



Email attachment

IN THE MATTER OF : **APPLICATION**
7 NYLKED TERRACE : **# 201410359-KB**
AND THOMAS JUTERBOCK : **JUNE 13, 2016**

PROPOSED FINAL DECISION

This application by the owners of adjacent waterfront properties in Norwalk (Applicants) seeks a permit to construct a shared residential dock for private recreational boating use. The structure, which will include a 6' x 48' fixed pier to accommodate both owners, will extend approximately 36' beyond mean high water into Long Island Sound. A single 10' x 10' rock at the terminus of the pier will also be removed.

Following review of the application by the Department's Office of Long Island Sound Programs (OLISP) and the preparation of a draft permit, the Department published its tentative determination to approve the application as conditioned by the Draft Permit¹ on November 9, 2015. A petition for a hearing was received, and this hearing process was initiated. The only parties in this matter are the Applicants and the Department; no petitions to intervene were filed. A hearing was held at Norwalk City Hall on May 3, 2016, where public comments and questions were heard. The hearing continued and concluded on May 5, 2016, with the receipt of evidence from the parties.

The parties have jointly submitted for my consideration the attached Agreed Draft Decision, which includes proposed findings of fact and conclusions of law. The Draft Permit, which was admitted to the hearing record as Ex. DEEP-21, is appended to that Decision.

¹ The permit requires the applicants to prepare an agreement to be filed with the City, following the Commissioner's review and approval, that the proposed dock shall be the only means of accessing the water from these properties.

I have reviewed the record in this matter, including documentary evidence, expert testimony and public comment. The Department's tentative determination is supported by the substantial evidence in the record. The Applicants have met their burden of proof by demonstrating by a preponderance of the evidence that the proposed activity, if conducted in accordance with the proposed Draft Permit, complies with the relevant statutory standards found in General Statutes §§ 22a-359 through 22a-363 (Structures, Dredging and Fill) and the applicable portions of the Coastal Management Act, §§ 22a-90 through 22a-111. The application and the evidence presented show that the Applicants can exercise their littoral rights to wharf out while balancing intrusions into the public trust and limiting impacts to resources protected by the Structures, Dredging and Fill statutes and satisfying the policies and requirements of the Coastal Management Act. The Agreed Draft Decision is supported by the record and satisfactorily conveys the findings of fact and assessments of applicable law necessary to support this conclusion.

Representatives of the Applicants and OLISP staff answered questions from the public at the May 3 public hearing; many of those inquiries are also addressed in the Agreed Draft Decision or the Draft Permit. Comments from the public focused largely on the concern that this dock will lead to an abundance of docks in the area. My decision is based on whether this regulated activity will comply with the relevant statutory criteria. These standards do not include predicting the possible impact of this dock on potential future applications. Also, speculation or general concerns do not qualify as substantial evidence. *River Bend Associates v. Conservation & Inland Wetlands Commission*, 269 Conn. 57, 71 (2004). This concern also raises a policy question, which is best addressed by state or local leaders or as part of an administrative rule-making.

I adopt the attached Agreed Draft Decision as my proposed final decision and recommend that the Commissioner issue the requested permit.



Janice B. Deshais, Hearing Officer

SERVICE LIST

7 Nylked Terrace/Thomas Juterbock
App. # 201410359 – KB

Party

Representative(s)

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DEEP

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

IN THE MATTER OF : APPLICATION NO. 201410359-KB
: :
: :
7 NYLKED TERRACE, LLC : :
AND THOMAS JUTERBOCK : JUNE 6, 2016

AGREED DRAFT DECISION

I. SUMMARY

On October 22, 2014 DEEP Central Permit Processing received and date stamped the Structures, Dredging and Fill Permit application for 7 Nylked Terrace, LLC and Thomas Juterbock (“Applicants”) to conduct activities waterward of the coastal jurisdictional line. (“Application”) (DEEP-1). The activity proposed by the Application, as later amended, is the construction of a residential dock to include a shared fixed pier measuring six (6) feet wide by forty-eight (48) feet long with two fender piles and a 2.5’ wide ladder and the removal of a single rock (10’ x 10’). The Department of Energy and Environmental Protection’s Office of Long Island Sound Programs (Department staff) reviewed the Application and prepared a Draft Permit (DEEP-21). On November 9, 2015, a Notice of Tentative Determination (DEEP-20), indicating that Department staff recommended the Application be approved as conditioned in the Draft Permit,¹ was published in the Norwalk Hour. A petition for hearing was received on December 10, 2015, and this hearing process was initiated. (DEEP-30).

A public hearing was held at Norwalk City Hall on May 3, 2016, and written public comments were accepted until May 6, 2016. The evidentiary hearing was held on May 5, 2016

¹ The Draft Permit requires that the Applicants prepare a covenant to be filed with the City of Norwalk, upon review and approval of the DEEP Commissioner, that the proposed docking facility shall be the sole means of accessing the water from the Properties.

at the Connecticut Department of Energy and Environmental Protection (“DEEP”) headquarters in Hartford. No additional parties sought the status of an intervening party.

At the evidentiary hearing, testimony from two expert witnesses was accepted into the record. Kristen Bellantuono, an Environmental Analyst II with DEEP, and the permitting analyst assigned to review the Applicants’ proposal, testified on behalf of the Department staff. DEEP-35, Testimony of Kristen Bellantuono (hereinafter “Bellantuono Test.”) at 1. Testifying on behalf of the Applicants was John C. Roberge, P.E., an expert in assessment and design of coastal structures, nearshore sediment transport, wave transformation and flood hazard assessment, sand bypassing system design, and dredging operations. APP-2, Testimony of John C. Roberge (hereinafter “Roberge Test.”) at p. 2.

Based on a review of the record in this matter, including the documentary evidence, expert testimony, and public comment, the Applicants, through the presentation of substantial evidence, have met their burden of proof by demonstrating that the proposed activity, if conducted in accordance with the proposed Draft Permit, complies with the relevant statutory standards, namely the Structures, Dredging and Fill Act (General Statutes §§ 22a-359 through 22a-363) and the applicable portions of the Coastal Management Act (General Statutes §§ 22a-90 through 22a-112). As such, the proposed Draft Permit (DEEP-21) should be issued as a final permit.

II. FINDINGS OF FACT

1. 7 Nylked Terrace LLC and Thomas Juterbock are owners of neighboring waterfront properties in Norwalk, Connecticut. 7 Nylked Terrace, LLC is the owner of property known as 7 Nylked Terrace, Norwalk, Connecticut and Thomas Juterbock is the owner of property known as 9 Nylked Terrace, Norwalk, Connecticut (collectively, the “Properties”). (Roberge Test. at 2-3).
2. 7 Nylked Terrace is a waterfront parcel that is approximately 0.3 acres in size and is improved with a home, concrete seawall and stone revetment along the shoreline (the

permits for which are APP-10 and APP-11). The 7 Nylked Terrace Property borders 9 Nylked Terrace to the south; Nylked Terrace to the west; 5 Nylked Terrace (an improved residential property) to the north; and Long Island Sound to the east. (Roberge Test. at 2).

3. 9 Nylked Terrace is also a waterfront parcel. It is approximately 0.5 acres in size and is similarly improved with a home and improved shoreline composed of a concrete seawall and stone revetment (the permit for which is APP-9). The 9 Nylked Terrace Property borders Long Island Sound and 20 Old Wharf Road (an improved residential property) to the south; 12 Nylked Terrace (an improved residential property) to the west; 7 Nylked Terrace to the north; and Long Island Sound to the east. (Roberge Test. at 3).
4. The proposed docking facility will be located on the boundary between the Properties. The landside end of the pier will meet an existing seawall. Stairs on the pier will provide access over the seawall and the landside of the pier will be accessed with removable steps. The pier and its wire roping will be elevated at sufficient height to limit shading on coastal resources below and to allow the public to pass underneath the pier below mean high water. (Roberge Test. at 4).
5. While the Applicants could have sought approval of two separate docking facilities, they have instead chosen one shared facility. DEEP encourages waterfront property owners to utilize a shared docking facility where feasible to limit the number of structures along the shoreline, thereby minimizing the amount of encroachment into public trust areas and any adverse environmental impacts. An aerial photograph plan showing the site of the proposed dock as well as nearby properties is found at APP-1. (Roberge Test. at 4).
6. There are no public trust access points over the Properties. There are no wetlands on the Properties or in the area of the proposed docking facility. There are several other man-made structures in the coastal zone area near the Properties, including waterfront homes, docks, revetments, seawalls, moorings, and other coastal structures. There is a permitted dock at the property to the south of 9 Nylked Terrace that will be two hundred ten (210) feet away from the proposed dock. (Roberge Test. at 3).
7. The Applicants' propose to construct a fixed pier, 6' wide and 48' long, supported by three steel foundation piles and two additional fender piles. The pier width (6') is meant to accommodate two property owners, since this will be a shared docking facility. The proposed structure also includes a 2' x 6' aluminum ladder near the terminus of the pier that will extend from the top of the pier to approximately 6" above bottom grade, with a 3' x 6' extension above the top of the pier. The bottom of the ladder will be fastened to a timber member that is connected to the fender piles. Pile diameter will be between 12 and 16 inches. Wire roping will be used as a deck guardrail to minimize visual impact. The proposed docking facility will extend approximately thirty-six (36) feet beyond mean high water into Long Island Sound.

