

**STATE OF CONNECTICUT  
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION  
OFFICE OF ADJUDICATIONS**

**IN THE MATTER OF** : **APPLICATION NO. 202307788-SDFTW**

**2 LIGHTHOUSE** :  
**LANE, LLC** **DECEMBER 11, 2025**

**PROPOSED FINAL DECISION**

**I. SUMMARY**

The Applicant, 2 Lighthouse Lane, LLC (“Applicant”) has filed an application with the Department of Energy and Environmental Protection (“DEEP” or “Department”) seeking a permit to conduct work waterward of the coastal jurisdiction line in tidal, coastal, or navigable waters of the state and in tidal wetlands for recreational boating access. This application was reviewed under the applicable governing statutes and regulations, namely the Structures, Dredging, and Fill Act, Connecticut General Statutes (Conn. Gen. Stat.) §§ 22a-359 through 363f, the Tidal Wetlands Act, Conn. Gen. Stat. §§ 22a-32 through 22a-35a, Tidal Wetland Regulations, §§ 22a-30-1 to 22a-30-17, and the applicable policies of the Coastal Management Act, Conn. Gen. Stat. §§ 22a-90 through 22a-112. The Department determined that the application was complete and, following its sufficiency and technical review, that the proposed project complied with the relevant statutes and regulations. Following the evidentiary hearing, the Applicant and DEEP staff (“the Parties”) filed an Agreed Draft Decision (“ADD”, Attachment I). I have reviewed the entire administrative record in this proceeding, including the documents and testimony admitted into evidence. To make a determination, the evidence in the record is compared to relevant statutory and regulatory criteria. That question, and the evaluation of the relevant evidence and statutory and regulatory criteria it requires, is the only question before me in this matter. I have considered public comments made throughout this hearing process, as well as the Parties’ responses to public input. The purpose of public comment is to guide the hearing officer’s inquiry into a matter, but it is not evidence in the record and not a basis for a decision.

The Applicant met its burden to demonstrate the legal issues of this matter, which are as follows:

1. Whether the proposed permit to construct a fixed pier and dock waterward of the Coastal Jurisdiction Line complies with the relevant legal standards, namely Conn. Gen. Stat. §§ 22a-361 and 22a-32, concerning structures, dredging, and fill, and tidal wetlands, respectively.
2. Whether the applicant has satisfied their burden in demonstrating that the project is consistent with applicable policies governing the Draft Permit in this matter.

The factual findings and conclusions of law set out in the ADD are comprehensive and fully supported by substantial evidence in the record and demonstrate that the proposed activity regarding the proposed project

set forth in the application, and as conditioned by the Draft Permit, complies with the relevant statutes and regulations and minimizes potential environmental impacts. I therefore adopt the ADD in full as my proposed final decision and recommend issuance of the Draft Permit. I also make the following supplemental conclusions of law.

## II. CONCLUSIONS OF LAW

This matter concerns the Department's issuance of a permit for the conduct of a regulated activity. It was convened and conducted as a contested case pursuant to the parameters of the Connecticut Uniform Administrative Procedure Act, Conn. Gen. Stat. §§ 4-166(8); 4-177, and with the Department's Rules of Practice, see Regs., Conn. State Agencies §§ 22a-3a-2 through 22a-3a-6. As this proceeding concerns an application, the burden of proof rests with the Applicant. Regs., Conn. State Agencies § 22a-3a-6(f).

Both parties offered the testimony of expert witnesses. As a general matter, the finder of fact "is not required to believe un rebutted expert testimony, but may believe all, part, or none of such un rebutted expert evidence." *Bancroft v. Commissioner of Motor Vehicles*, 48 Conn. App. 391, 405, 710 A.2d 807 (1998). The Applicant offered expert testimony from Azure Dee Sleicher and Megan Raymond, and the DEEP staff offered expert testimony from Emily Herz. The expert testimonies were credible, convincing, and uncontradicted in the evidentiary record. Accordingly, I have relied on the testimony of these expert witnesses in reaching my decision in this matter. See *id.*; *Bain v. Inland Wetlands Commission*, 78 Conn. App. 808, 817, 829 A.2d 18 (2003); see also *Tanner v. Conservation Commission*, 15 Conn. App. 336, 340-41, 544 A.2d 258 (1988).

As fully addressed in the ADD, based on the evidence in the record and the governing law, the Draft Permit complies with the relevant statutory standards, namely the Structures, Dredging, and Fill Act, and the relevant implementing regulations, as they relate to the subject application. The Draft Permit further complies with the relevant statutory standards of the Tidal Wetlands Act, its implementing regulations, and the applicable portions of the Coastal Management Act. The overall regulatory framework requires a balancing of interests and requires the Applicant to minimize impacts on coastal resources. I conclude that the Applicant's compliance with the terms and conditions of the Draft Permit, which were arrived at after extensive environmental review by Department staff, will minimize environmental impacts to the extent possible. See *Briggs v. State Employees Retirement Commission*, 210 Conn. 214, 217-18, 554 A.2d 292 (1989) (agency composed of experts may rely on its own expertise within areas of professional competence); see also *Connecticut Building Wrecking Co., Inc. v. Carothers*, 218 Conn. 580, 593, 590 A.2d 447 (1991).

Additionally, the record supports the applicant's burden of demonstrating that the project is consistent with the applicable policies governing the Draft Permit. The potential environmental impacts from the proposed project have been sufficiently minimized and are consistent with the applicable coastal resource management policies. No evidence was submitted demonstrating that the proposed activity would violate, or is reasonably likely to violate, the relevant statutory and regulatory scheme.

## III. PUBLIC COMMENTS

Public comments on a pending draft permit are vital aspects of the hearing process. Public comments were thoroughly and thoughtfully considered. While public comments are not evidence on which a decision can be based, the public comments received do not demonstrate that the subject application is inconsistent with governing Connecticut law. Several themes emerged from the review of public comments, which were



addressed at the evidentiary hearing and through the ADD. Public comments regarding impacts on public trust, the size of the proposed project, overall navigational impacts, impacts on the view, and environmental concerns were evaluated. (*See Exs. DEEP-12, 20, APP-4, APP-5, Test. Herz, 39:25 -53:00*). It is understood that members of the public have questions and comments regarding this project. This administrative hearing can only evaluate the project in accordance with the relevant statutes and regulations, and within the jurisdiction DEEP holds. Therefore, based on the extensive record and evidence provided by the parties, the Draft Permit meets the statutory and regulatory requirements.

#### **IV. CONCLUSION AND RECOMMENDATION**

If conducted as proposed and in accordance with the terms and conditions of the Draft Permit, this proposed project to be regulated will be consistent with the relevant statutes and regulations raised in this proceeding. I recommend that the Commissioner finalize and issue the requested permit so this project may proceed.

A handwritten signature in dark ink that reads "Kathleen W. Reiser". The signature is fluid and cursive, with the first name being the most prominent.

Kathleen W. Reiser, Esq.  
Hearing Officer

cc: Service list

**STATE OF CONNECTICUT  
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION  
OFFICE OF ADJUDICATIONS**

**IN THE MATTER OF** : **Application No. 202307788-SDFTW**  
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**2 LIGHTHOUSE LANE, LLC** : **OCTOBER 23, 2025**

**AGREED DRAFT DECISION**

**I. SUMMARY**

On October 11, 2023, 2 Lighthouse Lane, LLC, acting through its manager, Alexander Buzik, (the “Applicant”), submitted a Structures, Dredging and Fill and Tidal Wetlands License application to conduct activities waterward of the coastal jurisdictional line and affecting tidal wetlands. DEEP-1; DEEP-20; APP-3. The activity proposed in the application, as later amended, (the “Application”) (DEEP-1; DEEP-5 – 11b), is the construction of a residential dock that consists of:

- a. a 125' x 4' fixed timber pier with railings, with a landward top of deck elevation of +11' NAVD88 and a waterward top of deck elevation of +9' NAVD88 and six 18" steel monopiles;
- b. a 40' x 3' gangway; and
- c. an 8' x 20' float secured by four 12" steel restraint piles.

The staff within the Department of Energy and Environmental Protection’s Land and Water Resources Division (“DEEP” or “Department” and “LWRD”) reviewed the Application and, after requesting additional information and modifications to the original proposal (DEEP-5 – 11b) prepared a Draft License (DEEP-14). On March 31, 2025, DEEP published a Notice of Tentative Determination (DEEP-13, 17), indicating that Department staff recommended the Application be approved as conditioned in the Draft License. A petition for hearing was

received on May 8, 2025, and this hearing process was initiated. *See* Hearing Officer’s Status Conference Summary, July 2, 2025.

On July 28, 2025, during the pre-hearing portion of this proceeding, Lynn Friedberg (“Friedberg”) and Krysten Ericson (“Ericson”) (together, the “Petitioners”) sought to intervene in the proceeding pursuant to § 22a-19 of the General Statutes (both Petitioners) and § 4-177a(a) (Friedberg only). On August 4, 2025, the Applicant and Department Staff filed objections to the requests to intervene. On August 22, 2025, the Hearing Officer issued decisions denying both requests to intervene. *See* Ruling Re: Lynn Friedberg’s Motion for Intervention and Ruling Re: Krysten Ericson’s Motion for Intervention, dated August 22, 2025. On September 8, 2025, the Petitioners filed motions for reconsideration of the Hearing Officer’s decisions denying their intervention requests, which the Applicant and Department Staff objected to on September 15, 2025. The Hearing officer denied the motions for reconsideration on September 16, 2025. *See* Ruling Re: Lynn Friedberg’s Motion for Reconsideration and Ruling Re: Krysten Ericson’s Motion for Reconsideration. No other persons sought the status of intervenor or intervening party.

A public comment hearing was held via Zoom video conference on September 3, 2025, and written public comments were accepted until September 10, 2025. The evidentiary hearing was held on September 19, 2025 via Zoom video conferencing.

At the evidentiary hearing, testimony from three expert witnesses was accepted into the record on behalf of the Applicant and Department staff. Emily Herz, an Environmental Analyst II with DEEP/LWRD, and the permitting analyst assigned to review the Application, testified regarding LWRD’s review of the Application and its recommendation for approval in the Notice of Tentative Determination. DEEP-19 (E. Herz Statement of Credentials); DEEP-20 (Prefiled

Testimony of E. Herz); E. Herz Testimony, Hearing Recording, 9/19/25 [starting at 00:38:38] (references to live testimony will be in the following format: “[Witness] Test., [Time]”).

Testifying on behalf of the Applicant was Azure Dee Sleicher, P.E., WEDG. CFM, an expert in coastal engineering, dock design, and coastal permitting. APP-2 (A.D. Sleicher Professional Profile); APP-3 (Prefiled Testimony of A.D. Sleicher); A.D. Sleicher Test., [starting at 00:09:47]. Also testifying on behalf of the Applicant was Megan B. Raymond, M.S., PWS, CFM, an expert in tidal wetlands management and permitting, wetland impact assessments, and coastal resource delineation and characterization. APP-4 (M. Raymond C.V.); APP-5 (Prefiled Testimony of M. Raymond); M. Raymond Test., [starting at 00:27:44].

Based on a review of the record in this matter, including the documentary evidence, witness testimony, and public comment, the Applicant, through the presentation of substantial evidence, have met their burden of proof by demonstrating that the proposed activities, if conducted in accordance with the proposed Draft License, comply with the relevant statutory standards in the Structures, Dredging and Fill Statutes (General Statutes § 22a-359 *et seq.*), the Tidal Wetlands Act (General Statutes § 22a-32 *et seq.*), the Tidal Wetlands Regulations (Conn. Agencies Regs. § 22a-30-1 *et seq.*), and the Coastal Management Act (General Statutes § 22a-90 *et seq.*). As such, the proposed Draft License (DEEP-14) should be issued as a Final License.

