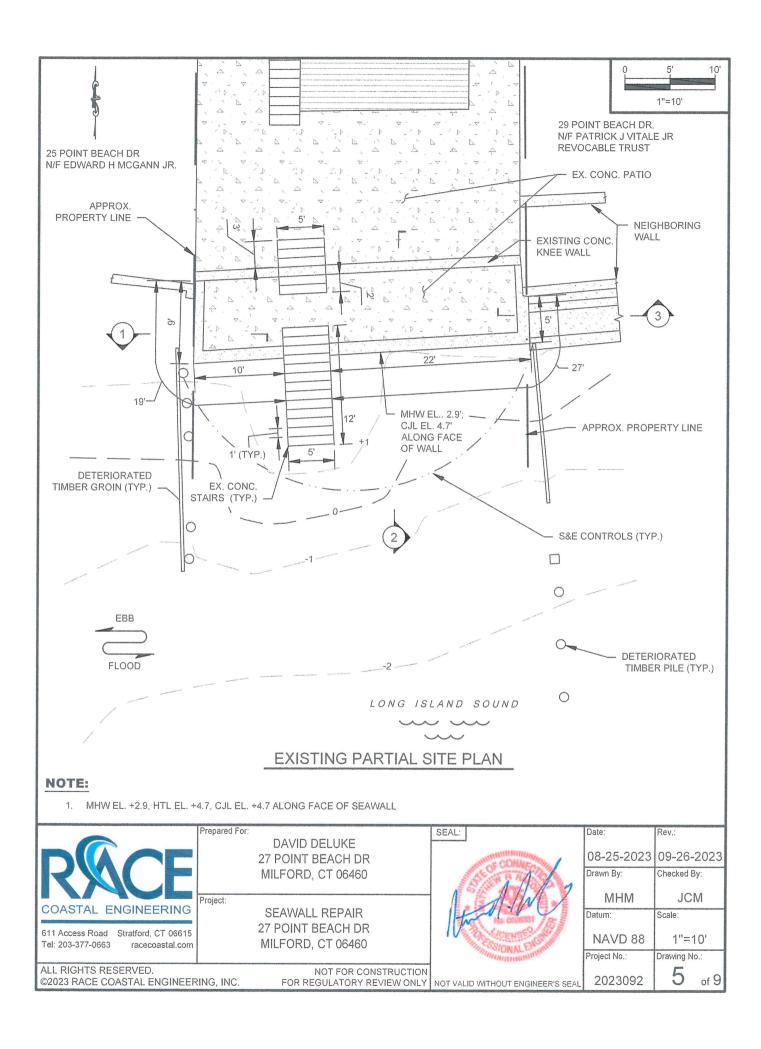
NOT FOR CONSTRUCTION FOR REGULATORY REVIEW ONLY NOT VALID WITHOUT ENGINEER'S SEAL 2023092 3