8. This Application for a permit authorizing the proposed activities, as required by the Structures, Dredging and Fill Act, was filed on October 22, 2014 (Application). (Roberge Test. at 3; Bellantuono Test. at 1). (DEEP-1)
9. The plans for the shared dock were prepared by John Roberge of Roberge Associates Coastal Engineering, LLC. Mr. Roberge is a registered professional engineer in Connecticut (License #16619). (Roberge Test. at 2-3).
10. The proposed activity was reviewed by the Army Corps of Engineers, the Connecticut Department of Agriculture's Bureau of Aquaculture, and the Norwalk Harbor Management Commission. The Army Corps of Engineers authorized construction after determining that the proposed activity would have "only minimal individual or cumulative impacts on the waters of the United States." (DEEP-14) The Bureau of Aquaculture determined that the proposed docking facility would not significantly impact a shellfish area. (DEEP-1) (DEEP-18) The Harbor Management Commission reviewed the proposal and did not oppose it or determine that it was inconsistent with the Harbor Management Plan. (DEEP-11). (Roberge Test. at 4-5; Bellantuono Test. at 2-3).
11. The proposed activity was also reviewed by the Norwalk Shellfish Commission. The Shellfish Commission concluded that the proposed activity would adversely impact a shellfish area; however, the area of the proposed dock is classified as closed to recreational shellfishing and the Norwalk town regulations provide that no shellfish may be removed from closed areas at any time for any purpose. (APP-5) (DEEP-1 and DEEP-18). Moreover, it appears that the Commission did not properly review the most recent dock proposal as their comments relate to a floating dock and such dock resting on the substrate. As currently proposed, there is no floating dock and only a forty-eight (48) foot long shared fixed pier with fender piles and a ladder. (Roberge Test. at 4-5; Bellantuono Test. at 2).
12. The proposed activity was also reviewed using data from the Department's Natural Diversity Database. This review concluded that there are no extent populations of Federal or State Endangered, Threatened, or Special Concern Species in the area. (DEEP-1, 35). (Roberge Test. at 4; Bellantuono Test. at 1-2). (DEEP-1; DEEP-18 and DEEP-19)
13. The Department's Fisheries Division reviewed the proposal and concluded that there will no adverse impacts to the fish habitat as a result of the project. (Bellantuono Test. at 2). (DEEP-19)
14. The five pilings supporting the pier will be made of three steel piles and two timber fender piles. The total amount of space taken up by these piles is 5.8 square feet. Except for the minimal loss of benthic area occupied by the piles, there will be no adverse environmental impact. Piles will be installed by driving or drilling as needed to accommodate substrate conditions. (Roberge Test. at 4).

15. The littoral area of the Properties contains submerged boulders of various sizes. A single rock (10' x 10') located at the terminus of the pier will be removed. As a result, navigability in the area will be improved, as the rock currently imposes a restriction on navigation. (Roberge Test. at 3).
16. The proposed activity will not have any anticipated long-term impact to water quality. The environmental impact from breaking up of one large (10' x 10') stone and the installation of the pier pilings will be short-term and will quickly stabilize after construction is completed. (Bellantuono Test. at 3). (DEEP-19)
17. The proposed structure will be able to withstand severe weather. The proposed docking facility will utilize piles, steel beams, stringers, cross bracing and deck boards designed to withstand wave and wind impacts from a 100-year (1% annual chance) storm. (Roberge Test. at 4).
18. A barge or workboat will be used during construction, but will only be on site during sufficient tides. Construction of the pier and pile installation will be completed using a barge based crane. A crane and/or excavator will be used to remove and restore stones. Construction activities will not adversely impact the environment and will be quickly stabilized once construction has been completed. (Roberge Test. at 6-7). (DEEP-18 and DEEP-19).
19. The Applicants originally considered eight alternative design options. These options considered various locations and dock lengths, primarily focusing on potential interference with navigation from the dock due to the rock outcrops that characterize the area. These alternative designs were rejected due to their excessive length, non-typical configuration, and possible high cost of construction. Several additional alternatives were considered at the pre-application meeting with the Department. The original proposal submitted to DEEP as part of the pre-application process consisted of a 5' x 79' pier supported by eight pairs of piles, with two side decks for boat access measuring 3' x 32'4" (supported by four additional piles) and 2' x 20' (supported by three additional piles), two access ladders, a 3' x 35' gangway, and a 10' x 20' float (supported by three piles). After the Applicants' submittal of the Structures, Dredging and Fill Permit to DEEP-OLISP (DEEP-1), and DEEP-OLISP's initial review of the application, Ms. Bellantuono issued a Notice of Insufficiency on January 6, 2015 (DEEP-6), requiring that the proposal be reduced in size to conform to applicable statutes and policies. The Applicants considered several alternatives, which they rejected for various reasons, before deciding to move forward with the proposal that is the subject of the Draft Permit. One such alternative was a four (4) foot by forty (40) foot pier with steps at the end leading down to a platform. This design was rejected because of the amount of pilings (5) required to support it and the increased likelihood of environmental impact it would cause. (Roberge Test. at 6).
20. The proposed shared docking facility cannot be made any smaller because this would compromise safe access to the water and would provide no further minimization or mitigation of environmental impacts. (Roberge Test. at 4).

III. CONCLUSIONS OF LAW

A. The Applicants' Burden

The activity proposed in the Application, as conditioned by the proposed Draft Permit, is regulated by the Structures, Dredging and Fill Act (General Statutes §§ 22a-359 through 22a-363) and the applicable portions of the Coastal Management Act (General Statutes §§ 22a-90 through 22a-112). This statutory framework requires a balancing of interests and requires applicants to minimize impacts to coastal resources. The proposed activity, the construction of the docking facility, will provide the Applicants with reasonable access to the water in accordance with their littoral rights as waterfront property owners while balancing intrusions into the public trust and limiting environmental impacts. The Application and evidence presented during the hearing supports the assertion that the Applicants' exercise of their littoral rights to wharf out can be achieved while minimizing impacts to coastal resources, wildlife, navigation, and coastal sedimentation and erosion patterns.

1. *The Applicants' Littoral Rights*

It is well settled that owners of waterfront property have the right to erect structures 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). These rights are exclusive, yet qualified; the qualifications are formulated in statutes.

The Applicants are owners of two neighboring waterfront properties and are each entitled to access water from the upland. The waterfront property owner has the exclusive right to erect a

pier and use it for “any purpose.” *Rochester v. Barney*, supra, 177 Conn. at 468. That right is not diminished because the proposed structure will not reach depths of water sufficient for the berthing of a vessel in all tidal conditions. If waterfront property owners were required to reach deeper water to exercise their littoral rights, they would consistently argue for lengthy piers to provide full access to deep water even when they deem such access to be unnecessary to meet their goals. Longer piers may provide full access to navigable water but would unnecessarily impact coastal resources, navigation, and public recreational use.

The Applicants’ littoral rights are subject to reasonable restriction. Connecticut courts have recognized that “the state may regulate [the exercise of littoral rights] in the interest of the public” and that the littoral rights of a property owner are “subordinate to the public rights.” *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, and the record reveals that, within the statutory structure created, the Department seeks to ensure that an application minimizes incursion into the public trust, does not impact sedimentation or increase erosion, minimizes impacts to identified coastal resources, does not degrade visual quality through the significant alteration of natural vistas or viewpoints, does not adversely impact the navigation of vessels in the area, and can withstand storms and natural disasters without causing injury to persons or property. Department staff engaged in this balancing analysis to allow the Applicants to exercise their littoral rights while respecting the public’s rights and privileges and minimize adverse impacts to coastal resources.

