



**Notice of Tentative Determination to Approve
Structures, Dredging & Fill and Tidal Wetlands
And Intent to Waive Public Hearing
Applicant: Alan Todd
Application No. 201406880-SB
Municipality: Town of Old Lyme**

The Department of Energy and Environmental Protection (“DEEP”) hereby gives notice that a tentative determination has been reached to approve the following application submitted under Sections 22a-361 and 22a-32 of the Connecticut General Statutes (“CGS”) for 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.

The Commissioner also gives notice of intent to waive the requirement for public hearing pursuant to CGS Section 22a-32 and that the Commissioner shall hold a hearing on receipt of a petition signed by twenty-five or more persons pursuant to CGS Sections 22a-32 and 22a-361(b). The Commissioner also gives notice that a hearing may be held on this application if a written request is received from the applicant, or if the Commissioner determines that the public interest will best be served thereby.

Applicant’s Name and Address: Alan Todd, 12 Stonewood Drive, Old Lyme, CT 06371

Contact: Docko, Inc., P.O. Box 421, Mystic, CT, 860-572-8939, office@docko.com

Site Location: 100 Mile Creek Road, Old Lyme, CT 06371

PROPOSED ACTIVITY

The proposed activity includes constructing a fixed wooden walkway and pier and will affect coastal resources and tidal wetlands.

INFORMATION REQUESTS/PUBLIC COMMENT

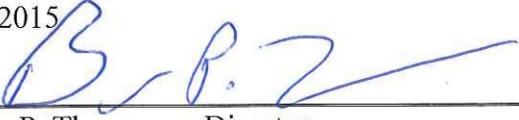
Interested persons may obtain a copy of the application from the above contacts or by sending a request for an electronic copy to DEEP at sue.bailey@ct.gov. The application is available for inspection at the DEEP Office of Long Island Sound Programs, 79 Elm Street, Hartford, from 8:30 - 4:30 Monday through Friday. Additional surveys, plans or other materials may be available with the original application file at DEEP. All interested parties are invited to express their views on the tentative determination concerning this application. Written comments on the application should be directed to Susan Bailey, DEEP Office of Long Island Sound Programs, 79 Elm Street, Hartford, CT 06106-5127, no later than November 21, 2015. Comments regarding this application may be submitted via electronic mail to: sue.bailey@ct.gov.

PETITIONS FOR HEARING

Petitions for a hearing should include the application number noted above and also identify a contact person to receive notifications. Petitions may also identify a person who is authorized to engage in discussions regarding the application and, if resolution is reached, withdraw the petition. Original petitions must be *mailed or delivered* within the comment period noted above to: DEEP Office of Adjudications, 79 Elm Street, 3rd floor, Hartford, 06106-5127. Petitions cannot be sent by fax or email. For additional information visit www.ct.gov/deep/adjudications.

Date: October 12, 2015

Approved By: _____


Brian P. Thompson, Director

ADA PUBLICATION STATEMENT

The Connecticut Department of Energy and Environmental Protection is an Affirmative Action and Equal Opportunity Employer that is committed to complying with the Americans with Disabilities Act. To request an accommodation contact us at (860) 418-5910 or deep.accommodations@ct.gov.



DRAFT PERMIT

Permit No: 201406880-SB

Municipality: Town of Old Lyme

Work Area: an unnamed tidal creek off of the eastern side of the Black Hall River off of 100 Mile Creek Road

Permittee: Alan Todd
12 Stonewood Drive
Old Lyme, CT 06371

Pursuant to sections 22a-359 through 22a-363g and sections 22a-28 through 22a-35 of the Connecticut General Statutes (“CGS”) and in accordance with section 22a-98 and the Connecticut Water Quality Standards, effective February 25, 2011, a permit is hereby granted by the Commissioner of Energy and Environmental Protection (“Commissioner”) to install a dock for private recreational boating access as is more specifically described below in the SCOPE OF AUTHORIZATION, off property identified as the “work area” above.

*******NOTICE TO PERMITTEES AND CONTRACTORS*******

UPON INITIATION OF ANY WORK AUTHORIZED HEREIN, THE PERMITTEE ACCEPTS AND AGREES TO COMPLY WITH ALL TERMS AND CONDITIONS OF THIS PERMIT. FAILURE TO CONFORM TO THE TERMS AND CONDITIONS OF THIS PERMIT MAY SUBJECT THE PERMITTEE AND ANY CONTRACTOR TO ENFORCEMENT ACTIONS, INCLUDING INJUNCTIONS AS PROVIDED BY LAW AND PENALTIES UP TO \$1,000.00 PER DAY PURSUANT TO THE ADMINISTRATIVE CIVIL PENALTY POLICY DESCRIBED IN SECTIONS 22a-6b-1 THROUGH 22a-6b-15 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES.

SCOPE OF AUTHORIZATION

The Permittee is hereby authorized to conduct the following work as described in application #201406880-SB, including four (4) sheets of plans dated May 21, 2014 of which Sheets 1 and 3 were revised August 11, 2015, Sheet 2 was revised May 4, 2015 and Sheet 4 was revised September 30, 2015 submitted by the Permittee to the Commissioner and attached hereto, as follows:

Construct a pile-supported dock with open grate decking and railings in two sections as follows:

1. A landward section over a creek and wet marsh area composed of a 3' wide by 60' long walkway, of which 47' is located waterward of the Coastal Jurisdiction Line, and a 3' wide 20' long ramp;
2. A waterward section located 87' waterward of the landward section composed of a 3' wide by 20' long ramp over low marsh leading up to a 5' by 5' platform with an angled ladder and two kayak racks; and
3. A 3' wide by 4' long davit-deployed removable metal framed mesh kayak retrieval lifting frame on the waterward side of the platform authorized above.