## **II. FINDINGS OF FACT**

1. The Applicant is the owner of a waterfront property in Greenwich, Connecticut known as 2 Lighthouse Lane (the “Property”). DEEP-1; APP-3.
2. The Property consists of about 0.6 acres. It borders residential homes to the north (6 Lighthouse Lane), Lighthouse Lane to the west, Ledge Road to the south, and Long Island Sound to the east. DEEP-1; APP-1; APP-3; APP-5; APP-8.
3. There are several other man-made structures in this neighborhood and along Long Island Sound, including private residential docks and seawalls. APP-1; APP-3; APP-5; APP-8.

4. The Property has an existing concrete seawall, patio, and outfall pipe that the DEEP authorized in Certificate of Permission 202206361-COP. APP-1; APP-3; APP-5; APP-6; APP-8.
5. The Mean High Water (“MHW”) line is located at an elevation of 3.4 feet (NAVD88) and runs waterward of the existing seawall at the Property. DEEP-1; DEEP-8b; A.D. Sleicher Test., [starting at 00:12:52].
6. The Coastal Jurisdiction Line (“CJL”) is located at an elevation of 5.5 feet (NAVD88) and runs along the face of the seawall at the Property, except for a portion that extends waterward of the seawall, south of the proposed dock location, by approximately 15 feet. DEEP-1; DEEP-8b.
7. The Mean Low Water (“MLW”) line is approximately 165 feet waterward from the seawall. DEEP-1; DEEP-8b.
8. The public can access and walk along the intertidal area waterward of the seawall during lower periods of the tidal cycle; however, even under existing conditions, it may be difficult for some members of the public to walk along the ledge rock because, due to the intertidal nature of the area, it can be very slippery. DEEP-1; DEEP-12; A.D. Sleicher Test., [starting at 00:11:43].
9. The shoreline area of the Property consists of a rocky shorefront that includes a significant area of exposed ledge that crosses across the entire shoreline. There is a narrow band of beach immediately adjacent to the seawall. There is also a band of low marsh tidal wetlands vegetation across approximately 125 linear feet of the shoreline. Other coastal resources include coastal hazard areas (VE-Elevation 16 feet NAVD, AE-Elevation 13 feet NAVD), developed shorefront, coastal nearshore waters, and shellfish concentration areas. APP-3; APP-5; DEEP-12; A.D. Sleicher Test., [starting at 00:11:21].
10. The following coastal resources are not present on the Property –dunes, islands, bluffs and escarpments, intertidal flats and freshwater wetlands and watercourses. APP-3; APP-5; DEEP-12.
11. In the original application submitted to the DEEP on October 11, 2023, the dock was proposed to consist of the following:
  - a. a 125' x 4' steel pile supported fixed pier, beginning at the existing seawall patio area and extending southeast;
  - b. a 40' x 3' gangway attached to the fixed pier; and
  - c. an 8' x 20' floating dock secured by 4 steel piles. DEEP-1.
12. On November 30, 2023, Department staff sent a Notice of Insufficiency letter to the Applicant requesting additional information and suggesting consideration of a shared dock alternative to minimize the impacts of multiple docks in the area. DEEP-5.

13. In response to the Notice of Insufficiency and subsequent communications with Department staff, the Applicant submitted the information sought by DEEP staff including, revised site plans, construction methodology, and adjacent property owner information. DEEP-6 – 11b.
14. The final plans for the proposed dock and other activities, with a revision date of May 2, 2024, are included in the Draft License (DEEP-14), and propose the following activities and conditions:
  - a. a 125' x 4' fixed timber pier with railings, with a landward top of deck elevation of +11' NAVD88 and a waterward top of deck elevation of +9' NAVD88 and six 18" steel monopiles;
  - b. a 40' x 3' gangway; and
  - c. an 8' x 20' float secured by four 12" steel restraint piles.(the "Project"). DEEP-8b.
15. Department staff had sufficient information to review and process the Application and no further information was required by the staff to make its Tentative Determination. DEEP-12; DEEP-13; E. Herz Test., [starting at 00:45:06].
16. No dredging, excavating or filling is proposed in the Application or listed as an authorized activity in the Draft License. DEEP-12; DEEP-14; APP-3; APP-5; E. Herz Test., [starting at 00:48:25].
17. The proposed dock will extend approximately 185' from the face of the seawall, 185' from the CJL, and 175' from the MHW line. DEEP-8b.
18. The proposed dock will be located a significant distance from other nearby docks – approximately 492'5" from the dock to the north (22 Ballwood Road) and approximately 441'2" from the dock (8 Indian Drive) to the south. APP-1; APP-3; APP-8.
19. There is a water access point at the end of Ledge Road, a private road, to the south of the Property. There are no public water access points in the vicinity of the Property. DEEP-12; APP-1; APP-8; E. Herz Test., [starting at 00:50:31].
20. The proposed dock will not hinder access to the water and shoreline from the private access point at the end of Ledge Road. DEEP-12; APP-3; APP-5; A.D. Sleicher Test., [starting at 00:23:13].
21. The proposed activities were reviewed by the Connecticut Department of Agriculture, Bureau of Aquaculture, and the Greenwich Shellfish Commission. Both agencies determined that the Project would not significantly impact a shellfish area. APP-3; APP-5; DEEP-1 (Attachment 24 and 26); DEEP-12; DEEP-20.



22. The proposed activities were not within a Natural Diversity Data Base (NDDDB) area requiring additional review. DEEP-1; DEEP-12.
23. The Project is designed to ensure that any adverse environmental impacts are minimized and mitigated to the maximum extent possible. The pier will be elevated so that no part of it will touch tidal wetlands, and the elevation will allow light penetration beneath the pier. The pier and gangway will be elevated to a sufficient height to limit any adverse shading impacts to wetlands that may indirectly affect photosynthesis of wetland plants. Indirect impacts from shading are also minimized due to the pier being only 4 feet wide and the use of cable wires for the railings. Permanent impacts are limited to approximately 5.3 sq.ft. tidal wetlands impacts due to the installation of three of the six pilings for pier support. Those impacts will be mitigated by the relocation of those wetland plants away from where the pilings are installed. Monopiles will be used instead of parallel pilings to minimize direct impacts to tidal wetlands and coastal resources. No dredging, excavating or filling is proposed in connection with the Project. APP-3; APP-5; DEEP-20; A.D. Sleicher Test., [starting at 00:23:45]; M. Raymond Test., [starting at 00:31:37; 00:32:50; 00:36:15; 00:37:57]; E. Herz Test., [starting at 00:42:08; 00:49:32].
24. The impacts of the Project on navigation and the public trust are minimized. The pier will be elevated to allow the public to pass under it – at its lowest point, the pier will be elevated approximately 6 feet from the substrate at the MHW line and increases up to 9+ feet in other locations. The pier ends approximately 32 feet before the MLW line. APP-3; APP-5; DEEP-8b; DEEP-12; DEEP-20; A.D. Sleicher Test., [starting at 00:14:46; 00:18:15; 00:25:07]; M. Raymond Test., [starting at 00:32:08]; E. Herz Test., [starting at 00:43:09; 00:48:41; 00:52:39].
25. The size of the Project strikes an appropriate balance between minimizing and mitigating any adverse environmental impacts, providing access to public trust waters, and providing the Applicant its littoral rights to access Long Island Sound. APP-3; APP-5; E. Herz Test., [starting at 00:51:25].
26. The Department has guidelines for the design and development of residential docks that contain recommendations to balance the private property rights of shorefront property owners with rights of the public to the public trust areas. This Project varies from those guidelines in that the pier terminates approximately 32 feet before the MLW elevation – rather than extending all the way to the MLW elevation; it is elevated to a minimum of 6 feet from the substrate at the MHW line – as opposed to the recommended 5 feet – to give the public adequate clearance for walking underneath it; and the float size is larger than 100 s.f. to address exposure to wind and wave forces. A.D. Sleicher Test., [starting at 00:13:56]; M. Raymond Test., [starting at 00:33:00]; E. Herz Test., [starting at 00:41:42].
27. The Project will take approximately 8 weeks to construct, due to tidal restrictions on when work can occur. Due to the presence of rock ledge, the piles will be drilled into place. Drilling will be accomplished by land-based equipment utilizing temporary construction matting in the intertidal area during low tide, while the offshore piles

will be drilled from a barge. Any work done by barge will be during periods of adequate high water to avoid disturbing adjacent submerged habitats. Most of the structure will be prefabricated, transported to the site by barge and secured in place by laborers using hand tools. Impacts to coastal resources during construction will be temporary and will not have long-term effects on coastal resources or human uses in the area. Best management practices are incorporated into the construction methodology plan which is included as an attachment to the Draft License, compliance of which is a condition of the Draft License. The construction methodology was developed after extensive consultation with marine contractors, given the site constraints due to the existing ledge rock and intertidal areas. Construction of the Project will not adversely impact the environment beyond the minimal, negligible impacts related to pile installation and will be quickly stabilized. APP-3; APP-5; DEEP-12; DEEP-14; DEEP-20; A.D. Sleicher Test., [starting at 00:20:59; 00:23:45].

28. Five alternative project designs were considered as part of the design analysis process. The first was a “no-build” option, which was rejected because it would not allow the Applicant to exercise its littoral rights to access Long Island Sound for recreational boating purposes. The second option was a pier located south of the proposed location, but was rejected because it would have required a longer pier, resulting in additional impacts to coastal resources. The third option was a shorter pier in the proposed location, but was rejected because it would not provide reasonable water access to the Applicant and would compromise safe navigation. The fourth option was the use of 12” diameter piles, instead of 18” monopiles, but was rejected because more piles would be needed, resulting in greater coastal resource impacts. The fifth option was the use of a concrete foundation, but was rejected because it would increase the permanent impacts to the site. APP-3.
29. The Project will result in only negligible environmental impacts due to the pile installation. The Applicant’s boating to and from the Project will not adversely affect coastal resources because this area of Long Island Sound is already used for boating. APP-3; APP-5; DEEP-12; DEEP-20; E. Herz Test., [starting at 00:49:32].
30. The Draft License imposes conditions on the Project in order to minimize impacts to coastal resources. Department staff has found that the Applicant is capable of meeting these conditions. DEEP-14; E. Herz Test., [starting at 00:45:26].

### **III. CONCLUSIONS OF LAW**

The activities proposed in the Application, as conditioned by the Draft License, are regulated by the Structures, Dredging and Fill Statutes (General Statutes § 22a-359 *et seq.*), the Tidal Wetlands Act (General Statutes § 22a-32 *et seq.*), the Tidal Wetlands Regulations (Conn. Agencies Regs. § 22a-30-1 *et seq.*) and the Coastal Management Act (General Statutes § 22a-90

*et seq.*). This statutory framework requires a balancing of interests and requires applicants to minimize impacts to coastal resources. The Project will provide the Applicant with reasonable access to the water in accordance with its littoral rights as a waterfront property owner while balancing intrusions into the public trust and limiting environmental impacts. The Application and evidence presented during the hearing support the assertion that the Applicant's exercise of its littoral access right can be achieved while minimizing impacts to coastal resources, wildlife, navigation, and coastal sedimentation and erosion patterns.

#### **A. Applicable Statutory Standard**

To satisfy its burden, the Applicant must demonstrate compliance with the statutory standards contained in the Structures, Dredging and Fill Statutes, the Tidal Wetlands Acts and its regulations, and the Coastal Management Act. The Structures, Dredging and Fill Statutes require that the Department give due regard for indigenous aquatic life, fish and wildlife; the prevention or alleviation of shore erosion and coastal flooding; the use and development of adjoining uplands; the improvement of coastal and inland navigation for all vessels, including small craft for recreation purposes; the use and development of adjacent lands and properties; and the interests of the state, including pollution control, water quality, recreational use of public water and management of coastal resources, with proper regard for the rights and interests of all persons concerned. *See Conn. Gen. Stat. § 22a-359.*

Under the Tidal Wetlands Act, in the granting or denial of a permit, the Commissioner shall consider the effect of the proposed work on the public health and welfare, marine fisheries, shellfisheries, wildlife, and the protection of life and property from flood, hurricane and other natural disasters. *See Conn. Gen. Stat. § 22a-33.* Due regard must also be given to the policy to preserve tidal wetlands, which states that much of the wetlands of this state have been lost or despoiled by unregulated dredging, dumping, filling and like activities and that the remaining

wetlands of this state are all in jeopardy of being lost or despoiled by these and other activities.

