



**US Army Corps  
of Engineers**®  
New England District  
**696 Virginia Road  
Concord, MA 01742-2751**

# PUBLIC NOTICE

**Comment Period Begins: August 23, 2011**  
**Comment Period Ends: September 23, 2011**  
**File Number: NAE-2011-178**  
**In Reply Refer To: Lindsay Flieger**  
**Phone: (978) 318-8656**  
**E-mail: [Lindsay.Flieger@usace.army.mil](mailto:Lindsay.Flieger@usace.army.mil)**

The District Engineer has received a permit application from the applicant below to conduct work in waters of the United States as described below.

**APPLICANT:** Guy Simonian

**ACTIVITY:** Construct a fixed walkway with associated access ramp that leads to a pier, ramp, and float configuration on a residential property. A detailed description and plans of the activity are attached.

## **WATERWAY AND LOCATION OF THE PROPOSED WORK**

This work is proposed in the Neck River at 278 Neck Road, Madison, Connecticut. The proposed location on the USGS Guilford quadrangle sheet is at Lat/Long 41.2676 N; -72.6482 W.

## **AUTHORITY**

Permits are required pursuant to:

- Section 10 of the Rivers and Harbors Act of 1899
- Section 404 of the Clean Water Act
- Section 103 of the Marine Protection, Research and Sanctuaries Act.

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

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The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH).

This project will impact 980 square feet of Essential Fish Habitat (EFH) for the Least Shrew, Saltmarsh Sharp-Tailed Sparrow, and Seaside Sparrow. This habitat consists of peat and marsh vegetation such as *Iva frutescens*, *Spartina alterniflora*, and *Spartina patens*. Loss of this habitat may adversely affect some of the species mentioned above. However, the District Engineer has made a preliminary determination that the site-specific adverse effect will not be substantial. Further consultation with the National Marine Fisheries Service regarding EFH conservation recommendations is being conducted and will be concluded prior to the final decision.

Based on his initial review, the District Engineer has determined that little likelihood exists for the proposed work to impinge upon properties with cultural or Native American significance, or listed in, or eligible for listing in, the National Register of Historic Places. Therefore, no further consideration of the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, is necessary. This determination is based upon one or more of the following:

- a. The permit area has been extensively modified by previous work.
- b. The permit area has been recently created.
- c. The proposed activity is of limited nature and scope.
- d. Review of the latest published version of the National Register shows that no presence of registered properties listed as being eligible for inclusion therein are in the permit area or general vicinity.
- e. Coordination with the State Historic Preservation Officer and/or Tribal Historic Preservation Officer(s)

The States of Connecticut, Maine, Massachusetts, New Hampshire and Rhode Island have approved **Coastal Zone Management Programs**. Where applicable the applicant states that any proposed activity will comply with and will be conducted in a manner that is consistent with the approved Coastal Zone Management Program. By this Public Notice, we are requesting the State concurrence or objection to the applicant's consistency statement.

The following authorizations have been applied for, or have been, or will be obtained:

- ( X ) Permit, License or Assent from State.
- ( ) Permit from Local Wetland Agency or Conservation Commission.
- ( ) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. **Comments should be submitted in writing by the above date.** If you have any questions, please contact Lindsay Fliieger at (978) 318-8656, (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts.

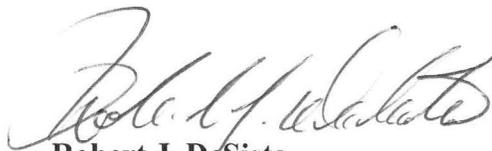
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a

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public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

**THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.**



**Robert J. DeSista**  
**Chief, Permits and Enforcement Branch**  
**Regulatory Division**

If you would prefer not to continue receiving Public Notices, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at [bettina.m.chaisson@usace.army.mil](mailto:bettina.m.chaisson@usace.army.mil). You may also check here ( ) and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

