

CHAPTER 444*

COASTAL MANAGEMENT

*Cited. 192 C. 353; 203 C. 364; 222 C. 269; 227 C. 71; 228 C. 187.

Cited. 35 CA 317. Coastal Management Act does not authorize court to subordinate interests created by a valid easement to interests of an illegal use of the servient estate. 96 CA 561.

Cited. 43 CS 386.

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Sec. 22a-90. Short title: Coastal Management Act. Sections 22a-90 to 22a-111, inclusive, shall be known and may be cited as the “Coastal Management Act”.

(P.A. 78-152, S. 1, 11; P.A. 83-487, S. 28, 33; P.A. 10-106, S. 5.)

History: P.A. 78-152 effective July 1, 1979; P.A. 83-487 amended section to include Secs. 22a-97 to 22a-112, inclusive, under short title; P.A. 10-106 replaced reference to Sec. 22a-112 with reference to Sec. 22a-111.

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Sec. 22a-91. Legislative findings. The General Assembly finds that:

- (1) The waters of Long Island Sound and its coastal resources, including tidal rivers, streams and creeks, wetlands and marshes, intertidal mudflats, beaches and dunes, bluffs and headlands, islands, rocky shorefronts, and adjacent shorelands form an integrated natural estuarine ecosystem which is both unique and fragile;
- (2) Development of Connecticut's coastal area has been extensive and has had a significant impact on Long Island Sound and its coastal resources;
- (3) The coastal area represents an asset of great present and potential value to the economic well-being of the state, and there is a state interest in the effective management, beneficial use, protection and development of the coastal area;
- (4) The waterfront of Connecticut's major urban ports is underutilized and many existing urban waterfront uses are not directly dependent on proximity to coastal waters;
- (5) The coastal area is rich in a variety of natural, economic, recreational, cultural and aesthetic resources, but the full realization of their value can be achieved only by encouraging further development in suitable areas and by protecting those areas unsuited to development;
- (6) The key to improved public management of Connecticut's coastal area is coordination at all levels of government and consideration by municipalities of the impact of development on both coastal resources and future water-dependent development opportunities when preparing plans and regulations and reviewing municipal and private development proposals; and
- (7) Unplanned population growth and economic development in the coastal area have caused the loss of living marine resources, wildlife and nutrient-rich areas, and have endangered other vital ecological systems and scarce

resources.

(P.A. 78-152, S. 2, 11; P.A. 79-535, S. 1, 25.)

History: P.A. 78-152 effective July 1, 1979; P.A. 79-535 entirely replaced Subdivs. (3) and (5) which had addressed the demand for recreational opportunity in coastal areas and the lack of full protection for “natural features and processes” and the lack of beneficial development and added Subdivs. (6) and (7).

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Sec. 22a-92. Legislative goals and policies. (a) The following general goals and policies are established by this chapter:

- (1) To ensure that the development, preservation or use of the land and water resources of the coastal area proceeds in a manner consistent with the rights of private property owners and the capability of the land and water resources to support development, preservation or use without significantly disrupting either the natural environment or sound economic growth;
- (2) To preserve and enhance coastal resources in accordance with the policies established by chapters 439, 440, 446i, 446k, 447, 474 and 477;
- (3) To give high priority and preference to uses and facilities which are dependent upon proximity to the water or the shorelands immediately adjacent to marine and tidal waters;
- (4) To resolve conflicts between competing uses on the shorelands adjacent to marine and tidal waters by giving preference to uses that minimize adverse impacts on natural coastal resources while providing long term and stable economic benefits;
- (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;
- (6) To encourage public access to the waters of Long Island Sound by expansion, development and effective utilization of state-owned recreational facilities within the coastal area that are consistent with sound resource conservation procedures and constitutionally protected rights of private property owners;
- (7) To conduct, sponsor and assist research in coastal matters to improve the data base upon which coastal land and water use decisions are made;
- (8) To coordinate the activities of public agencies to ensure that state expenditures enhance development while affording maximum protection to natural coastal resources and processes in a manner consistent with the state plan for conservation and development adopted pursuant to part I of chapter 297;
- (9) To coordinate planning and regulatory activities of public agencies at all levels of government to ensure maximum protection of coastal resources while minimizing conflicts and disruption of economic development; and
- (10) To ensure that the state and the coastal municipalities provide adequate planning for facilities and resources which are in the national interest as defined in section 22a-93 and to ensure that any restrictions or exclusions of such facilities or uses are reasonable. Reasonable grounds for the restriction or exclusion of a facility or use in the national interest shall include a finding that such a facility or use: (A) May reasonably be sited outside the coastal boundary; (B) fails to meet any applicable federal and state environmental, health or safety standard; or (C) unreasonably restricts physical or visual access to coastal waters. This policy does not exempt any

nonfederal facility in use from any applicable state or local regulatory or permit program nor does it exempt any federal facility or use from the federal consistency requirements of Section 307 of the federal Coastal Zone Management Act.

(b) In addition to the policies stated in subsection (a) of this section, the following policies are established for federal, state and municipal agencies in carrying out their responsibilities under this chapter:

(1) Policies concerning development, facilities and uses within the coastal boundary are: (A) To manage uses in the coastal boundary through existing municipal planning, zoning and other local regulatory authorities and through existing state structures, dredging, wetlands, and other state siting and regulatory authorities, giving highest priority and preference to water-dependent uses and facilities in shorefront areas; (B) to locate and phase sewer and water lines so as to encourage concentrated development in areas which are suitable for development; and to disapprove extension of sewer and water services into developed and undeveloped beaches, barrier beaches and tidal wetlands except that, when necessary to abate existing sources of pollution, sewers that will accommodate existing uses with limited excess capacity may be used; (C) to promote, through existing state and local planning, development, promotional and regulatory authorities, the development, reuse or redevelopment of existing urban and commercial fishing ports giving highest priority and preference to water dependent uses, including but not limited to commercial and recreational fishing and boating uses; to disallow uses which unreasonably congest navigation channels, or unreasonably preclude boating support facilities elsewhere in a port or harbor; and to minimize the risk of oil and chemical spills at port facilities; (D) to require that structures in tidal wetlands and coastal waters be designed, constructed and maintained to minimize adverse impacts on 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; (E) to disallow the siting within the coastal boundary of new tank farms and other new fuel and chemical storage facilities which can reasonably be located inland and to require any new storage tanks which must be located within the coastal boundary to abut existing storage tanks or to be located in urban industrial areas and to be adequately protected against floods and spills; (F) to make use of rehabilitation, upgrading and improvement of existing transportation facilities as the primary means of meeting transportation needs in the coastal area; (G) to encourage increased recreational boating use of coastal waters, where feasible, by (i) providing additional berthing space in existing harbors, (ii) limiting non-water-dependent land uses that preclude boating support facilities, (iii) increasing state-owned launching facilities, and (iv) providing for new boating facilities in natural harbors, new protected water areas and in areas dredged from dry land; (H) to protect coastal resources by requiring, where feasible, that such boating uses and facilities (i) minimize disruption or degradation of natural coastal resources, (ii) utilize existing altered, developed or redevelopment areas, (iii) are located to assure optimal distribution of state-owned facilities to the state-wide boating public, and (iv) utilize ramps and dry storage rather than slips in environmentally sensitive areas; (I) to protect and where feasible, upgrade facilities serving the commercial fishing and recreational boating industries; to maintain existing authorized commercial fishing and recreational boating harbor space unless the demand for these facilities no longer exists or adequate space has been provided; to design and locate, where feasible, proposed recreational boating facilities in a manner which does not interfere with the needs of the commercial fishing industry; (J) to require reasonable mitigation measures where development would adversely impact historical, archaeological, or paleontological resources that have been designated by the state historic preservation officer; and (K) to encourage the cooperative use of confined aquatic disposal cells for dredged material in appropriate circumstances.

(2) Policies concerning coastal land and water resources within the coastal boundary are: (A) To manage coastal bluffs and escarpments so as to preserve their slope and toe; to discourage uses which do not permit continued natural rates of erosion and to disapprove uses that accelerate slope erosion and alter essential patterns and supply of sediments to the littoral transport system; (B) to manage rocky shorefronts so as to ensure that development proceeds in a manner which does not irreparably reduce the capability of the system to support a healthy intertidal biological community; to provide feeding grounds and refuge for shorebirds and finfish, and to dissipate and absorb storm and wave energies; (C) to preserve the dynamic form and integrity of natural beach systems in order to provide critical wildlife habitats, a reservoir for sand supply, a buffer for coastal flooding and erosion, and valuable recreational opportunities; to ensure that coastal uses are compatible with the capabilities

of the system and do not unreasonably interfere with natural processes of erosion and sedimentation, and to encourage the restoration and enhancement of disturbed or modified beach systems; (D) to manage intertidal flats so as to preserve their value as a nutrient source and reservoir, a healthy shellfish habitat and a valuable feeding area for invertebrates, fish and shorebirds; to encourage the restoration and enhancement of degraded intertidal flats; to allow coastal uses that minimize change in the natural current flows, depth, slope, sedimentation, and nutrient storage functions and to disallow uses that substantially accelerate erosion or lead to significant despoliation of tidal flats; (E) to preserve tidal wetlands and to prevent the despoliation and destruction thereof in order to maintain their vital natural functions; to encourage the rehabilitation and restoration of degraded tidal wetlands and where feasible and environmentally acceptable, to encourage the creation of wetlands for the purposes of shellfish and finfish management, habitat creation and dredge spoil disposal; (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; (G) to promote, through existing state and local planning, development, promotional and regulatory programs, the use of existing developed shorefront areas for marine-related uses, including but not limited to, commercial and recreational fishing, boating and other water-dependent commercial, industrial and recreational uses; (H) to manage undeveloped islands in order to promote their use as critical habitats for those bird, plant and animal species which are indigenous to such islands or which are increasingly rare on the mainland; to maintain the value of undeveloped islands as a major source of recreational open space; and to disallow uses which will have significant adverse impacts on islands or their resource components; (I) to regulate shoreland use and development in a manner which minimizes adverse impacts upon adjacent coastal systems and resources; and (J) to maintain the natural relationship between eroding and depositional coastal landforms and to minimize the adverse impacts of erosion and sedimentation on coastal land uses through the promotion of nonstructural mitigation measures. Structural solutions are permissible when necessary and unavoidable for the protection of infrastructural facilities, cemetery or burial grounds, water-dependent uses, or commercial and residential structures and substantial appurtenances that are attached or integral thereto, constructed as of January 1, 1995, and where there is no feasible, less environmentally damaging alternative and where all reasonable mitigation measures and techniques have been provided to minimize adverse environmental impacts.

