

**NEW HAVEN CITY PLAN COMMISSION COASTAL SITE PLAN REVIEW**  
**NEW HAVEN CITY PLAN COMMISSION DETAILED PLAN REVIEW**  
**NEW HAVEN CITY PLAN COMMISSION SITE PLAN REVIEW**

**RE:** 191, 197 AND 199 FOSTER STREET. Detailed Plan Review and Coastal Site Plan Review for a Planned Development Unit 126 for 30 residential dwelling units in a RM-2 zone. (Owner/Applicant: Shmuel Aizenberg of 191 Foster Street, LLC; Agent: David Sacco of TPA Design Group)

**REPORT:** 1547-01

**ACTION:** Approval with Conditions

**STANDARD CONDITIONS OF APPROVAL**

1. Pursuant to State Statute, this site plan and soil erosion and sediment control plan approval is valid for a period of five (5) years following the date of decision, until August 15, 2018. Upon petition of the applicant, the Commission may, at its discretion, grant extensions totaling no more than an additional five (5) years to complete all work connected to the original approval.
2. The applicant shall record on the City land records an original copy of this Site Plan Review report (to be provided by the City Plan Department) and shall furnish written evidence to the City Plan Department that the document has been so recorded (showing volume and page number), prior to City Plan signoff for building permits. A digital copy of the recorded report shall be provided to staff (.pdf).
3. Upon approval by the City Plan Commission, provide compiled digital copies of all application materials, including drawing sets and reports, to staff for filing (.pdf files) prior to City Plan signoff for building permits.
4. Comments under **ADDITIONAL CONDITIONS OF APPROVAL** shall be reviewed with the City Plan Department and resolution reflected on final plans, prior to their circulation for signoff.
5. Signoff on final plans by the City Engineer; Department of Transportation, Traffic, and Parking; City Plan Department; and Fire Marshal in that order shall be obtained prior to initiation of site work or issuance of building permit.
6. A site bond will be required in conformity with Connecticut General Statutes Section 8-3(g). Bond, or other such financial instrument, shall be provided to the City Plan Department, in an amount equal to the estimated cost of implementation of erosion and sediment controls, plus 10 percent, prior to City Plan final sign-off on plans for building permit.
7. As authorized by CGS Sec. 22a-107 an additional bond is required to secure compliance with all conditions of approval relating to the coastal site plan. The bond amount is to be determined based on consultation with City Plan and Engineering staff.
8. Any proposed work within City right-of-way will require separate permits.
9. Prior to issuance of Building Permit, street address(es) shall be assigned by the City Engineer.
10. Any sidewalks or curbs on the perimeter of the project deemed to be in damaged condition shall be replaced or repaired in accord with City of New Haven standard details.
11. Species and locations of proposed street trees must be coordinated with the Urban Resources Initiative (URI) and proposed removals of street trees must be coordinated with the Department of Parks, Recreation, and Trees prior to sign-off for building permits.
12. Filing (with City Plan) and implementation of a Storm Drainage Maintenance Plan and Inspection Schedule is required.
13. Following completion of construction, any catch basins in the public right-of-way impacted by the project shall be cleaned, prior to issuance of Certificate of Occupancy.
14. As-built site plan shall be filed with City Plan Department, with a copy to the City Engineer, prior to issuance of Certificate of Occupancy. Site Plan shall be submitted in mylar and digital form (.pdf).

**ADDITIONAL CONDITIONS OF APPROVAL**

15. Applicant shall provide documentation containing proposed haul routes for the removal of contaminated soil on site to the Department of Transportation, Traffic, and Parking prior to sign-off for building permits.
16. Applicant shall provide one fully conformed and bound set of approved drawings prior to sign-off for building permits.

**Submission: SPR Application Packet including DATA, WORKSHEET, SITE, SESC, and CSPR forms. NARRATIVE attached. Application fee: \$540. Received July 19, 2018.**