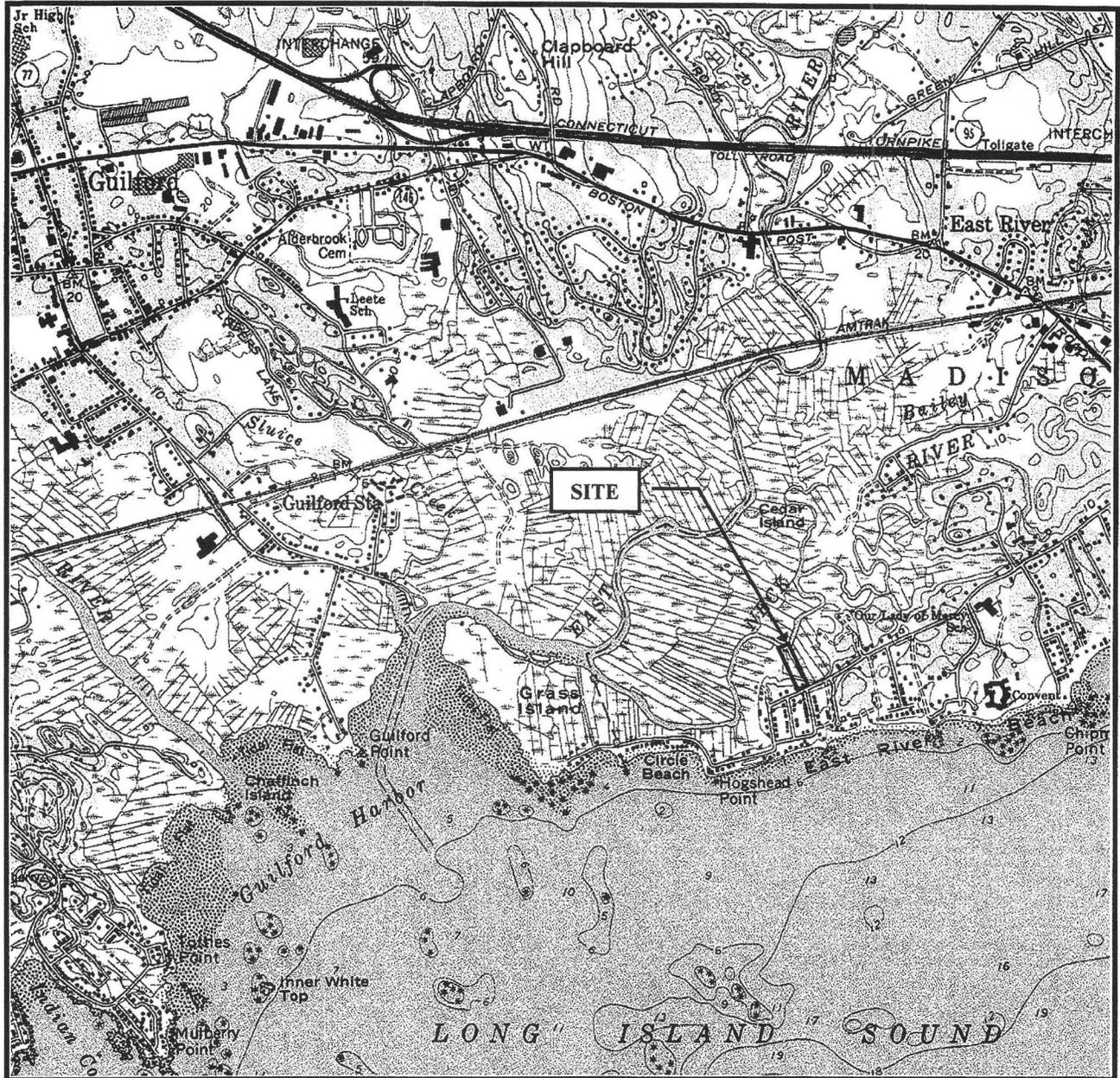
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**PROPOSED WORK AND PURPOSE**

The work includes work in navigable waters for a new, fixed walkway and dock configuration at a residential property on the Neck River in Madison, Connecticut. The proposed dock configuration will provide waterside access over an existing marsh. This structure will be primarily used for mooring a small, recreational boat and for kayak/canoe launching and retrieving.

New work includes constructing a 2' x 290' fixed, timber walkway with open grate decking supported by 25 helical mono-piles. A 2' x 22' aluminium access ramp will connect the timber walkway to a 4' x 44' post and pile-supported timber pier. A 3' x 27' aluminium access ramp will connect the timber pier to an 8' x 12.5' timber float anchored by three restraint posts.

The work is described on the enclosed plans entitled "Guy and Darlene C. Simonian", on six sheets, and dated "May 30, 2011."