The policy also states that the loss or despoliation of tidal wetlands will:

- Adversely affect, if not entirely eliminate, the value of such wetlands as sources of nutrients to finfish, crustacea and shellfish of significant economic value;
- Destroy such wetlands as habitats for plants and animals of significant economic value;
- Eliminate or substantially reduce marine commerce, recreation and aesthetic enjoyment;
- In most cases, disturb the natural ability of tidal wetlands to reduce flood damage and adversely affect the public health and welfare; and
- Reduce the capacity of such wetlands to absorb silt and will thus result in the increased silting of channels and harbor areas to the detriment of free navigation.

*See Conn. Gen. Stat. § 22a-28.*

The Tidal Wetlands Regulations set forth criteria upon which a proposed project should be reviewed and evaluated. *See Conn. Regs. § 22a-30-10.* In order to determine that a proposed activity will preserve the wetlands of the state and not lead to their despoliation and destruction the Commissioner shall, as applicable, find that:

- There is no alternative for accomplishing the applicant's objectives which is technically feasible and would further minimize adverse impacts;
- Any structure or fill will be no greater in length, width and height than necessary to accomplish its intended function;
- Pile supported construction will be used to the fullest extent practicable; and
- All reasonable measures which would minimize the adverse impacts of the proposed activity on the wetlands of the state and adjoining coastal and tidal resources are incorporated as limitations on or conditions to the permit.

*See Conn. Regs. § 22a-30-10(b).*

In order to decide that a proposed activity will not destroy existing or potential recreational or navigational uses, the Commissioner shall, as applicable, find that:

- The proposed activity will not unreasonably interfere with established public rights of access to and use of wetlands, or with access to the portion of the shoreline below the mean high tide elevation that is held in public trust by the state, or with access to and use of public recreational facilities, both in operation and planned;
- The proposed activity will not be located in a way which unreasonably interferes with a navigable channel or small craft navigation; and
- The proposed activity will not cause or contribute to sedimentation problems in adjacent or nearby navigable waters, navigation channels, anchorages or turning basins.

*See Conn. Regs. § 22a-30-10(c).*

In order to decide that a proposed activity will not cause or produce unreasonable erosion or sedimentation the Commissioner shall, as applicable, find that:

- The proposed activity will not cause significant changes in current patterns, water velocity or exposure to storm or wave conditions which result in adverse effects on erosion or sedimentation patterns;
- Temporary erosion control measures will be utilized on the project site both during and after construction;
- When permanent erosion control measures are proposed, non-structural alternatives are utilized unless structural alternatives are demonstrated to be unavoidable and necessary to protect infrastructural facilities, water-dependent uses and existing inhabited structures; and
- Any structure or fill shall not cause a significant adverse impact on the movement of sediments on or along the shoreline; not cause erosion of adjacent or downdrift areas.

*See Conn. Regs. § 22a-30-10(d).*

In order to determine that a proposed activity will not result in significant adverse impacts on marine fisheries, shellfisheries or wildlife, the Commissioner shall, as applicable, find that:

- The existing biological productivity of any wetland will not be unreasonably affected;
- Habitat areas, such as habitat of rare and endangered wildlife and fish species, will not be destroyed, filled, or otherwise unreasonably affected;

- Wildlife and their nesting, breeding or feeding habitats will not be unreasonably reduced or altered;
- Erosion from the proposed activity will not result in the formation of deposits harmful to any fish, shellfish or wildlife habitat;
- Shellfish beds will not be adversely affected by changes in water circulation and depth patterns around and over the shellfish beds; natural relief of shellfish beds; grain size and distribution of sediment in shellfish beds;
- The timing of construction activities takes into consideration the movements and life stages of fish, shellfish, and wildlife; and
- The proposed activity will not unreasonably interfere with the harvesting or maintenance of leased, franchised or natural shellfish beds.

*See Conn. Regs. § 22a-30-10(e).*

In order to decide that a proposed activity will not result in a significant adverse impact on the circulation and quality of coastal or tidal waters the Commissioner shall, as applicable, find that:

- The proposed activity will not cause the significant adverse alteration of patterns of tidal exchange or flushing rates, freshwater input or existing basin characteristics and channel contours;
- Water stagnation will be neither caused nor contributed to, and the ability of wetlands and adjacent water bodies to flush themselves will not be adversely affected;
- Pile-supported construction will be utilized to the fullest extent practical; and
- The proposed activity will not result in water pollution which unduly affects: the bottom fauna; the physical or chemical nature of the bottom; the propagation and habitats of shellfish, finfish and wildlife.

*See Conn. Regs. § 22a-30-10(f).*

In order to decide that a proposed activity is consistent with the need to protect life and property from hurricanes or other natural disasters, including flooding, the Commissioner shall, as applicable, find that:

- The proposed activity will not increase the potential for flood or hurricane damage on adjacent or adjoining properties;

- The proposed activity will not increase the exposure of any property, land or structures to damage from storm waves and erosion produced thereby; and
- The proposed activity will not result in significant increase in the velocity or volume of flood water flow both in streams and estuaries.

*See Conn. Regs. § 22a-30-10(g).*

In order to decide that a proposed activity within the coastal boundary, as defined and mapped in accordance with section 22a-94 of the General Statutes as amended by section 4 of Public Act 79-535, is consistent with the state policy that water-dependent uses of the shorefront be given highest priority and preference, the Commissioner shall, as applicable, find that:

- All reasonable measures which would minimize adverse impacts on future water-dependent uses are incorporated as limitations on, or conditions to, the permit;
- The proposed activity will not unreasonably interfere with the riparian rights of adjacent landowners or claimants of water or shellfish rights in or adjacent to the wetlands.

*See Conn. Regs. § 22a-30-10(h).*

Under the Tidal Wetlands Regulations, the placement of a small pier, catwalk, float, or dock is generally compatible with the functions of wetlands and with established public policy for their management when: it does not involve dredging or filling of the wetland surface; it is elevated on low-impact pile foundations; it does not interfere with or obstruct navigation; and it does not restrict tidal circulation or flushing. *See Conn. Regs. § 22a-30-11(b)(2).*

Under the Tidal Wetlands Regulations, the following activities are generally incompatible with the functions of wetlands and with established public policy for their management: dredging; filling; installation of electric, gas, water or other utilities which would change the natural contours of the wetland or prevent reestablishment of wetland vegetation or impede tidal circulation; installation of drainage control structures such as dry wells, retention basins, filters, open swales, or ponds; disposal of dredged materials; grading; excavation;

construction of solid fill docks; construction of bulkheads, groins, revetments, berms and other shoreline stabilization structures; construction of commercial or industrial use facilities or public buildings which do not require water access, and construction of water-dependent commercial or industrial use facilities or public buildings on fill. *See* Conn. Regs. § 22a-30-11(c).

The Coastal Management Act includes several general policy statements and requirements regarding the management of Connecticut's coastal resources and the review of proposed structures in coastal areas, including:

- Section 22a-92(a)(1), which requires that the development, preservation or use of the land and water resources of the coastal area will proceed in a manner consistent with the rights of private property owners and the capability of the land and water resources to support development, preservation or use without significantly disrupting either the natural environment or sound economic growth;
- Section 22a-92(a)(3), which requires that high priority and preference be given to uses and facilities which are dependent upon proximity to the water or the shorelands immediately adjacent to marine and tidal waters;
- Section 22a-92(a)(4), which requires the resolution of conflicts between competing uses on the shorelands adjacent to marine and tidal waters by giving preference to uses that minimize adverse impacts on natural coastal resources while providing long term and stable economic benefits;
- Section 22a-92(a)(5), which requires consideration of the potential impact of a rise in sea level, coastal flooding and erosion patterns on coastal development so as to minimize damage to and destruction of life and property and minimize the necessity of public expenditure and shoreline armoring to protect future new development from such hazards;
- Section 22a-92(a)(9), which requires the coordination of planning and regulatory activities of public agencies at all levels of government to ensure maximum protection of coastal resources while minimizing conflicts and disruption of economic development;
- Section 22a-92(b)(1)(D), which requires that structures in tidal wetlands and coastal waters be designed, constructed and maintained to minimize adverse impacts to coastal resources, circulation and sedimentation patterns, water quality, and flooding and erosion, to reduce to the maximum extent practicable the use of fill, and to reduce conflicts with the riparian rights of adjacent landowners;



- Section 22a-92(b)(1)(J), which requires reasonable mitigation measures where development would adversely impact historical, archaeological, or paleontological resources that have been designated by the state historic preservation officer;
- Section 22a-92(b)(2)(B), which requires management of rocky shorefronts so as to ensure that development proceeds in a manner which does not irreparably reduce the capability of the system to support a healthy intertidal biological community; to provide feeding grounds and refuge for shorebirds and finfish, and to dissipate and absorb storm and wave energies;
- Section 22a-92(b)(2)(C), which requires the preservation of the dynamic form and integrity of natural beach systems in order to provide critical wildlife habitats, a reservoir for sand supply, a buffer for coastal flooding and erosion, and valuable recreational opportunities; that coastal uses are compatible with the capabilities of the system and do not unreasonably interfere with natural processes of erosion and sedimentation, and the encouragement of restoration and enhancement of disturbed or modified beach systems;
- Section 22a-92(b)(2)(E), which requires the preservation of tidal wetlands and the prevention of the despoliation and destruction thereof in order to maintain their vital natural functions; the encouragement of rehabilitation and restoration of degraded tidal wetlands and where feasible and environmentally acceptable, to encourage the creation of wetlands for the purposes of shellfish and finfish management, habitat creation and dredge spoil disposal;
- Section 22a-92(b)(2)(F), which requires the management of coastal hazard areas so as to ensure that development proceeds in such a manner that hazards to life and property are minimized and to promote nonstructural solutions to flood and erosion problems except in those instances where structural alternatives prove unavoidable and necessary to protect existing inhabited structures, infrastructural facilities or water dependent uses;
- Section 22a-92(b)(2)(J), which requires the maintenance of the natural relationship between eroding and depositional coastal landforms and minimization of adverse impacts of erosion and sedimentation on coastal land uses through the promotion of nonstructural mitigation measures;
- Section 22a-92(c)(1)(K), which requires that access to, or along, the public beach below MHW not be unreasonably impaired by such structures.

The Coastal Management Act defines “adverse impacts on coastal resources” as

including but not limited to:

- Degrading water quality through the significant introduction into either coastal waters or groundwater supplies of suspended solids, nutrients, toxics, heavy metals or

pathogens, or through the significant alteration of temperature, pH, dissolved oxygen or salinity (C.G.S. § 22a-93(15)(A));

- Degrading existing circulation patterns of coastal waters through the significant alteration of patterns of tidal exchange or flushing rates, freshwater input, or existing basin characteristics and channel contours (C.G.S. § 22a-93(15)(B));
- Degrading natural erosion patterns through the significant alteration of littoral transport of sediments in terms of deposition or source reduction (C.G.S. § 22a-93(15)(C));
- Degrading natural or existing drainage patterns through the significant alteration of groundwater flow and recharge and volume of runoff (C.G.S. § 22a-93(15)(D));
- Increasing the hazard of coastal flooding through significant alteration of shoreline configurations or bathymetry, particularly within high velocity flood zones (C.G.S. § 22a-93(15)(E));
- Degrading visual quality through significant alteration of the natural features of vistas and view points (C.G.S. § 22a-93(15)(F));
- Degrading or destroying essential wildlife, finfish or shellfish habitat through significant alteration of the composition, migration patterns, distribution, breeding or other population characteristics of the natural species or significant alteration of the natural components of the habitat (C.G.S. § 22a-93(15)(G)); and
- Degrading tidal wetlands, beaches and dunes, rocky shorefronts, and bluffs and escarpments through significant alteration of their natural characteristics or function (C.G.S. § 22a-93(15)(H)).