(c) In addition to the policies stated in subsections (a) and (b), the following policies are established for federal and state agencies in carrying out their responsibilities under this chapter:

(1) Policies concerning development, facilities and uses within the coastal boundary are: (A) To minimize the risk of spillage of petroleum products and hazardous substances, to provide effective containment and cleanup facilities for accidental spills and to disallow offshore oil receiving systems that have the potential to cause catastrophic oil spills in the Long Island Sound estuary; (B) to disallow any filling of tidal wetlands and nearshore, offshore and intertidal waters for the purpose of creating new land from existing wetlands and coastal waters which would otherwise be undevelopable, unless it is found that the adverse impacts on coastal resources are minimal; (C) to initiate in cooperation with the federal government and the continuing legislative committee on state planning and development a long-range planning program for the continued maintenance and enhancement of federally maintained navigation facilities in order to effectively and efficiently plan and provide for environmentally sound dredging and disposal of dredged materials; to encourage, through the state permitting program for dredging activities, the maintenance and enhancement of existing federally maintained navigation channels, basins and anchorages and to discourage the dredging of new federally maintained navigation channels, basins and anchorages; (D) to reduce the need for future dredging by requiring that new or expanded navigation channels, basins and anchorages take advantage of existing or authorized water depths, circulation and siltation patterns and the best available technologies for reducing controllable sedimentation; (E) to disallow new dredging in tidal wetlands except where no feasible alternative exists and where adverse impacts to coastal resources are minimal; (F) to require that new or improved shoreline rail corridors be designed and constructed so as (i) to prevent tidal and circulation restrictions and, when practicable, to eliminate any such existing restrictions, (ii) to improve or have a negligible adverse effect on coastal access and recreation and (iii) to enhance or not unreasonably impair the visual quality of the shoreline; (G) to require that coastal highways

and highway improvements, including bridges, be designed and constructed so as to minimize adverse impacts on coastal resources; to require that coastal highway and highway improvements give full consideration to mass transportation alternatives and to require that coastal highways and highway improvements where possible enhance, but in no case decrease coastal access and recreational opportunities; (H) to disallow the construction of major new airports and to discourage the substantial expansion of existing airports within the coastal boundary; to require that any expansion or improvement of existing airports minimize adverse impacts on coastal resources, recreation or access; (I) to manage the state's fisheries in order to promote the economic benefits of commercial and recreational fishing, enhance recreational fishing opportunities, optimize the yield of all species, prevent the depletion or extinction of indigenous species, maintain and enhance the productivity of natural estuarine resources and preserve healthy fisheries resources for future generations; (J) to make effective use of state-owned coastal recreational facilities in order to expand coastal recreational opportunities including the development or redevelopment of existing state-owned facilities where feasible; (K) to require as a condition in permitting new coastal structures, including but not limited to, groins, jetties or breakwaters, that access to, or along, the public beach below mean high water must not be unreasonably impaired by such structures and to encourage the removal of illegal structures below mean high water which unreasonably obstruct passage along the public beach; and (L) to promote the revitalization of inner city urban harbors and waterfronts by encouraging appropriate reuse of historically developed shorefronts, which may include minimized alteration of an existing shorefront in order to achieve a significant net public benefit, provided (i) such shorefront site is permanently devoted to a water dependent use or a water dependent public use such as public access or recreation for the general public and the ownership of any filled lands remain with the state or an instrumentality thereof in order to secure public use and benefit in perpetuity, (ii) landward development of the site is constrained by highways, railroads or other significant infrastructure facilities, (iii) no other feasible, less environmentally damaging alternatives exist, (iv) the adverse impacts to coastal resources of any shorefront alteration are minimized and compensation in the form of resource restoration is provided to mitigate any remaining adverse impacts, and (v) such reuse is consistent with the appropriate municipal coastal program or municipal plan of development.

(2) Policies concerning coastal land and other resources within the coastal boundary are: (A) To manage 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; to protect, enhance and allow natural restoration of eelgrass flats except in special limited cases, notably shellfish management, where the benefits accrued through alteration of the flat may outweigh the long-term benefits to marine biota, waterfowl, and commercial and recreational finfisheries and (B) to maintain, enhance, or, where feasible, restore natural patterns of water circulation and fresh and saltwater exchange in the placement or replacement of culverts, tide gates or other drainage or flood control structures.

(d) In addition to the policies in this section, the policies of the state plan of conservation and development adopted pursuant to part I of chapter 297 shall be applied to the area within the coastal boundary in accordance with the requirements of section 16a-31.

(e) For the purposes of this section, "feasible, less environmentally damaging alternative" includes, but is not limited to, relocation of an inhabited structure to a landward location, elevation of an inhabited structure, restoration or creation of a dune or vegetated slope, or living shorelines techniques utilizing a variety of structural and organic materials, such as tidal wetland plants, submerged aquatic vegetation, coir fiber logs, sand fill and stone to provide shoreline protection and maintain or restore coastal resources and habitat; and "reasonable mitigation measures and techniques" includes, but is not limited to, provisions for upland migration of on-site tidal wetlands, replenishment of the littoral system and the public beach with suitable sediment at a frequency and rate equivalent to the sediment removed from the site as a result of the proposed structural solution, or on-site or off-site removal of existing shoreline flood and erosion control structures from public or private shoreline property to the same or greater extent as the area of shoreline impacted by the proposed structural solution.

(f) (1) In the event the commissioner makes a tentative decision pursuant to section 22a-6h to deny an application prepared by a licensed professional engineer for a shoreline flood and erosion control structure, as defined in subsection (c) of section 22a-109, the applicant may, not later than thirty days after the date on which the commissioner publishes or causes to be published notice of such tentative determination, submit a written request to the commissioner to conduct a hearing on such application in accordance with the provisions of chapter 54 together with a request that the Connecticut Academy of Science and Engineering issue an advisory engineering evaluation on the engineering aspects of such application. Any such request for an advisory engineering evaluation shall be accompanied by a fee required pursuant to a fee schedule established by said academy in consultation with the commissioner. Said academy shall review submissions from all parties to the application and shall meet with such parties as necessary for the purpose of resolving differences between the parties. Said academy shall issue a written advisory engineering evaluation not later than one hundred twenty days after receipt of the fee and submissions, provided the academy may, in its sole discretion, extend such deadline for an additional sixty days. The written advisory engineering opinion shall be nonbinding and shall be considered by the commissioner in rendering a final decision on the application. The commissioner shall schedule a hearing on such application not later than thirty days after the date on which said academy issues the written advisory engineering evaluation, provided the applicant may, at any time prior to such hearing, withdraw the request to the commissioner to conduct such hearing.

(2) In the case of any application for a shoreline flood and erosion control structure that is denied on the basis of a finding that there may be feasible, less environmentally damaging alternatives to such structure or that reasonable mitigation measures and techniques have not been provided, the commissioner or the municipal commission, as applicable, shall propose on the record, in writing, the types of feasible alternatives or mitigation measures and techniques that the applicant may investigate, provided this subsection shall not be construed to shift the burden from the applicant to prove that such applicant is entitled to approval of the proposed shoreline flood and erosion control structure or to present alternatives to such structure.

(P.A. 78-152, S. 3, 11; P.A. 79-535, S. 2, 25; P.A. 90-230, S. 33, 101; P.A. 00-152, S. 1; P.A. 12-100, S. 1; 12-101, S. 1; P.A. 13-179, S. 12, 13.)