**Coastline Consulting & Development**  
 5-B Old Post Road, Madison CT 06443  
 (203) 245-8138

FIGURE 1 OF 6  
 SITE LOCATION MAP

GUY & DARLENE C. SIMONIAN, AS TRUSTEE OF  
 THE GUY & DARLENE C. SIMONIAN AB  
 LIVING TRUST PROPERTY  
 278 NECK ROAD  
 MADISON, CONNECTICUT

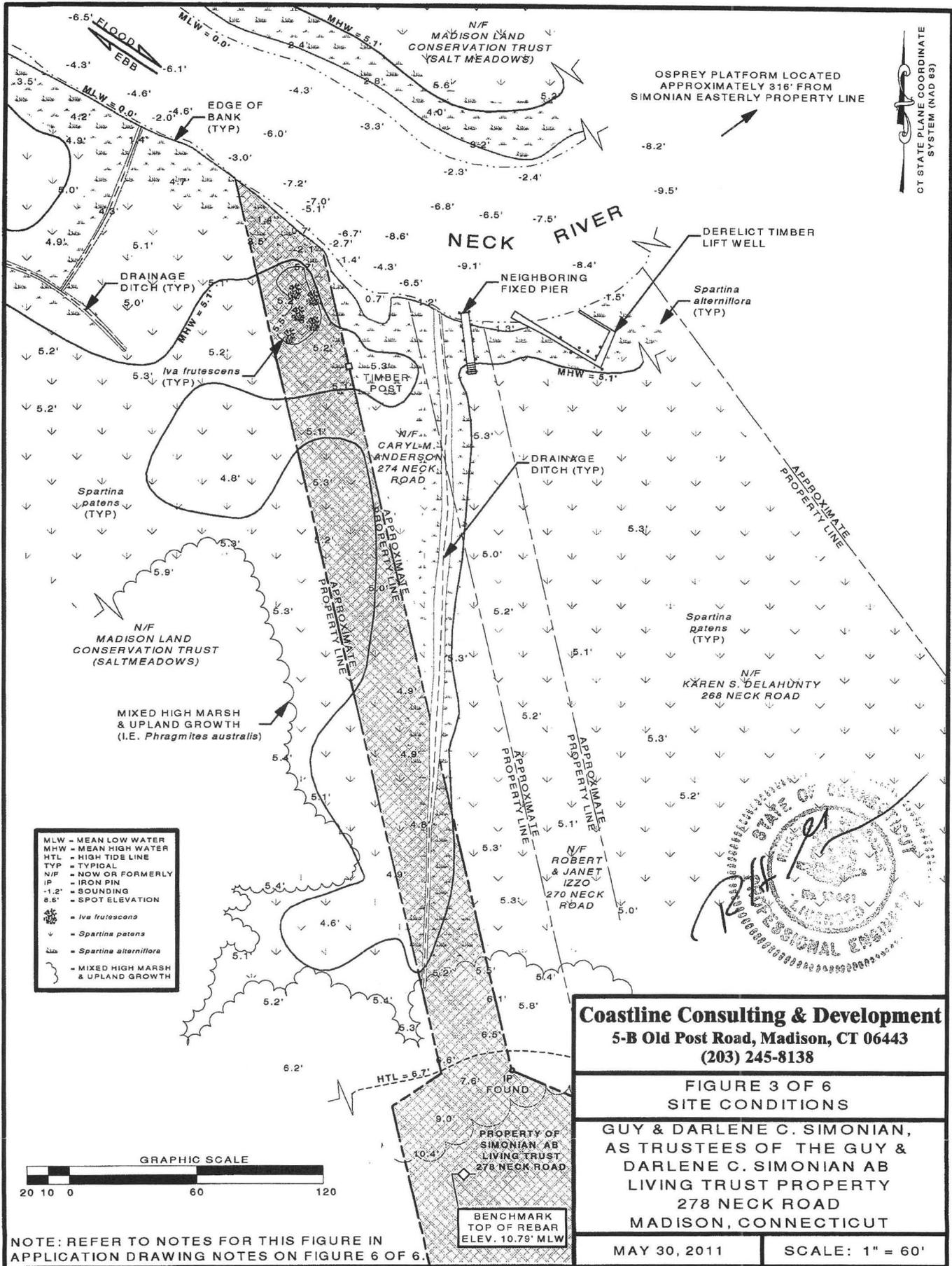
MAY 30, 2011

FILE NO.: 10-117

NOTE: REFER TO NOTES FOR THIS FIGURE IN  
 APPLICATION DRAWING NOTES ON FIGURE 6 OF 6.