In light of the overlapping statutory requirements, the proper analysis of the Project's compliance with the applicable statutes focuses on the major topics highlighted within the exhibits and testimony in the record.

## **B. Expert Testimony**

When considering technically complex issues, administrative agencies typically rely on experts. *See River Bend Associates, Inc. v. Conservation & Inland Wetlands Commission*, 269 Conn. 57, 78 (2004) (determination of impacts to an inland wetland is a technically complex matter for which inland wetlands commissions typically rely on evidence provided by experts).

“When the application of agency regulations requires a technical, case-by-case review, that is

precisely the type of situation that calls for agency expertise.” *MacDermid v. Dep’t of Environmental Protection*, 257 Conn. 128, 139 (2001).

Ms. Herz, Ms. Sleicher, and Ms. Raymond each testified whether, in their expert opinion, the Project complied with the relevant statutory criteria. DEEP-20; APP-3; APP-5; E. Herz Test., [starting at 00:39:17; 00:43:59; 00:51:07]; A.D. Sleicher Test., [starting at 00:10:52; 00:14:38]; M. Raymond Test. [starting at 00:28:59]. All responded that the Project complied. These expert opinions were credible and provide a substantial basis in fact upon which to base my recommendation. No expert evidence was offered to refute their opinions. *See Feinson v. Conservation Comm’n*, 180 Conn. 421, 429 (1980) (lay commission must accept expert testimony). The analysis that follows is intended to amplify the general conclusions reached by these experts and provide context for the recommendation that the proposed Draft License should be issued as a Final License.

### **C. The Applicant’s Littoral Rights**

It is well settled that owners of waterfront property have the right to reach navigable waters.

The owner of the adjoining upland has certain exclusive yet qualified rights and privileges in the waters and submerged land adjoining his upland. He has the exclusive privilege of wharfing out and erecting piers over and upon such soil and of using it for any purpose which does not interfere with navigation, and he may convey these privileges separately from the adjoining land. He also has the right of accretion, and generally of reclamation, and the right of access by water to and from his upland.

*Rochester v. Barney*, 117 Conn. 462, 468 (1933). However, the Applicant’s littoral rights are subject to reasonable regulation. Connecticut courts have recognized that “the state may regulate [the exercise of littoral rights] in the interest of the public.” *Lane v. Comm. of Env’tl. Protection*, 136 Conn. App. 135, 157-58 (2012). DEEP is the authority charged by the General Assembly with regulating littoral rights within the appropriate statutory structure to ensure that an

application minimizes incursion into the public trust, does not impact sedimentation or increase erosion, minimizes impacts to coastal resources, and does not result in adverse impacts on coastal resources or public navigation.

A waterfront property owner's right to access the water from their upland by means of a pier or wharf, when impacts to coastal resources can be appropriately minimized, has been repeatedly recognized in DEEP final decisions:

The Connecticut courts clearly confirm that waterfront property owners hold littoral rights that include a right to erect structures to reach navigable waters. . . . While these rights are qualified, the qualifications are formulated in statute and administrative regulations that govern applications for structures waterward of the state's coastal jurisdiction line.

*In the Matter of Ronald Harvey*, Application No. 200802576-KB, Final Decision, Sept. 23, 2014, p. 1 (hereinafter "*Harvey*").

The construction of a structure over the inter-tidal area to gain access to navigable waters from the upland is understood to be an acceptable exercise of one's littoral rights if impacts to navigation and coastal resources are sufficiently minimized in compliance with the applicable statutes, regulations, and policies.

*In the Matter of Daniel McLeod*, Appl. No. 200801981-KB, Final Decision, June 5, 2014, p. 16 (hereinafter "*McLeod*"); *see also In the Matter of 16 Highgate Road, LLC*, Appl. No. 201207495-TS, Final Decision, June 23, 2015, p. 14.

On the issue of littoral rights, the record reflects that the Department staff engaged in an appropriate balancing analysis to allow the Applicant to exercise its littoral rights while respecting the public's rights and privileges and minimizing adverse impacts to coastal resources. DEEP-12; DEEP-20; E. Herz Test., [starting at 00:51:25].

#### **D. Department Guidelines**

Public comments stated that Department staff did not follow certain DEEP guidelines in proposing approval of the Project, but this reliance is misplaced. Informal guidelines issued by

an administrative agency do not carry the force of law or regulation. E. Herz Test., [starting 00:41:28]. This was recognized by the DEEP Commissioner in connection with the same Residential Dock Guidelines referenced in the public comments here:

The department cannot enforce its guidelines as law without first adopting them as regulations. Neither the department's guidelines nor the Army Corps' setback are adopted as regulations by the department. As noted in the applicant's brief, "[i]t is clear that informal guidelines, promulgated outside the rulemaking framework of the Uniform Administrative Procedure Act; General Statutes §§ 4-166 through 4-189; may not be applied as substantive rules." *Hospital of St. Raphael v. Commission on Hospitals and Health Care*, 182 Conn. 314, 322 (1980) (citing *Salmon Brook Convalescent Home v. Commission on Hospitals & Health Care*, 177 Conn. 356, 368 (1979)). The guidelines serve as a useful tool for minimizing impact but cannot be imposed as a requirement. With the demonstrated need to achieve a balance between littoral rights, coastal resources, navigation, and the public trust, it is important that the department maintain a level of flexibility during the application review process. Ultimately, the Commissioner of Energy and Environmental Protection is empowered by the legislature to determine that the appropriate balance is struck. General Statutes §§ 22a-97(b) and 22a-359(a). ... The guidelines are only a part of the process and cannot dictate the final outcome.

*Harvey*, at p. 3.

Moreover, contrary to the public comments, portions of the Project surpass the standards set out in these guidelines with a shortened fixed pier, terminating approximately 32 feet landward of the MLW elevation, and elevated to a minimum of 6 feet from the substrate at the MHW elevation, giving the public more than enough clearance for walking underneath it. A.D. Sleicher Test., [starting at 00:13:56]; M. Raymond Test., [starting at 00:33:00].

#### **E. The Public Trust**

The Project minimizes impacts on the right of the public to access public trust areas near the proposed dock. The proposed fixed pier provides a minimum of 6 feet of clearance to allow members of the public to pass beneath it during lower periods of the tidal cycle. The overall length of the structure is just long enough to serve its purpose to provide the Applicant space to berth a vessel. Department staff considered alternative configurations of the proposed dock

before determining that the design tentatively approved appropriately balanced the rights of the Applicant and the public.

The public's claims that the proposed dock will unreasonably impact their ability to access the public trust area, as well as their ability to swim, fish, boat and walk along the shoreline are without merit. The area at the end of Ledge Road where the members of the local homeowner's association claim a right to access the water is approximately 115' from the proposed dock location. There were no credible comments presented that the proposed dock presents an impediment to access the beach or the water from the access point at the end of Ledge Road. To the contrary, substantial evidence in the record supports a conclusion that the proposed dock will not impact longshore pedestrian access or access to the water from the end of Ledge Road. DEEP-12; DEEP-20; APP-3; APP-5; A.D. Sleicher Test., [starting at 00:23:13; 00:14:46; 00:18:15; 00:25:07]; M. Raymond Test., [starting at 00:32:08]; E. Herz Test., [starting at 00:43:09, 00:48:41, 00:52:39].

In addition, the proposed dock represents no greater obstruction to the public's right to swim and boat in navigable waters than any other dock. As mentioned above, the length of the proposed dock is minimized so as to reduce the encroachment into public trust waters. The fact that the dock occupies an area where a dock currently does not exist does not *ipso facto* create an unreasonable impact on the public's rights. DEEP-12; DEEP-20; APP-3; APP-5; E. Herz Test., [starting at 00:51:45]; A.D. Sleicher Test., [starting at 00:14:46; 00:18:15; 00:25:07]; M. Raymond Test., [starting at 00:32:08]. If that was the case, no docks could be built in Connecticut. Rather, the rights of the public must be balanced against the rights of the Applicant to result in a structure that provides reasonable access to the Applicant without creating an unreasonable impairment on the public's rights, which is the result in this matter.

#### **F. Impact to Sedimentation and Erosion**

The proposed docking facility is pile-supported and will have little impact on sediment transport through erosion of the intertidal zone or upland areas. These piles will cover a total of 14 square feet, resulting in a minimal loss of intertidal area. DEEP-8b; DEEP-12; DEEP-20; APP-3; APP-5; E. Herz Test., [starting at 00:42:08; 00:47:07]; A.D. Sleicher Test., [starting at 00:23:45]; M. Raymond Test., [starting at 00:31:08; 00:31:37; 00:32:50; 00:36:15;00:37:57]. The proposed dock will also not alter the coastline or increase the potential for flooding. DEEP-12; E. Herz Test., [starting at 00:47:19].

#### **G. Impact to Coastal Resources**

The identified coastal resources found on the Property and in its vicinity are rocky shorefront, beach and low marsh tidal wetlands vegetation, as well as coastal hazard areas (VE-Elevation 16 feet NAVD, AE-Elevation 13 feet NAVD), developed shorefront, coastal nearshore waters, and shellfish concentration areas. APP-3; APP-5; DEEP-12; A.D. Sleicher Test., [starting at 00:11:21]. The Applicant has met its burden to show, through the presentation of substantial evidence, that the Project, as conditioned by the Draft License, minimizes impacts to these coastal resources in compliance with applicable statutory criteria. Department staff determined that there would be no unacceptable adverse impacts to the coastal resources, including: wildlife, shellfish, finfish, developed shorefront, water quality, and navigation. DEEP-12; DEEP-20; E. Herz Test., [starting at 00:46:56, 00:51:45]. Although the coastal waters will be temporarily impacted by the installation of pier pilings, Department staff concluded that there would be no long-term environmental impact from the Project. DEEP-12; DEEP-14; DEEP-20; E. Herz Test., [starting at 00:49:32].

## H. Visual Impacts

The public also raised as an issue the aesthetic impact of the proposed dock, but provided only summary comments containing their subjective opinions about the visual impact caused by the dock. The applicable statutory scheme provides that “degrading visual quality through significant alteration of the natural features of vistas and viewpoints” is included in the definition of “adverse impact to coastal resources.” General Statutes § 22a-93(15)(F). This section is intended to preserve views of statewide significance. *See Coen v. Ledyard Zoning Comm'n*, 2011 Conn. Super. LEXIS 2663 (Conn. Super. Ct., Oct. 19, 2011) (affordable housing development did not degrade view of coastal resource despite being forty-feet in height and exceeding zoning regulations by five feet). No views of statewide significance were identified that would be impacted by the proposed dock. DEEP-12; E. Herz Test., [starting at 00:42:47, 00:50:03].

Development which changes a view does not necessarily have an adverse impact. *Smith v. Zoning Bd. of Appeals*, 1991 Conn. Super. LEXIS 771 (Conn. Super. Ct. 1991). The area around the Property is residential, and densely developed with homes, shoreline flood and erosion control structures, and other docks. APP-1; APP-3; APP-5; APP-8; M. Raymond Test. [starting at 00:34:05].

This issue has also been reviewed in past final decisions of the Department in which it was determined:

The presence of this new residential dock in a developed residential area and its alteration of the view from private residences alone do not represent an impact on coastal resources warranting the proposed structure’s denial. Personal preferences or matters of taste also do not control the Department’s determination on a waterfront property owner’s right to seek permission to build a structure that provides reasonable access to the water. The fact that other individuals in the area would not pursue such a course of action if left the choice is not grounds for denial.