2. *Statutory Standards*

a. Applicable Statutory Standards

To satisfy its burden, the Applicants must demonstrate compliance with two sets of statutory standards, contained in the Structures, Dredging and Fill Act and the Coastal Management Act. The Structures, Dredging and Fill Act requires 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* General Statutes § 22a-359.

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:

- i. 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 capability of the land and water resources to support development, preservation or use without significantly disrupting either the natural environment or sound economic growth;
- ii. Section 22a-92(a)(2), which requires the preservation and enhancement of coastal resources;
- iii. 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;
- iv. 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;

- v. 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;
- vi. Section 22a-92(b)(2)(I), which requires the regulation of shoreland use and development in a manner which minimizes adverse impacts upon adjacent coastal systems and resources.
- vii. Section 22a-92(c)(2)(A), which sets forth policies concerning coastal land and other resources within the coastal boundary, including the management of estuarine embayments so as to ensure that coastal uses proceed in a manner that assures sustained biological productivity, the maintenance of healthy marine populations and the maintenance of essential patterns of circulation, drainage and basin configuration.

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

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).

Mr. Roberge and Ms. Bellantuono were each asked whether, in their expert opinion, the proposed structure complied with each criteria or policy identified above. Both responded that

the proposed structure 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 (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 Permit should be issued as a Final Permit.

c. The Public Trust

The application minimizes impacts on the right of the public to access public trust areas near the proposed structure. The proposed structure provides sufficient clearance from the rocky shorefront to allow members of the public to pass beneath it. The overall length of the structure was reduced during the permitting process to minimize intrusion into waters held in the public trust. (DEEP-6 and DEEP-35). Department staff considered alternative locations and configurations of the proposed structure before determining that the design tentatively approved appropriately balanced the rights of the Applicants and the public.

d. 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 5.8 square feet, resulting in a minimal loss of benthic area. The proposed dock will also not alter the coastline or increase the potential for flooding.

e. Impact to Coastal Resources

The identified coastal resources on the site are coastal hazard areas, developed shorefront, coastal waters, wildlife resources and habitat, and indigenous wildlife. (APP-2) (DEEP-19). The Applicants have met their burden to show, through the presentation of substantial evidence,

that the proposed activity, as conditioned by the Draft Permit, minimizes impacts to these coastal resources in compliance with General Statutes §§ 22a-92(a)(2), 22a-92(b)(2)(B) and 22a-92(b)(2)(F). 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-19). Although the coastal waters will be temporarily impacted by the removal of a single large rock at the terminus of the proposed pier and the installation of pier pilings, Department staff concluded that there would be no long-term environmental impact from the project.

The proposed docking facility will not have any adverse impact to coastal bluffs, rocky shorefronts, natural beach systems or intertidal flats. With the exception of the removal of one rock that interferes with the proposed docking facility, there will be no change to the shoreline configuration or bathymetry. Removal of the single rock, however, is necessary to position the dock on the shared property line of the Applicants' Properties. The proposed activity will not alter or increase erosion of the shoreline.

The applicable statutory scheme also indicates 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 particular 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 structure.

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 proposed structure is residential, densely developed with homes and shoreline flood and erosion control structures. Given this context, the proposed structure does not represent a significant alteration of any natural features and will have only minimal impact on views.

f. Impacts to Navigation

The substantial evidence in the record demonstrates that the proposed structure minimizes – and actually improves – impacts to navigation. General Statutes § 22a-361. The littoral area of the Properties contains submerged boulders of various sizes that currently restrict public navigation. Due to these boulders, as well as 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. In fact, removal of the large 10' x 10' stone at the terminus of the pier will allow for increased public navigation. Boats moored in the small cove will still be able to travel to and from Long Island Sound without any hindrances due to the proposed structure.

g. Storm Forces

The Coastal Management Act also requires development to proceed in manner that minimizes hazards to life and property. General Statutes § 22a-92(a)(5). The proposed activity includes a fixed dock that will be engineered to withstand significant storm forces, including the 100-year storm and more frequent storms which will impart significant wave loads on the structure. The proposed fixed dock will utilize piles, steel beams, stringers, cross bracing and deck boards designed to withstand significant wave and wind impact. The substantial evidence in this record demonstrates that the proposed structure has been conceptually designed to minimize potential hazards to life and property.

IV. CONCLUSION

The Department's tentative determination that the proposed activity should be permitted, as conditioned by the Draft Permit, is supported by the substantial evidence in the record (DEEP-20 and DEEP-21). The Applicants have met their 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 proposed structure is constructed pursuant to the conditions in the Draft Permit.

V. RECOMMENDATION

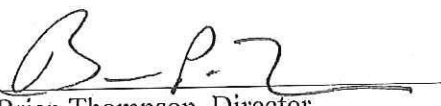
For the reasons stated above, the proposed Draft Permit should be issued as final permit.

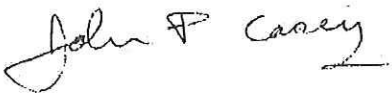
AGREEMENT

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

**Department of Energy and Environmental
Protection, Office of Long Island Sound
Programs**

**Applicants
7 NYLKED TERRACE, LLC and
THOMAS JUTERBOCK**

By 
Brian Thompson, Director
Office of Long Island Sound Programs
Department of Energy and Environmental
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79 Elm Street
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By 
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DRAFT PERMIT

Permit No: 201410359-KB

Municipality: Norwalk

Work Area: Long Island Sound off property located at 7 and 9 Nylked Terrace

Permittee: 7 Nylked Terrace, LLC
7 Nylked Terrace
Norwalk, CT 06853

Thomas Juterbock
9 Nylked Terrace
Norwalk, CT 06853

Pursuant to sections 22a-359 through 22a-363g of the Connecticut General Statutes (“CGS”) and in accordance with CGS section 22a-32 and 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 shared dock for private recreational use boating use 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 Permittees are hereby authorized to conduct the following work as described in application #201410359-KB including 10 sheets of plans dated October 10, 2014 and revised February 9, 2015 submitted by the Permittees to the Commissioner and attached hereto, as follows:

1. install a 6' wide x 48' long fixed pier with two fender piles and a 2.5' wide ladder as shown on Drawing 6 of the project plans attached hereto; and
2. remove an existing rock down to elevation -2.0' mean low water as shown on Drawings 6 of the project plans attached hereto.

SPECIAL TERMS AND CONDITIONS

1. Prior to the commencement of the work authorized herein, the Permittees shall record a Shared Dock Agreement with the City of Norwalk Land Records for the properties identified on Drawings 4 and 6 attached hereto as "7 Nylked Terrace, LLC and Thomas Juterbock". The dock authorized herein shall be the sole means of littoral access for lots identified as 7 and Nylked Terrace, respectively. Prior to filing such agreement with the City, a copy of said agreement language shall be forwarded to the Commissioner for his review and written approval. Work authorized herein shall not commence until the Permittees have received such written approval and the agreement has been recorded on the land records. If said agreement is revoked, modified or cancelled without the written approval of the Commissioner, this permit shall become null and void and the structure authorized herein must be immediately removed.
2. During installation of the pier pursuant to paragraph 1, of the SCOPE OF AUTHORIZATION, above, the Permittees shall temporarily remove a section of the stone revetment to accommodate construction. Upon completion of the piling installation, the stone revetment shall be reset to pre-existing conditions and elevations.
3. Removal of the rock pursuant to paragraph 2., of the SCOPE OF AUTHORIZATION, above, shall take place from a barge using a crane and/or barge based excavator. Rock removal shall be conducted by breaking the rock into small pieces for removal using a hydraulic powered impact hammer and removed by an exactor and disposed of properly on the upland, unless specifically authorized in writing by the Commissioner.
4. All work conducted by barge or workboat shall only be conducted during high water. Such barge or work boat shall move to deeper waters during low water conditions.
5. Not later than two (2) weeks prior to the commencement of any work authorized herein, the Permittees 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.
6. The Permittees 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.
7. The Permittees 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 Permittees 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.