CT STATE PLANE COORDINATE SYSTEM (NAD 83)



- MLW - MEAN LOW WATER
- MHW - MEAN HIGH WATER
- HTL - HIGH TIDE LINE
- TYP - TYPICAL
- N/F - NOW OR FORMERLY
- IP - IRON PIN
- 1.2' - SOUNDING
- 8.8' - SPOT ELEVATION
- Iva frutescens*
- Spartina patens*
- Spartina alterniflora*
- MIXED HIGH MARSH & UPLAND GROWTH



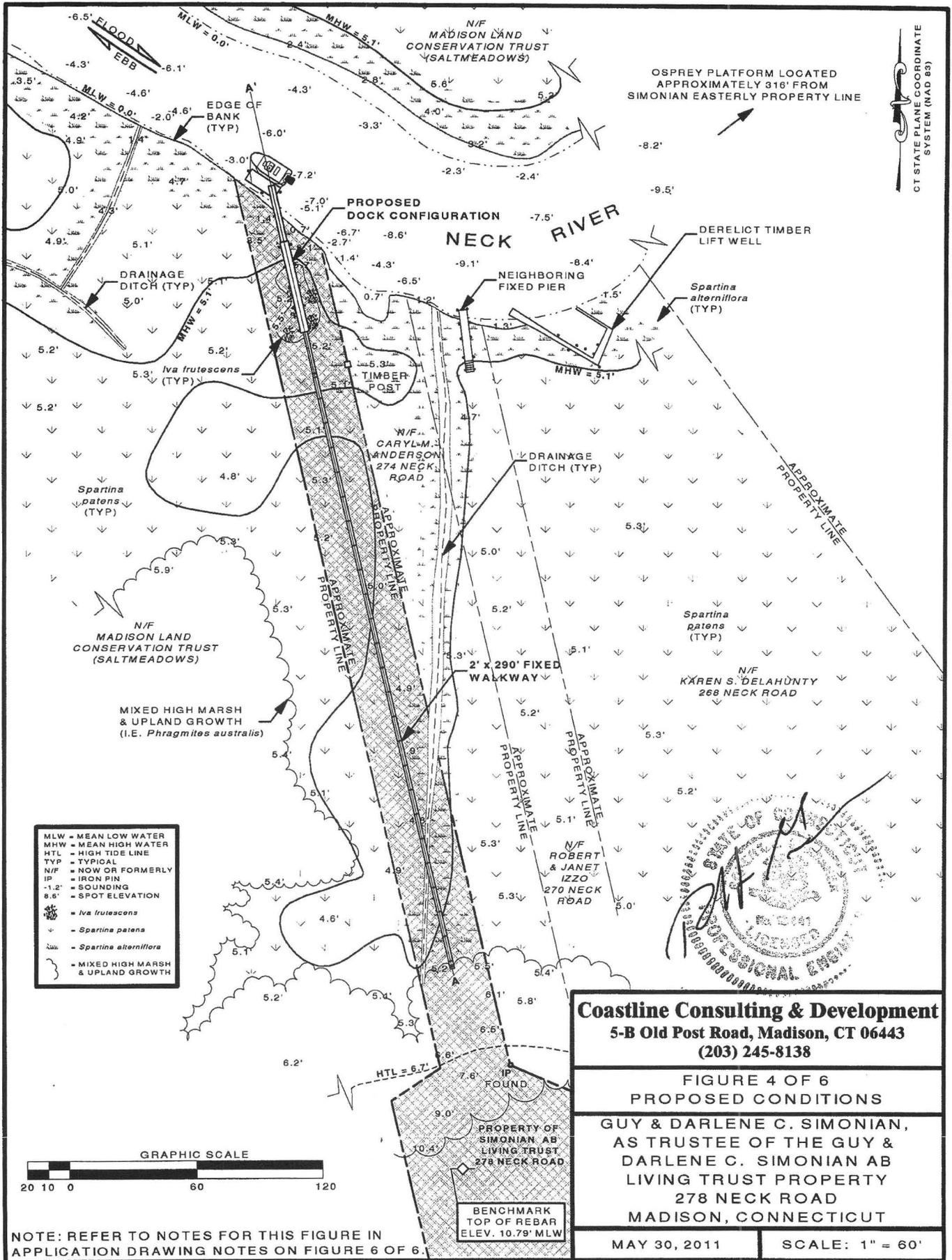
NOTE: REFER TO NOTES FOR THIS FIGURE IN APPLICATION DRAWING NOTES ON FIGURE 6 OF 6.

