

NEW HAVEN CITY PLAN COMMISSION COASTAL SITE PLAN REVIEW
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RE: 500 WATERFRONT STREET. Site Plan Review and Coastal Site Plan review for 3,000,000 gallon fuel additive storage tank in an IH zone. (Owner/Applicant: Christopher Gill for Gulf Oil, LP; Agent: Stephen Benben of Triton Environmental, Inc.)

REPORT: 1537-03

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 December 20, 2022. 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 on final plans.
3. 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.
4. 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 site improvements to be conveyed to or controlled by the City, plus 10 percent, prior to City Plan final sign-off on plans for building permit.
5. 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.
6. The name of an individual responsible for monitoring the soil erosion and sediment control plan on a daily basis during the construction period shall be provided to the City Plan Department, prior to City Plan signoff on final Plans.
7. Flood elevation certificate accompany application for building permits.
8. Any proposed work within City right-of-way will require separate permits.
9. Filing (with City Plan) and implementation of a Storm Drainage Maintenance Plan and Inspection Schedule is required.
10. 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.
11. 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 paper, mylar, and digital PDF on CD or flash drive.

ADDITIONAL CONDITIONS OF APPROVAL

12. A copy of the recorded zoning relief must be provided to the department prior to Building Permits.

Submission: SPR Application Packet including DATA, WORKSHEET, SITE, SESC, and CSPR forms. NARRATIVE attached. Application fee: \$270. Received September 20, 2017.

- OP-1 Overall Site Plan. Dated 8/16/17. Received September 20, 2017.
- SP-1 Site Plan. Dated 8/16/17. Received September 20, 2017.
- Figure 2 Stormwater Plan. Dated 8/16/17. Received September 20, 2017.
- Supplemental Site Plan Application Information (letter). Dated October 13, 2017. Received October 13, 2017.
- Stormwater Management Report. Dated 8/16/17. Received September 20, 2017. (bound in application with all supporting materials.)
- Email for consent to extension of time. Received December 13, 2017.

PROJECT SUMMARY:

Project: 3,000,000 gallon fuel additive storage tank

Address: 500 Waterfront Street

Site Size: 523,591 SF (12.02 acres)

Zone: IH (Heavy Industrial)

Financing: private

Parking: 20 existing; no additional parking changes

Owner: Christopher Gill

Phone: (339) 933-7200

Applicant: Christopher Gill

Phone: (339) 933-7200

Agent/Engineer: Stephen J. Benben

Phone: (203) 458-7200

City Lead: City Plan Department

BACKGROUND

Previous CPC Actions:

- CPC 93-14-CAM: CSPR for Installation of Temporary Storage Shed.
- CPC 1372-02: CSPR for new Fueling Rack in an IH Zone.

Zoning:

The Site Plan as submitted meets the requirements of the New Haven Zoning Ordinance for the (IH) Heavy Industrial zone, with the zoning relief granted. **17-86-S and 17-87-CAM: Special exception and coastal site plan review for removal and installation of above-ground fuel tanks.** Granted by the BZA December 12, 2017.

Site description/existing conditions:

The site is an existing tank farm in the port area of New Haven. Petroleum products are delivered via ships in the Harbor and are off-loaded to storage tanks before being loaded once more onto tanker trucks for delivery. The site falls within both the VE and AE zones of the FEMA flood map with an AE BFE of 12 feet.

Proposed activity:

The applicant proposes to remove/demolish three gasoline/distillate aboveground storage tanks (ASTs) with a total capacity of 1.9M gallons. In addition, applicant proposes to construct one new 3.0M gallon AST with required piping connections. All work will be completed within the existing containment structure.

Motor vehicle circulation/parking/traffic:

The site includes circulation areas for tanker trucks and employee parking. Nothing changes in the current application.

Bicycle parking:
Not applicable

Trash removal:
Not applicable

Signage:
Not applicable

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: less than 740 cy
Start Date: possibly 2018 Completion Date: 2020

Once a contractor is chosen, an individual will be named as the individual responsible for monitoring soil erosion and sediment control measures on a daily basis, and that name provided to the City Plan Department prior to signoff of final plans for permits.

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 demolition 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 larger than 5 acres, the applicant is required to obtain a General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction from CT DEEP in addition to adhering to the erosion and sediment control regulations of 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.

The City Engineer agrees with the applicant that on-site underground storage galleries are impractical due to the shallow depth to groundwater. Given the fact that the majority of the site sits within the on-site containment structure and the site is adjacent to the harbor, the applicant has demonstrated best efforts to meet the ordinance.

Sec. 60.1 Exterior Lighting: not applicable

Sec. 60.2 Reflective Heat Impact: Applicant requests waiver

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:

292,279 SF

50% of non-roof hardscape:

146,140 SF

Shaded (average)	36,500 SF
17,562	17,562 SF
Cement	17,562 SF
Parking striping	0 SF
StreetBond coating	0 SF

TOTAL PROPOSED SHADED/HIGH SRI AREA	54,062 SF
% SHADED/HIGH SRI PROPOSED	18.5%

Applicant is seeking a waiver from the general conditions of the ordinance based on the fact that highly reflective coatings cannot be applied to the storage containment areas and that additional tree plantings cannot be accommodated either. The applicant proposes the tank "roof" will be constructed of highly reflective (white) materials as are the existing tank covers. When these areas are taken into account, approximately 50.8% of the area is highly reflective or shaded.

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:

Coastal Program Criteria	Comments
1. Potential adverse impacts on coastal resources and mitigation of such impacts	Though this project is an addition of volume of stored petrochemicals, there are adequate safety and precautionary measures in place already to accept the increase.
2. Potential beneficial impacts	none
3. Identify any conflicts between the proposed activity and any goal or policy in the §22a-92, C.G.S. (CCMA)	none
4. Will the project preclude development of water dependent uses on or adjacent to this site in the future?	Since the site is already an existing tank farm, it is unlikely, until we eliminate our need for fossil fuels, that it will be used for any other purpose. The site includes a water-dependent use presently and does not preclude such in the future.
5. Have efforts been made to preserve opportunities for future water-dependent development?	no
6. Is public access provided to the adjacent waterbody or watercourse?	No, but public access is neither desired(due to safety concerns) nor warranted due to the nature of the use of the site.
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)?	The shoreline structures exist already and will not change under this application.

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'.	No.
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Project Timetable: Construction within two years of approval.

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: 20 December 2017
Edward Mattison
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: 20 December 2017

ATTEST: JT
James Turcio
Building Official