- Stormwater Management for Residential Development dated March 15, 2018. Received July 19, 2018.
- Traffic Impact Study dated May 8, 2018. Received July 19, 2018.
- FEMA Flood Maps. Received July 19, 2018.
- Reflective Surface Calculations for Site Redevelopment. Dated July 19, 2018. Received July 19, 2018.
- Application drawings. 27 sheets received July 19, 2018. Revisions received August 3, 2018.
  - Title Sheet. Received July 19, 2018.
  - EX-01: Property & Topographic Survey. Dated February 6, 2018. Received July 19, 2018.
  - SP.1: Site Layout Plan. Drawing date July 19, 2018. Received July 19, 2018. Revised August 3, 2018. Received August 3, 2018.
  - SP.2: Grading, Drainage & Erosion Control Plan. Drawing date July 19, 2018. Received July 19, 2018. Revised August 3, 2018. Received August 3, 2018.
  - SP.3: Erosion Control Notes and Details. Drawing date July 19, 2018. Received July 19, 2018.
  - SP.4: Landscape and Lighting Plan. Drawing date July 19, 2018. Received July 19, 2018.
  - SP.5: City of New Haven and GNHWPCA Details. Drawing date July 19, 2018. Received July 19, 2018. Revised August 3, 2018. Received August 3, 2018.
  - SP.6: Miscellaneous Details. Drawing date July 19, 2018. Received July 19, 2018.
  - SP.7: Miscellaneous Details. Drawing date July 19, 2018. Received July 19, 2018. Revised August 3, 2018. Received August 3, 2018.
  - SP.8: Photometric Plan. Drawing date July 19, 2018. Received July 19, 2018. Revised August 3, 2018. Received August 3, 2018.
  - Ex.1-EX.5: Floor Plans and Elevations. Drawing date January 12, 2018. Received July 19, 2018.
  - SD.1-SD.12: Apartment Complex Floor Plans and Elevations. Drawing date January 12, 2018. Received July 19, 2018.

**PROJECT SUMMARY:**

**Project:** Residential development

**Address:** 191, 197, 199 Foster Street

**Site Size:** 45,260 SF (1.04 acres)

**Zone:** PDU 126

**Parking:** 30 parking spaces (including 2 accessible spaces)

**Owner/Applicant:** Shmuel Aizenberg for 191 Foster Street LLC

**Agent:** David Sacco of TPA Design Group

**Architect:** Wayne S. Garrick AIA Architects

**Site Engineer:** TPA Design Group

**Phone:** (203) 404-6324

**Phone:** (203) 562-2181

**Phone:** (203) 776-1874

**BACKGROUND****Previous CPC Actions:**

- **CPC 1545-12:** Special Exception and Coastal Site Plan review for a Planned Development Unit for 30 residential dwelling units on a 45, 260sf lot. Zone RM-2. Recommended Approval on June 20, 2018.

**Zoning:**

The Site Plan as submitted meets the requirements of the New Haven Zoning Ordinance for the Planned Development Unit, with the zoning relief granted. On July 25, 2018, the applicant was granted Board of Zoning Appeals Permission for a Special Exception and Coastal Site Plan review for a Planned Development Unit for 30 residential dwelling units on a 45,260 SF lot in an RM-2 District with the condition that renovation/reconstruction of the existing building take place simultaneously with construction of the new building.

**Site description/existing conditions:**

The project site encompasses a lot area of approximately 45,260 SF (1.04 acres) and consists of two unoccupied structures, a former print shop and a single-family residence. The site is bounded by Canner Street in the north, Foster Street in the west, commercial property in the south, and residential properties in the east.

**Proposed activity:**

The applicant proposes to rehabilitate and convert a portion of the existing two-story commercial building into a four-story condominium complex with 24 two-bedroom residential units and a ground level parking garage and to demolish the remainder of the building. The proposed project also includes the construction of a new three-story building consisting of a cluster of six (6) two- and three-bedroom townhouse units with attached garages. Site work will include stormwater drainage improvements, sidewalks, landscaping, lighting, and the installation of a vegetable garden.

**Motor vehicle circulation/parking/traffic:**

Thirty (30) parking spaces, including 2 handicap accessible spaces, will be provided on site. Of the 30 parking spaces, 21 will be provided in a garage on the first floor of the existing commercial building, 6 will be located in parking garages attached to each townhouse, and 3 will be provided in a separate garage structure to the east of the existing commercial building. All traffic will enter and exit the site through two curb cuts on Foster Street.

**Bicycle parking:**

The applicant proposes to install bike racks in the proposed 21-car parking garage. The bike racks will accommodate at least 7 bicycles.

**Trash removal:**

Two trash enclosures will be provided on site. One of the enclosures will be located adjacent to the 3-car garage structure and the other will be installed in the proposed 21-car parking garage on the first floor of the converted commercial building.

**Signage:**

None proposed.

**Sec. 58 Soil Erosion and Sediment Control:**

- Class A (minimal impact)
- Class B (significant impact)
- Class C (significant public effect, hearing required)

Cubic Yards (cy) of soil to be moved, removed or added: 2,120 CY

Start Date: September 2018

Completion Date: Late 2019

Responsible Party for Site Monitoring: Esteban Perez of Finishing Touch Construction

This individual is responsible for monitoring the site to assure there is no soil or runoff entering City catch basins or the storm sewer system. Other responsibilities include:

- monitoring soil erosion and sediment control measures on a daily basis;

- assuring there is no dust gravitation off site by controlling dust generated by vehicles and equipment and by soil stockpiles both during the renovation and construction phases;
- determining the appropriate response, should unforeseen erosion or sedimentation problems arise; and
- ensuring that SESC measures are properly installed, maintained and inspected according to the SESC Plan.