SPECIAL TERMS AND CONDITIONS

1. Not later than two (2) weeks prior to the commencement of any work authorized herein, the Permittee shall submit to the Commissioner, on the form attached hereto as Appendix A, 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.
2. The Permittee shall file Appendix B on the land records of the municipality in which the subject property is located not later than thirty days after permit issuance pursuant to CGS Section 22a-363g. A copy of Appendix B 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 permit issuance.
3. The Permittee shall give a copy of this permit to the contractor(s) who will be carrying out the activities authorized herein prior to the start of construction and shall receive a written receipt for such copy, signed and dated by such contractor(s). The Permittee's contractor(s) shall conduct all operations at the site in full compliance with this permit and, to the extent provided by law, may be held liable for any violation of the terms and conditions of this permit. At the work area the contractor(s) shall, whenever work is being performed, make available for inspection a copy of this permit and the final plans for the work authorized herein.
4. The Permittee shall post the attached Permit Notice in a conspicuous place at the work area while the work authorized herein is undertaken.
5. The Permittee shall conduct the work authorized herein in accordance with the addendum entitled "Construction Methodology and Sequencing", attached hereto.
6. The Permittee shall construct the 5' by 5' platform at the edge of the creek such that the elevation of the lowest horizontal member is 6.8' NAVD 88 and the walkway and ramps shall be constructed with the clearances above the marsh shown on Sheet 4.
7. The decking of the walkway, ramps and platform shall be open grate. Such open decking shall be maintained and serviceable for the life of the walkway, ramps and platform.
8. The Permittee shall store the kayak retrieval lifting frame in an upright position, and the kayaks in their racks, when not in use as shown on Sheet 4.

9. If the Permittee removes the kayaks or any of the authorized structures for winter storage, the Permittee shall store such structures at an upland location, landward of the Coastal Jurisdiction Line and outside of tidal wetlands.
10. Except as specifically authorized by this permit, no equipment or material, including but not limited to, fill, construction materials, excavated material or debris, shall be deposited, placed or stored in any wetland or watercourse on or off-site, nor shall any wetland or watercourse be used as a staging area or access way other than as provided herein.
11. All waste material generated by the performance of the work authorized herein shall be disposed of by the Permittee at an upland site approved for the disposal of such waste material, as applicable.
12. At no time shall any barge be stored over intertidal flats, submerged aquatic vegetation or tidal wetland vegetation or in a location that interferes with navigation. In the event any barge associated with the work authorized herein is grounded, no dragging or prop dredging shall occur to free the barge. The Permittee shall ensure that any vessel utilized in the execution of the work authorized herein shall not rest on, or come in contact with, the substrate at any time.
13. On or before ninety (90) days after completion of the work authorized herein, the Permittee shall submit to the Commissioner "as-built" plans of the work area showing all tidal datums and structures, including any proposed elevation views and cross sections included in the permit. Such 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.

GENERAL TERMS AND CONDITIONS

1. All work authorized by this permit shall be completed within five (5) years from date of issuance of this permit ("work completion date") in accordance with all conditions of this permit and any other applicable law.
 - a. The Permittee may request a one-year extension of the work completion date. Such request shall be in writing and shall be submitted to the Commissioner at least thirty (30) days prior to said work completion date. Such request shall describe the work done to date, what work still needs to be completed, and the reason for such extension. It shall be the Commissioner's sole discretion to grant or deny such request.
 - b. Any work authorized herein conducted after said work completion date or any authorized one year extension thereof is a violation of this permit and may subject the Permittee to enforcement action, including penalties, as provided by law.
2. In conducting the work authorized herein, the Permittee shall not deviate from the attached plans, as may be modified by this permit. The Permittee shall not make de minimis changes from said plans without prior written approval of the Commissioner.
3. The Permittee may not conduct work waterward of the coastal jurisdiction line or in tidal wetlands at this permit site other than the work authorized herein, unless otherwise authorized by the Commissioner pursuant to CGS section 22a-359 et. seq. and/or CGS section 22a-32 et.

seq.