*McLeod*, at p. 15.



Given the standards applicable to determining whether a new coastal structure represents an adverse visual impact, it is clear that the Project will not result in an adverse visual impact.

#### **I. Impacts to Navigation**

The substantial evidence in the record demonstrates that the proposed dock will have minimal impacts to navigation. DEEP-12; DEEP-20; APP-3; APP-5; E. Herz Test., [starting at 00:48:41]. Due to the minimized length of the proposed docking facility, the Project does not represent an impact to the public's ability to navigate in the area. Boats moored in the area or launched from shore will still be able to travel to and from Long Island Sound without any hindrances due to the proposed dock.

#### **IV. CONCLUSION**

The Department's tentative determination that the Project should be permitted (DEEP-13), as conditioned by the Draft License (DEEP-14), is supported by the substantial evidence in the record. The Applicant has met its burden of proving, by a preponderance of the evidence, that the proposed activities should be permitted through the credible testimony of expert witnesses and the submission of documentary evidence as described above. The substantial evidence in the record indicates that unreasonable environmental harm is not likely to occur if the Project is constructed pursuant to the conditions in the Draft License.

#### **V. RECOMMENDATION**

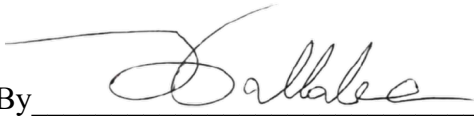
For the reasons stated above, the proposed Draft License should be issued as Final License.

AGREEMENT

Based on the foregoing, the undersigned hereby agree to the granting of a license subject to the standard and special conditions stated in the Draft License, attached hereto.

**Department of Energy and Environmental  
Protection, Land & Water Resources  
Division**

**Applicant  
2 LIGHTHOUSE LANE, LLC**

By 

John Gallalee  
Staff Attorney  
Environmental Quality Branch  
Department of Energy and Environmental  
Protection  
79 Elm Street  
Hartford, CT 06106-5127

By 

John P. Casey, Esq.  
Robinson & Cole LLP  
One State Street  
Hartford, CT 06103

## CERTIFICATION

I hereby certify that a copy of the foregoing was e-mailed on October 23, 2025, to the Hearing Officer and the following in conformance with the Status Conference Summary:

Connecticut Department of Energy  
and Environmental Protection

John Gallalee, Esq.  
John.Gallalee@ct.gov

Emma Cotnoir, Esq.  
Emma.Cotnoir@ct.gov

Emily Herz  
Emily.Herz@ct.gov

Petitioner Krysten Ericson

Mario F. Coppola, Esq  
mcoppola@berchemmoses.com

Matthew L. Studer, Esq.  
mstuder@berchemmoses.com

A handwritten signature in blue ink that reads "John P. Casey". The signature is written in a cursive style with a horizontal line underneath it.

John P. Casey



**Connecticut Department of Energy and Environmental Protection License\***

**Structures, Dredging & Fill and Tidal Wetlands Permit**

**Licensee(s):** 2 Lighthouse Lane, LLC

**Licensee Address(s):** 2 Lighthouse Lane  
Old Greenwich, CT 06870

**License Number(s):** 202307788-SDFTW

**Municipality:** Greenwich

**Project Description:** Construct a dock for residential boating access.

**Project Address/Location:** 2 Lighthouse Lane

**Waters:** Long Island Sound

**Authorizing CT Statute(s) and/or Federal Law:** CGS Section 22a-28 to 35; CGS Section 22a-359 to 363g; CGS Section 22a-90 to 112

**Applicable Regulations of CT State Agencies:** 22a-30-1 to 17

**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 dated 9/26/2023 with sheets 1-3, and 7-9 revised 5/2/2024 and sheets 4-6 revised 7/29/24.

**License Enclosures:** LWRD General Conditions; Site Plan Set; Land Record Filing; LWRD Work Commencement Form; LWRD Compliance Certification Form; Construction Methodology

\*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 . . ."

**Authorized Activities:**

The Licensee is hereby authorized to conduct the following work as described in application # 202307788-SDFTW and as depicted on any site plan sheets / sets cited herein:

1. construct a pier consisting of:
  - a. a 125' x 4' fixed pier with railings, with a landward top of deck elevation of +11' NAVD88 and a waterward top of deck elevation of +9' NAVD88 and associated 18" steel monopiles;
  - b. a 40' x 3' gangway; and
  - c. an 8' x 20' float and four 12" steel float restraint piles; and,
2. place, temporarily, barge and construction matting.

***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. **Tidal Wetland Relocation.** At least two weeks prior to work commencement, the Licensee shall submit to DEEP.LWRDRegulatory@ct.gov, for the Commissioner's review and written approval, a tidal wetland relocation plan for those plants impacted by pier support pilings, including relocation methodology and plans with elevations.
3. **Barge Staging and Storage.** Any barge utilized in the execution of the work authorized herein shall occur only during periods of higher water to prevent the barge from resting on, or coming into contact with, the substrate at any time.
4. **Railing Design.** Any railings to be installed on the dock authorized herein shall be minimized to prevent wetland plant shading.
5. **Berthing Restriction.** At no time shall any vessel berthed at the dock authorized herein rest on the substrate at low water.
6. **Construction Methodology.** Construction at the site shall follow the steps and best management practices outlined in Construction Methodology, attached hereto, unless otherwise authorized in writing by the Commissioner.
7. **Shellfish Lessee Notification.** The Licensee shall notify the lessees of shellfish lots Ford North and Ford A West of work commencement at least four weeks prior to the expected commencement date. Proof of such notification shall be submitted to the Commissioner along with the Work Commencement form.

8. **Shellfish Bed Protection.** The shellfish bed boundaries shall be clearly marked with buoys and at no time shall any work vessel or barge anchor in the shellfish beds. Such buoys shall be maintained throughout construction.
9. **Drill Cuttings.** Drill cuttings shall be collected and removed for disposal at an upland site approved for the placement of such waste material, as applicable. The Licensee shall not allow any waste to enter the Long Island Sound.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Graham J. Stevens  
Bureau Chief  
Bureau of Water Protection & Land Reuse



### **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](mailto: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 Commencement<sup>1</sup>.** Not later than two (2) weeks prior to the commencement of any work authorized herein, the Licensee shall submit to [DEEP.LWRDRegulatory@ct.gov](mailto: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

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<sup>1</sup> 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](mailto: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](mailto: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 pre-work 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](mailto: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.

# 2 LIGHTHOUSE LANE, LLC PROPOSED FIXED PIER AND FLOATING DOCK

DRAWING LIST	
DRAWING No.	DRAWING TITLE
1	TITLE SHEET & GENERAL NOTES
2	VICINITY MAP
3	TAX ASSESSOR'S MAP
4	SITE PLAN
5	EXISTING PARTIAL PLAN
6	PROPOSED PARTIAL PLAN
7	EXISTING AND PROPOSED SECTIONS A-A
8	DRILLED PIPE PILE DETAIL
9	SHELLFISH BED BOUNDARY PLAN

## GENERAL NOTES

1. THE PURPOSE OF THESE DRAWINGS ARE FOR REGULATORY REVIEW ONLY.
2. VICINITY MAP TAKEN FROM USGS 7.5 MINUTE QUADRANGLE 20210228 STAMFORD, CT.
3. ELEVATIONS REFERENCE NORTH AMERICAN VERTICAL DATUM OF 1988, UNLESS NOTED OTHERWISE.
4. THIS SITE INFORMATION HAS BEEN TAKEN FROM A DRAWING TITLED "TOPOGRAPHIC SURVEY ON PROPERTY OF ALEX AND ANNA BUZIK - 2 LIGHTHOUSE LANE - OLD GREENWICH", PREPARED FOR ALEX AND ANNA BUZIK, BY S.E. MINOR AND CO., INC. , DATED 11/1/2021.
5. SUPPLEMENTARY INFORMATION OBTAINED BY RACE COASTAL ENGINEERING, LLC ON 11/11/2021 AND ONLY REPRESENT THE SITE CONDITIONS AT THAT TIME.
6. TIDAL ELEVATION DATA HAS BEEN TAKEN FROM BENCH MARK SHEET FOR MIANUS, CT 8469057 FROM THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION TIDES AND CURRENTS WEBSITE.

## PROJECT TIDAL ELEVATIONS:

DATUM	NAVD 88 (FT)	MLW (FT)
COASTAL JURISDICTIONAL LIMIT (CJL)	5.5	9.3
HIGH TIDE LINE (HTL)	4.5	8.3
MEAN HIGH WATER (MHW)	3.4	7.2
NAVD 88	0.0	3.8
MEAN LOW WATER (MLW)	-3.8	0.0



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

Prepared For:

2 LIGHTHOUSE LANE, LLC  
2 LIGHTHOUSE LANE  
OLD GREENWICH, CT 06870

Project:

PROPOSED FIXED PIER AND  
FLOATING DOCK  
2 LIGHTHOUSE LANE  
OLD GREENWICH, CT 06870

SEAL:



Date:

9/26/2023

Rev.: 1

5-2-2024

Drawn By:

JBA

Checked By:

ADS

Datum:

NAVD88

Scale:

NTS

Project No.:

2021126

Drawing No.:

1 of 9

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FOR REGULATORY REVIEW ONLY

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### VICINITY MAP



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

Prepared For:

2 LIGHTHOUSE LANE, LLC  
2 LIGHTHOUSE LANE  
OLD GREENWICH, CT 06870

Project:

PROPOSED FIXED PIER AND  
FLOATING DOCK  
2 LIGHTHOUSE LANE  
OLD GREENWICH, CT 06870

SEAL:



Date:

9/26/2023

Drawn By:

JBA

Datum:

NAVD88

Project No.:

2021126

Rev.: 1

5-2-2024

Checked By:

ADS

Scale:

1"=2000'

Drawing No.:

2 of 9



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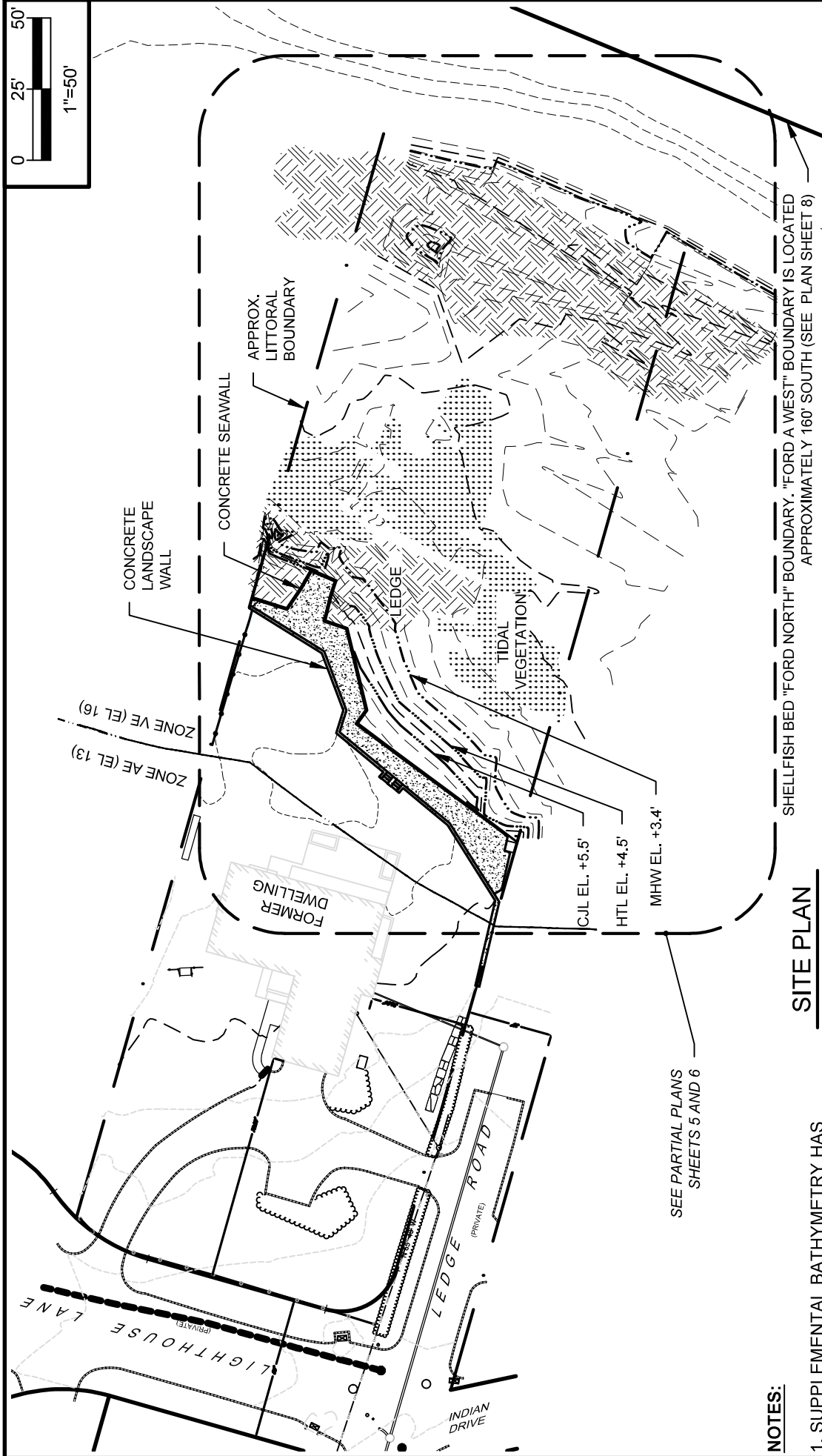
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### VICINITY MAP