8. The Permittees shall post the attached Permit Notice in a conspicuous place at the work area while the work authorized herein is undertaken.
9. The Permittees shall establish a minimum of a 10 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.
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. The Permittees shall dispose of aquatic sediments in accordance with the terms and conditions of this permit. 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. The Permittees 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 Permittees 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 section 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 Permittees 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 Permittees to enforcement action, including penalties, as provided by law.

2. In conducting the work authorized herein, the Permittees shall not deviate from the attached plans, as may be modified by this permit. The Permittees shall not make de minimis changes from said plans without prior written approval of the Commissioner.
3. The Permittees 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 Permittees 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 Permittees 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 Permittees 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 Permittees 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 Permittees 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 Permittees' 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 Permittees 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 Permittees and on the Permittees 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 Permittees, including information and data provided in support of the Permittees application. Neither the Permittees 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 Permittees become 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 Permittees 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 Permittees 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 Permittees 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 Permittees 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

Michael Sullivan
Deputy Commissioner

Permit #201410359-KB, Norwalk
7 Nylked Terrace, LLC and Thomas Juterbock

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

PERMITTEES: 7 Nylked Terrace, LLC
7 Nylked Terrace
Norwalk, CT 06853

Thomas Juterbock
9 Nylked Terrace
Norwalk, CT 06853

Permit No: 201410359-KB, Norwalk

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: City Clerk of Norwalk

**Signature and
Date:**

Subject: Long Island Sound off properties located at 7 and 9 Nylked Terrace in Norwalk

Coastal Permit #201411570-KB

Pursuant to Section 22a-363g and 22a-361 of the Connecticut General Statutes, the Commissioner of Energy and Environmental Protection gives notice that a permit has been issued to 7 Nylked Terrace, LLC and Thomas Juterbock in Norwalk, CT to:

1. install a 6' wide x 48' long fixed pier with two fender piles and a 2.5' wide ladder as shown on Drawing 6 of the project plans attached hereto; and
2. remove an existing rock down to elevation -2.0' mean low water as shown on Drawings 6 of the project plans attached hereto.

If you have any questions pertaining to this matter, please contact the Office of Long Island Sound Programs at 860-424-3034.

Return to:
Office of Long Island Sound Programs
State of Connecticut
Department of Energy & Environmental Protection
79 Elm Street
Hartford, CT 06106-5127



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: 7 Nylked Terrace, LLC and Thomas Juterbock

At this location: 7 and 9 Nylked Terrace Nowalk, CT

To conduct the following:

Permit #: 201410359-KB

Issued on:

This Authorization expires:

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

7 & 9 NYLKED TERRACE PROPOSED DOCK

DRAWING LIST			
DRAWING No.	DRAWING TITLE	DATE	REV
1	TITLE SHEET & GENERAL NOTES	2/9/2015	4
2	VICINITY MAP	2/9/2015	4
3	AERIAL PHOTOGRAPH	2/9/2015	4
4	EXISTING SITE PLAN	2/9/2015	4
5	EXISTING PARTIAL SITE PLAN	2/9/2015	4
6	PROPOSED PARTIAL PLAN	2/9/2015	4
7	EXISTING SECTION A - A	2/9/2015	4
8	PROPOSED SECTION A - A	2/9/2015	4
9	PROPOSED SECTION B - B	2/9/2015	4
10	PROPOSED SECTION C-C	2/9/2015	4

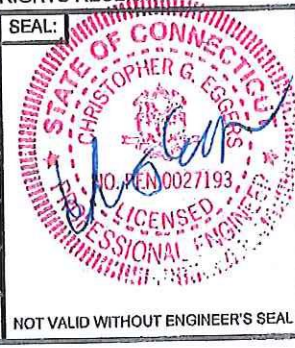
GENERAL NOTES:

1. THE PURPOSE OF THESE DRAWINGS IS FOR PERMIT APPLICATIONS ONLY. DRAWINGS ARE PRELIMINARY AND NOT FOR CONSTRUCTION.
2. PROPERTY LINES AND UPLAND STRUCTURES TAKEN FROM A DRAWING TITLED "ZONING LOCATION SURVEY OF PROPERTY PREPARED FOR CHARLES H. & MELANIE K. BERMAIN, #7 NYLKED TERRACE, ROWAYTON, CONNECTICUT" PREPARED BY ARCAMONE LAND SURVEYORS, LLC AND DATED SEPTEMBER 8, 2010 WITH LATEST REVISION MAY 22, 2013.
3. ADDITIONAL SITE INFORMATION OBTAINED BY ROBERGE ASSOCIATES COASTAL ENGINEERS, LLC ON 11/8/2013. THIS DATA CAN ONLY REPRESENT CONDITIONS AT THE TIME OF THE SURVEY.
4. ELEVATIONS REFERENCE MEAN LOW WATER (MLW), UNLESS NOTED OTHERWISE.
5. CONSTRUCTION METHODOLOGY, CONSTRUCTION SEQUENCE, AND TEMPORARY WORK, DEVELOPED BY THE CONTRACTOR, SHALL BE IN ACCORDANCE WITH THE CT-DEEP PERMIT.

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FOR REGULATORY AGENCY REVIEW ONLY

DRAWN BY: CGE	SEAL:
CHECKED BY: JCR	
DATUM:	
SCALE: N.T.S.	
DATE: 10/10/2014	
REV: 4: 2/9/2015	
PROJECT #: 201344	



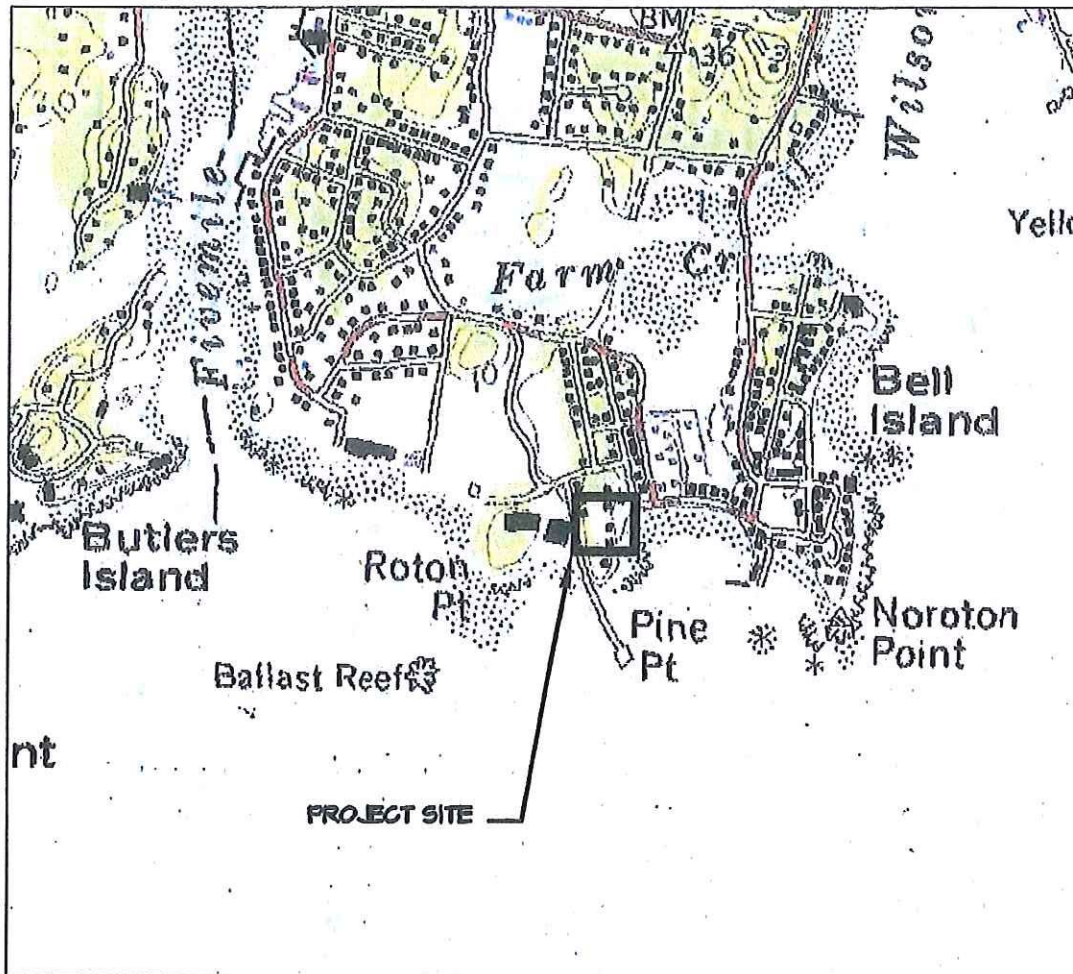
PROJECT:	APPLICANT:
PROPOSED DOCK 7 & 9 NYLKED TERRACE NORWALK, CONNECTICUT LONG ISLAND SOUND	7 NYLKED TERRACE, LLC 7 NYLKED TERRACE THOMAS JUTERBOCK 9 NYLKED TERRACE NORWALK, CONNECTICUT