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FIGURE 3 OF 6  
 SITE CONDITIONS

GUY & DARLENE C. SIMONIAN,  
 AS TRUSTEES OF THE GUY & DARLENE C. SIMONIAN AB  
 LIVING TRUST PROPERTY  
 278 NECK ROAD  
 MADISON, CONNECTICUT

MAY 30, 2011      SCALE: 1" = 60'



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- Iva frutescens*
- Spartina patens*
- Spartina alterniflora*
- MIXED HIGH MARSH & UPLAND GROWTH



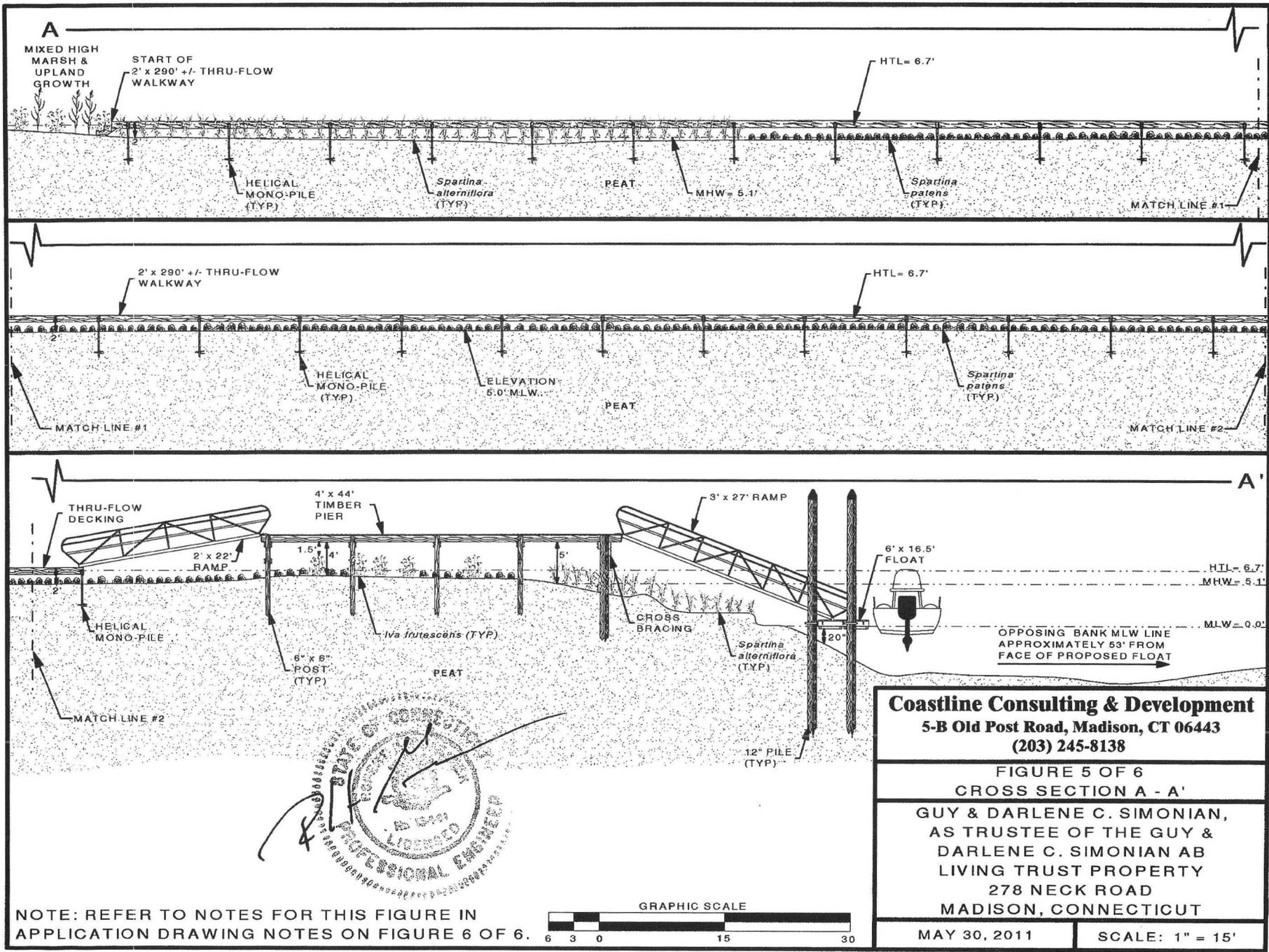
NOTE: REFER TO NOTES FOR THIS FIGURE IN APPLICATION DRAWING NOTES ON FIGURE 6 OF 6.