4. The Permittee shall maintain all structures or other work authorized herein in good condition. Any such maintenance shall be conducted in accordance with applicable law including, but not limited to, CGS sections 22a-28 through 22a-35 and CGS sections 22a-359 through 22a-363g.
5. In undertaking the work authorized hereunder, the Permittee shall not cause or allow pollution of wetlands or watercourses, including pollution resulting from sedimentation and erosion. For purposes of this permit, "pollution" means "pollution" as that term is defined by CGS section 22a-423.
6. Upon completion of any work authorized herein, the Permittee shall restore all areas impacted by construction, or used as a staging area or access way in connection with such work, to their condition prior to the commencement of such work.
7. The work specified in the SCOPE OF AUTHORIZATION is authorized solely for the purpose set out in this permit. No change in the purpose or use of the authorized work or facilities as set forth in this permit may occur without the prior written authorization of the Commissioner. The Permittee shall, prior to undertaking or allowing any change in use or purpose from that which is authorized by this permit, request authorization from the Commissioner for such change. Said request shall be in writing and shall describe the proposed change and the reason for the change.
8. The Permittee shall allow any representative of the Commissioner to inspect the work authorized herein at reasonable times to ensure that it is being or has been accomplished in accordance with the terms and conditions of this permit.
9. This permit is not transferable without prior written authorization of the Commissioner. A request to transfer a permit shall be submitted in writing and shall describe the proposed transfer and the reason for such transfer. The Permittee's obligations under this permit shall not be affected by the passage of title to the work area to any other person or municipality until such time as a transfer is authorized by the Commissioner.
10. Any document required to be submitted to the Commissioner under this permit or any contact required to be made with the Commissioner shall, unless otherwise specified in writing by the Commissioner, be directed to:

Permit Section
Office of Long Island Sound Programs
Department of Energy and Environmental Protection
79 Elm Street
Hartford, Connecticut 06106-5127
(860) 424-3034
Fax # (860) 424-4054
11. The date of submission to the Commissioner of any document required by this permit shall be the date such document is received by the Commissioner. The date of any notice by the

Commissioner under this permit, 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 this permit, the word "day" as used in this permit means calendar day. Any document or action which is required by this permit 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.

12. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this permit shall be signed by the Permittee 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."
13. In evaluating the application for this permit the Commissioner has relied on information and data provided by the Permittee and on the Permittee's representations concerning site conditions, design specifications and the proposed work authorized herein, including but not limited to representations concerning the commercial, public or private nature of the work or structures authorized herein, 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, this permit may be modified, suspended or revoked, and any unauthorized activities may be subject to enforcement action.
14. In granting this permit, the Commissioner has relied on representations of the Permittee, including information and data provided in support of the Permittee's application. Neither the Permittee's representations nor the issuance of this permit shall constitute an assurance by the Commissioner as to the structural integrity, the engineering feasibility or the efficacy of such design.
15. In the event the Permittee becomes aware that they did not or may not comply, or did not or may not comply on time, with any provision of this permit or of any document required hereunder, the Permittee shall immediately notify the Commissioner 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 Commissioner, the Permittee shall state in writing the reasons for the noncompliance or delay and propose, for the review and written approval of the Commissioner, dates by which compliance will be achieved, and the Permittee shall comply with any dates which may be approved in writing by the Commissioner. Notification by the Permittee shall not excuse noncompliance or delay and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically stated by the Commissioner in writing.

16. This permit may be revoked, suspended, or modified in accordance with applicable law.
17. The issuance of this permit does not relieve the Permittee of their obligations to obtain any other approvals required by applicable federal, state and local law.
18. This permit 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.

Issued on _____, 2015

STATE OF CONNECTICUT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION

Betsey C. Wingfield
Bureau Chief
Bureau of Water Protection and Land Reuse

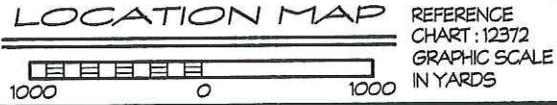
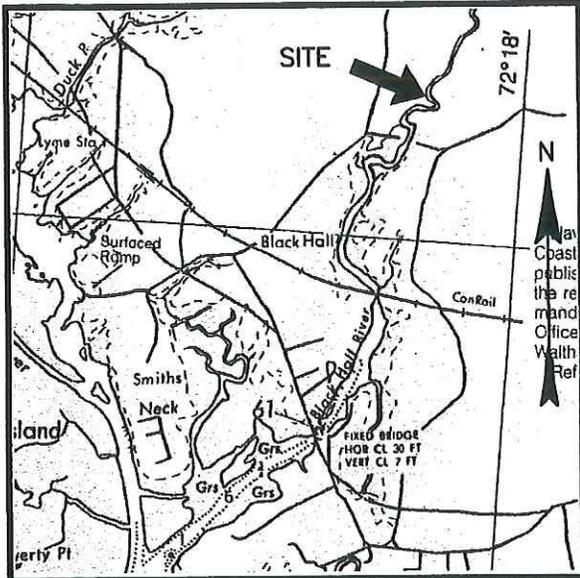
Permit #201406880-SB
Alan Todd, Permittee

Construction Methodology and Sequencing

This platform section of the project will be built from water using a barge-mounted tripod lift for driving the 6 x 6 corner posts and hoisting of heavy timbers for the framing. All other walkway posts will be 4 x 4's and they will be set from land. Posts will be set using a combination of augering, jetting and vibratory driving.

It is anticipated that work will proceed from the bank out, building the initial few bents to establish a working platform which will provide further access to successive bents.