History: P.A. 78-152 effective July 1, 1979; P.A. 79-535 added reference to chapter 474a in Subsec. (a)(3), rephrased Subsec. (a)(6), referred to "state" rather than "public expenditures" in Subsec. (a)(8) and added reference to actions consistent with state plan for conservation and development, added Subdiv. (10) re insuring that use is in national interest and that restrictions or exclusions of uses and facilities are reasonable, and added Subsecs. (b) to (d) establishing policies for federal, state and municipal agencies in carrying out their responsibilities; P.A. 90-230 corrected internal references in Subsec. (a)(2); P.A. 00-152 added Subsec. (c)(1)(L) re revitalization of urban harbors and waterfronts; P.A. 12-100 amended Subsec. (b) to make a technical change and, in Subdiv. (2), to authorize erection of structural solutions necessary and unavoidable for protection of cemetery or burial grounds, effective June 8, 2012; P.A. 12-101 amended Subsec. (a) to add provision re development, preservation and use of land consistent with the rights of private property owners in Subdiv. (1) and add provisions re potential impact of a rise in sea level and minimizing necessity of public expenditure and shoreline armoring to protect future new development in Subdiv. (5), amended Subsec. (b)(2) to change exception for protection of inhabited structures from "existing" to "constructed as of January 1, 1995," in Subpara. (F) and add provision re structural solutions for protection of inhabited structures constructed as of January 1, 1995, and cemetery or burial grounds, added Subsec. (e) re definitions of "feasible, less environmentally damaging alternative" and "reasonable mitigation measures and techniques", added Subsec. (f) re applications for flood and erosion control structures that are denied on the basis of specified finding, and made technical changes; P.A. 13-179 amended Subsec. (b) by adding Subpara. (K) re encouraging the cooperative use of confined aquatic disposal cells for dredged materials in appropriate circumstances in Subdiv. (1), by changing reference from inhabited structures constructed as of January 1, 1995, to commercial and residential structures and substantial appurtenances that are attached or integral thereto, constructed as of January 1, 1995, in Subdiv. (2)(F), and by changing reference from inhabited structures constructed on cemetery or burial grounds as of January 1, 1995, to commercial and residential structures and substantial appurtenances that are attached or integral thereto, constructed as of January 1, 1995, in Subdiv. (2)(J), and amended Subsec. (f) by designating existing provisions as Subdiv. (2) and adding Subdiv. (1) re applicant's request for a hearing

and for an advisory engineering evaluation by the Connecticut Academy of Science and Engineering following commissioner's tentative decision to deny an application.

Cited. 182 C. 611.

Cited. 43 CS 386.

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Sec. 22a-93. Definitions. For the purposes of this chapter:

- (1) "Commissioner" means the Commissioner of Energy and Environmental Protection;
- (2) "Municipality" means any town listed in subsection (a) of section 22a-94, the city of Groton, the borough of Stonington, the borough of Groton Long Point, the borough of Fenwick and the borough of Woodmont, but shall not include any special district;
- (3) "Coastal area" means those lands described in subsection (a) of section 22a-94;
- (4) "Coastal boundary" means the boundary described in subsection (b) of section 22a-94;
- (5) "Coastal waters" means those waters of Long Island Sound and its harbors, embayments, tidal rivers, streams and creeks, which contain a salinity concentration of at least five hundred parts per million under the low flow stream conditions as established by the commissioner;
- (6) "Public beach" means that portion of the shoreline held in public fee ownership by the state or that portion of the shoreline below the mean high tide elevation that is held in public trust by the state;
- (7) "Coastal resources" means the coastal waters of the state, their natural resources, related marine and wildlife habitat and adjacent shorelands, both developed and undeveloped, that together form an integrated terrestrial and estuarine ecosystem; coastal resources include the following: (A) "Coastal bluffs and escarpments" means naturally eroding shorelands marked by dynamic escarpments or sea cliffs which have slope angles that constitute an intricate adjustment between erosion, substrate, drainage and degree of plant cover; (B) "rocky shorefronts" means shorefront composed of bedrock, boulders and cobbles that are highly erosion-resistant and are an insignificant source of sediments for other coastal landforms; (C) "beaches and dunes" means beach systems including barrier beach spits and tombolos, barrier beaches, pocket beaches, land contact beaches and related dunes and sandflats; (D) "intertidal flats" means very gently sloping or flat areas located between high and low tides composed of muddy, silty and fine sandy sediments and generally devoid of vegetation; (E) "tidal wetlands" means "wetland" as defined by section 22a-29; (F) "freshwater wetlands and watercourses" means "wetlands" and "watercourses" as defined by section 22a-38; (G) "estuarine embayments" means a protected coastal body of water with an open connection to the sea in which saline sea water is measurably diluted by fresh water including tidal rivers, bays, lagoons and coves; (H) "coastal hazard areas" means those land areas inundated during coastal storm events or subject to erosion induced by such events, including flood hazard areas as defined and determined by the National Flood Insurance Act, as amended (USC 42 Section 4101, P.L. 93-234) and all erosion hazard areas as determined by the commissioner; (I) "developed shorefront" means those harbor areas which have been highly engineered and developed resulting in the functional impairment or substantial alteration of their natural physiographic features or systems; (J) "island" means land surrounded on all sides by water; (K) "nearshore waters" means the area comprised of those waters and their substrates lying between mean high water and a depth approximated by the ten meter contour; (L) "offshore waters" means the area comprised of those waters and their substrates lying seaward of a depth approximated by the ten meter contour; (M) "shorelands" means those land areas within the coastal boundary exclusive of coastal hazard areas, which are not subject to dynamic coastal processes and which are comprised of typical upland features such as bedrock hills, till hills and drumlins; (N) "shellfish concentration areas" means actual, potential or historic areas in coastal waters, in which one or more species of shellfish aggregate;

- (8) “Zoning commission” means the municipal zoning commission established under section 8-1 or by any special act or the combined planning and zoning commission established under section 8-4a;
- (9) “Planning commission” means the municipal planning commission established under section 8-19 or by any special act or the combined planning and zoning commission established under section 8-4a;
- (10) “Municipal coastal plans” means the plans listed in subsections (b) and (d) of section 22a-101;
- (11) “Municipal coastal regulations” means the regulations and ordinances listed in subsection (b) of section 22a-101;
- (12) “Federal Coastal Zone Management Act” and “federal act” means the U.S. Coastal Zone Management Act of 1972, as amended;
- (13) “Coastal site plans” means the site plans, applications and project referrals listed in section 22a-105;
- (14) “Facilities and resources which are in the national interest” means: (A) Adequate protection of tidal wetlands and related estuarine resources; (B) restoration and enhancement of Connecticut's shellfish industry; (C) restoration, preservation and enhancement of the state's recreational and commercial fisheries, including anadromous species; (D) water pollution control measures and facilities consistent with the requirements of the federal Clean Water Act, as amended; (E) air pollution control measures and facilities consistent with the requirements of the federal Clean Air Act, as amended; (F) continued operations of existing federally-funded dredged and maintained navigation channels and basins; (G) energy facilities serving state-wide and interstate markets, including electric generating facilities and facilities for storage, receiving or processing petroleum products and other fuels; (H) improvements to the existing interstate rail, highway and water-borne transportation system; (I) provision of adequate state or federally-owned marine-related recreational facilities, including natural areas and wildlife sanctuaries; and (J) essential maintenance and improvement of existing water-dependent military, navigational, resource management and research facilities;
- (15) “Adverse impacts on coastal resources” include but are not limited to: (A) Degrading water quality through the significant introduction into either coastal waters or groundwater supplies of suspended solids, nutrients, toxics, heavy metals or pathogens, or through the significant alteration of temperature, pH, dissolved oxygen or salinity; (B) degrading existing circulation patterns of coastal waters through the significant alteration of patterns of tidal exchange or flushing rates, freshwater input, or existing basin characteristics and channel contours; (C) degrading natural erosion patterns through the significant alteration of littoral transport of sediments in terms of deposition or source reduction; (D) degrading natural or existing drainage patterns through the significant alteration of groundwater flow and recharge and volume of runoff; (E) increasing the hazard of coastal flooding through significant alteration of shoreline configurations or bathymetry, particularly within high velocity flood zones; (F) degrading visual quality through significant alteration of the natural features of vistas and view points; (G) degrading or destroying essential wildlife, finfish or shellfish habitat through significant alteration of the composition, migration patterns, distribution, breeding or other population characteristics of the natural species or significant alteration of the natural components of the habitat; and (H) degrading tidal wetlands, beaches and dunes, rocky shorefronts, and bluffs and escarpments through significant alteration of their natural characteristics or function;
- (16) “Water-dependent uses” means those uses and facilities which require direct access to, or location in, marine or tidal waters and which therefore cannot be located inland, including but not limited to: Marinas, recreational and commercial fishing and boating facilities, finfish and shellfish processing plants, waterfront dock and port facilities, shipyards and boat building facilities, water-based recreational uses, navigation aides, basins and channels, industrial uses dependent upon water-borne transportation or requiring large volumes of cooling or process water which cannot reasonably be located or operated at an inland site and uses which provide general public access to marine or tidal waters;
- (17) “Adverse impacts on future water-dependent development opportunities” and “adverse impacts on future water-dependent development activities” include but are not limited to (A) locating a non-water-dependent use

at a site that (i) is physically suited for a water-dependent use for which there is a reasonable demand or (ii) has been identified for a water-dependent use in the plan of development of the municipality or the zoning regulations; (B) replacement of a water-dependent use with a non-water-dependent use, and (C) siting of a non-water-dependent use which would substantially reduce or inhibit existing public access to marine or tidal waters;

(18) “Zoning board of appeals” means the municipal zoning board of appeals established pursuant to section 8-5 or any special act; and

(19) “Rise in sea level” means the most recent sea level change scenario updated pursuant to subsection (b) of section 25-680.

(P.A. 78-152, S. 4, 11; P.A. 79-535, S. 3, 25; P.A. 82-250, S. 1, 6; P.A. 83-587, S. 83, 96; P.A. 95-218, S. 7; P.A. 11-80, S. 1; P.A. 12-101, S. 2; P.A. 13-179, S. 2; P.A. 18-82, S. 6.)