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FIGURE 4 OF 6  
PROPOSED CONDITIONS  
GUY & DARLENE C. SIMONIAN,  
AS TRUSTEE OF THE GUY &  
DARLENE C. SIMONIAN AB  
LIVING TRUST PROPERTY  
278 NECK ROAD  
MADISON, CONNECTICUT

MAY 30, 2011

SCALE: 1" = 60'



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FIGURE 5 OF 6  
 CROSS SECTION A - A'

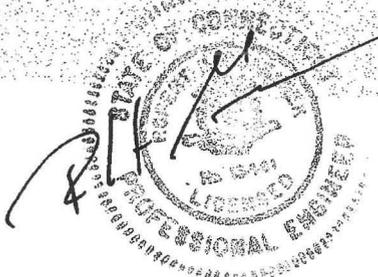
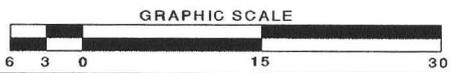
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GUY & DARLENE C. SIMONIAN,  
 AS TRUSTEE OF THE GUY &  
 DARLENE C. SIMONIAN AB  
 LIVING TRUST PROPERTY  
 278 NECK ROAD  
 MADISON, CONNECTICUT

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MAY 30, 2011      SCALE: 1" = 15'

NOTE: REFER TO NOTES FOR THIS FIGURE IN APPLICATION DRAWING NOTES ON FIGURE 6 OF 6.



**APPLICATION DRAWING NOTES**

**FIGURE 1 OF 6  
SITE LOCATION MAP**

1. MAP TAKEN FROM TOPO, INC., 7.5 MINUTE USGS TOPOGRAPHIC MAPS OF THE GUILFORD, CONNECTICUT QUADRANGLE, 1960 (PHOTO INSPECTED 1976, PHOTO REVISED 1984).

**FIGURE 2 OF 6  
SITE PLAN VIEW**

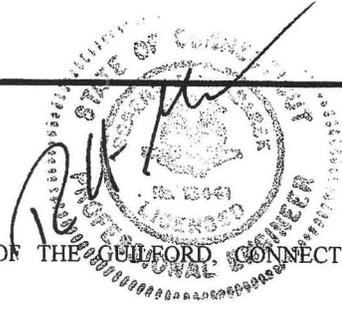
1. THE CONDITIONS ARE APPROXIMATE AND ARE BASED UPON MADISON, CT ASSESSOR MAP #11 & #12 AND FIELD OBSERVATIONS.