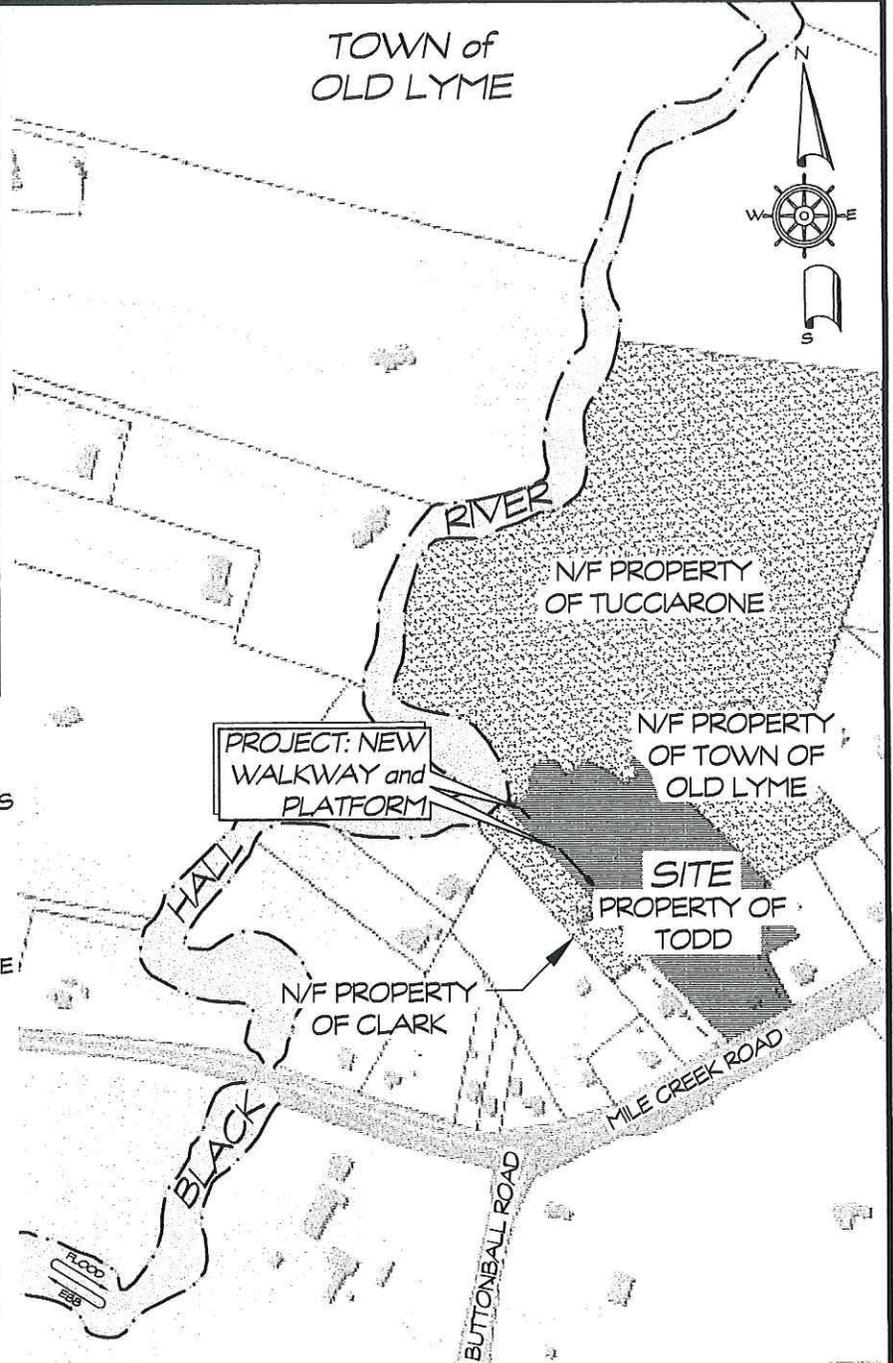
- Successive bents will have to be built by augering the holes then jetting and driving the piles with a vibratory hammer, ram, mallet or sledge hammer.
- As each succession of bent supports is installed, the posts will be connected with a split clamp/cap, then cross bracing for stability, installation of deck stringers, then decked.
- Deck stringers will be set across the split caps and connected to the pile bents.
- The decking will be installed next, then the rails when all the construction utilizing larger timbers is complete.



- NOTES:**
- ELEVATION DATUM IS NAVD '88.
 - TIDE DATA IS TAKEN FROM 2014 NOAA TIDE TABLES
REFERENCE : OLD LYME - LONG ISLAND SOUND
 - PROJECT DESCRIPTION: CONSTRUCT A NEW 3-FT WIDE X 47½-LF POST SUPPORTED ELEVATED WALKWAY WITH RAILS, OPEN GRATE DECKING AND ASSOCIATED RAMP. ALSO CONSTRUCT A NEW 5-FT WIDE X 5½-FT PLATFORM WITH GRATE DECKING AT THE EDGE OF A CREEK, INCLUDING TWO DAVITS, KAYAK RACKS, AN ANGLED LADDER AND ASSOCIATED RAMP. ALSO INSTALL A REMOVABLE, MESH, SUSPENDED KAYAK LAUNCH/RETRIEVAL FRAME, WATERWARD OF THE MEAN HIGH WATER AND COASTAL JURISDICTION LINES.
 - PROJECT PURPOSE:
THIS IS A PRIVATE DOCK FOR RECREATIONAL BOATING.
 - THESE APPLICATION DRAWINGS REPRESENT A COMPILATION OF SURVEYS FOR ENVIRONMENTAL PERMIT PURPOSES. THEY ARE NOT CONSTRUCTION CONTRACT DOCUMENTS. A TOWN BUILDING PERMIT MAY BE REQUIRED.