Should soil erosion problems develop (either by wind or water) following issuance of permits for site work, the named party is responsible for notifying the City Engineer within twenty-four hours of any such situation with a plan for immediate corrective action.

All SESC measures are required to be designed and constructed in accordance with the latest Standards and Specifications of the *Connecticut Guidelines for Soil Erosion and Sediment Control*.

**Note: Because the project is between 1 and 5 acres (“small construction”), the applicant is not required to obtain a General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction from CT DEEP as long as the applicant has adhered to the erosion and sediment control regulations of the municipality in which the construction activity, in this case, the City of New Haven.**

#### **Sec. 60 Stormwater Management Plan: SUBMISSION MEETS REQUIREMENTS**

##### REQUIRED DOCUMENTATION

- Soil characteristics of site;
- Location of closest surface water bodies and depth to groundwater;
- DEEP ground and surface water classification of water bodies;
- Identification of water bodies that do not meet DEEP water quality standards;
- Proposed operations and maintenance manual and schedule;
- Location and description of all proposed BMPs;
- Calculations for stormwater runoff rates, suspended solids removal rates, and soil infiltration rates;
- Hydrologic study of pre-development conditions commensurate with conditions.

##### STANDARDS

- Direct channeling of untreated surface water runoff into adjacent ground and surface waters shall be prohibited;
- No net increase in the peak rate or total volume of stormwater runoff from the site, to the maximum extent possible, shall result from the proposed activity;
- Design and planning for the site development shall provide for minimal disturbance of pre-development natural hydrologic conditions, and shall reproduce such conditions after completion of the proposed activity, to the maximum extent feasible;
- Pollutants shall be controlled at their source to the maximum extent feasible in order to contain and minimize contamination;
- Stormwater management systems shall be designed and maintained to manage site runoff in order to reduce surface and groundwater pollution, prevent flooding, and control peak discharges and provide pollution treatment;
- Stormwater management systems shall be designed to collect, retain, and treat the first inch of rain on-site, so as to trap floating material, oil and litter;
- On-site infiltration and on-site storage of stormwater shall be employed to the maximum extent feasible;
- Post-development runoff rates and volumes shall not exceed pre-development rates and volumes for various storm events. Stormwater runoff rates and volumes shall be controlled by infiltration and on-site detention systems designed by a professional engineer licensed in the state of Connecticut except where detaining such flow will affect upstream flow rates under various storm conditions;
- Stormwater treatment systems shall be employed where necessary to ensure that the average annual loadings of total suspended solids (TSS) following the completion of the proposed activity at the site are no greater than such loadings prior to the proposed activity. Alternately, stormwater treatment systems shall remove 80 percent TSS from the site on an average annual basis; and
- Use of available BMPs to minimize or mitigate the volume, rate, and impact of stormwater to ground or surface waters.

**Sec. 60.1 Exterior Lighting: SUBMISSION MEETS REQUIREMENTS**

**REQUIRED DOCUMENTATION**

- Lighting Plan with location of all fixtures, type of fixture and mounting height of lights;
- Manufacturer specifications or cut-sheet for each fixture;
- Photometrics.

**STANDARDS**

- Prevent or minimize direct glare and light trespass;
- All parking area lighting shall be full cut-off type fixtures and shall not exceed twenty (20) feet in height from the ground to the highest point of the fixture;
- Up lighting and high pressure sodium light sources are prohibited. Externally lit signs, display building, and aesthetic lighting must be lit from the top and shine downward and not sideward or upward. The lighting must be shielded to prevent direct glare and/or light trespass. The lighting must also be, as much as physically possible, contained within the target area;
- All building lighting for security or aesthetics shall be full cut-off or shielded type, not allowing any upward distribution of light. Floodlighting is discouraged, and if used, must be shielded to prevent: (a) disability glare for drivers or pedestrians, (b) light trespass beyond the property line, and (c) light above the horizontal plane;
- Where non-residential development is adjacent to residential property, no direct light source shall be visible at the property line at ground level or above; and
- High pressure sodium and flickering or flashing lights are prohibited.

**Sec. 60.2 Reflective Heat Impact: SUBMISSION MEETS REQUIREMENTS**

**STANDARDS**

- 50% of all on-site non-roof hardscape or paved areas will be either:
  - shaded AND/OR
  - constructed of a material with a solar reflectance index of at least 29.

