

**NEW HAVEN CITY PLAN COMMISSION INLAND WETLANDS REVIEW
NEW HAVEN CITY PLAN COMMISSION COASTAL SITE PLAN REVIEW
NEW HAVEN CITY PLAN COMMISSION SITE PLAN REVIEW**

RE: 29 TOUR AVENUE. Site Plan Review for Community Daycare. (Owner: Val & Alzira Cunha; Applicant: Westville Community Nursery School, Inc.; Agent: James Rotondo of Godfrey Hoffman Associates).

REPORT: 1498-06

INLAND WETLANDS FINDING: No significant impact

ACTION: Approval with Conditions

CONDITIONS OF APPROVAL

1. Pursuant to State Statute, this Inland Wetland, Site Plan and CAM approval is valid for a period of five (5) years after the date of decision, to June 19, 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 on final plans.
3. Comments under **Site Plan Review** shall be reviewed with the City Plan Department and resolution reflected on final plans, prior to their circulation for signoff.
4. Signoff on final plans by the Greater New Haven Water Pollution Control Authority, Fire Marshall, City Engineer, Department of Transportation, Traffic and Parking and City Plan Department in that order shall be obtained prior to initiation of site work or issuance of building permit.
5. A Bond, or other financial instrument acceptable to the City's Corporation Counsel, in an amount of 2% of the certified overall estimated project cost, including grading, paving, fencing, storm drainage, soil erosion measures, landscaping and the like, shall be provided to the City Plan Department, with a copy to the City Engineer, prior to City Plan signoff on final plans for building permit.
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. Any proposed work within City right-of-way will require separate permits.
8. 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.
9. Final determination of traffic markings, V-loc locations, signs and traffic controls on site and on the perimeter of the site will be subject to the approval of the Department of Transportation, Traffic and Parking.
10. Implementation of a Storm Drainage Maintenance Plan and Inspection Schedule is required.
11. Following completion of construction, any City catch basins in the public right-of-way impacted by the project shall be cleaned, prior to issuance of Certificate of Occupancy.
12. 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 both mylar and digital format [.DWG file based on the State Plane Coordinates (NAD1983)]. Provide version of AutoCAD with submission.

Submission: SPR Application Packet including DATA, WORKSHEET, SITE, SESC, CSPR, and IW forms. NARRATIVE attached. Application fee: \$270. Received October 3, 2014.

- Property and Topographic Survey and Site Plan dated and received October 3, 2014.
- Letter of Authorization from Owner dated October 2, 2014.
- Project Narrative and CSPR Narrative from Godfrey Hoffman attached.
- Letter from WCNS dated September 29, 2014, received October 1, 2014.
- Revised drawings dated 10.03.2014 received October 10, 2014.
- Revised WORKSHEET received October 10, 2014.
- Section 60 Waiver request received October 10, 2014.

PROJECT SUMMARY:

Project: Westville Community Nursery School Playground
Address: 29 Tour Avenue
Site Size: 7500 SF (0.17 acres)
Zone: BA
Financing: private
Parking: on-site, 4 spaces, including 1 HC
Owner: Val & Alzira Cunha
Applicant: Patty O'Hanlon of WCNS **Phone:** 203.387.6660
Agent: James Rotondo of Godfrey Hoffman **Phone:** 203.239.4217
City Lead: City Plan Department **Phone:** 203.946.6379

BACKGROUND

Previous CPC Actions:

CPC 1404-10: Proposed Residential Parking Zone; Leave to withdraw by Adlerman Lehtonen.

Zoning:

The Site Plan as submitted meets the requirements of the New Haven Zoning Ordinance for the (BA) zone.

Site Description/existing conditions:

The existing site consists of a surface parking lot with curb cuts off both Valley Street extension and Tour Avenue.

Proposed Activity:

Applicant proposes to repave the entire site, and install both a small parking area and two separate play areas. One will be exposed bituminous, and the other will be topped with gravel and mulch. The curb cut on Tour Avenue will be closed, and the sidewalk adjusted to meet grade.

Circulation/Parking/Traffic:

Site plans illustrate 4 new parking spaces, including one van-accessible parking space.

Trash removal:

Trash removal will be by private service to dumpster located on-site.

Stormwater Management Plan:

A stormwater management plan is required because the site falls within the Coastal Area Management Zone. However, the applicant has requested a waiver of this requirement based on the fact that there is no substantial change in grade or surface characteristics that may have any effect on flooding or erosive action on the site or adjoining properties. Staff supports this request of waiver.