6. ADJOINING PROPERTY OWNERS:

WEST:	EAST:	NORTH:
CHARENE CLARK 98-1 MILE CREEK RD OLD LYME, CT 06371	TOWN OF OLD LYME 52 LYME STREET OLD LYME, CT 06371	THOMAS TUCCARONE 8 ROWLAND RD OLD LYME, CT 06371

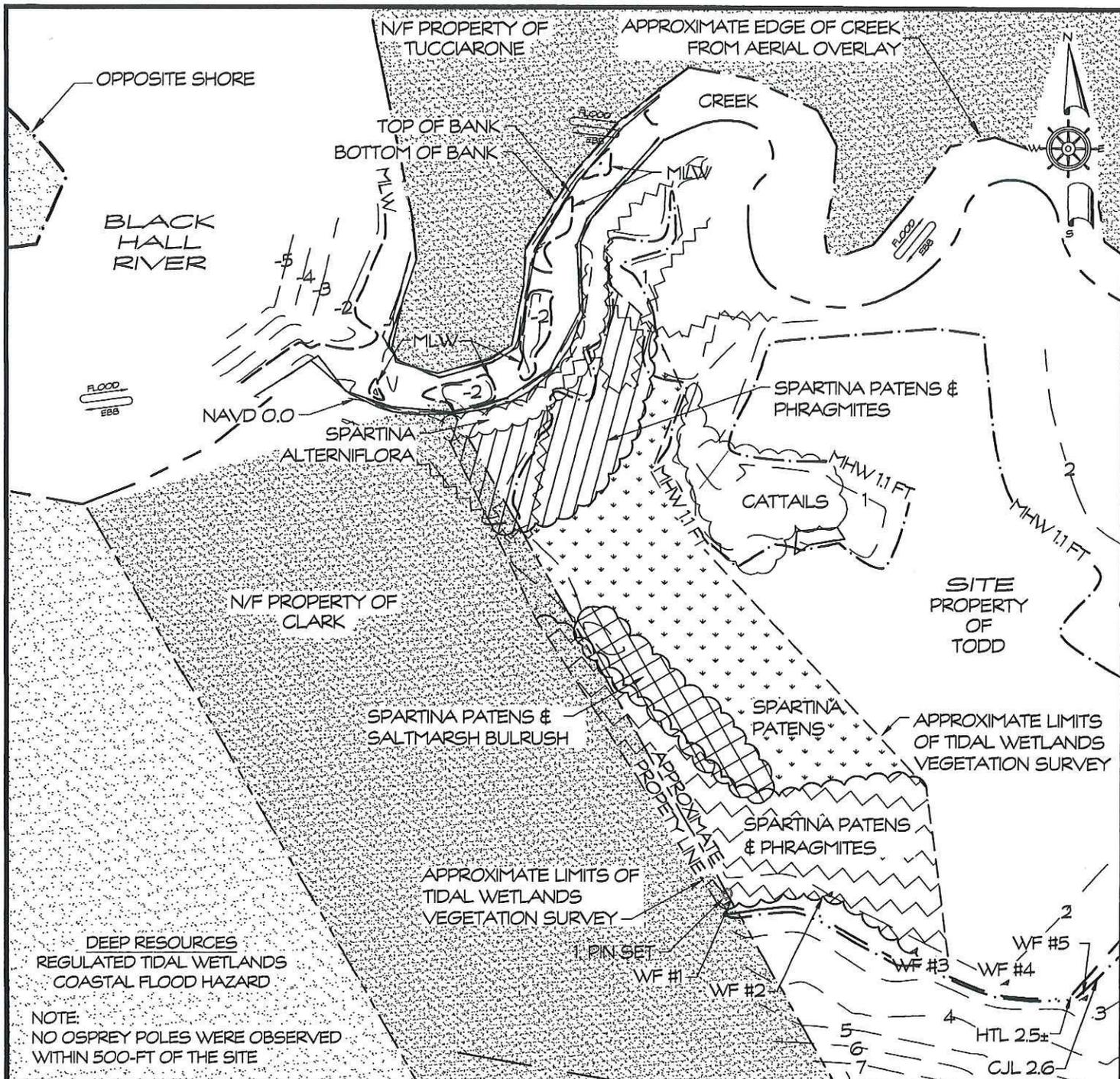


REVISED 1-14-15 DEEP PROJECT DESCRIPTION
REVISED 5-4-15 DEEP PROJECT DESCRIPTION
REVISED 5-8-15 DEEP PROJECT DESCRIPTION
REVISED 6-24-15 DEEP PROJECT DESCRIPTION
REVISED 8-11-15 DEEP PROJECT DESCRIPTION

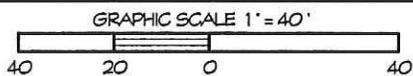
PROJECT: NEW WALKWAY and PIER
LOCATION: TOWN OF OLD LYME
NEW LONDON COUNTY, CONNECTICUT
WATERWAY: BLACK HALL RIVER
DATE: MAY 21, 2014
APPLICANT: ALAN TODD
AGENT: SHEET 1 OF 4
DOCKO, INC.
Keith B. Nelson, PE
Mystic, CT 06355
860 572 8939 FAX 860 572 7569
EMAIL: office@docko.com