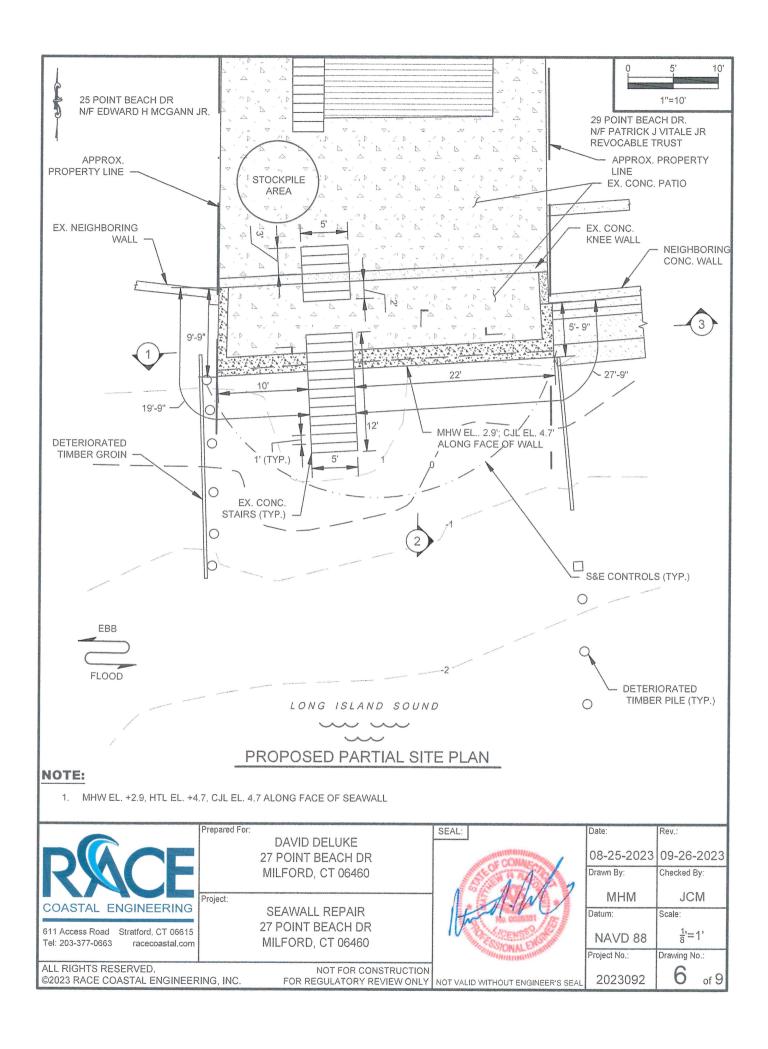


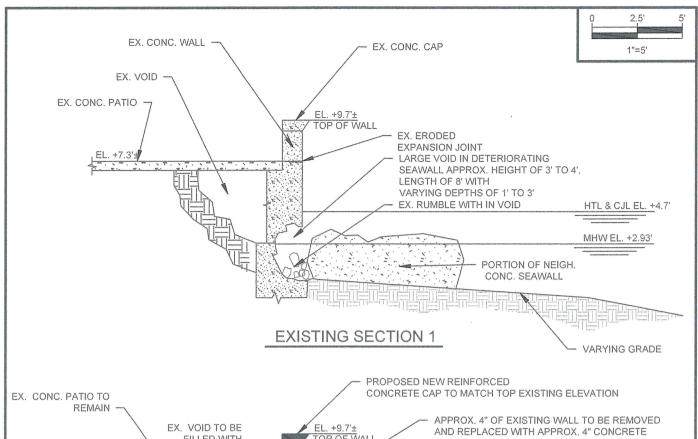
	Date:	Rev.:			
	08-25-2023				
	Drawn By:	Checked By:			
	MHM	JCM			
	Datum:	Scale:			
	NAVD 88	1"=50'			
	Project No.:	Drawing No.:			
L	2023092	3 of 9			

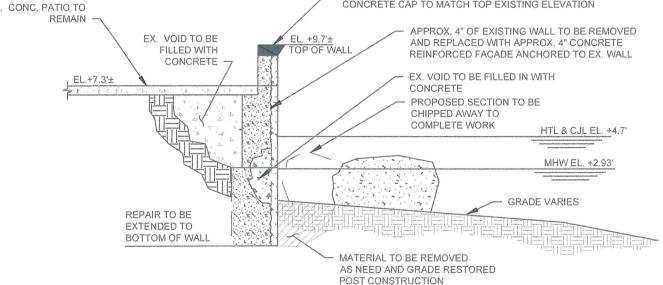
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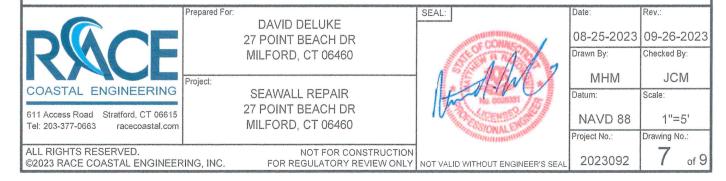