 <p>611 Access Road Stratford, CT 06615 Tel: 203-377-0663 racecoastal.com</p>	Prepared For: 2 LIGHTHOUSE LANE, LLC 2 LIGHTHOUSE LANE OLD GREENWICH, CT 06870	SEAL: 	Date: 9/26/2023	Rev.: 1 5-2-2024
	Project: PROPOSED FIXED PIER AND FLOATING DOCK 2 LIGHTHOUSE LANE OLD GREENWICH, CT 06870	Drawn By: JBA	Checked By: ADS	
	Datum: NAVD88	Scale: 1"=100'		
	Project No.: 2021126	Drawing No.: 3 of 9		
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**NOTES:**

1. SUPPLEMENTAL BATHYMETRY HAS BEEN TAKEN FROM 2015 USACE NAE TOPOBATHY LIDAR (-7' CONTOUR AND BEYOND)
2. SHELLFISH BED BOUNDARY INFORMATION HAS BEEN TAKEN FROM CT ECO AQUACULTURE MAPPING ATLAS
3. TIDAL WETLAND VEGETATION PREDOMINANTLY SPARTINA ALTERNIFLORA.

**SITE PLAN**

**RACE**  
COASTAL ENGINEERING  
611 Access Road Strafford, CT 06615  
Tel: 203-377-0663 racecoastal.com

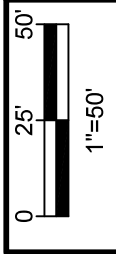
Prepared For:  
2 LIGHTHOUSE LANE, LLC  
2 LIGHTHOUSE LANE  
OLD GREENWICH, CT 06870

Project:  
PROPOSED FIXED PIER AND  
FLOATING DOCK  
2 LIGHTHOUSE LANE  
GREENWICH, CT 06870

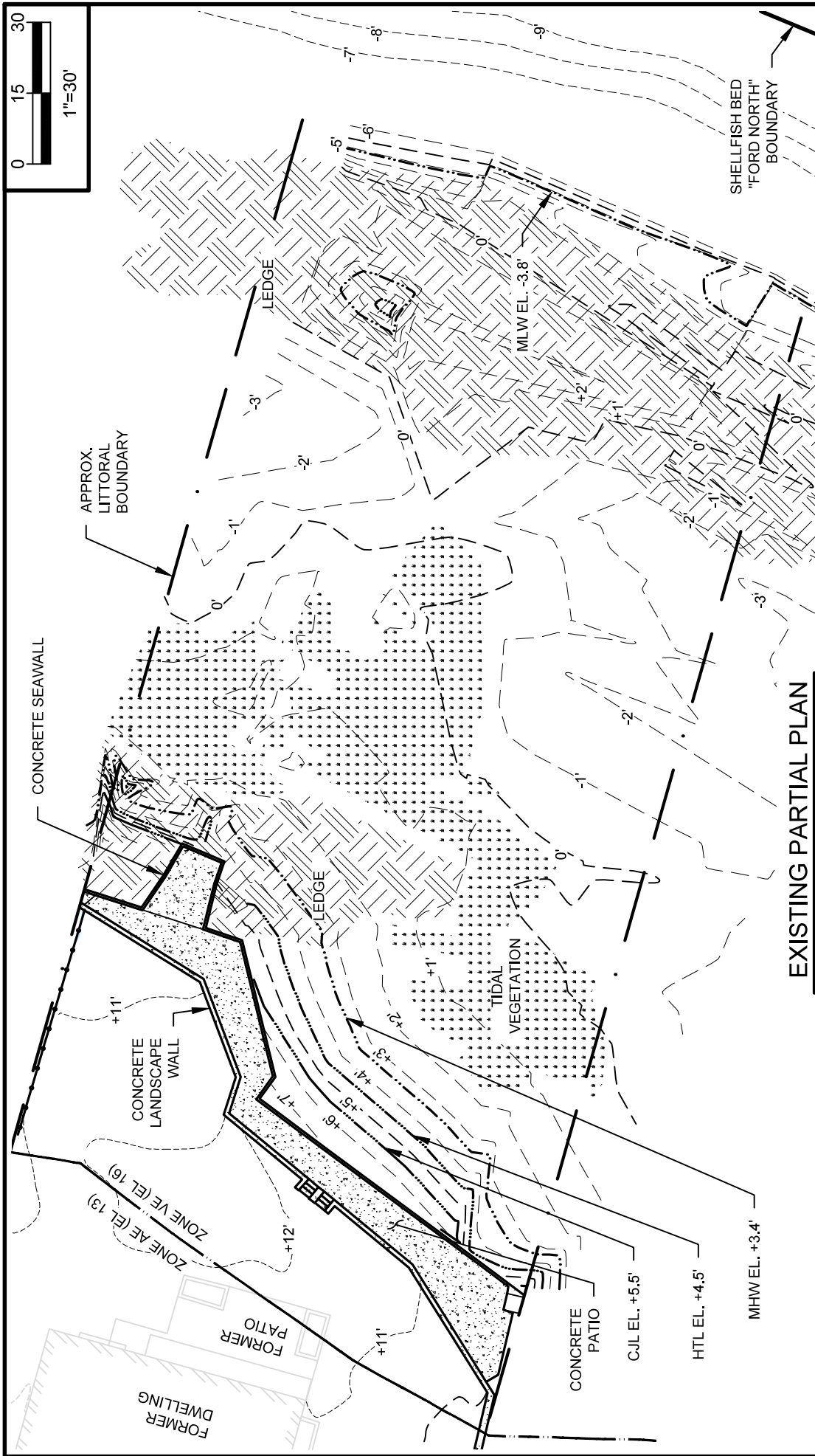
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Drawn By:	JBA / ZMV	Checked By:	ADS
Datum:	NAVD88	Scale:	1"=50'
Project No.:	2021126	Drawing No.:	4 of 9







## EXISTING PARTIAL PLAN

**NOTES:**

1. SUPPLEMENTAL BATHYMETRY HAS BEEN TAKEN FROM 2015 USACE NAE TOPOBATHY LIDAR (-7' CONTOUR AND BEYOND)
2. SHELLFISH BED BOUNDARY INFORMATION HAS BEEN TAKEN FROM CT ECO AQUACULTURE MAPPING ATLAS.
3. TIDAL WETLAND VEGETATION PREDOMINANTLY SPARTINA ALTERNAFLORA.

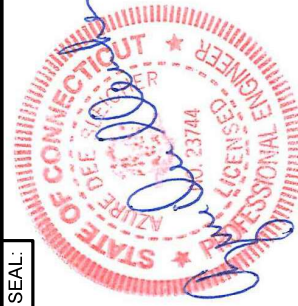
Prepared For:

2 LIGHTHOUSE LANE, LLC  
2 LIGHTHOUSE LANE  
OLD GREENWICH, CT 06870

**COASTAL ENGINEERING**  
611 Access Road Stratford, CT 06615  
Tel: 203-377-0663 [racecoastal.com](http://racecoastal.com)

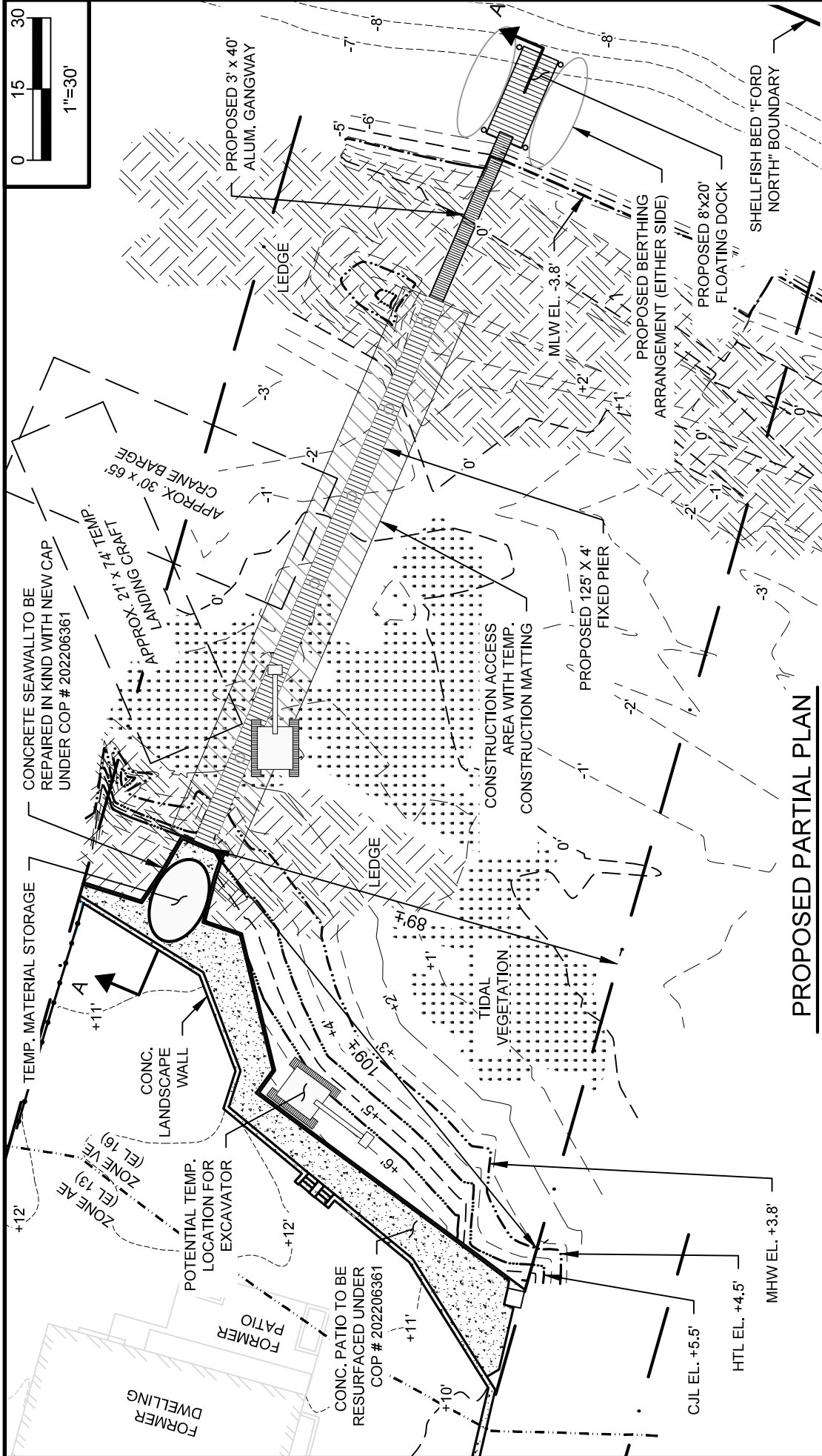
Project: **PROPOSED FIXED PIER AND  
FLOATING DOCK  
2 LIGHTHOUSE LANE  
GREENWICH, CT 06870**