DWG 07-13-2546



EXISTING CONDITIONS



REVISED 5-4-15 DEEP
CJL

ELEVATIONS ARE BASED ON NAVD 1988
SURVEY by J ROBERT PFANNER & ASSOCIATES
TIDAL WETLANDS VEGETATION SURVEY by RICHARD SNARSKI

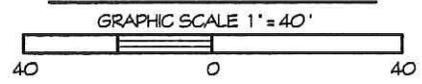
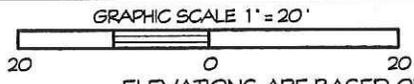
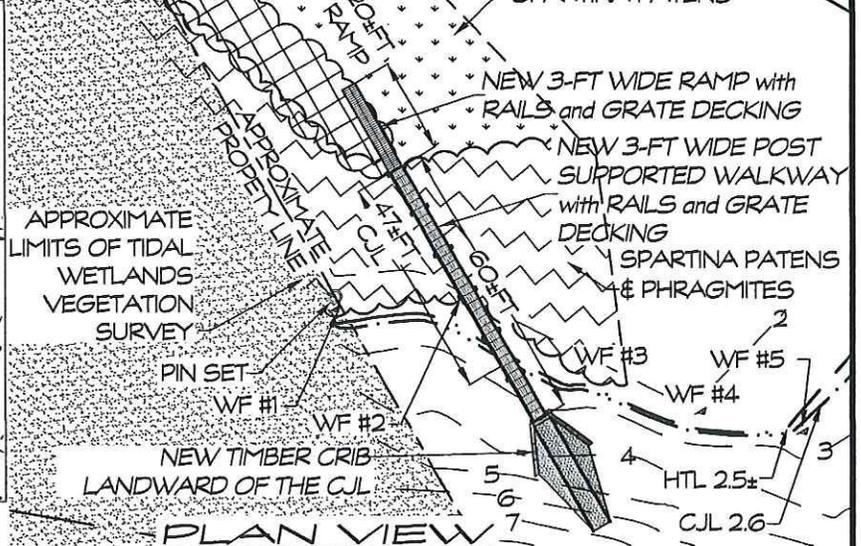
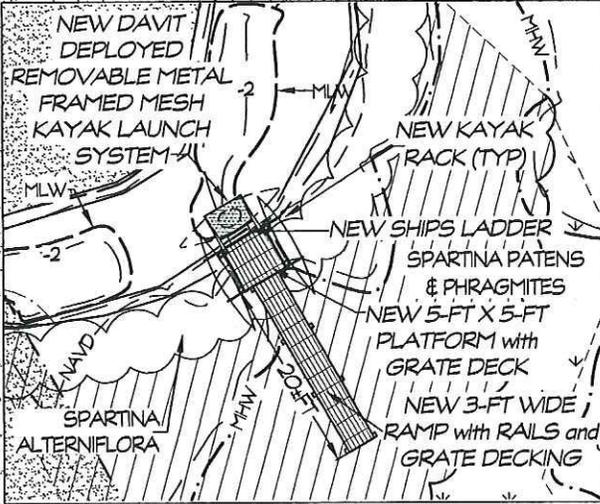
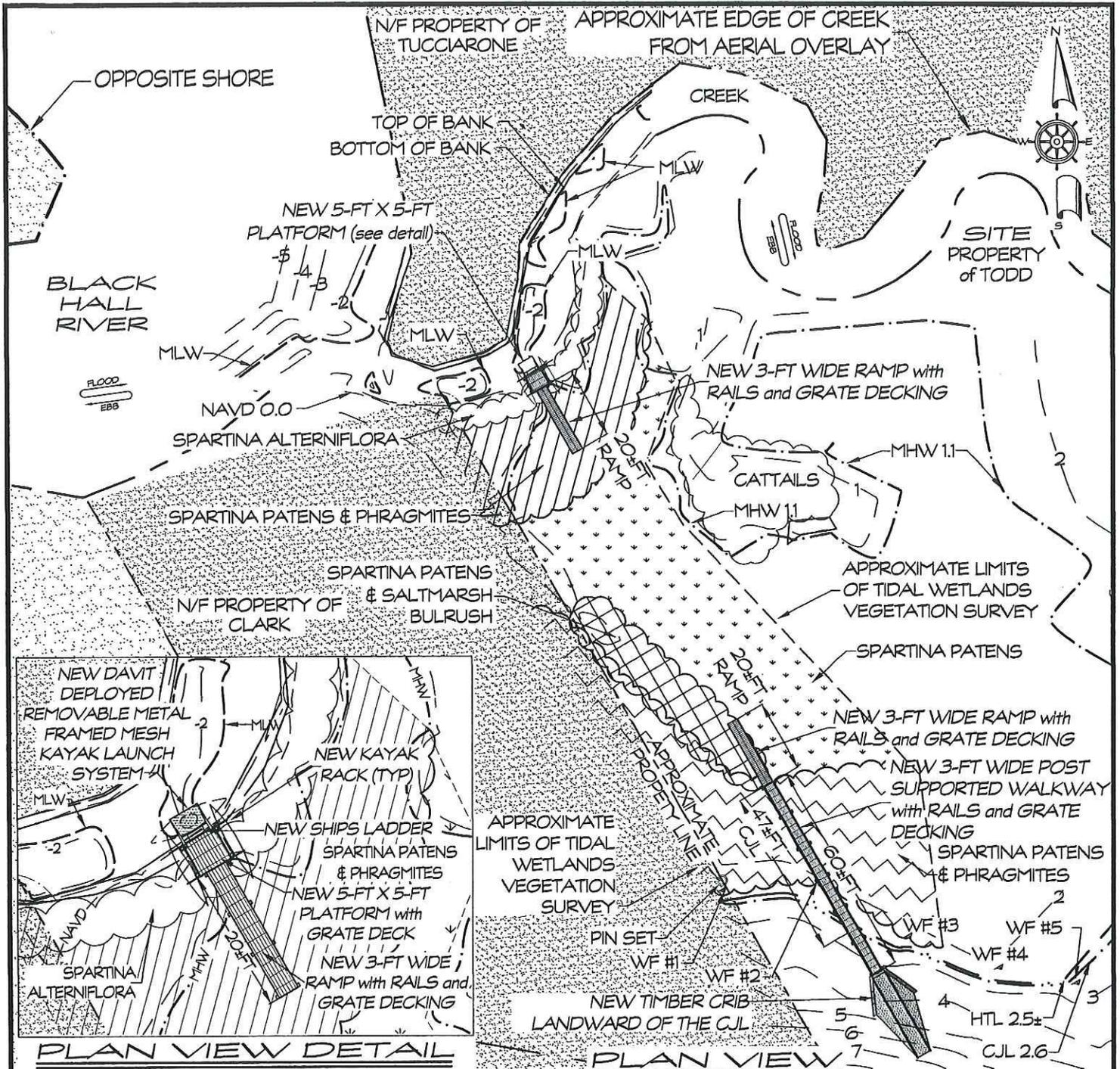
PROJECT: NEW WALKWAY and PIER
LOCATION: TOWN OF OLD LYME
NEW LONDON COUNTY, CONNECTICUT
WATERWAY: BLACK HALL RIVER
DATE: MAY 21, 2014
APPLICANT: ALAN TODD