History: P.A. 78-152 effective July 1, 1979; P.A. 79-535 redefined “municipality” and “coastal waters” in specific rather than general terms, redefined “public beach” to specify those owned by state, expanded definition of “coastal resources” and added Subdivs. (8) to (16) defining various planning and zoning commissions, coastal plans and regulations, the applicable federal act, “facilities and resources which are in the national interest”, “adverse impacts on coastal resources” and “water dependent uses”; P.A. 82-250 added definitions for “adverse impacts on future water dependent development opportunities”, “adverse impacts on future water dependent development activities” and “zoning board of appeals”; P.A. 83-587 substituted reference to federal clean air act for reference to clean water act in Subdiv. (14); P.A. 95-218 amended the definition of “adverse impacts on coastal resources” to make a minor clarification re patterns of tidal exchange; pursuant to P.A. 11-80, “Commissioner of Environmental Protection” was changed editorially by the Revisors to “Commissioner of Energy and Environmental Protection” in Subdiv. (1), effective July 1, 2011; P.A. 12-101 added Subdiv. (19) re definition of “rise in sea level”; P.A. 13-179 amended Subdiv. (19) by redefining “rise in sea level”; P.A. 18-82 redefined “rise in sea level” in Subdiv. (19), effective June 6, 2018.

Cited. 228 C. 187.

Cited. 43 CS 386.

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Sec. 22a-94. Coastal area; coastal boundary. Commissioner to prepare maps. (a) The Connecticut coastal area shall include the land and water within the area delineated by the following: The westerly, southerly and easterly limits of the state's jurisdiction in Long Island Sound; the towns of Greenwich, Stamford, Darien, Norwalk, Westport, Fairfield, Bridgeport, Stratford, Shelton, Milford, Orange, West Haven, New Haven, Hamden, North Haven, East Haven, Branford, Guilford, Madison, Clinton, Westbrook, Deep River, Chester, Essex, Old Saybrook, Lyme, Old Lyme, East Lyme, Waterford, New London, Montville, Norwich, Preston, Ledyard, Groton and Stonington.

(b) Within the coastal area, there shall be a coastal boundary which shall be a continuous line delineated on the landward side by the interior contour elevation of the one hundred year frequency coastal flood zone, as defined and determined by the National Flood Insurance Act, as amended (USC 42 Section 4101, P.L. 93-234), or a one thousand foot linear setback measured from the mean high water mark in coastal waters, or a one thousand foot linear setback measured from the inland boundary of tidal wetlands mapped under section 22a-20, whichever is farthest inland; and shall be delineated on the seaward side by the seaward extent of the jurisdiction of the state.

(c) The coastal boundary as defined in subsection (b) of this section shall be shown on maps or photographs prepared by the commissioner which supplement flood hazard rate maps prepared by the United States Department of Housing and Urban Development under the National Flood Insurance Act. Such maps shall be sufficiently precise to demonstrate whether the holdings of a property owner, or portions thereof, lie within the

coastal boundary. Copies of such maps or photographs shall be filed with the commissioner and with the clerk of each coastal municipality.

(d) The maps described in subsection (c) of this section shall be promulgated not later than July 1, 1980. Prior to final adoption of any map, the commissioner shall hold a public hearing in accordance with the provisions of chapter 54 within the applicable coastal town. The commissioner may use interim maps prepared on United States Geological Survey Topographic base at a scale of one to twenty-four thousand or their metric equivalent. In preparing such interim maps, the commissioner may use any man-made structure, natural feature, property line, preliminary flood hazard boundary maps as prepared by the United States Department of Housing and Urban Development, or a combination thereof which most closely approximates the landward side of the boundary. Further, the commissioner may use city or town property tax maps or aerial photographs, state tidal wetlands photographs, or similar maps of property delineation as they are available.

(e) The commissioner may, from time to time, amend such maps described in subsection (c) of this section. Prior to the adoption of an amendment to any map, the commissioner shall hold a public hearing in the affected municipality in accordance with the provisions of chapter 54. The commissioner shall consider for amendment changes in the boundary petitioned by the coastal municipality, by any person owning real property within the boundary, or by twenty-five residents of such municipality. The commissioner shall approve, deny or modify such petition within sixty days of receipt and shall state, in writing, the reasons for his action. All amendments to the boundary shall be consistent with subsection (b) of this section.

(f) A municipal coastal boundary may be adopted by the municipal planning commission of each coastal municipality in accordance with the notice, hearing and other procedural requirements of section 8-24. Such boundary may be delineated by roads, property lines or other identifiable natural or man-made features, provided such boundary shall approximate and in no event diminish the area within the coastal boundary as defined in subsection (b) of this section and as mapped under subsection (d) of this section. Such boundary shall be sufficiently precise to demonstrate whether the holdings of a property owner, or portions thereof, lie within the boundary. Upon adoption, such boundary shall be submitted to the commissioner for mapping in accordance with subsection (c) of this section. The municipal planning commission may, at its own discretion or upon request of a property owner, amend the coastal boundary in accordance with the procedures and criteria of this subsection.

(g) All property lying within the coastal boundary shall be subject to the regulatory, development and planning requirements of this chapter.

(P.A. 78-152, S. 5, 11; P.A. 79-535, S. 4, 25; P.A. 05-288, S. 95.)

History: P.A. 78-152 effective July 1, 1979; P.A. 79-535 substituted “towns” for “municipalities”, clarified coastal boundary by including reference to 1,000 foot linear setback, substituting “high water mark” for “high tide” and deleting description of specific types of environment to be included, i.e. coastal waters, submerged lands, intertidal zones, etc. in Subsec. (b), changed deadline for maps in Subsec. (d) from “within twenty-four months of July 1, 1979”, to “July 1, 1980”, added provisions in Subsec. (e) re petitions to change boundaries, and added Subsecs. (f) and (g) re adoption of boundaries and re applicability of chapter to property within the established coastal boundary; P.A. 05-288 made technical changes in Subsecs. (e) and (f), effective July 13, 2005.

Cited. 228 C. 187.

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Sec. 22a-95. Duties of commissioner. Model municipal coastal program. (a) The commissioner shall, on a continuing basis, assist coastal municipalities in carrying out their responsibilities under this chapter.

(b) The commissioner shall provide each coastal municipality with resource factor maps and other information concerning the location and condition of its coastal resources and shall also provide general technical background information on the beneficial and adverse impacts of various types of development on coastal resources.

(c) The commissioner shall respond to questions regarding the requirements of this chapter, shall respond to requests by coastal municipalities for background technical information and shall meet reasonable requests by such municipalities for technical staff assistance in developing and implementing municipal coastal programs and coastal site plan reviews.

(d) The commissioner shall consult regularly with officials of coastal municipalities regarding implementation of this chapter and shall periodically hold workshops with municipal officials responsible for making decisions under this chapter.

(e) The commissioner shall prepare a model municipal coastal program which shall include, but not be limited to: (1) Model municipal coastal plans and regulations; (2) suggested planning methodologies useful in revising municipal coastal plans; (3) suggested regulatory methods useful in revising municipal coastal regulations to conform to and effectuate the purposes of municipal coastal plans; and (4) suggested criteria and procedures for undertaking municipal coastal site plan reviews.

(f) Written technical information provided by the commissioner to coastal municipalities shall be in clear and readily understandable language.

(P.A. 78-152, S. 6, 8, 11; P.A. 79-535, S. 5, 25.)

History: P.A. 79-535 replaced previous provisions which had established interim study committee to recommend plan for coastal area management and had set forth commissioner's duties concerning plans establishment with new provisions re commissioner's duties to assist coastal municipalities in fulfilling their responsibilities.

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Sec. 22a-96. Commissioner authorized to enter into agreements; designated as representative of state. (a) The commissioner is authorized to enter into written agreements with federal agencies concerning the matters set forth in subsection (b) of this section having an interest in or regulatory authority in the coastal area. Such agreements shall be consistent with the provisions of sections 22a-90 to 22a-96, inclusive, and chapters 439, 440, 446i, 447, 474 and 477, shall indicate the respective powers and duties of the commissioner and the federal agency or agencies thereunder and shall provide for cooperation and coordination in the implementation of state and federal programs with jurisdiction in the coastal area in a manner consistent with the provisions of sections 22a-90 to 22a-96, inclusive.

(b) Agreements concerning regulatory programs of the U.S. Army Corps of Engineers and the U.S. Coast Guard, Bridges Section, may include the following: (1) Procedures for conducting joint hearings on permit applications; (2) procedures for issuing common and joint application materials and instructions for permit applications; (3) procedures for timely exchange of technical materials related to permit applications and other matters; and (4) procedures for coordinating the timing and sequence of the issuance of decisions on permit applications.

(c) The commissioner is authorized to (1) represent the state in formal proceedings regarding "federal consistency" as defined in the federal act; (2) request, receive and administer funds under said act; and (3) develop and coordinate, in cooperation with other state agencies, plans to achieve the purposes of sections 22a-90 to 22a-96, inclusive.

(d) The commissioner is designated as the representative of the state in all matters concerning the consistency of federal activities, projects or proposals with the policies and provisions of sections 22a-90 to 22a-96, inclusive.

(P.A. 78-152, S. 7, 9–11; P.A. 90-230, S. 34, 101.)

History: Subsec. (c) effective May 23, 1978, and Subsecs. (a), (b) and (d) effective July 1, 1979; P.A. 90-230 corrected an internal reference in Subsec. (a).

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Sec. 22a-97. Duties of the commissioner. Technical, coordinating and research services. Supervision. (a) The commissioner shall provide, within available appropriations, technical, coordinating and research services to promote the effective administration of this chapter at the federal, state and local levels.

