

NEW HAVEN CITY PLAN COMMISSION SPECIAL PERMIT

RE: 193 & 195 BURWELL STREET. Special Permit for more than 500 square feet of outdoor storage in an IH zone. (Owner/Applicant: 215 Burwell Street LLC; Agent: Bernard Cermola of Cardinal Engineering Associates)

REPORT: 1553-06

ACTION: Approval with Conditions

Note: Companion CPC Report 1553-04 for the same site.

Previous CPC Actions:

- **CPC 1504-06:** Resolution correcting zoning map to comply with zoning ordinance amendment. Approved April 14, 2015.

Submission: SPECIAL PERMIT Application Packet including DATA, WORKSHEET, SITE, and SESC forms. NARRATIVE attached. Application fee: \$360. Received November 26, 2018.

- Stormwater Management Plan dated November 15, 2018. Received November 26, 2018. Revised January 11, 2019. Received January 11, 2019.
- Application drawings. 3 sheets received November 26, 2018. Revisions received January 11, 2019, January 17, 2019, January 22, 2019, and February 14, 2019.
 - Site Plan. Drawing date November 16, 2018. Received November 26, 2018. Revised January 11, 2019. Received January 11, 2019. Revised January 15, 2019. Received January 17, 2019. Revised January 17, 2018. Received January 22, 2019. Revised and Received February 14, 2019.
 - VTD. Vehicle Tracking Diagrams. No date. Received February 14, 2019.
 - SED-01: Sediment and Erosion Control Notes. Drawing date November 16, 2018. Received November 26, 2018. Revised and Received February 14, 2019.
 - SED-02: Sediment and Erosion Control Details. Drawing date November 16, 2018. Received November 26, 2018. Revised and Received February 14, 2019.
 - MISC-01: Sediment and Erosion Control Details. Received January 17, 2019. Revised and Received February 14, 2019.

BACKGROUND

Per the City of New Haven zoning regulations Sections 42(T) and 64, Bernard Cermola of Cardinal Engineering Associates has applied for a Special Permit (and Site Plan Review: CPC Report 1553-04) for outdoor storage of more than 500 square feet of material in an IH zone. The site will be used to store empty storage containers.

Current site conditions: The project site encompasses an area of approximately 15,600 SF (0.36 acres) and consists of a bituminous driveway and a gravel parking lot. The site is bounded by Burwell Street in the north, a grassy wetland in the south, and residential property in the east and west.

Proposed activity:

The applicant proposes to convert the existing vacant lot into a container storage area. The proposed project includes grading and the placement of a gravel wearing surface over granular fill on the site. The project also includes the installation of a bituminous paved apron along Burwell Street and a 6 FT privacy fence around the perimeter of the site and stormwater management improvements. The applicant proposes to store up to 2,700 SF for empty storage containers on site, ranging in size from 10 to 30 yards long. One gated driveway will be provided along Burwell Street for delivery truck ingress and egress to and from the site.

PUBLIC HEARING

A public hearing was held on February 20, 2019. Meeting minutes, CPC meeting 1554, are available from the City Plan Department.

SPECIAL PERMIT

Section 64 of the New Haven Zoning Ordinance states:

Statement of purpose. The development and execution of a comprehensive zoning ordinance is based upon the division of the city into districts, within which the *use* of land and *structures* and the bulk and location of *structures* in relation to the land are substantially uniform. It is recognized, however, that there are certain *uses* and features which, because of their unique characteristics, cannot be distinctly classified or regulated in a particular district or districts, without consideration, in each case, of the impact of such *uses* and features upon neighboring *uses* and the surrounding area, compared with the public need for them at particular locations. Such *uses* and features are therefore treated as special permits.