AGENT: SHEET 2 OF 4
DOCKO, INC.
Keith B. Nelson, PE
Mystic, CT 06355
860 572 8939 FAX 860 572 7569
EMAIL: office@docko.com



DWG 07-13-2546





ELEVATIONS ARE BASED ON NAVD 1988 SURVEY by J ROBERT PFANNER & ASSOCIATES TIDAL WETLANDS VEGETATION SURVEY by RICHARD SNARSKI

REVISED 7-21-15 DEEP PLATFORM SIZE & RETRACTABLE KAYAK LAUNCH SYSTEM
 REVISED 8-11-15 DEEP DAVIT KAYAK LAUNCH SYSTEM

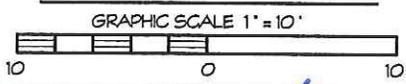
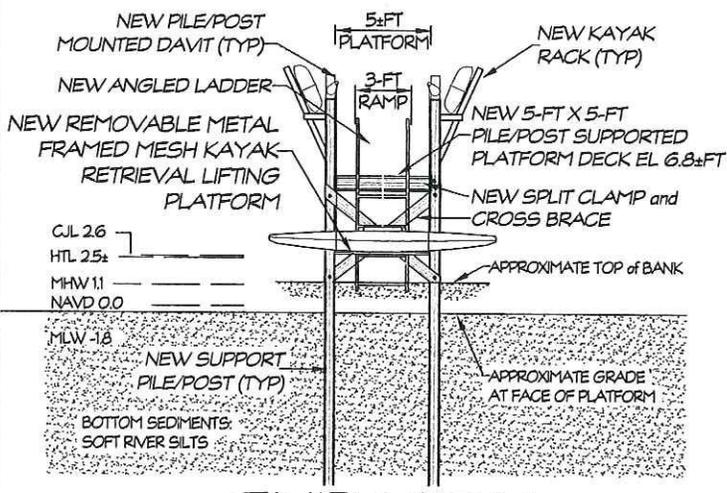
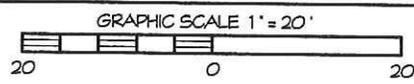
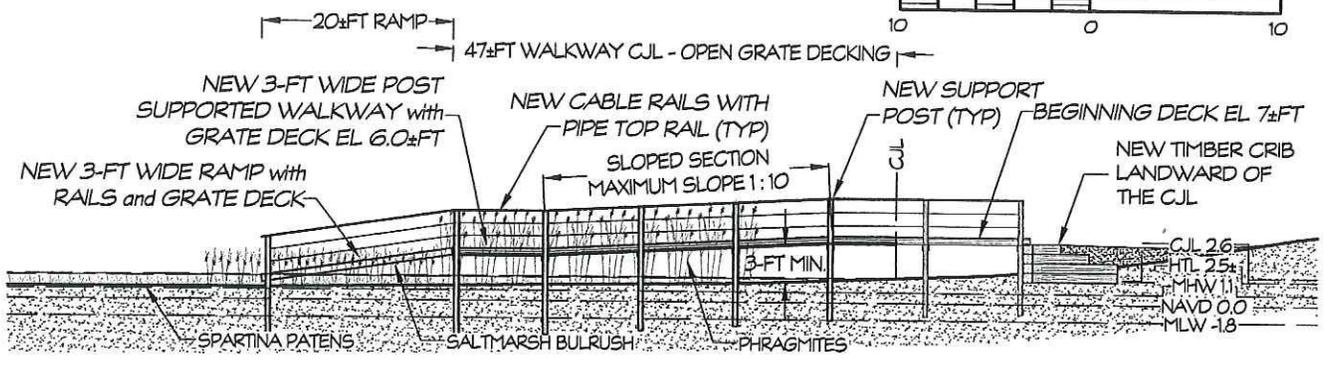
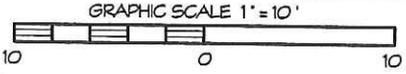
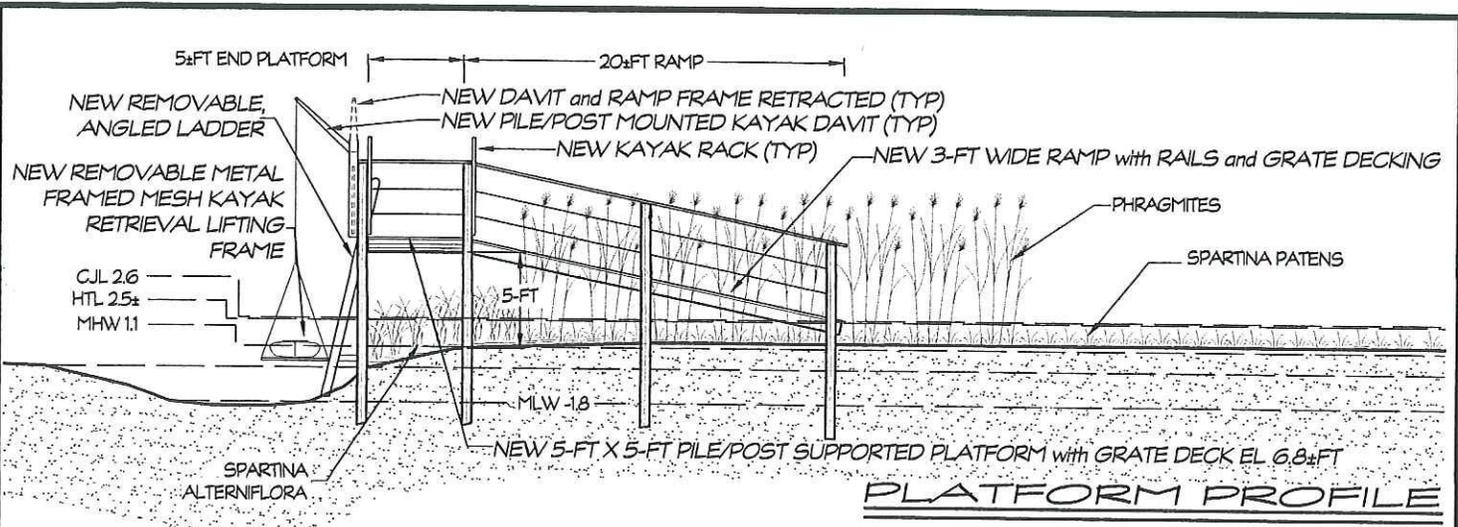
REVISED 1-14-15 DEEP PIER WIDTH, LENGTH and WALKWAY SECTION
 REVISED 5-4-15 DEEP CJL, WALKWAY WIDTH, PLATFORM & DETAIL
 REVISED 5-8-15 DEEP WALKWAY LENGTH
 REVISED 6-25-15 DEEP WALKWAY LENGTH, PLATFORM CONFIGURATION & RAMPS

PROJECT: NEW WALKWAY and PIER
 LOCATION: TOWN OF OLD LYME NEW LONDON COUNTY, CONNECTICUT