(b) The commissioner shall have the overall responsibility for general supervision of the implementation of this chapter and shall monitor and evaluate the activities of federal and state agencies and the activities of municipalities to assure continuing, effective, coordinated and consistent administration of the requirements and purposes of this chapter.

(P.A. 79-535, S. 17, 25; P.A. 96-251, S. 10; P.A. 10-106, S. 6.)

History: P.A. 96-251 amended Subsec. (c) by requiring that on and after October 1, 1996, reports be submitted to environment committee and upon request to any legislator and by adding provisions on submission of report summaries to legislators; P.A. 10-106 deleted former Subsec. (c) re submission of annual report to Governor and General Assembly.

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Sec. 22a-98. Commissioner to coordinate regulatory programs. The commissioner shall coordinate the activities of all regulatory programs under his jurisdiction with permitting authority in the coastal area to assure that the administration of such programs is consistent with the goals and policies of this chapter. Such programs include, but are not limited to: (1) Regulation of wetlands and watercourses pursuant to chapter 440; (2) regulation of stream encroachment pursuant to sections 22a-342 to 22a-349, inclusive; (3) regulation of dredging and the erection of structures or the placement of fill in tidal, coastal or navigable waters pursuant to sections 22a-359 to 22a-363f, inclusive; and (4) certification of water quality pursuant to the federal Clean Water Act of 1972 (33 USC 1411, Section 401). The commissioner shall assure consistency with such goals and policies in granting, denying or modifying permits under such programs. Any person seeking a license, permit or other approval of an activity under the requirements of such regulatory programs shall demonstrate that such activity is consistent with all applicable goals and policies in section 22a-92 and that such activity incorporates all reasonable measures mitigating any adverse impacts of such actions on coastal resources and future water-dependent development activities. The coordination of such programs shall include, where feasible, the use of common or combined application forms, the holding of joint hearings on permit applications and the coordination of the timing or sequencing of permit decisions.

(P.A. 79-535, S. 21, 25; P.A. 83-525, S. 1; P.A. 96-145, S. 16; P.A. 99-225, S. 12, 33.)

History: P.A. 83-525 required that any person seeking a permit or approval of any activity under the requirements of a regulatory program demonstrate that such activity incorporates all reasonable measures mitigating damage to coastal resources; P.A. 96-145 deleted former Subdiv. (4) re removal of sand and gravel, renumbering former Subdiv. (5) accordingly; P.A. 99-225 added a provision regarding coordination of dredging regulation with coastal management, effective July 1, 1999.

Cited. 43 CS 386.

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Sec. 22a-99. Testimony by coastal municipality on permits and licenses. Appeal from decision of the commissioner. A coastal municipality may submit written testimony to the commissioner and may appear by right as a party to any hearing before said commissioner concerning any permit or license to be issued by said commissioner for an activity occurring within the coastal boundary of the municipality or occurring within the coastal boundary of any adjacent municipality and within five hundred feet of the boundary of such municipality and may appeal any decision of the commissioner concerning such permit or license.

(P.A. 79-535, S. 18, 25.)

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Sec. 22a-100. State plans and actions to be consistent with this chapter. (a) All major state plans, other than the state plan for conservation and development adopted pursuant to part I of chapter 297, which affect the coastal area shall be consistent with the goals and policies stated in section 22a-92 and existing state plans, other than the state plan for conservation and development adopted pursuant to part I of chapter 297, which affect the coastal area shall, on or before July 1, 1981, be revised, if necessary, to insure consistency with this chapter. Agencies responsible for revising state plans, other than the state plan for conservation and development adopted pursuant to part I of chapter 297, shall consult with the commissioner in making such revisions.

(b) Each state department, institution or agency responsible for the primary recommendation or initiation of actions within the coastal boundary which may significantly affect the environment, as defined in section 22a-1c, shall insure that such actions are consistent with the goals and policies of this chapter and incorporate all reasonable measures mitigating any adverse impacts of such actions on coastal resources and future water-dependent development activities. The Secretary of the Office of Policy and Management shall consider the consistency of such proposed actions with such goals and policies in determining whether or not an environmental impact evaluation prepared pursuant to section 22a-1b satisfies the requirements of sections 22a-1a to 22a-1h, inclusive, and regulations adopted pursuant thereto. The commissioner shall amend such regulations, if necessary, to insure consistency with the goals and policies of this chapter.

(P.A. 79-535, S. 20, 25; P.A. 83-525, S. 2.)

History: P.A. 83-525 amended Subsec. (b), requiring agencies to insure that actions which might affect the environment incorporate all reasonable safeguards against any adverse affect.

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Sec. 22a-101. Municipal coastal programs. (a) In order to carry out the policies and provisions of this chapter and to provide more specific guidance to coastal area property owners and developers, coastal municipalities may adopt a municipal coastal program for the area within the coastal boundary and landward of the mean high water mark.

(b) A municipal coastal program shall include, but is not limited to: (1) Revisions to the municipal plan of conservation and development under section 8-23 or special act, insofar as it affects the area within the coastal boundary, such revisions to include an identification and written description of the municipality's major coastal-related issues and problems, both immediate and long-term, such as erosion, flooding, recreational facilities, and utilization of port facilities and to include a description of the municipal boards, commissions and officials responsible for implementing and enforcing the coastal program, a description of enforcement procedures and a description of continuing methods of involving the public in the implementation of the municipal coastal program; (2) revisions to the municipal zoning regulations under section 8-2 or under special act and revisions to the following regulations and ordinances if the municipality has adopted such regulations or ordinances, and

insofar as such regulations or ordinances affect the area within the coastal boundary: (A) Historic district ordinances under section 7-147b; (B) waterway encroachment line ordinances under section 7-147; (C) subdivision ordinances under section 8-25; (D) inland wetland regulations under subsection (e) of section 22a-42 and section 22a-42a; (E) sewerage ordinances under section 7-148; (F) ordinances or regulations governing filling of land and removal of soil, loam, sand or gravel under section 7-148; (G) ordinances concerning protection and improvement of the environment under section 7-148; and (H) regulations for the supervision, management, control, operation or use of a sewerage system under section 7-247.

(c) If a municipality has not yet adopted a municipal plan of conservation and development under section 8-23, a municipal planning commission may prepare a municipal coastal plan of development solely for that portion of municipality within the coastal boundary in accordance with subsection (b) of this section and section 22a-102.

(d) A municipal coastal program may include revisions to the following municipal plans or programs which revisions shall be consistent with the municipal plan of conservation and development revised in accordance with subsection (b) of this section and section 22a-102: (1) The community development plan under sections 8-169c and 8-169d; (2) the harbor improvement plan under section 13b-56; (3) the redevelopment plan under sections 8-125 and 8-127; (4) the port development plan under section 7-329c; (5) the capital improvement plan under section 8-160; (6) the open space plan under section 12-107e; (7) any development project plan or plans under section 8-189; and (8) the municipal water pollution control plan under section 7-245.

(e) Revisions to the municipal plan of development in accordance with subsection (b) of this section and section 22a-102 may include a description of any development projects, acquisition plans, open space tax abatement programs, flood and erosion control projects and other nonregulatory measures which the municipality intends to undertake in order to promote wise management of coastal resources.

(P.A. 79-535, S. 7, 25; P.A. 82-327, S. 10; P.A. 85-409, S. 1, 8; P.A. 95-335, S. 18, 26.)

History: P.A. 82-327 changed a reference to sewer ordinance adopted under Sec. 7-153 to Sec. 7-148 to acknowledge a transfer; P.A. 85-409 removed reference to planned unit development regulations under Secs. 8-13c and 8-13d, which were repealed by that act; P.A. 95-335 amended Subsecs. (b) to (d) to change “plan of development” to “plan of conservation and development”, effective July 1, 1995.

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Sec. 22a-102. Municipal plan of development. Proposed municipal land use regulations. (a) In revising the municipal plan of conservation and development in accordance with subsection (b) of section 22a-101, the municipal planning commission shall follow: (1) The policies and goals in section 22a-92; (2) criteria listed in section 8-23.

(b) In adopting any proposed municipal plan of conservation and development, zoning regulations or changes thereto or other municipal coastal regulations listed in subdivision (2) of subsection (b) of section 22a-101 or changes thereto, the following criteria shall also be considered: (1) The character and distribution of the coastal resources defined in section 22a-93 within its coastal boundary, the capacity of and limitations on such resources to support development, and the types and methods of development compatible with the wise use, protection and enhancement of such resources; (2) the nature and pattern of existing development; and (3) the need for public services.

(c) The municipal planning commission may revise its municipal plan of conservation and development by making such changes as: Modifications of land use categories, changes in the density and intensity of land use, alteration in plan policies; modifications in growth strategies, changes in acquisition priorities, and alterations in public infrastructure, highway and other capital improvement projects.

(d) The municipal planning commission shall submit its proposed revisions to the municipal plan of conservation and development prepared in accordance with subsections (a) and (b) of this section and section

22a-101 to the commissioner and the regional council of governments for review and comment prior to the final adoption of such revisions in accordance with section 8-23. Upon receipt of such proposed revisions the commissioner and the regional council of governments shall review them for consistency with requirements and criteria listed in subsections (a) and (b) of this section and said section 22a-101 and shall within ninety days notify the municipality in writing of any suggested modifications to the proposed revisions. Upon receipt of such comments or ninety days after receipt by the commissioner of proposed revisions, the municipal planning commission may modify and adopt the proposed revisions in accordance with said section 8-23.

(P.A. 79-535, S. 8, 25; P.A. 83-287, S. 1; P.A. 95-335, S. 19, 26; P.A. 13-247, S. 312.)