ROBERGE ASSOCIATES
Coastal Engineers, LLC

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

DRAWING NO. 1 of 10

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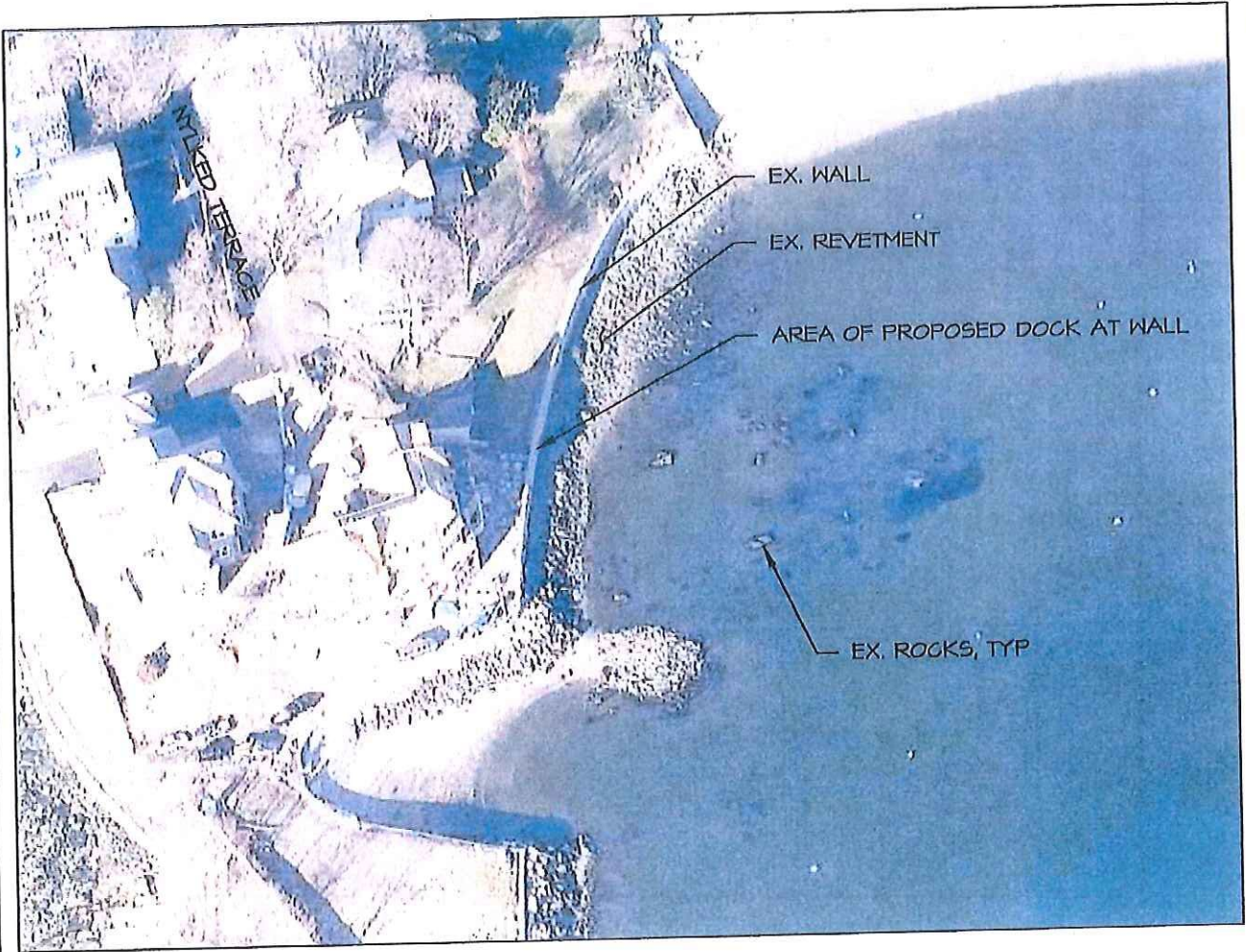
VICINITY MAP

APPROX. SCALE 1" = 1,000'

VICINITY MAP TAKEN FROM USGS TOPOGRAPHIC MAP: SOUTH NORWALK QUADRANGLE

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DRAWN BY: CGE	SEAL: 	PROJECT:	 ROBERGE ASSOCIATES Coastal Engineers, LLC
CHECKED BY: JCR		PROPOSED DOCK 7 & 9 NYLKED TERRACE NORWALK, CONNECTICUT LONG ISLAND SOUND	
DATUM: NA		APPLICANT:	611 Access Road Stratford, CT 06615 Tel: 203-377-0663 www.racelc.com
SCALE: 1" = 1000'		7 NYLKED TERRACE, LLC	
DATE: 10/10/2014		7 NYLKED TERRACE	
REV: 4: 2/4/2015		THOMAS JUTERBOCK	
PROJECT #: 201349	NOT VALID WITHOUT ENGINEER'S SEAL	9 NYLKED TERRACE	
		NORWALK, CONNECTICUT	DRAWING NO. 2 of 10

