

PERMIT

Permit No: 201509425-SB

Municipality: Town of Wethersfield

Work Area: Wethersfield Cove off property located at 270 Hartford Avenue

Permittee: Wethersfield Cove Yacht Club
c/o Bernie Dudek
270 Hartford Avenue
Wethersfield, CT 06109

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 granted by the Commissioner of Energy and Environmental Protection (“Commissioner”) to retain docks and a marine railway, modify existing docks and install new docks for marine commercial use and retain a seawall for flood and erosion control 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 no. 201509425-SB, including 23 sheets of plans identified as Attachment IA a Vicinity Map, Attachment B an Assessor’s Map dated January 21, 2016, three (3) sheets entitled Attachment I(c) dated January 20, 2015, Sheet Nos. 1 through 3, 5 through 12 dated June 10, 2015, Sheet No. 4 dated May 10, 2015, Sheet 11A dated January 26, 2016, two (2) sheets entitled Attachment I(d) and three (3) sheets entitled Attachments (d) through (f) submitted by the Permittee to the Commissioner and attached hereto, as follows:

- I. Retain the following structures:
- A. A brown quarry rock seawall capped with concrete composed of a 64' long eastern side that rises 7.5' out of the water, a 54' long southern side with a fence on top and a 66' long northern side. The bottom of the eastern side of the seawall is stabilized by timbers that extend into the bottom of the cove floor. The concrete top on the eastern side has holes drilled for fence poles and has anchors (2) 6 inch by 12 inch steel I beams) within the wall to which the A frame anchor attaches to the docks described below;
 - B. A dock system accessed from the seawall, retained above, via a 3 ft wide by 20 ft long wood frame ramp. The dock system is fixed to a pivoting A-frame at the seawall as shown in Attachment I (c) "Existing and Proposed Docks (Sheet 9)". The main straight section of the dock consists of nine sections; two 8 ft by 16 ft sections and seven 8 ft by 12 ft sections. The top of the "T" consists of six 10 ft by 12 ft sections. There are eight 2.5 ft by 16 ft finger piers extending from the main section of the dock: four running north and four running south. There is also a dinghy finger pier extending south that is made up of two 3 ft by 16 ft sections. The entire dock rises about 14 inches from the water. All sections of the dock are wood frame construction with 3/4" plywood or 1/8" aluminum tops with marine grade Styrofoam sections bolted to the bottom. Each dock section is connected by a set of two galvanized steel brackets that are pinned together; and
 - C. A launching system which includes 235 feet of rail on land and 116 feet in the water and a rail cart to launch and retrieve boats and the docks. After all boats are removed from the water, the docks are hauled and stored on the tracks for the winter as shown on Sheet 11 entitled "Existing Seawall and Railroad Tracks"; and
- II. Modify the existing docks and install new docks as follows:

Install 68 linear feet of dock to the current dock system would which, with use of finger piers, create 14 additional slips, plus one additional transient slip as described below:

Add one 8 ft by 12 ft and one 8 ft by 16 ft sections to the main section of dock, three 8 ft by 12 ft and one 8 ft by 14 ft sections to the south side of the "T" and three 8 ft by 12 ft sections to the north side of the "T". The extension to the north side of the "T" will provide space for two transient boats. Of the 15 additional slips, six will be created by installing two new 2.5 ft by 16 ft finger piers in an easterly direction from the end of the "T", five will be created by installing three new 2.5 ft by 16 ft finger piers in a southerly direction from the extension on the south side of the "T", three will be created in the extended section of the main dock by adding two 2.5 ft by 16 ft finger piers (one on the north side and one on the south side) and the eastern extension from the north side of the "T" will provide one additional slip for transient boaters. The total length of the completed dock (i.e. old plus new sections) will be

approximately 191 ft. as shown on Sheet 8 entitled "Existing and Proposed Docks." The proposed additional dock sections and finger piers will be constructed in the same manner as the existing dock (i.e. wood frame, aluminum top with marine grade Styrofoam floatation bolted to the bottom) as shown on Sheets 1 and 2 entitled "Docks Construction Existing and Proposed".

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 work authorized pursuant to the Scope of Authorization shall be conducted in accordance with the addendum entitled "Dock Construction Methodology and Sequencing", above, except as may be authorized in writing by the Commissioner.
4. 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.
5. The Permittee shall post the attached Permit Notice in a conspicuous place at the work area while the work authorized herein is undertaken.
6. The Permittee shall establish a minimum of a 5 foot setback from any wetlands or watercourses in and adjacent to the area where work is to be conducted or areas which are to be used for access to the work area. Such setback area(s) shall be flagged so as to be readily identifiable by contractor personnel until the work authorized hereunder is completed.
7. The floats authorized pursuant to paragraphs I.B. and II of the Scope of Authorization, above, when stored for the winter on the marina railway authorized pursuant to paragraph I.C., shall not be stored in tidal wetlands vegetation.
8. 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, or within any delineated setback area,

nor shall any wetland, watercourse or delineated setback area be used as a staging area or access way other than as provided herein.

9. 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.
10. 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.
11. 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.
12. 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.