History: P.A. 83-287 amended Subsec. (b) to require that any proposed municipal land use or coastal regulation, not only a revision to a municipal plan of development, reflect coastal management criteria; P.A. 95-335 amended section to change “plan of development” to “plan of conservation and development”, effective July 1, 1995; pursuant to P.A. 13-247, “regional planning agency” was changed editorially by the Revisors to “regional council of governments” in Subsec. (d), effective January 1, 2015.

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Sec. 22a-103. Municipal zoning regulations. Criteria and process for revision. (a) In revising zoning regulations and other municipal coastal regulations and ordinances listed in subdivision (2) of subsection (b) of section 22a-101, the municipal agency with jurisdiction over such regulations or ordinances shall consider the criteria in section 8-2 and the other sections of the general statutes or special act authorizing such regulations. Such regulations shall conform to and effectuate the policies and land and water use strategies of the municipal coastal plans revised under sections 22a-101 and 22a-102 and the criteria listed in subsections (a) and (b) of section 22a-102.

(b) The municipal agency with jurisdiction over the zoning regulations and other municipal coastal regulations and ordinances listed in subdivision (2) of subsection (b) of section 22a-101 shall submit its proposed revisions of such regulations and ordinances to the commissioner for his review and comment prior to final adoption of such revisions in accordance with the appropriate statutory requirements regarding amendment of such regulations or ordinances. Upon receipt of the proposed revisions to the municipal coastal regulations, the commissioner shall review them for their consistency with the municipality's previously adopted municipal plan of conservation and development and the criteria listed in subsections (a) and (b) of section 22a-102, and shall within ninety days notify the municipality in writing of any suggested modifications. Upon receipt of the commissioner's comments or ninety days after his receipt of proposed revisions the municipal agency with jurisdiction over such regulations may modify and adopt the proposed revisions in accordance with the appropriate statutory requirements regarding amendment of such regulations and ordinances.

(c) In revising zoning regulations under chapter 124 for the area within the coastal boundary the municipal zoning commission may utilize any lawful zoning techniques, including but not limited to, modifications of use categories, alteration of density and intensity of use, special use zones, overlay zones, special permit regulations, sign controls, design controls, landscaping and gardening regulations, hazard or geological review requirements, conservation, cluster, open space and lot coverage requirements, minimum lot sizes, setback requirements, and bonus and incentive zoning regulations.

(d) In revising subdivision regulations under chapter 126 the municipal planning commission may utilize any lawful technique including, but not limited to, conservation, cluster, open space, park and recreation regulations.

(P.A. 79-535, S. 9, 25; P.A. 85-409, S. 2, 8; P.A. 95-335, S. 20, 26.)

History: P.A. 85-409 substituted reference to chapter 124 for reference to chapter 124a in Subsec. (c); P.A. 95-335 amended Subsec. (b) to change “plan of development” to “plan of conservation and development”, effective July 1, 1995.

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Sec. 22a-104. Implementation of municipal coastal program. Amendments. (a) If a municipality has adopted a municipal coastal program in accordance with sections 22a-101, 22a-102 and 22a-103, such program shall be implemented by those municipal bodies exercising legal authority for the regulatory decisions listed in subsection (b) of section 22a-105. The provisions of subsections (b) to (e), inclusive, of this section shall apply to such municipality.

(b) Amendments to the municipal plan of conservation and development affecting the area within the coastal boundary or municipal coastal regulations shall be made in accordance with subsection (e) of this section and sections 22a-101, 22a-102 and 22a-103.

(c) When amendments are made to the municipal plan of conservation and development affecting the area within the coastal boundary, the municipality shall also make such amendments to the zoning regulations and other municipal coastal regulations listed in subdivision (2) of subsection (b) of section 22a-101 in accordance with applicable statutory requirements regarding amendment of such regulations and ordinances as are necessary to insure that such regulations conform to and effectuate the policies and land and water use strategies of the amended plans.

(d) When amendments are made to zoning regulations and other municipal coastal regulations listed in subdivision (2) of subsection (b) of section 22a-101 without prior amendments to corresponding provisions of municipal coastal plans, such regulations, as amended, shall conform to and effectuate the policies and land and water use strategies of the municipal coastal plans and the criteria listed in subsections (a) and (b) of section 22a-102.

(e) Any proposed municipal plan of conservation and development or zoning regulations or changes thereto affecting the area within the coastal boundary, regardless of whether the municipality affected has adopted a municipal coastal program in accordance with sections 22a-101, 22a-102 and 22a-103, shall be consistent with the policies of section 22a-92 and the criteria of subsection (b) of said section 22a-102. The commissioner shall be notified of any such proposed municipal plan of conservation and development or zoning regulations or changes thereto at least thirty-five days prior to the commencement of the hearing thereon. The commissioner may comment on and make recommendations on such proposals or changes. Such comment shall be read into the record of the public hearing and shall be considered by the appropriate board or commission before final action on the proposals or changes. Failure to comment by the commissioner shall not be construed to be approval or disapproval.

(P.A. 79-535, S. 10, 25; P.A. 83-287, S. 2, 3; P.A. 95-335, S. 21, 26.)

History: P.A. 83-287 amended Subsec. (a) to clarify the application of Subsecs. (b) to (e), inclusive, to municipalities with coastal programs and replaced previous Subsec. (e) re procedure for adoption of proposed amendments with new provisions; P.A. 95-335 amended Subsecs. (b), (c) and (e) to change “plan of development” to “plan of conservation and development”, effective July 1, 1995.

Subsec. (e):

Provision that commissioner may comment is directory and not mandatory; failure to read commissioner's entire letter into the record did not invalidate commission's action when salient portions were read into the record, a summary of other provisions was read in and copies of the entire letter were made available to the public. 58 CA 29.

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Sec. 22a-105. Coastal site plan reviews. (a) Coastal municipalities shall undertake coastal site plan reviews in accordance with the requirements of this chapter.

(b) The following site plans, plans and applications for activities or projects to be located fully or partially within the coastal boundary and landward of the mean high water mark shall be defined as “coastal site plans” and shall be subject to the requirements of this chapter: (1) Site plans submitted to a zoning commission in accordance with section 22a-109; (2) plans submitted to a planning commission for subdivision or resubdivision in accordance with section 8-25 or with any special act; (3) applications for a special exception or special permit submitted to a planning commission, zoning commission or zoning board of appeals in accordance with section 8-2 or with any special act; (4) applications for a variance submitted to a zoning board of appeals in accordance with subdivision (3) of section 8-6 or with any special act, and (5) a referral of a proposed municipal project to a planning commission in accordance with section 8-24 or with any special act.

(c) In addition to the requirements specified by municipal regulation, a coastal site plan shall include a plan showing the location and spatial relationship of coastal resources on and contiguous to the site; a description of the entire project with appropriate plans, indicating project location, design, timing, and methods of construction; an assessment of the capability of the resources to accommodate the proposed use; an assessment of the suitability of the project for the proposed site; an evaluation of the potential beneficial and adverse impacts of the project and a description of proposed methods to mitigate adverse effects on coastal resources.

(d) Municipalities, acting through the agencies responsible for the review of the coastal site plans defined in subsection (b) of this section, may require a filing fee to defray the reasonable cost of reviewing and acting upon an application.

(e) The board or commission reviewing the coastal site plan shall, in addition to the discretion granted in any other sections of the general statutes or in any special act, approve, modify, condition or deny the activity proposed in a coastal site plan on the basis of the criteria listed in section 22a-106 to ensure that the potential adverse impacts of the proposed activity on both coastal resources and future water-dependent development activities are acceptable. The provisions of this chapter shall not be construed to prevent the reconstruction of a building after a casualty loss.

(f) Notwithstanding the provisions of any other section of the general statutes to the contrary, the review of any coastal site plan pursuant to this chapter shall not be deemed complete and valid unless the board or commission having jurisdiction over such plan has rendered a final decision thereon. If such board or commission fails to render a decision within the time period provided by the general statutes or any special act for such a decision, the coastal site plan shall be deemed rejected.

(P.A. 79-535, S. 11, 25; P.A. 82-250, S. 2, 6; P.A. 83-525, S. 3; P.A. 84-53, S. 1, 2; P.A. 85-409, S. 3, 8.)

History: P.A. 82-250 amended Subsec. (b) to require that municipalities with planning and zoning functions authorized by special act comply with coastal site plan review; P.A. 83-525 added a new Subsec. (f) which requires a board or commission to decide on a coastal site plan before it is to be considered complete and valid; P.A. 84-53 amended Subsec. (e) by adding provision clarifying the lack of authority of a board or commission to prevent reconstruction after a casualty loss; P.A. 85-409 removed reference to plans submitted to planning commission for approval of planned unit development under Sec. 8-13f which was repealed by the same act.

Cited. 192 C. 353; 228 C. 187.

Subsec. (b):

Referral under Sec. 8-24 for a municipal project located within coastal boundary is a coastal site plan that must be reviewed in accordance with provisions of the Coastal Management Act. 266 C. 338.

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Sec. 22a-106. Criteria and process for action on coastal site plans. (a) In addition to determining that the activity proposed in a coastal site plan satisfies other lawful criteria and conditions, a municipal board or commission reviewing a coastal site plan shall determine whether or not the potential adverse impacts of the proposed activity on both coastal resources and future water-dependent development activities are acceptable.