TOTAL SF of non-roof hardscape:  
50% of non-roof hardscape:

7,867 SF  
3,933.5 SF

<b>Shaded (average)</b>	<b>0 SF</b>
<b>SRI &gt; 29</b>	<b>4,393 SF</b>
Concrete	4,393 SF
<b>TOTAL PROPOSED SHADED/HIGH SRI AREA</b>	<b>4,393 SF</b>
<b>% SHADED/HIGH SRI PROPOSED</b>	<b>55.8%</b>

**COASTAL SITE PLAN REVIEW**

The Commission's Coastal Site Plan Review, in accordance with Section 55.C of the New Haven Zoning Ordinance shall consider the characteristics of the site, including location and condition of any coastal resources; shall consider the potential effects, both beneficial and adverse, of the proposed activity on coastal resources and future water-dependent development opportunities; follow the goals and policies of the Connecticut Coastal Management Act, as amended, and identify conflicts between the proposed use and any goal or policy of the Act.

Applications for development on waterfront parcels shall additionally consider protection of the shoreline where there is erosion or the development is likely to cause erosion; degree of water dependency; preservation of significant natural vistas and points or avenues of views of the waterfront; provision of meaningful public access; and insurance of outstanding quality of design and construction to produce an environment that enhances its waterfront location.

The Commission will also consider whether the proposed application is consistent with the City's Municipal Coastal Program.

**Characteristics and Condition of Coastal Resources at or Adjacent to the site:**

**Shorelands:** The site is within the coastal boundary on a developed non-waterfront or waterfront adjacent site consisting of two unoccupied buildings, paved parking lots, and grassy areas. The site is located more than 800 feet from the Mill River.

Coastal Program Criteria	Comments
1. Potential adverse impacts on coastal resources and mitigation of such impacts	<i>The proposed development will increase the amount of impervious area on the site and will, therefore, increase the volume and peak rate of runoff generated during a storm event. The potential adverse impacts from the additional impervious surfaces will be mitigated through the use of an improved stormwater infiltration system and related pollution-control amenities. See Stormwater Management Report for additional information.</i>
2. Potential beneficial impacts	<i>The project includes the construction of a new stormwater management system that is designed to maximize on-site detention and infiltration capacity and reduce run-off during storms to below existing levels.</i>
3. Identify any conflicts between the proposed activity and any goal or policy in the §22a-92, C.G.S. (CCMA)	<i>None.</i>
4. Will the project preclude development of water dependent uses on or adjacent to this site in the future?	<i>No. The site is not appropriate for water-dependent uses.</i>
5. Have efforts been made to preserve opportunities for future water-dependent development?	<i>The site is not appropriate for water-dependent uses.</i>
6. Is public access provided to the adjacent waterbody or watercourse?	<i>No. The site is not directly adjacent to a waterbody or watercourse.</i>
7. Does this project include a shoreline flood and erosion control structure (i.e. breakwater, bulkhead, groin, jetty, revetment, riprap, seawall, placement of barriers to the flow of flood waters or movement of sediment along the shoreline)?	<i>No.</i>
8. Does this project include work below the Coastal Jurisdiction Line (i.e. location of topographical elevation of the highest predictable tide from 1983 to 2001)? New Haven CJL elevation is 4.6'.	<i>No.</i>

**Project Timetable:** Construction is expected to begin in September 2018 and be completed in late 2019.

**SITE PLAN REVIEW**

Plans have been reviewed by the Site Plan Review team with representatives from the Departments of City Plan, City Engineer, Building, Disabilities Services and Transportation, Traffic and Parking and have been found to meet the requirements of City ordinances, regulations, and standard details.

**COASTAL FINDING:**

Taking into consideration all of the above information, the City Plan Commission finds the proposed activity consistent with all applicable goals and policies in Section 22a-92 of the Connecticut Coastal Management Act and incorporates as conditions or modifications all reasonable measures which would mitigate the adverse effects on coastal resources. The Commission therefore makes a finding of no impact on coastal resources and approval for a coastal permit to be issued.

**ACTION**

The City Plan Commission approves the submitted Site Plans subject to conditions on Page 1.

**ADOPTED:** August 15, 2018  
Leslie Radcliffe  
Vice Chair

**ATTEST:** MPL  
Michael Piscitelli, AICP  
Deputy Economic Development Administrator

Coastal Site Plan Review, based upon the application and materials submitted by the applicant, was conducted administratively without hearing by the City Plan Commission of the City of New Haven in accordance with the Connecticut Coastal Management Act (CGS, Sections 22a-90 to 22a-112). The Building Official hereby receives the above written findings and any conditions thereof are made conditions of the Building Permit.

**ADOPTED:** August 15, 2018

**ATTEST:** J. Turcio DBF  
for James Turcio  
Building Official