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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.
 - a. 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.
 - b. A change in the form of ownership of any structure authorized herein from a yacht club to a wholly-owned common interest community or dockominium may constitute a change in purpose as specified in paragraph (a) above.
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 _____, 2016

STATE OF CONNECTICUT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION

Michael Sullivan
Deputy Commissioner

Permit #201509425-SB
Wethersfield Cove Yacht Club, Permittee

OFFICE OF LONG ISLAND SOUND PROGRAMS

APPENDIX A

TO: Permit Section
Department of Energy and Environmental Protection
Office of Long Island Sound Programs
79 Elm Street
Hartford, CT 06106-5127

PERMITTEE: Wethersfield Cove Yacht Club
c/o Bernie Dudek
270 Hartford Avenue
Wethersfield, CT 06109

Permit No: 201509425-SB, 270 Hartford Avenue, Wethersfield

CONTRACTOR 1: _____

Address: _____

Telephone #: _____

CONTRACTOR 2: _____

Address: _____

Telephone #: _____

CONTRACTOR 3: _____

Address: _____

Telephone #: _____

EXPECTED DATE OF COMMENCEMENT OF WORK: _____

EXPECTED DATE OF COMPLETION OF WORK: _____

PERMITTEE: _____
(signature) (date)

OFFICE OF LONG ISLAND SOUND PROGRAMS

APPENDIX B

NOTICE OF PERMIT ISSUANCE
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION

To: Wethersfield Town Clerk

Signature and Date:

Subject: 270 Hartford Avenue. Coastal Permit #201509425-SB

Pursuant to Section 22a-363g and Section 22a-361 of the Connecticut General Statutes, the Commissioner of Energy and Environmental Protection gives notice that a permit has been issued to Wethersfield Cove Yacht Club, c/o Bernie Dudek, 270 Hartford Avenue, Wethersfield, CT 06109 to:

I. Retain the following structures:

- A. A brown quarry rock seawall capped with concrete composed of a 64' long eastern side that rises 7.5' out of the water, a 54' long southern side with a fence on top and a 66' long northern side. The bottom of the eastern side of the seawall is stabilized by timbers that extend into the bottom of the cove floor. The concrete top on the eastern side has holes drilled for fence poles and has anchors (2) 6 inch by 12 inch steel I beams) within the wall to which the A frame anchor attaches to the docks described below;
- B. A dock system accessed from the seawall, retained above, via a 3 ft wide by 20 ft long wood frame ramp. The dock system is fixed to a pivoting A-frame at the seawall See Attachment I (c) "Existing and Proposed Docks (Sheet 9). The main straight section of the dock consists of 9 sections; (2) 8 ft by 16 ft sections and (7) 8 ft by 12 ft sections. The top of the "T" consists of (6) 10 ft by 12 ft sections. There are (8) 2.5 ft by 16 ft finger piers extending from the main section of the dock: (4) running north and (4) running south. There is also a dinghy finger pier extending south that is made up of (2) 3 ft by 16 ft sections. The entire dock rises about 14 inches from the water. See Attachment I (c) "Existing Docks" (Sheet 9) for current dock details. All sections of the dock are wood frame construction with 3/4" plywood or 1/8" aluminum tops with marine grade Styrofoam sections bolted to the bottom. Each dock section is connected by a set of two galvanized steel brackets that are pinned together; and
- C. A launching system which includes 235 feet of rail on land and 116 feet in the water. Since the mid-1930's a rail cart, pulled by a winch powered by a Model A engine has been used to launch and retrieve boats and the docks. After all boats are removed from the water, the docks are hauled and stored on the tracks for the winter as shown on Sheet 11 entitled "Existing Seawall and Railroad Tracks"; and

II. Modify the existing docks and install new docks as follows:

Install 68 linear feet of dock to the current dock system would which, with use of finger piers, create (14) additional slips, plus one additional transient slip as described below:

Add (1) 8 ft by 12 ft and (1) 8 ft by 16 ft sections to the main section of dock, (3) 8 ft by 12 ft and (1) 8 ft by 14 ft sections to the south side of the "T" and (3) 8 ft by 12 ft sections to the north side of the "T". The extension to the north side of the "T" will provide space for two transient boats. Of the 15 additional slips, (6) will be created by installing (2) new 2.5 ft x 16 ft finger piers in an easterly direction from the end of the "T", (5) will be created by installing (3) new 2.5 ft by 16 ft finger piers in a southerly direction from the extension on the south side of the "T", (3) will be created in the extended section of the main dock by adding (2) 2.5 ft by 16 ft finger piers (one on the north side and one on the south side) and the eastern extension from the north side of the "T" will provide (1) additional slip for transient boaters. The total length of the completed dock (i.e. old plus new sections) will be approximately 191 ft. as shown on Sheet 8 entitled "Existing and Proposed Docks." The proposed additional dock sections and finger piers will be constructed in the same manner as the existing dock (i.e. wood frame, aluminum top with marine grade Styrofoam floatation bolted to the bottom) as shown on Sheets 1 and 2 entitled "Docks Construction Existing and Proposed".



PERMIT NOTICE

This Certifies that Authorization to perform work below the Coastal Jurisdiction Line and/or within Tidal Wetlands of coastal, tidal, or navigable waters of Connecticut

Has been issued to: **Wethersfield Cove Yacht Club**

At this location: **270 Hartford Avenue**

To conduct the following: **retain docks, a seawall and a marine railway and modify existing, and install new, docks**

Permit #: **201509425-SB** Issued on: **March 2016**

This Authorization expires on: **March 2021**

This Notice must be posted in a conspicuous place on the job during the entire project.

Department of Energy and Environmental Protection
Office of Long Island Sound Programs
79 Elm Street • Hartford, CT 06106-5127
Phone: (860) 424-3034 Fax: (860) 424-4054
www.ct.gov/deep