(b) In determining the acceptability of potential adverse impacts of the proposed activity described in the coastal site plan on both coastal resources and future water-dependent development opportunities a municipal board or commission shall: (1) Consider the characteristics of the site, including the location and condition of any of the coastal resources defined in section 22a-93; (2) consider the potential effects, both beneficial and adverse, of the proposed activity on coastal resources and future water-dependent development opportunities; and (3) follow all applicable goals and policies stated in section 22a-92 and identify conflicts between the proposed activity and any goal or policy.

(c) Any persons submitting a coastal site plan as defined in subsection (b) of section 22a-105 shall demonstrate that the adverse impacts of the proposed activity are acceptable and shall demonstrate that such activity is consistent with the goals and policies in section 22a-92.

(d) A municipal board or commission approving, modifying, conditioning or denying a coastal site plan on the basis of the criteria listed in subsection (b) of this section shall state in writing the findings and reasons for its action.

(e) In approving any activity proposed in a coastal site plan, the municipal board or commission shall make a written finding that the proposed activity with any conditions or modifications imposed by the board: (1) Is consistent with all applicable goals and policies in section 22a-92; (2) incorporates as conditions or modifications all reasonable measures which would mitigate the adverse impacts of the proposed activity on both coastal resources and future water-dependent development activities.

(P.A. 79-535, S. 12, 25.)

Cited. 192 C. 353; 228 C. 187.

Subsec. (e):

Municipal board or commission is required to make written findings in approving coastal site plan but board's failure to state its reasons in writing is not fatal to board's decision because reviewing court must search the record for sufficiency of evidence supporting board's decision. 112 CA 239.

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Sec. 22a-106a. Civil penalty. Any person who conducts an activity within the coastal boundary without having received a lawful approval from a municipal board or commission under all of the applicable procedures and criteria listed in sections 22a-105 and 22a-106 or who violates the terms and conditions of an approval under said sections shall be liable for a civil penalty of not more than one thousand dollars for each offense. Each violation shall be a separate and distinct offense and in the case of a continuing violation, each day's continuance thereof shall be deemed to be a separate and distinct offense. The Commissioner of Energy and Environmental Protection may request the Attorney General to bring a civil action in the superior court for the judicial district of Hartford to seek imposition and recovery of such civil penalty.

(P.A. 87-438, S. 1; P.A. 88-230, S. 1, 12; 88-364, S. 41, 123; P.A. 90-98, S. 1, 2; P.A. 93-142, S. 4, 7, 8; P.A. 95-220, S. 4-6; P.A. 11-80, S. 1.)

History: P.A. 88-230 replaced “judicial district of Hartford-New Britain at Hartford” with “judicial district of Hartford”, effective September 1, 1991; P.A. 88-364 made a technical change; P.A. 90-98 changed the effective date of P.A. 88-230 from September 1, 1991, to September 1, 1993; P. A. 93-142 changed the effective date of

P.A. 88-230 from September 1, 1993, to September 1, 1996, effective June 14, 1993; P.A. 95-220 changed the effective date of P.A. 88-230 from September 1, 1996, to September 1, 1998, effective July 1, 1995; pursuant to P.A. 11-80, “Commissioner of Environmental Protection” was changed editorially by the Revisors to “Commissioner of Energy and Environmental Protection”, effective July 1, 2011.

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Sec. 22a-107. Bond as a condition to coastal site plan approval. As a condition to a coastal site plan approval a board or commission may require a bond, escrow account or other surety or financial security arrangement to secure compliance with any modifications, conditions and other terms stated in its approval of a coastal site plan.

(P.A. 79-535, S. 13, 25.)

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Sec. 22a-108. Violations. Any activity within the coastal boundary not exempt from coastal site plan review pursuant to subsection (b) of section 22a-109, which occurs without having received a lawful approval from a municipal board or commission under all of the applicable procedures and criteria listed in sections 22a-105 and 22a-106, or which violates the terms or conditions of such approval, shall be deemed a public nuisance. Municipalities shall have the authority to exercise all enforcement remedies legally available to them for the abatement of such nuisances including, but not limited to, those under section 8-12. After notifying the municipality in which the activity is located, the commissioner may order that such a public nuisance be halted, abated, removed or modified and that the site of the violation be restored as nearly as reasonably possible to its condition prior to the violation, under the authority of sections 22a-6 and 22a-7. The commissioner may request the Attorney General to institute proceedings to enjoin or abate any such nuisance. Upon receipt of a petition signed by at least twenty-five residents of the municipality in which an activity is located the commissioner shall investigate to determine whether or not an activity described in the petition constitutes a public nuisance. Within ninety days of receipt of such petition, the commissioner shall make a written determination and provide the petitioning municipality with a copy of such determination.

(P.A. 79-535, S. 14, 25; P.A. 82-250, S. 3, 6.)

History: P.A. 82-250 amended the section to authorize the commissioner to request the attorney general to enjoin or abate the public nuisance caused by an activity in violation of the coastal site plan review process, and applied section to activities “not exempt” from review rather than to activities “subject to” review requirements.

Plain language of section provides that, after notifying the municipality, the department can act re an activity within the coastal boundary if the activity required lawful approval but has not been approved by the municipality; the legislature did not intend for the department to never have authority to act under section, despite the fact that a determination had been made that a violation of the act exists, if a municipality declined to bring an action to enforce a cease and desist order. 308 C. 359.

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Sec. 22a-109. Coastal site plans. Review. (a) A coastal site plan shall be filed with the municipal zoning commission to aid in determining the conformity of a proposed building, use, structure or shoreline flood and erosion control structure, as defined in subsection (c) of this section, fully or partially within the coastal boundary, with the specific provisions of the zoning regulations of the municipality and the provisions of sections 22a-105 and 22a-106, and in the case of shoreline flood and erosion control structures, the provisions of sections 22a-359 to 22a-363, inclusive, and any regulations adopted thereunder. A coastal site plan required under this section may be modified or denied if it fails to comply with the requirements already set forth in the

zoning regulations of the municipality and, in addition, the coastal site plan may be modified, conditioned or denied in accordance with the procedures and criteria listed in sections 22a-105 and 22a-106. A coastal site plan for a shoreline flood and erosion control structure may be modified, conditioned or denied if it fails to comply with the requirements, standards and criteria of sections 22a-359 to 22a-363, inclusive, and any regulations adopted thereunder. A coastal site plan for a shoreline flood and erosion structure shall be approved if the record demonstrates and the commission makes specific written findings that such structure is necessary and unavoidable for the protection of infrastructural facilities, cemetery or burial grounds, water-dependent uses fundamental to habitability or primary use of such property or inhabited structures or structure additions constructed as of January 1, 1995, that there is no feasible, less environmentally damaging alternative and that all reasonable mitigation measures and techniques are implemented to minimize adverse environmental impacts. Review of a coastal site plan under the requirements of this section shall supersede any review required by the municipality under subsection (g) of section 8-3 and shall be in addition to any applicable zoning regulations of any special district exercising zoning authority under special act. The provisions of this section shall not be construed to limit the authority of the Commissioner of Energy and Environmental Protection under sections 22a-359 to 22a-363, inclusive.

(b) The zoning commission may by regulation exempt any or all of the following uses from the coastal site plan review requirements of this chapter: (1) Minor additions to or modifications of existing buildings or detached accessory buildings, such as garages and utility sheds; (2) construction of new or modification of existing structures incidental to the enjoyment and maintenance of residential property including but not limited to walks, terraces, elevated decks, driveways, swimming pools, tennis courts, docks and detached accessory buildings; (3) construction of new or modification of existing on-premise structures including fences, walls, pedestrian walks and terraces, underground utility connections, essential electric, gas, telephone, water and sewer service lines, signs and such other minor structures as will not substantially alter the natural character of coastal resources or restrict access along the public beach; (4) construction of an individual single-family residential structure except when such structure is located on an island not connected to the mainland by an existing road bridge or causeway or except when such structure is in or within one hundred feet of the following coastal resource areas: Tidal wetlands, coastal bluffs and escarpments and beaches and dunes; (5) activities conducted for the specific purpose of conserving or preserving soil, vegetation, water, fish, shellfish, wildlife and other coastal land and water resources; (6) interior modifications to buildings; and (7) minor changes in use of a building, structure or property except those changes occurring on property adjacent to or abutting coastal waters. Gardening, grazing and the harvesting of crops shall be exempt from the requirements of this chapter. Notwithstanding the provisions of this subsection, shoreline flood and erosion control structures as defined in subsection (c) of this section shall not be exempt from the requirements of this chapter.

(c) For the purposes of this section, “shoreline flood and erosion control structure” means any structure the purpose or effect of which is to control flooding or erosion from tidal, coastal or navigable waters and includes breakwaters, bulkheads, groins, jetties, revetments, riprap, seawalls and the placement of concrete, rocks or other significant barriers to the flow of flood waters or the movement of sediments along the shoreline. The term shall not include: (1) Any addition, reconstruction, change or adjustment to any walled and roofed building which is necessary for such building to comply with the requirements of the Code of Federal Regulations, Title 44, Part 50, and any municipal regulation adopted thereunder, or (2) any activity, including, but not limited to, living shorelines projects, for which the primary purpose or effect is the restoration or enhancement of tidal wetlands, beaches, dunes or intertidal flats.