**FIGURE 3 OF 6  
SITE CONDITIONS**

1. THIS APPLICATION DRAWING WAS PREPARED FROM RECORDED RESEARCH, OTHER MAPS, FIELD OBSERVATIONS COLLECTED ON 10/13/2010, AND OTHER SOURCES.
2. REFERENCE IS MADE TO THE FOLLOWING MAPS:
  - A. A CLASS T-2 SURVEY TITLED, "FIGURE 1 OF 2, TOPOGRAPHIC SURVEY, GUY & DARLENE C. SIMONIAN, AS TRUSTEE OF THE GUY & DARLENE C. SIMONIAN AB LIVING TRUST PROPERTY 278 NECK ROAD MADISON, CONNECTICUT", SCALE: 1"=60', AND PREPARED BY COASTLINE CONSULTING & DEVELOPMENT, LLC. CERTIFIED BY JAMES NAGLE, L.S. LIC. NO. 15195
  - B. A CLASS A-2 SURVEY TITLED "PROPERTY OWNED AND TO BE AQUIRED BY JAMES & IDA P. RAND" MADISON, CONNECTICUT, SCALE 1" = 40', DATED JUNE 1947, REVISED APRIL 1954, AND PREPARED BY J.H.F. CLARK, SURVEYOR, MADISON, CONNECTICUT, AND FILED IN MADISON TOWN CLERK'S OFFICE AS MAP #674.
  - C. MADISON ASSESSOR MAPS #11 & #12.
3. BENCHMARK, TIDE LINES, SOUNDINGS AND UPLAND ELEVATIONS ARE IN FEET, FIELD-LOCATED BY COASTLINE CONSULTING & DEVELOPMENT, LLC, AND REFERENCED TO THE MEAN LOW WATER (MLW) TIDAL DATUM BASED ON NAVD88 VERTICAL DATUM USING NOAA TIDE STATION #8464445 (1983-2001 EPOCH) AND CDOT HTL DATA (1983-2007, REVISED 9/11/08) FOR MADISON, CT
4. THIS DRAWING IS FOR PLANNING AND PERMITTING PURPOSES ONLY. THE PROPERTY LINES ARE DEPICTED GRAPHICALLY ONLY, AND DO NOT REPRESENT ANY PROPERTY/BOUNDARY OPINION. NOT ALL IMPROVEMENTS AND FEATURES HAVE BEEN DEPICTED.
5. SITE MAY BE SUBJECT TO AND/OR TOGETHER WITH CERTAIN LITTORAL, RIPARIAN, OR OTHER RIGHTS AS PER THE RECORD MAY APPEAR.
6. ANY UNDERGROUND AND/OR UNDERWATER UTILITY, STRUCTURE, AND FACILITY LOCATIONS DEPICTED AND/OR NOTED HEREON MAY HAVE BEEN COMPILED, IN PART, FROM RECORD MAPPING SUPPLIED BY THE RESPECTIVE UTILITY COMPANIES OR GOVERNMENTAL AGENCIES, FROM PAROLE TESTIMONY AND FROM OTHER SOURCES. THESE LOCATIONS MUST BE CONSIDERED AS APPROXIMATE IN NATURE. ADDITIONALLY, OTHER SUCH FEATURES MAY EXIST ON THE SITE, THE LOCATIONS OF WHICH ARE UNKNOWN TO COASTLINE CONSULTING AND DEVELOPMENT, LLC. THE SIZE, LOCATION AND EXISTENCE OF ALL SUCH FEATURES MUST BE FIELD DETERMINED AND VERIFIED BY THE APPROPRIATE AUTHORITIES PRIOR TO ANY CONSTRUCTION. CALL BEFORE YOU DIG: 1-800-922-4455.

**FIGURES 4 - 5 OF 6  
PROPOSED CONDITIONS & CROSS-SECTIONS**

1. THESE APPLICATION DRAWINGS WERE PREPARED FROM RECORDED RESEARCH, OTHER MAPS, FIELD OBSERVATIONS COLLECTED ON 10/13/2010, AND OTHER SOURCES.
2. REFERENCE IS MADE TO THE FOLLOWING APPLICATION DRAWINGS:
  - A. "FIGURE 3 OF 6, SITE CONDITIONS. GUY & DARLENE C. SIMONIAN, AS TRUSTEE OF THE GUY & DARLENE C. SIMONIAN AB LIVING TRUST PROPERTY, 278 NECK ROAD, MADISON, CONNECTICUT", SCALE: 1"=60', PREPARED BY COASTLINE CONSULTING & DEVELOPMENT, LLC.
  - B. "FIGURE 4 OF 6, PROPOSED CONDITIONS. GUY & DARLENE C. SIMONIAN, AS TRUSTEE OF THE GUY & DARLENE C. SIMONIAN AB LIVING TRUST PROPERTY, 278 NECK ROAD, MADISON, CONNECTICUT", SCALE: 1"=60', PREPARED BY COASTLINE CONSULTING & DEVELOPMENT, LLC.
3. SOUNDINGS AND UPLAND ELEVATIONS ARE IN FEET AND REFERENCED TO THE MEAN LOW WATER (MLW) TIDAL DATUM BASED ON NAVD88.
4. THESE APPLICATION DRAWINGS ARE FOR PLANNING AND PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR BID DOCUMENTS, STRUCTURAL DESIGN, OR CONSTRUCTION. NOT ALL IMPROVEMENTS AND FEATURES HAVE BEEN DEPICTED.



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FIGURE 6 OF 6  
 APPLICATION DRAWING NOTES

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