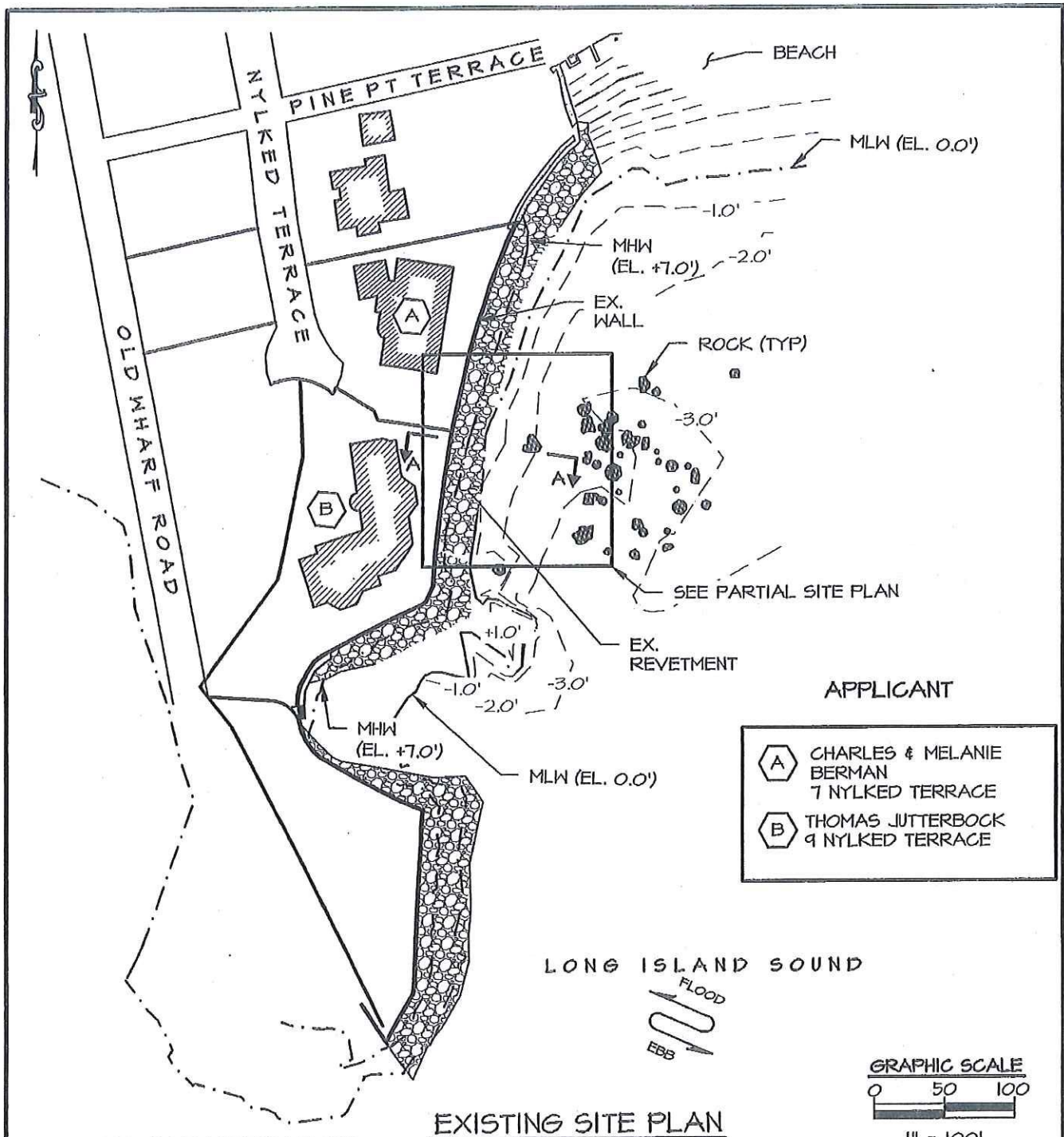


SOURCE: BING MAPS

AERIAL IMAGE

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DRAWN BY: CGE CHECKED BY: JCR DATUM: NA SCALE: NTS DATE: 10/10/2014 REV. 4: 2/9/2015 PROJECT #: 201399	SEAL:  <p>NOT VALID WITHOUT ENGINEER'S SEAL</p>	PROJECT: PROPOSED DOCK 7 & 9 NYLKED TERRACE NORWALK, CONNECTICUT LONG ISLAND SOUND	 ROBERGE ASSOCIATES Coastal Engineers, LLC 611 Access Road, Stratford, CT 06615 Tel: 203-377-0663 www.racellc.com
APPLICANT: 7 NYLKED TERRACE, LLC 7 NYLKED TERRACE THOMAS JUTERBOCK 9 NYLKED TERRACE NORWALK, CONNECTICUT		DRAWING NO. 3 of 10	



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DRAWN BY:	CGE
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DATUM:	MLW
SCALE:	1"=100'-0"
DATE:	10/10/2014
REV:	4: 2/4/2015
PROJECT #:	201399



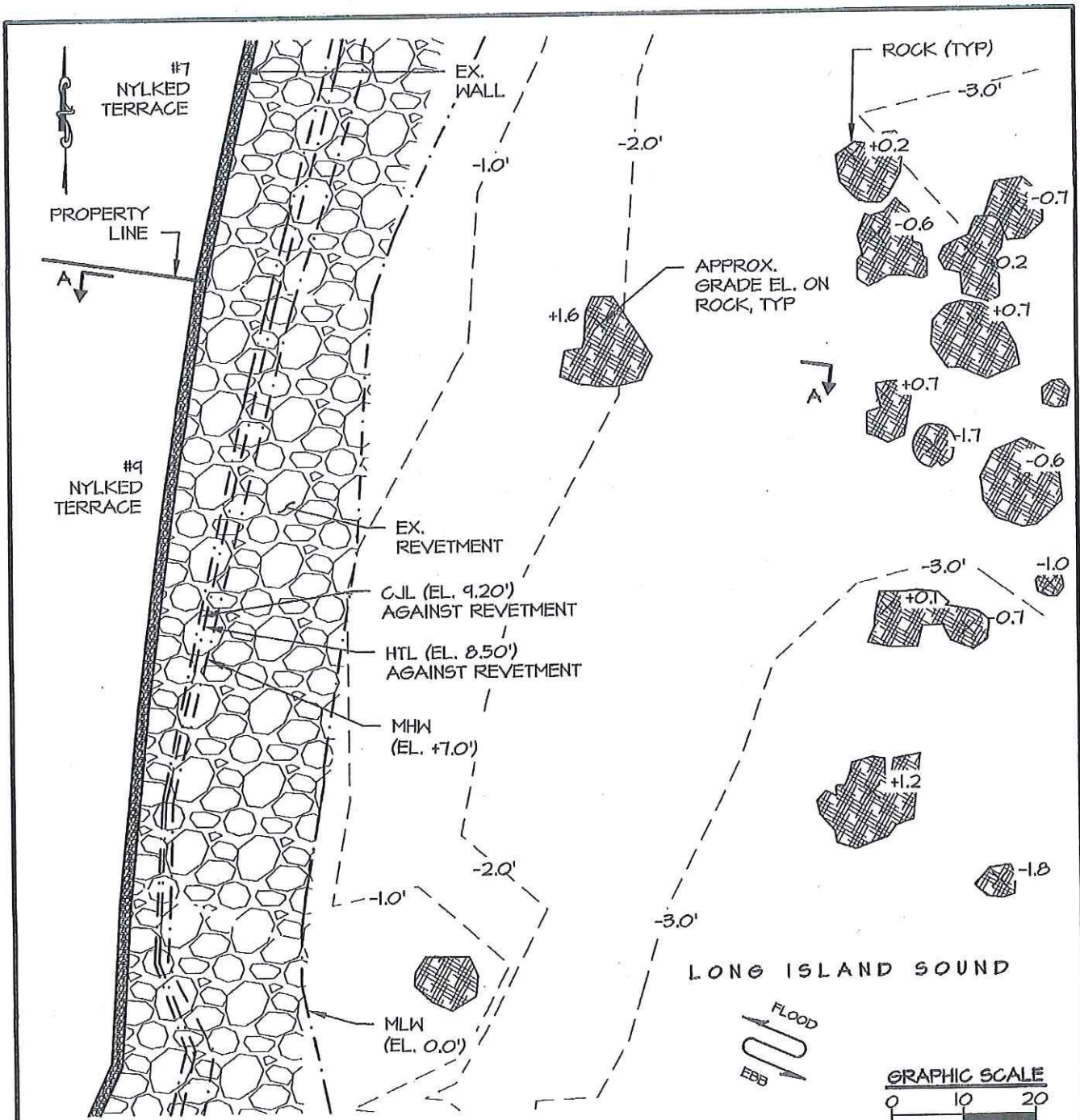
PROJECT:
PROPOSED DOCK
7 & 9 NYLKED TERRACE
NORWALK, CONNECTICUT
LONG ISLAND SOUND

APPLICANT:
7 NYLKED TERRACE, LLC
7 NYLKED TERRACE
THOMAS JUTTERBOCK
9 NYLKED TERRACE
NORWALK, CONNECTICUT

RACE
ROBERGE ASSOCIATES
Coastal Engineers, LLC

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DRAWING NO. 4 of 10



EXISTING PARITAL SITE PLAN

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DATUM:	MLW
SCALE:	1"=20'-0"
DATE:	10/10/2014
REV:	4: 2/9/2015
PROJECT #:	201399

SEAL:

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PROJECT:

PROPOSED DOCK
7 & 9 NYLKED TERRACE
NORWALK, CONNECTICUT
LONG ISLAND SOUND

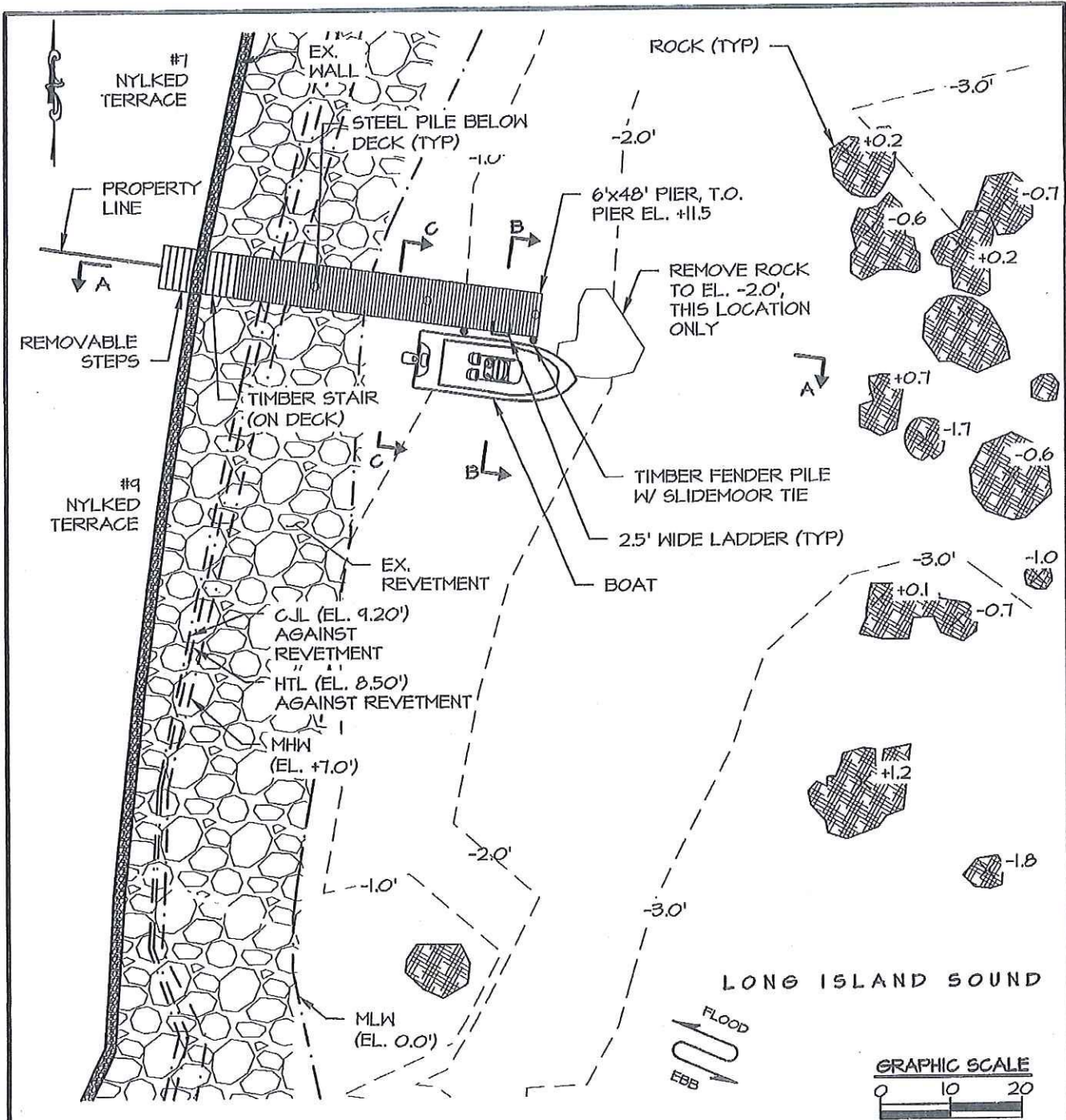
APPLICANT:

7 NYLKED TERRACE, LLC
7 NYLKED TERRACE
THOMAS JUTERBOCK
9 NYLKED TERRACE
NORWALK, CONNECTICUT

ROBERGE ASSOCIATES
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DRAWING NO. 5 of 10



PROPOSED PARTIAL PLAN

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CHECKED BY:	JCR
DATUM:	MLW
SCALE:	1"=20'-0"
DATE:	10/10/2014
REV:	4: 2/9/2015
PROJECT #:	201349

SEAL:

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PROJECT:	PROPOSED DOCK 7 & 9 NYLKED TERRACE NORWALK, CONNECTICUT LONG ISLAND SOUND
APPLICANT:	7 NYLKED TERRACE, LLC 7 NYLKED TERRACE THOMAS JUTERBOCK 9 NYLKED TERRACE NORWALK, CONNECTICUT

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Coastal Engineers, LLC

611 Access Road, Strafford, CT 06615
Tel: 203-377-0663 www.racellc.com

DRAWING NO. 6 OF 10

EX. STONE MASONRY WALL

EX. REVETMENT, TYP

EX. ROCK

C.U. EL. +4.2' (+5.4' NAVD88)

HTL EL. +8.5' (+4.7' NAVD88)

MHW EL. +7.0'

M.L. EL. 0.0'

EXISTING SECTION A

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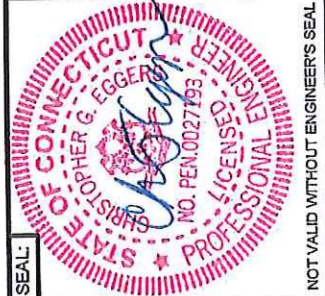
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Stratford, CT 06615
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DRAWING NO. 7 of 10

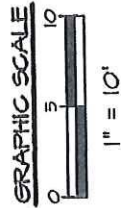
PROJECT:
PROPOSED DOCK
7 & 9 NYLKED TERRACE
NORWALK, CONNECTICUT
LONG ISLAND SOUND

APPLICANT:
7 NYLKED TERRACE, LLC
7 NYLKED TERRACE
THOMAS JUTERBOCK
9 NYLKED TERRACE
NORWALK, CONNECTICUT

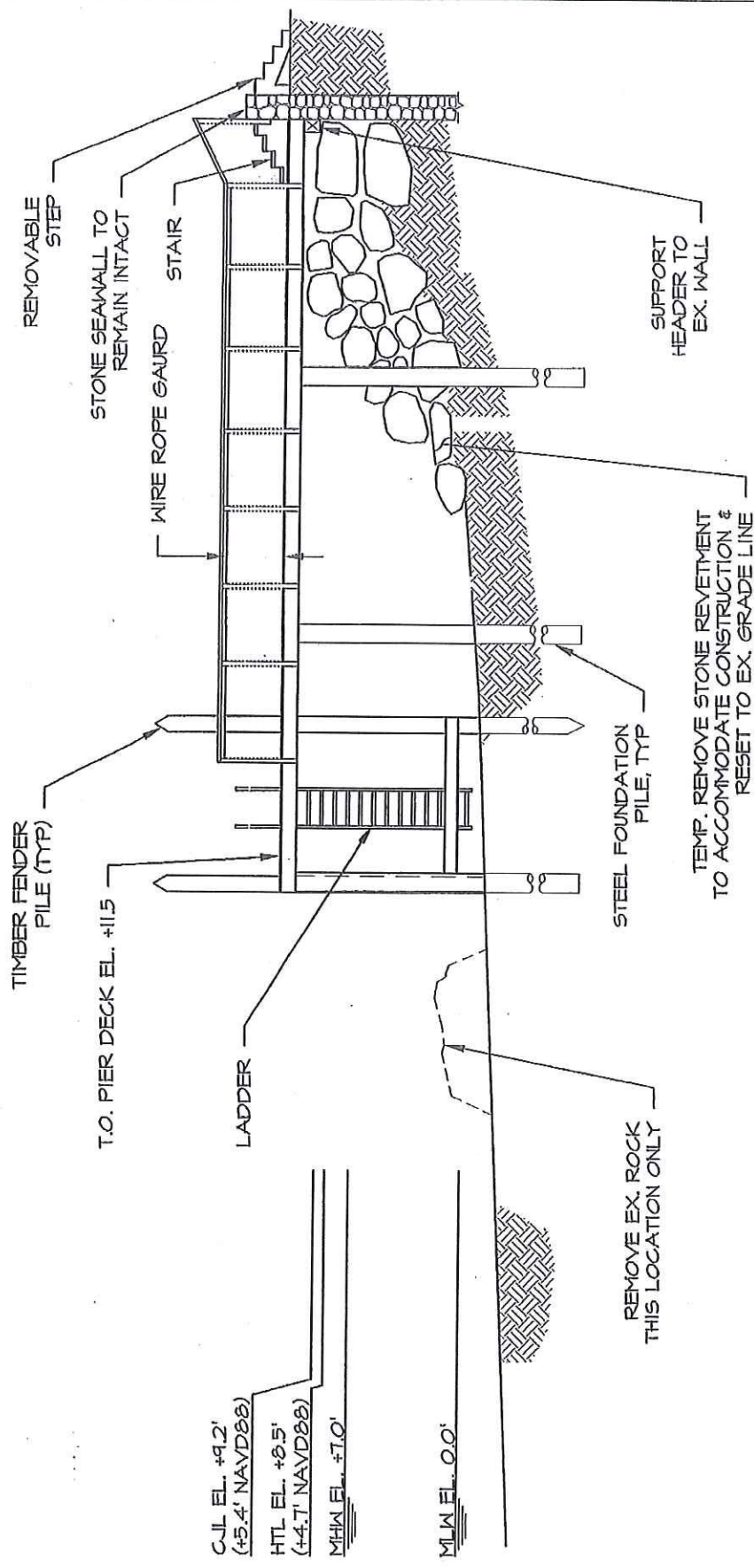


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DRAWN BY:	CGE
CHECKED BY:	JCR
DATUM:	MLM
SCALE:	1" = 10'-0"
DATE:	10/10/2014
REV:	4: 2/9/2015
PROJECT #:	201394