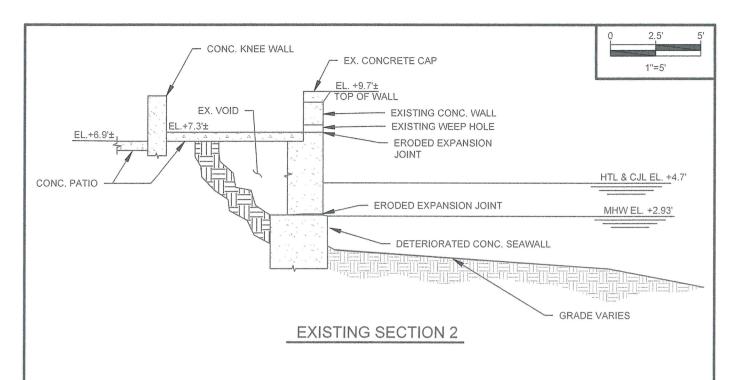


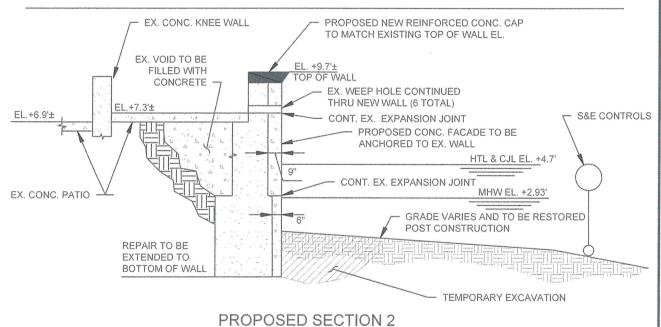
PROPOSED SECTION 1

NOTE:

 MLW EL. -3.4' IS WATERWARD OF THE SECTION SHOWN

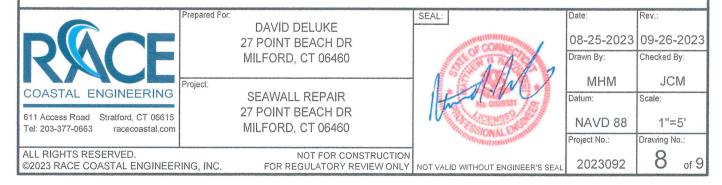


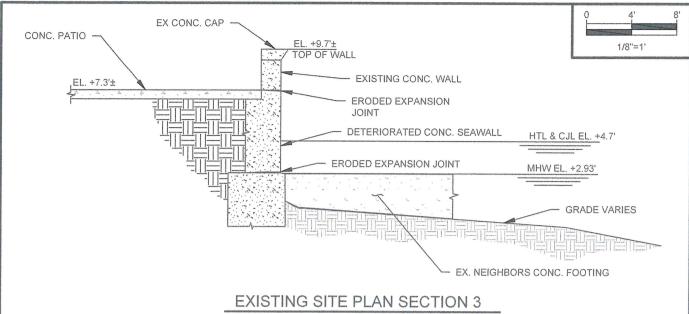


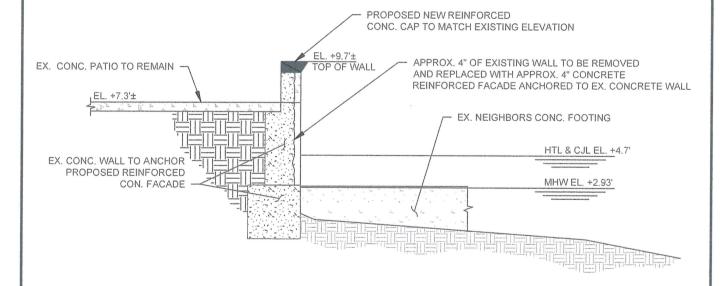


NOTE:

 MLW EL. -3.4' IS WATERWARD OF THE SECTION SHOWN







PROPOSED PLAN SECTION 3

NOTE:

MLW EL. -3.4' IS WATERWARD OF THE SECTION SHOWN

