

April 12, 2021

Stamford Planning Board
c/o David Woods, PhD, FAICP, Deputy Director
Stamford Land Use Bureau
Stamford Government Center
888 Washington Blvd. – 7th Floor
Stamford, CT 06901

Re: Proposed Amendment to Stamford Master Plan Map, 40 Signal Road

Dear Board Members:

Thank you for notifying this office of the proposed Stamford Master Plan Map amendment noted above. Acting as the Commissioner's staff, our office has reviewed the amendment for consistency with the policies and standards of the Connecticut Coastal Management Act (CCMA), and we do not find it to be consistent. Therefore, DEEP recommends that the Board deny the proposed zoning map amendment to Stamford Master Plan Map.

The Applicant, Sound Beach Landing, LLC, has proposed a Master Plan Map amendment for two parcels of land located at 40 Signal Road, Stamford, CT. The proposed amendment would change the zoning designation of the two tracts of land from R1- very low density single family residential to RM3 – low density multi-family residential. Currently there is a legal nonconforming land use located on the properties that consists of an office building and parking lot.

The properties in question are located within a FEMA Coastal A zone, which indicates that the tracts of land are within a high-hazard area subject to severe flooding and impacts from coastal storms and are subject to damage when exposed to breaking waves of a 3 foot or less height. This FEMA designation would require that any proposed development in this area would need to be constructed to FEMA minimum V-Zone building standards, meaning that areas below the structure are open to allow the free flow of water during a flood event, or if allowed, be constructed with break-away walls and a flooring that also will break up when subjected to hydrodynamic and hydrostatic pressures.

The parcels of land are currently zoned at the lowest density of development allowed by the Stamford Zoning Regulations, minimizing potential exposure to coastal hazards. The proposed amendment for these two tracts of land would increase residential density in a high hazard area and expose more people and property to increased risk of harm, loss of life and loss of property from the impacts of coastal flooding events. The proposed development would also increase impacts to local roads for evacuation purposes and increase the need for city emergency response services in times of flooding.

As a result, the proposed zoning change would increase the exposure of life and property to coastal hazards, and therefore would be inconsistent with the goals and policies of the CT Coastal Management Act (CCMA). Specifically, the proposed Master Plan amendment is inconsistent with the following CCMA policies:

1. “22a-92(a)(5) To consider in the planning process 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;
2. 22b-92(b)(2)(F) to manage 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 commercial and residential structures and substantial appurtenances that are attached or integral thereto, constructed as of January 1, 1995, infrastructural facilities or water dependent uses; and,
3. 22b-92(b)(2)(I) to regulate shoreland use and development in a manner which minimizes adverse impacts upon adjacent coastal systems and resources.”

At this stage of the proposed Master Plan Amendment, it is unclear as to whether the applicant may also propose any type of shoreline flood and erosion control structure, what the total size of the properties in question are, nor what is the proposed total number of condominium units identified for the property. These factors may work to increase the severity of negative impacts to neighboring properties and coastal resources in the area, including the conservation parcel of land local on the opposite side of the mouth of Dolphin Cove.

Though there currently exists a nonconforming land use on the property, this current land use does not increase the residential density during a 24-hour period, 7 days/week, year-round. The proposed Map amendment would do just that. It is recommended that the applicant reconsider its proposed development plans and revise them to be consistent with the existing zoning of the two tracts of land. This would include compliance with lot setback requirements, minimum lot sizes required by the current zoning designation, and lot coverage maximums as stated in the zoning regulations.

Submitted in association with this Letter of Inconsistency are four documents to assist the Commission in its decision-making process for this proposed amendment. The documents include the following:

1. Firmette of 40 Signal Road, Stamford CT; created through the FEMA Map Service Center, National Flood Data Layer
2. FEMA Fact Sheet concerning Coastal A-Zones
3. DEEP Fact Sheet concerning Coastal Hazards Primer; and,
4. DEEP Fact Sheet concerning Coastal Hazards Management.

Please be advised that this consistency determination was based on coastal management considerations only. It does not necessarily reflect other municipal planning and zoning considerations that may apply. These comments are made in response to the review requirement contained in Section 22a-104(e) of the Connecticut General Statutes, which requires that notification be sent to the Commissioner of Energy and Environmental Protection at least 35 days prior to the commencement of the public hearing. Once

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notified, our office is responsible for reviewing the proposal's consistency with the policies of Section 22a-92 and the criteria of Section 22a-102(b) of the CCMA.

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

Sincerely,



Brian P. Thompson, Director
Land and Water Resources Division

BPT/kam

cc: K. Michaels, DEEP
Stamford Coastal File

Enc.: Firmette and Fact Sheets