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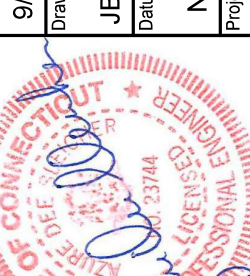
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Drawn By:	JBA / ZMV	7-29-2024
Datum:	NAVD88	Checked By: ADS
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Project No.:	2021126	Drawing No.: 5 of 9



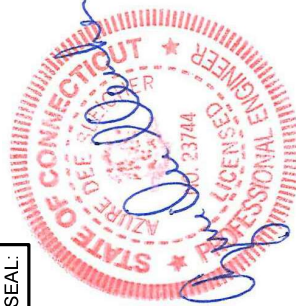
PROPOSED PARTIAL PLAN

<div>NOTES:</div> <div>1. SUPPLEMENTAL BATHYMETRY HAS BEEN TAKEN FROM 2015 USACE NAE TOPOBATHY LIDAR (-7' CONTOUR AND BEYOND)</div> <div>2. SHELLFISH BED BOUNDARY INFORMATION HAS BEEN TAKEN FROM CT ECO AQUACULTURE MAPPING ATLAS.</div> <div>3. TIDAL WETLAND VEGETATION PREDOMINANTLY SPARTINA ALTERNIFLORA.</div>	<div><div>RACE COASTAL ENGINEERING</div><div>611 Access Road    Stratford, CT 06615 Tel: 203-377-0663    racecoastal.com</div></div>	Prepared For: 2 LIGHTHOUSE LANE, LLC 2 LIGHTHOUSE LANE OLD GREENWICH, CT 06870		Date: 9/26/2023		Rev.: 2			
		Project: PROPOSED FIXED PIER AND FLOATING DOCK 2 LIGHTHOUSE LANE GREENWICH, CT 06870		Drawn By: JBA / ZMV		Checked By: ADS			
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						Project No.: 2021126		Drawing No.: 6 of 9	

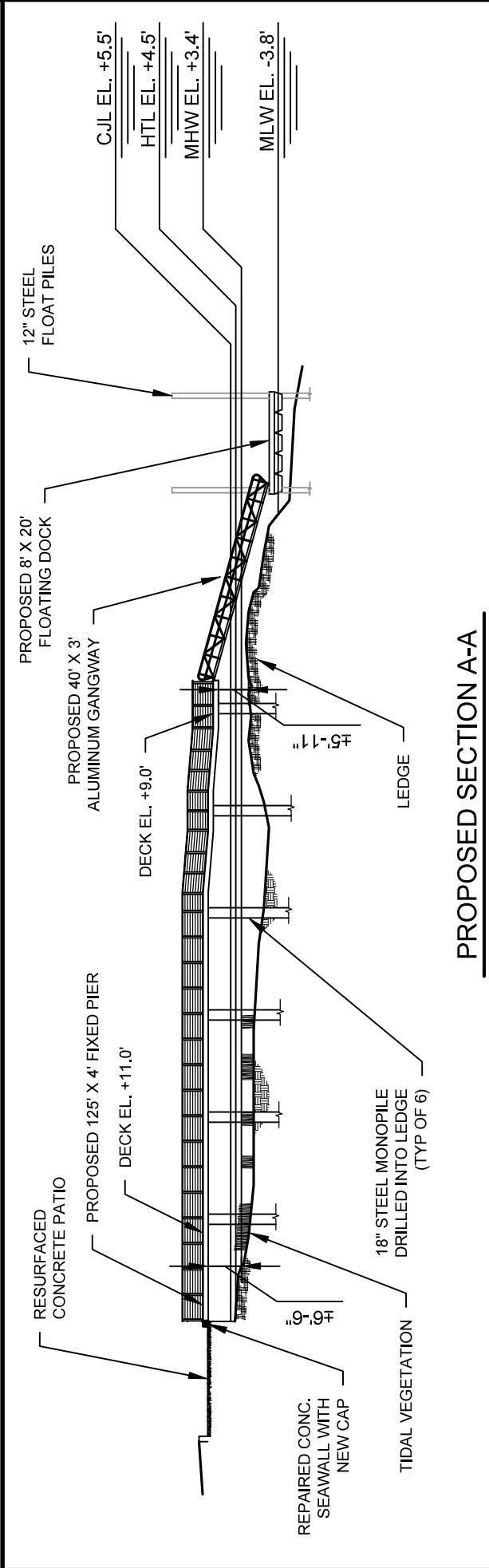
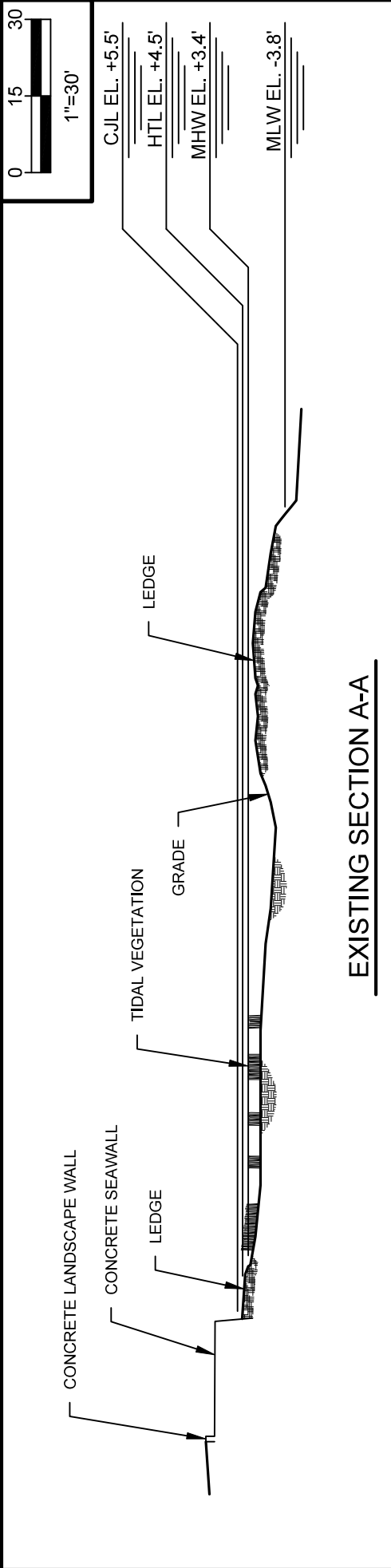
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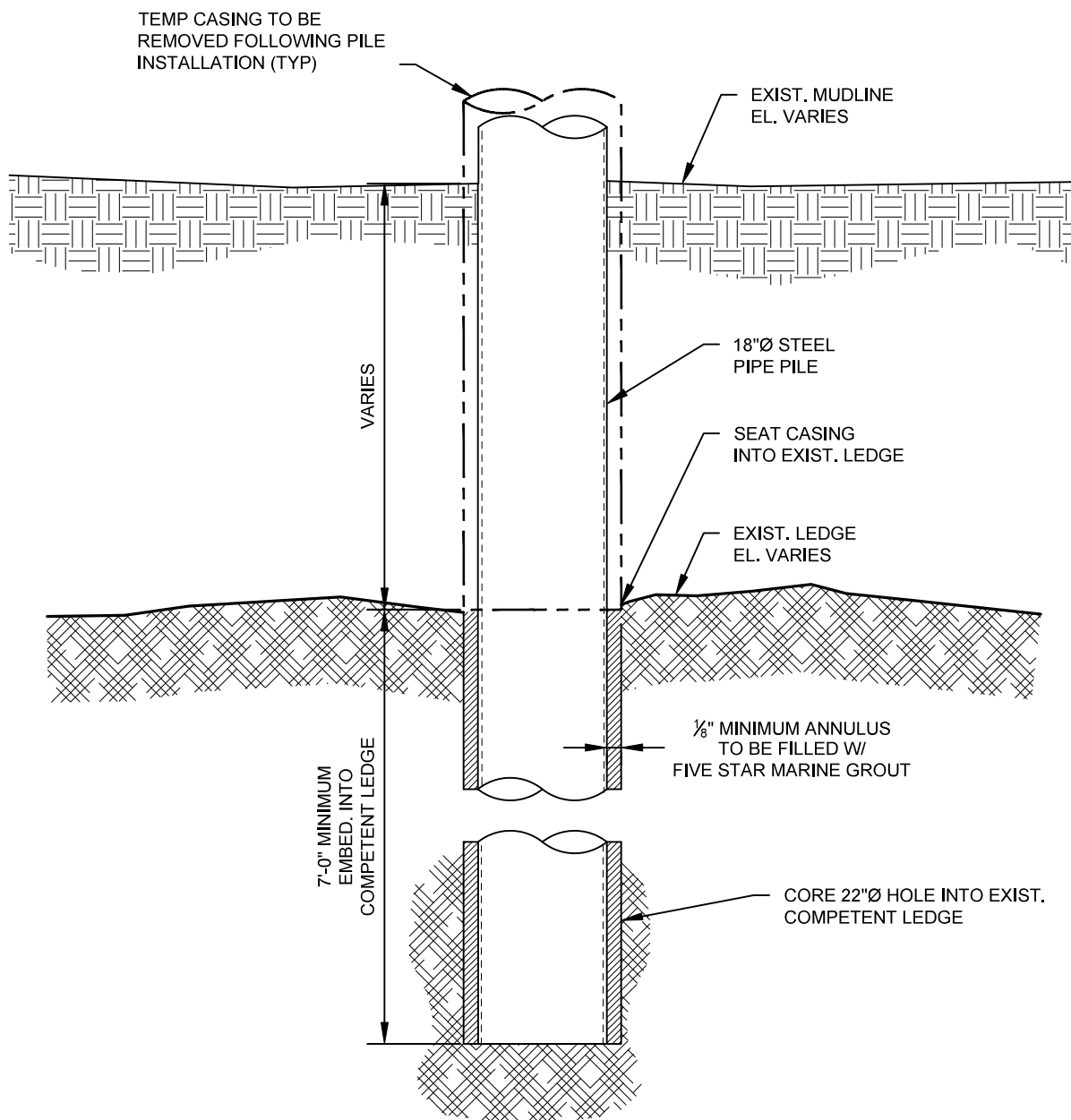
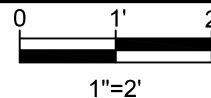
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**NOTE:**  
SUPPLEMENTAL BATHYMETRY HAS BEEN TAKEN FROM 2015 USACE NAE TOPOBATHY LIDAR

**PROPOSED SECTION A-A**

<p><b>RACE</b> COASTAL ENGINEERING</p> <p>611 Access Road    Stratford, CT 06615 Tel: 203-377-0663    racecoastal.com</p>	<p>Prepared For: <b>2 LIGHHOUSE LANE, LLC 2 LIGHHOUSE LANE OLD GREENWICH, CT 06870</b></p>	<p>SEAL:</p>	<p>Date: <b>9/26/2023</b></p>	<p>Rev.: <b>1</b></p>	
	<p>Project: <b>PROPOSED FIXED PIER AND FLOATING DOCK 2 LIGHHOUSE LANE GREENWICH, CT 06870</b></p>	<p>Drawn By: <b>JBA / ZMV</b></p>	<p>Checked By: <b>ADS</b></p>	<p>Date: <b>5-2-2024</b></p>	<p>Scale: <b>1"=30'</b></p>
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**DRILLED PIPE PILE DETAIL**