(d) A copy of each coastal site plan submitted for any shoreline flood and erosion control structure shall be referred to the Commissioner of Energy and Environmental Protection within fifteen days of its receipt by the zoning commission. The day of receipt shall be determined in accordance with subsection (c) of section 8-7d. The commissioner may comment on and make recommendations on such plans. Such comments and recommendations shall be submitted to the zoning commission within thirty-five days of the date of receipt of the coastal site plan by the commissioner and shall be considered by the zoning commission before final action on the plan. If the commissioner fails to comment on a plan within the thirty-five-day period or any extension granted by the zoning commission, the zoning commission may take final action on such plan. Failure to comment by the commissioner shall not be construed to be approval or disapproval.

(e) The zoning commission may, at its discretion, hold a hearing on a coastal site plan required by this section. The commission shall hold a hearing on a coastal site plan for a shoreline flood and erosion control structure upon the request of the Commissioner of Energy and Environmental Protection.

(f) The zoning commission shall set forth the reasons for any decision to deny, modify or condition a coastal site plan submitted under this section. A copy of any decision shall be sent by certified mail to the person who submitted such plan within fifteen days after such decision is rendered. A copy of any decision on a coastal site plan for a shoreline flood and erosion control structure shall be sent to the Commissioner of Energy and Environmental Protection within fifteen days after such decision is rendered. The commission shall publish notice of the approval or denial of a coastal site plan, in a newspaper having a general circulation in the municipality, not more than fifteen days after such decision is rendered.

(g) The coastal site plan review required under this section shall be subject to the same statutory requirements as subsections (a) and (b) of section 8-7d for the purposes of determining the time limitations on the zoning commission in reaching a final decision.

(h) In addition to the requirements of subsection (f) of section 8-3, no building permit or certificate of occupancy shall be issued for a building, use or structure subject to the zoning regulations of a municipality and located fully or partially within the coastal boundary, or for any shoreline flood and erosion control structure as defined in subsection (c) of this section, and located fully or partially within the coastal boundary, without certification in writing by the official charged with enforcement of such regulations that such building, use, structure or shoreline flood and erosion control structure has been reviewed and approved in accordance with the requirements of this chapter or is a use exempt from such review under regulations adopted by the zoning commission in accordance with this section.

(i) A municipality by vote of its legislative body may delegate its responsibility for coastal site plan review under this section to a special district exercising zoning authority under special act for the area within both the coastal boundary and limits of the special district, subject to acceptance by the special district of such responsibility following the procedures listed in section 7-327. The municipality may revoke the delegation of such responsibilities and the special district may also revoke acceptance of such responsibility under this subsection at any time. Notwithstanding the provisions of this subsection, the town of Groton shall delegate authority for coastal site plan review to the Noank fire district.

(j) A municipal zoning commission reviewing, in accordance with this section, a coastal site plan for a building use, structure, or shoreline flood and erosion control structure occurring within the limits of a special district exercising zoning authority under special act shall provide a copy of the coastal site plan to the chief elected official of such district and shall provide an adequate opportunity for comment by such official prior to making a final decision on the coastal site plan. A special district delegated the responsibility for coastal site plan reviews in accordance with subsection (i) of this section shall provide a copy of any coastal site plan submitted for its review to the municipal zoning commission of the town in which the project is to occur and shall provide an adequate opportunity for comment by the zoning commission prior to making a final decision on the coastal site plan.

(P.A. 79-535, S. 15, 25; P.A. 82-250, S. 4, 6; P.A. 83-525, S. 4, 5; P.A. 87-495, S. 1; P.A. 05-288, S. 96; P.A. 11-80, S. 1; P.A. 12-101, S. 3; P.A. 13-179, S. 7.)

History: P.A. 82-250 amended Subsec. (b) to authorize zoning commissions to exempt from coastal site plan review interior modifications to buildings and minor use changes in a building structure or property and to make technical corrections; P.A. 83-525 amended Subsec. (b) by limiting a zoning commission's power to exempt construction of a single-family residential structure to those structures not located on an island connected to the mainland by an existing road, bridge or causeway and amended Subsec. (d) by requiring the commission to publish notice of the approval of a coastal site plan; P.A. 87-495 amended Subsec. (a) by applying provisions to shoreline flood and erosion control structures, added new Subsec. (c) defining shoreline flood and erosion control structures and new Subsec. (d) regarding review of shoreline flood and erosion control structures and relettered the section accordingly and amended new Subsecs. (f), (h) and (j) to apply to shoreline flood and

erosion control structures; P.A. 05-288 made technical changes in Subsec. (a), effective July 13, 2005; pursuant to P.A. 11-80, "Commissioner of Environmental Protection" was changed editorially by the Revisors to "Commissioner of Energy and Environmental Protection", effective July 1, 2011; P.A. 12-101 amended Subsec. (a) to add provision re criteria for approval of coastal site plan for a shoreline flood and erosion structure and amended Subsec. (c) to exclude from definition of "shoreline flood and erosion control structure" any activity for which the primary purpose or effect is the restoration or enhancement of tidal wetlands, dunes or intertidal flats, effective June 8, 2012; P.A. 13-179 amended Subsec. (b)(2) to add provision re elevated decks.

Cited. 222 C. 269; 225 C 432; 228 C. 187.

Cited. 7 CA 684; 35 CA 317.

Subsec. (d):

Cited. 225 C. 1.

Zoning board must consider recommendations or comments submitted by commissioner, but no indication in act or elsewhere that such recommendations or comments are binding on board. 112 CA 239.

Subsec. (g) (former Subsec. (e)):

Express incorporation of Sec. 8-7d(b) reflects intent to incorporate as well the presumption of Sec. 8-3(g) making the 65-day period mandatory. 192 C. 353. Any application under statute not expressly denied or modified within the statutory period is deemed approved by operation of law. Id., 367.

Cited. 6 CA 284.

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Sec. 22a-110. Testimony by commissioner on municipal actions. Appeals. The commissioner or his designee may submit written testimony to any municipal board or commission and may appear by right as a party to any hearing before such municipal board or commission concerning any proposed municipal plan of conservation and development or zoning regulations or changes thereto affecting the area within the coastal boundary or the review of a coastal site plan or a municipal approval, permit or license for a building, use or structure affecting the area within the coastal boundary and said commissioner may appeal, or appear as a party to any appeal of, a municipal decision concerning such matters whether or not he has appeared as a party before the municipal board or commission. If the decision of such board or commission is upheld by a court of competent jurisdiction, the state shall reimburse the municipality within three months for all costs incurred in defending the decision.

(P.A. 79-535, S. 19, 25; P.A. 83-287, S. 4; P.A. 95-335, S. 22, 26.)

History: P.A. 83-287 expanded the commissioner's authorization to submit testimony or appear before a municipal agency to any proposal concerning municipal land use regulations affecting the coastal boundary; P.A. 95-335 changed "plan of development" to "plan of conservation and development", effective July 1, 1995.

Cited. 35 CA 317.

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Sec. 22a-111. Connecticut River Gateway Committee. Consistency. (a) The minimum standards established by the Connecticut River Gateway Committee under section 25-102d and revisions to such standards adopted by the Connecticut River Gateway Commission under subsection (c) of section 25-102g before January 1, 1980, shall be deemed to be consistent with the goals, policies and purposes of this chapter.

(b) On or after January 1, 1980, the commission shall make no revisions to such standards which are inconsistent with the goals and policies stated in subsections (a) and (b) of section 22a-92.

(c) No provision of this chapter shall be deemed to derogate from the authority of the commission to approve or disapprove the adoption, amendment or repeal of local zoning, subdivision or planning regulations under subsection (b) of section 25-102g, provided any such approval or disapproval shall be consistent with the goals and policies stated in subsections (a) and (b) of section 22a-92.

(P.A. 79-535, S. 16, 25.)

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Sec. 22a-111a. Hurricane or tropical storm warning. Fortification of property. In the event of an issuance of a hurricane or tropical storm warning by the National Hurricane Center of the National Weather Service in any part of the state, or as authorized by the Commissioner of Energy and Environmental Protection, any property owner or municipality may, in the twenty-four hours prior to the predicted commencement of the hurricane or tropical storm, fortify property above the coastal jurisdiction line with temporary structures, including sand bags, blocks and other suitable materials. Any such structures shall be removed not later than forty-eight hours after a hurricane or tropical storm warning is lifted unless such deadline is extended by said commissioner.

(P.A. 13-179, S. 11.)

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Sec. 22a-111b. Pilot program to assist residential property owners re coastal management and water resources rights and responsibilities. For the period commencing on October 1, 2013, and ending September 30, 2015, the Commissioner of Energy and Environmental Protection shall establish a pilot program for any residential property owner who receives a notice of noncompliance from the Department of Energy and Environmental Protection for a violation of this chapter or chapter 446i. Such program shall be designed to assist owners of residential property to better understand such owners' rights and responsibilities under this chapter and chapter 446i. Not later than January 1, 2016, the commissioner shall submit a summary of such pilot program, in accordance with the provisions of section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to municipalities and the environment.

(P.A. 13-179, S. 15.)

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Secs. 22a-112 to 22a-113c. Financial assistance; grants to municipalities; contracts or grant agreements concerning coastal management. Estuarine embayment program established. Grants; eligibility. Regulations. State bond issue authorized for estuarine embayment projects. Sections 22a-112 to 22a-113e, inclusive, are repealed, effective June 21, 2010.

(P.A. 79-535, S. 6, 24, 25; P.A. 82-250, S. 5, 6; P.A. 86-336, S. 2, 19; 86-382, S. 1-4, 6; P.A. 88-343, S. 13, 32; May Sp. Sess. P.A. 92-7, S. 16, 36; P.A. 05-288, S. 97, 98; P.A. 10-106, S. 16.)

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Secs. 22a-113d to 22a-113j. Reserved for future use.

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