Special Permit Criteria	Comments
<p>a. <i>Burden of proof.</i> A special permit shall not be considered an entitlement, and shall be granted by the Commission only after the applicant has demonstrated to the satisfaction of the Commission that all ordinance requirements are met.</p>	<p><i>The Development Permit application, including the Site Plan and Special Permit application submittals, establish the applicant's eligibility because all Ordinance requirements are met.</i></p>
<p>b. <i>Ordinance compliance.</i> The proposed use shall comply with all applicable regulations, including any specific standards for the proposed use as set forth in this ordinance. Any accessory use to a special permit must receive express authorization from the commission.</p>	<p><i>The proposed use is consistent with the uses in an IH zone.</i></p>
<p>c. <i>Comprehensive Plan of Conservation and Development.</i> The Commission shall determine if the proposed special permit's use and improvements comply with the City's development plans.</p>	<p><i>The proposed use is consistent with the City's development plans as New Haven Vision 2025 proposes industrial use in the area.</i></p>
<p>d. <i>Natural features.</i> Special permits must preserve trees and other natural site features to the greatest extent possible so as to minimize their impact upon surrounding properties and the district, and must not have an adverse impact on significant scenic vistas or on significant wildlife or vegetation habitat.</p>	<p><i>The site is currently a gravel parking lot with no on-site trees or other significant natural features. The site is located adjacent to a 50 FT wetland buffer. The applicant proposes to install a 6 FT fence between the site and 50 FT buffer zone in order to prevent disturbance of the wetland.</i></p>
<p>e. <i>Hazard protection.</i> The proposed use shall not have a detrimental impact upon the use or peaceable enjoyment of abutting or nearby properties as a result of vibrations, fumes, odor, dust, erosion, sedimentation, flooding, fire, noise, glare, hazardous material use, storage, transportation or disposal, or similar conditions.</p>	<p><i>No hazardous materials will be stored on-site. No vibrations, fumes, odor, dust, erosion, sedimentation, flooding, fire, or glare are expected.</i></p>

f. <i>Historic preservation.</i>	<i>N/A No historic structures on site</i>
g. <i>Design and architectural compatibility.</i> The operational and physical characteristics of the special permit shall be compatible with the surrounding area and the neighborhood in which it is proposed. Site design and architectural features which contribute to compatibility include, but are not limited to, landscaping, drainage, access, and circulation, building style and height, bulk scale, setbacks, open areas, roof slopes, building orientation, overhangs, porches, ornamental features, exterior materials and colors.	<i>Proposed site development is compatible with the industrial facility located within 300 feet and within the IH zone. However, sitting adjacent to a residential area extra care should be taken to appease the concerns of those neighbors. The proposed 6 ft fence should screen the activities from the neighbors and improved stormwater drainage should ameliorate drainage effects. Additional improvements as suggested in the Public Hearing portion should be considered.</i>
h. <i>Property values.</i> The use and site design shall not have a detrimental effect on the property values in the surrounding area.	<i>The proposed use and site design are not expected to have a detrimental effect on surrounding property values as the site is located near similar uses in an established industrial zone. Site visibility will be greatly reduced by the installation of the proposed 6 FT privacy fence.</i>
i. <i>Traffic impact.</i> The applicant shall demonstrate how the proposed use will not adversely affect the safety and convenience of vehicular and pedestrian circulation on, adjacent or nearby the site. The Commission may require a traffic impact study be submitted to it by the applicant for any special permit use of land. The study shall consider traffic patterns and adequacy of proposed off-street parking and loading resulting from the proposed development.	<i>Traffic will enter and leave the site via one curb cut along Burwell Street. Traffic will not significantly differ from current usage of roads. Container delivery trucks will access the site approximately two times per day between the hours of 7 AM and 5 PM.</i>

Based upon public testimony, the Commission may wish to add conditions to address concerns of neighboring residential properties.

CONDITIONS OF APPROVAL:

The conditions of approval of the Special Permit under §64 and §42(T) of the New Haven Zoning Ordinance for outdoor storage in excess of 500 SF are as follows:

1. **Special Permit must be filed on the land records of the City of New Haven before issuance of building permits. A digital copy of the recorded site plan shall be provided to staff (.pdf).**
2. **Containers stored on site shall not be stacked.**

ADOPTED: February 20, 2019
Edward Mattison
Chair

ATTEST: MPL
Michael Piscitelli, AICP
Interim Economic Development Administrator