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

Prepared For:

2 LIGHTHOUSE LANE, LLC  
2 LIGHTHOUSE LANE  
OLD GREENWICH, CT 06870

Project:

PROPOSED FIXED PIER AND  
FLOATING DOCK  
2 LIGHTHOUSE LANE  
OLD GREENWICH, CT 06870

SEAL:



Date:

9/26/2023

Rev.: 1

5-2-2024

Drawn By:

JBA

Checked By:

ADS

Datum:

NAVD88

Scale:

1"=2'

Project No.:

2021126

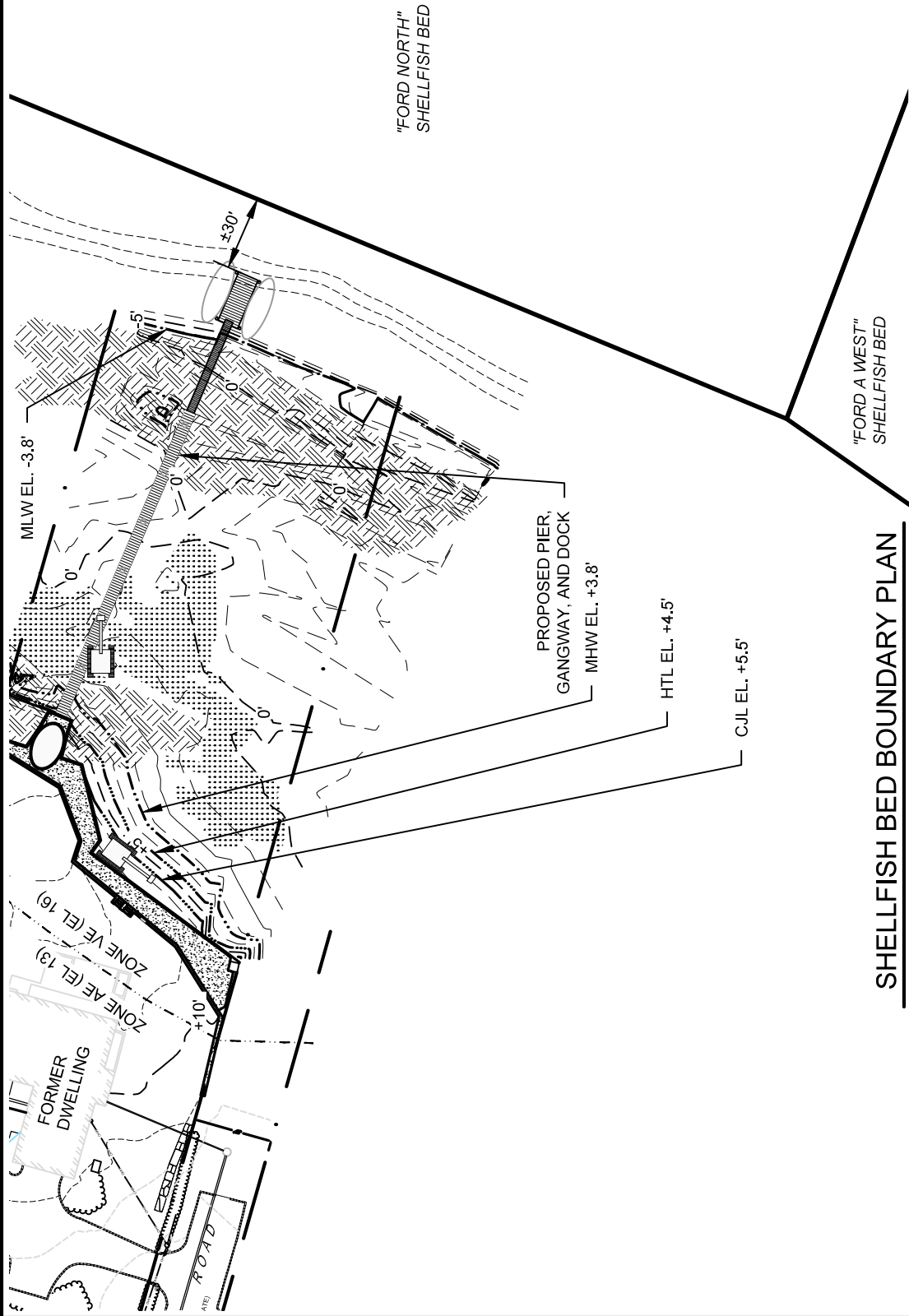
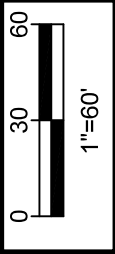
Drawing No.:

8 of 9

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SHELLFISH BED BOUNDARY PLAN

NOTES:

- 1. SUPPLEMENTAL BATHYMETRY HAS BEEN TAKEN FROM 2015 USACE NAE TOPOBATHY LIDAR (-7' CONTOUR AND BEYOND)
- 2. SHELLFISH BED BOUNDARY INFORMATION HAS BEEN TAKEN FROM CT ECO AQUACULTURE MAPPING ATLAS



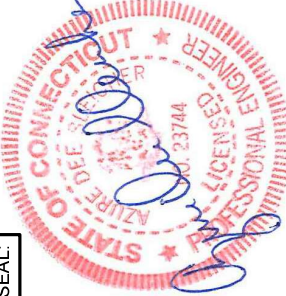
**RACE**  
COASTAL ENGINEERING

611 Access Road    Stratford, CT 06615  
Tel: 203-377-0663    [racecoastal.com](http://racecoastal.com)

Prepared For:  
2 LIGHTHOUSE LANE, LLC  
2 LIGHTHOUSE LANE  
OLD GREENWICH, CT 06870

Project:  
PROPOSED FIXED PIER AND  
FLOATING DOCK  
2 LIGHTHOUSE LANE  
GREENWICH, CT 06870

SEAL:



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Date:	9/26/2023	Rev.: 1	
Drawn By:	JBA / ZMV	Checked By:	5-2-2024
Datum:	NAVD88	Scale:	1"=60'
Project No.:	2021126	Drawing No.:	9 of 9



Construction Methodology  
2 Lighthouse Lane, Greenwich  
Application #2023007788-SDFTW

- No construction equipment or material will be left in the water during high water.
  - The shellfish bed boundaries shall be clearly marked with buoys and at no time shall any work vessel or barge anchor in the shellfish beds. These buoys will be maintained throughout construction.
1. During low water, low ground pressure mats shall be placed over tidal wetlands in the equipment access areas. Mats used in the wetland area will generate a total ground pressure that does not exceed 3 psi. The mats will be delivered to the site by the crane barge during high water and stacked near the seawall and then set into place by the excavator as the tide recedes working from the land toward the water.
  2. During low water, in areas with no tidal wetlands, rubber construction mats will be used and relocated as necessary.
  3. During low water, a landing craft will drop off an excavator and other necessary equipment to be transported over the mats. At no time will equipment leave the mats.
  4. The landing craft will leave the area and come back on an as-needed basis to retrieve equipment.
  5. A crane barge will be brought to the site at high tide and anchored with spud piles. The barge will be used to support drilling operations and the storage of construction materials. At no time will the barge rest on the bottom substrate. A shallow draft staging float may also be utilized to work around the pier.
  6. During low water, the drilling work for the piles will be performed using an excavator mounted rotary with down hole hammer.
  7. A temporary casing will be used to drill and install 18" steel pipe piles. All grouting takes place inside of the cased holes, both inshore and offshore, preventing any loss of grout into the watercourse.
  8. Once the pier pilings are in place, the pier deck will be installed. The pile caps and framing will be lowered into place by the barge mounted crane during high water. Once the framing is in place, the remainder of the pier decking, handrails and finishes are installed by combination of upland based access during low tide or the shallow draft float stage at high tide.

9. During high water, turbidity curtains will be installed around the float area. Four 12" steel float support piles will be drilled from barge-based equipment using casing to contain drill spoils.
10. Install ramp and float using barge-mounted equipment.

**Land Record Filing\***

**To:** 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.





## **LWRD Work Commencement Form**

**To:** [DEEP.LWRDRegulatory@ct.gov](mailto:DEEP.LWRDRegulatory@ct.gov) or  
Regulatory Section  
Department of Energy and Environmental Protection  
Land & Water Resources Division  
79 Elm Street  
Hartford, CT 06106-5127

**Licensee Name:** 2 Lighthouse Lane, LLC  
**Municipality in which the project is occurring:** Greenwich  
**DEEP License No(s):** 202307788-SDFTW

### **CONTRACTOR(s):**

# 1 Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
E-mail: \_\_\_\_\_

# 2 Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
E-mail: \_\_\_\_\_

# 3 Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
E-mail: \_\_\_\_\_

Date Contractor(s) received a copy  
of the license and approved plans: \_\_\_\_\_

EXPECTED DATE OF COMMENCEMENT OF WORK: \_\_\_\_\_

EXPECTED DATE OF COMPLETION OF WORK: \_\_\_\_\_

LICENSEE: \_\_\_\_\_  
(Signature) (Date)



## 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.

<p>1. Licensee Name: <u>2 Lighthouse Lane, LLC</u></p> <p>DEEP License Number(s): <u>202307788-SDFTW</u></p> <p>Municipality in which project is occurring: <u>Greenwich</u></p>																						
<p>2. <b>Check one:</b></p> <p>(a) <input type="checkbox"/> "I certify that the final site conditions and / or structures are in general conformance with the approved site plans". Identify and describe any deviations and attach to this form.</p> <p>(b) <input type="checkbox"/> "The final site conditions and / or structures are not in general conformance with the approved site plans. The enclosed "as-built" plans note the modifications".</p>																						
<p>3. "I understand that any false statement in this certification is punishable as a criminal offence under section 53a-157b of the General Statutes and under any other applicable law."</p> <table style="width: 100%; border: none;"><tr><td style="width: 50%; border-bottom: 1px solid black; margin-bottom: 5px;"></td><td style="width: 50%; border-bottom: 1px solid black; margin-bottom: 5px;"></td></tr><tr><td>Signature of Licensee</td><td>Date</td></tr><tr><td colspan="2" style="border-bottom: 1px solid black; margin-top: 10px;"></td></tr><tr><td colspan="2">Name of Licensee (print or type)</td></tr><tr><td colspan="2" style="height: 40px;"></td></tr><tr><td style="border-bottom: 1px solid black; margin-bottom: 5px;"></td><td style="border-bottom: 1px solid black; margin-bottom: 5px;"></td></tr><tr><td>Signature of CT-Licensed Design Professional</td><td>Date</td></tr><tr><td colspan="2" style="border-bottom: 1px solid black; margin-top: 10px;"></td></tr><tr><td colspan="2">Name of CT-Licensed Design Professional (print or type)</td></tr><tr><td style="border-bottom: 1px solid black; margin-bottom: 5px;"></td><td rowspan="2" style="width: 20%; vertical-align: middle; text-align: center;"><div style="border: 1px solid black; width: 100%; height: 100%;"></div></td></tr><tr><td>Professional License Number (if applicable)</td></tr></table>				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)			<div style="border: 1px solid black; width: 100%; height: 100%;"></div>	Professional License Number (if applicable)
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<ul style="list-style-type: none"><li>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.</li><li>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.</li></ul> <p>Submit this completed form to : <a href="mailto:DEEP.LWRDRegulatory@ct.gov">DEEP.LWRDRegulatory@ct.gov</a> or <b>Regulatory Section</b> <b>Department of Energy and Environmental Protection</b> <b>Land &amp; Water Resources Division</b> <b>79 Elm Street</b> <b>Hartford, CT 06106-5127</b></p>																						