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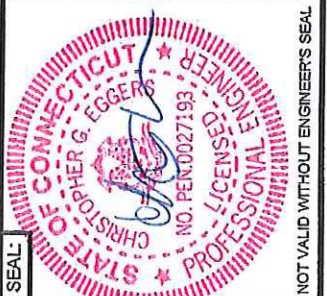


PROPOSED SECTION A

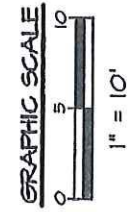
NOT FOR CONSTRUCTION
FOR REGULATORY REVIEW ONLY

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ROBERGE ASSOCIATES
 Coastal Engineers, LLC
 611 Access Road
 Stratford, CT 06615
 Tel: 203-377-0663
 www.racellc.com

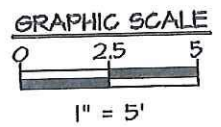
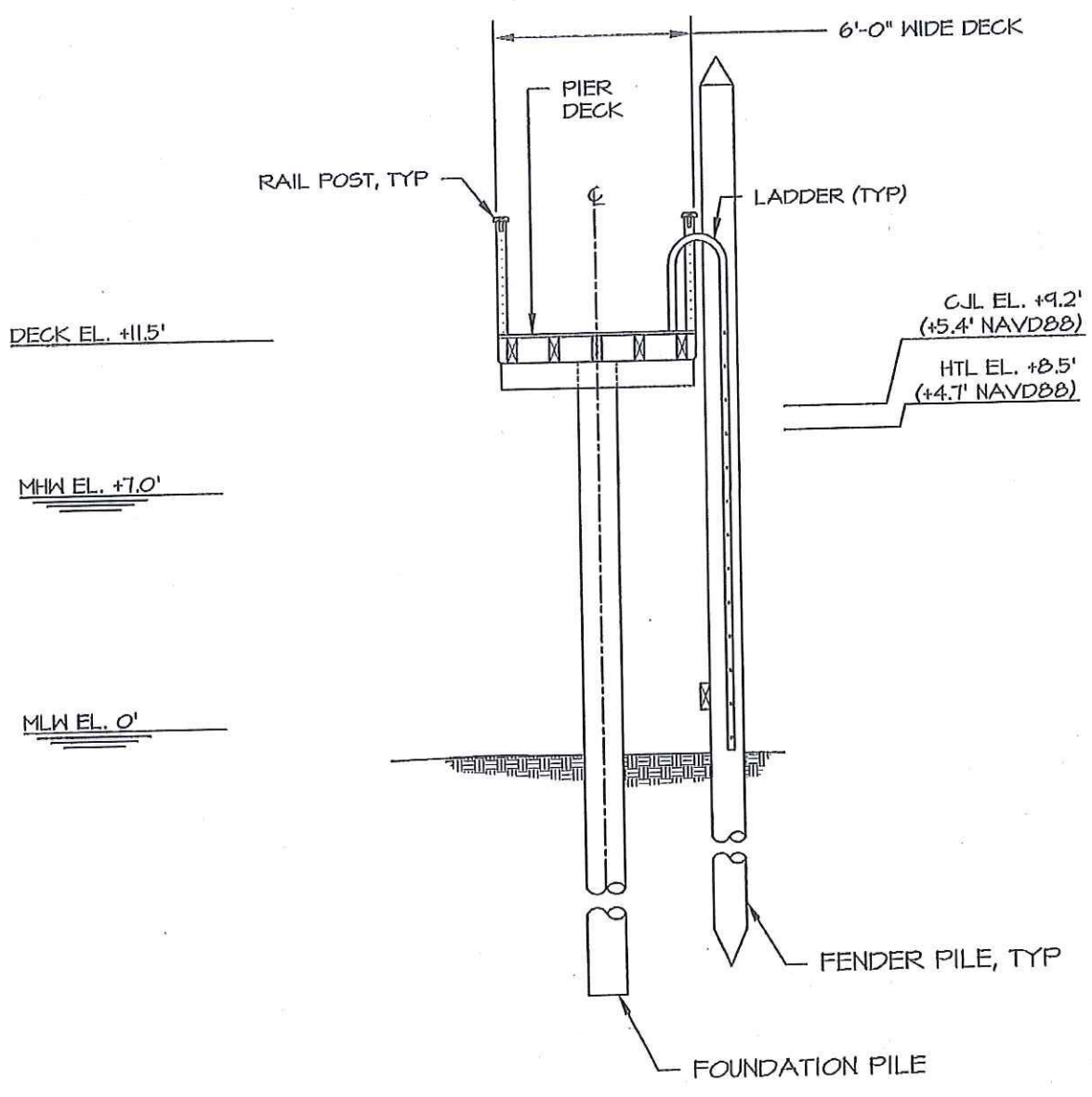
PROJECT:	PROPOSED DOCK 7 & 9 NYLKED TERRACE NORWALK, CONNECTICUT LONG ISLAND SOUND
APPLICANT:	7 NYLKED TERRACE, LLC 7 NYLKED TERRACE THOMAS JUTERBOCK 9 NYLKED TERRACE NORWALK, CONNECTICUT



SEAL:	
DRAWN BY:	CGE
CHECKED BY:	JCR
DATUM:	MLW
SCALE:	1" = 10'-0"
DATE:	10/10/2014
REV:	4: 2/9/2015
PROJECT #:	201394



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PROPOSED SECTION B

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DRAWN BY:	CGE
CHECKED BY:	JCR
DATUM:	MLW
SCALE:	1"=5'-0"
DATE:	10/10/2014
REV:	4: 2/9/2015
PROJECT #:	201399



NOT VALID WITHOUT ENGINEER'S SEAL

PROJECT:	PROPOSED DOCK 7 & 9 NYLKED TERRACE NORWALK, CONNECTICUT LONG ISLAND SOUND
APPLICANT:	7 NYLKED TERRACE, LLC 7 NYLKED TERRACE THOMAS JUTERBOCK 9 NYLKED TERRACE NORWALK, CONNECTICUT

RACE
ROBERGE ASSOCIATES
Coastal Engineers, LLC

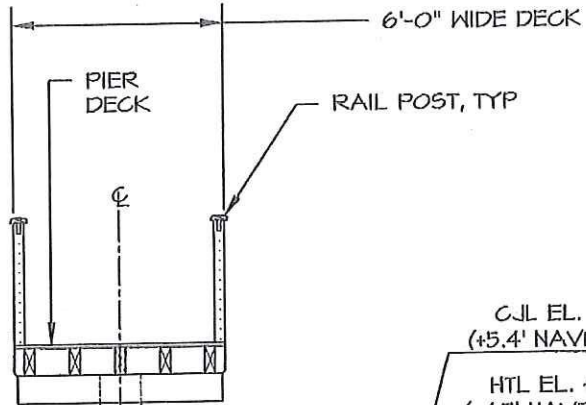
611 Access Road, Stratford, CT 06615
Tel: 203-377-0863 www.racellc.com

DRAWING NO. 9 of 10

DECK EL. +11.5'

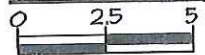
MHW EL. +7.0'

MLW EL. 0'



FOUNDATION PILE

GRAPHIC SCALE

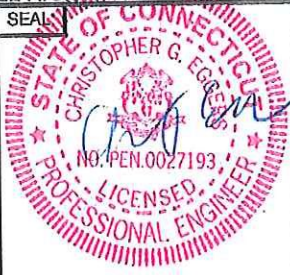


1" = 5'

PROPOSED SECTION C

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DRAWN BY:	CCE
CHECKED BY:	JCR
DATUM:	MLW
SCALE:	1"=5'-0"
DATE:	10/10/2014
REV:	4: 2/4/2015
PROJECT #:	201399



NOT VALID WITHOUT ENGINEER'S SEAL

PROJECT:	PROPOSED DOCK 7 & 9 NYLKED TERRACE NORWALK, CONNECTICUT LONG ISLAND SOUND
APPLICANT:	7 NYLKED TERRACE, LLC 7 NYLKED TERRACE THOMAS JUTERBOCK 9 NYLKED TERRACE NORWALK, CONNECTICUT

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DRAWING NO. 10 of 10

