



February 28, 2023

Stamford Planning Board
c/o Vineeta Mathur
Stamford Land Use Bureau
Stamford Government Center
888 Washington Blvd. – 7th Floor
Stamford, CT 06901

Re: CSPR for Proposed Subdivision Application #4045; 40 Signal Road and 0 Thread Needle Lane

Dear Board Members:

Thank you for notifying this office of the Coastal Site Plan Application (CSP) for the proposed subdivision of property located at 40 Signal Road and 0 Thread Needle Lane. Acting as the Commissioner's staff, our office has reviewed the CSP application for consistency with the policies and standards of the Connecticut Coastal Management Act (CCMA), and we find the project as proposed inconsistent with several relevant policies of the Act. We offer the following comments for consideration with respect to the application.

The Applicant, Sound Beach Landing LLC, has proposed a subdivision of the subject property into four individual lots for the construction of four single-family homes. The site currently supports a vacant office building and parking lot. The area of the property where the proposed homes are to be constructed is delineated as a FEMA AE 12 flood zone, a VE 16 flood zone, and a Coastal A zone. It appears that all the proposed homes would be located within the Coastal A zone, as depicted by the Limit of Moderate Wave Action (LiMWA) line.

As this office has previously and consistently stated, increasing residential density in coastal flood hazard areas poses potential flood hazard issues due, in part, to the dangers of road flooding and the inability to provide dry access for emergency personnel during a storm event. Section 22a-92(b)(2)(F) of the CCMA requires the Planning Board to manage coastal hazard areas to ensure that hazards to life and property are minimized. Therefore, the Board must determine whether allowing residential development on the subject parcel where none currently exists, even if built to FEMA standards, will knowingly put people in harm's way and result in a significant exposure of life and property to flood hazards, or if it only marginally adds to such exposure in light of the already developed nature of the surrounding area. With respect to FEMA compliance in this case, all structures would be located within the Coastal A zone on the property and therefore must be built to VE zone standards.

Further, the Applicant has proposed approximately 24,650 SF of "potential open space area" along the southern sandy beach portion of the property that is bound by Long Island Sound. While this set-aside would meet local subdivision requirements, it does not appear that this open space area will be accessible by the general public. The CCMA requires that highest priority and preference be given to locating water-dependent uses at waterfront sites [Connecticut General Statutes (CGS) §22a-92(a)(3)]. The sandy beach located onsite appears to be very suitable for general public access, which is a statutorily defined water-dependent use [CGS §22a-93(16)]. Not providing a water-dependent use at a suitable waterfront site is an unacceptable adverse impact to future water-dependent development opportunities as defined in CGS

§22a-93(17). Thus, the subdivision of the subject waterfront property for residential use as proposed without any water-dependent component is inconsistent with the CCMA. We note that the Applicant has not addressed water-dependency in the application narrative.

Pursuant to CGS §22a-105(e), the Planning Board has the authority to modify or condition an activity proposed in a coastal site plan to ensure that the potential adverse impacts of the proposed activity on both coastal resources and future water-dependent development activities are acceptable. Accordingly, the Board can condition an approval of the subject CSP to require the inclusion of a water-dependent component such as public access. Incorporation of public access will likely require redesign of the subdivision, including the provision of a public walkway to the beach and adequate parking. But ensuring that a public access component is required early in the municipal review process will ensure that well-designed and meaningful provisions for public access are incorporated into an otherwise non-water-dependent proposal.

With respect to sea level rise, data developed specifically for Connecticut by the Connecticut Institute for Climate Resilience and Adaptation (CIRCA) shows that sea level in Connecticut could rise as much as 20 inches by the year 2050 in flat, low-lying areas of the coast such as the subject parcel. The proposed subdivision plans show an existing two-foot +/- retaining wall along the beachfront. Due to the likelihood that the subject parcel will be inundated by a rising sea level within the next 30 years, it should be understood that ***absolutely no structures such as seawalls will be allowed for any subdivided lot as a solution to any future flooding or erosion problems at the subject site.*** Structural solutions are allowed by CCMA policies only in very limited circumstances to protect residential structures existing prior to January 1, 1995. Future proposals for seawalls or other structural solutions would likely be deemed inconsistent with the CCMA.

The Applicant should also be aware that any work proposed to be performed waterward of the Coastal Jurisdictional Area (CJL) on the property, including maintenance of the existing retaining wall which appears to intersect with the CJL, would be subject to DEEP regulatory jurisdiction. The Applicant will need to obtain DEEP approval prior to the commencement of such activities. In addition, if the subdivision is approved, we recommend that provisions be made for the existing dock onsite to be used as a shared dock for all subdivided parcels. Individual docks for each of the subdivided lots in this tightly constricted area would impede public access along the beach and create potential navigation conflicts with the existing nearby docks and the channel to Dolphin Cove to the east. Regulatory approval of new individual docks under these circumstances is unlikely.

DEEP strongly encourages the Applicant and the Planning Board to consider the comments presented in this letter for the proposed project. They are presented to protect the proposed development from the negative impacts that may occur from future storm events and natural coastal erosion processes, and to allow the proposed project to achieve consistency with the CCMA.

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Once again, DEEP would like to thank you for the opportunity to review and comment on the proposed project. Should you have any questions regarding this letter, please feel free to contact Karen Michaels of my staff at karen.michaels@ct.gov.

Sincerely,



Brian Thompson, Director
DEEP Land and Water Resources Division

BPT/kam

cc: Stamford Coastal File: 40 Signal Road and 0 Thread Needle Lane