 WATERWAY: BLACK HALL RIVER
 DATE: MAY 21, 2014
 APPLICANT: ALAN TODD

AGENT: SHEET 3 OF 4
DOCKO, INC.
 Keith B. Nelson, PE
 Mystic, CT 06355
 860 572 8939 FAX 860 572 7569
 EMAIL: office@docko.com



DWG 07-13-2546.03 JF



ELEVATIONS ARE BASED ON NAVD 1988

PROJECT: NEW WALKWAY and PIER
 LOCATION: TOWN OF OLD LYME
 NEW LONDON COUNTY, CONNECTICUT
 WATERWAY: BLACK HALL RIVER
 DATE: MAY 21, 2014
 APPLICANT: ALAN TODD

AGENT: SHEET 4 OF 4
DOCKO, INC.
 Keith B. Nelson, PE
 Mystic, CT 06355
 860 572 8939 FAX 860 572 7569
 EMAIL: office@docko.com



DWG 07-13-2546

REVISED 5-25-15 DEEP WALKWAY, PLATFORM PROFILES, & END VIEW
 REVISED 7-21-15 DEEP PLATFORM SIZE & RETRACTABLE KAYAK LAUNCH SYSTEM
 REVISED 8-11-15 DEEP DAVIT KAYAK LAUNCH SYSTEM
 REVISED 9-30-15 DEEP PLATFORM DIMS.
 5-15-14 REVISED OLHC DECK SPACING
 REVISED 1-14-15 DEEP PIER WIDTH & MID DECK LENGTH
 REVISED 5-4-15 DEEP WALKWAY WIDTH and ELEVATION & PLATFORM
 REVISED 5-8-15 DEEP WALKWAY LENGTH