Exterior Lighting: not applicable

Reflective Heat Impact from hardscape or paved surfaces: not applicable

Soil Erosion and Sediment Control Review: A total of 174 cubic yards of material will be moved, removed or added to the site. James Rotondo of Godfrey Hoffman is named as the individual responsible for monitoring the site to assure there is no soil or runoff entering City catch basins or the storm sewer system. . 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 person is also responsible for assuring there is no dust gravitation off site by controlling dust generated by vehicles and equipment, both during the demolition and construction phases. Soil stockpiles if necessary shall be protected from dust gravitation and soil erosion. 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*.

The named individual shall be responsible for determining the appropriate response, should unforeseen erosion or sedimentation problems arise. He is fully responsible for insuring 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 individual is responsible for notifying the City Engineer within twenty-four hours of any such situation with a plan for immediate corrective action.

Signage: not applicable

Project Timetable:

Construction is anticipated to start upon receipt of City Approvals.

Other Permits Required: CPC IW application and CAM application – see below.

INLAND WETLANDS REVIEW

Definition of Regulated activity - any operation within or use of a wetland or watercourse involving removal or deposition of material, or any obstruction, construction, alteration, or pollution of such wetlands or watercourses, and any earth moving, filling, construction, or clear-cutting of trees, or any such operation within fifty (50) feet of wetlands or watercourses.

Determination of Classification:

It is suggested by staff that this application meets the requirements of Class B: Inland Wetlands Commission Regulated Operations and Uses having Minor Impact.

Proposed Regulated Activity:

Applicant proposes to remove old pavement and re-pave an existing parking lot, in effect capping the area from infiltration. Contaminants have been found on-site, and the use of the area for a playground necessitates the capping for safety reasons.

Soil Science Report: none submitted

Vegetation:

The only existing vegetation on-site is volunteer weeds at the edges of the existing parking area.

Planting Plan: none submitted

Application Evaluation Criteria: In reviewing a Class B or C Application, the Commission must consider the following environmental impact criteria in its evaluation, as stated in Sections 7.2 and 7.3 of the City's Inland Wetlands and Watercourses Regulations:

- The ability of the regulated area to continue to absorb, store or purify water or to prevent flooding.
- Increased erosion problems resulting from changes in grades, ground cover, or drainage features.
- The extent of additional siltation or leaching and its effect on water quality and aquatic life.
- Changes in the volume, temperature, or course of a waterway and their resulting effects on plant, animal and aquatic life.
- Natural, historic, or economic features that might be destroyed, rendered inaccessible or otherwise affected by the proposed activity.
- Changes in suitability of the area for recreational and aesthetic enjoyment.
- Existing encroachment lines, flood plain and stream belt zoning and requirements for dam construction.
- Any change in the water effecting aquatic organisms or other wildlife, water supply and quality, or recreational and aesthetic enjoyment.
- The existing and desired quality and use of the water in and near the affected area.
- Reports from other City agencies and commissions not limited to the Environmental Advisory Council, Building Official, and City Engineer.
- The importance of the regulated area as a potential surface or ground water supply, a recharge area or purifier or surface or ground waters, a part of the natural drainage system for the watershed, a natural wildlife feeding or breeding area, its existing and potential use for recreational purposes, existence of rare or unusual concentrations of botanical species, availability of other open spaces in the surrounding area, or its value for flood control.

The Commission must consider the following **additional** criteria:

- Alternatives which might enhance environmental quality or have a less detrimental effect, without increasing basic project costs.
- Short versus long term impacts.
- Potential loss of irrevocable resources or property impairment.
- Suitability of action for area.
- Mitigation measures which may be imposed as conditions.

Required Findings for a Class B Application:

The Commission must make the following findings for a Class B Application:

1. There is no preferable location on the subject parcel or no other available location could reasonably be required;
2. No further technical improvements in the plan or safeguards for its implementation are possible, or taking into account the resources of the applicant, could reasonably be required; and
3. The activity and its conduct will result in little if any reduction of the natural capacity of the wetlands or watercourses to support desirable biological life, prevent flooding, supply water, facilitate drainage, and provide recreation and open space.

INLAND WETLAND FINDING

Due to its nearness to the proposed daycare facility, this parking lot is the ideal location for an outdoor play area for the school. There is no other available location near the daycare that could be obtained for this use. Also, due to its nature as an existing, albeit contaminated, parking lot, capping of the lot with new pavement actually helps the adjacent wetland/regulated area; groundwater will not be able to leach through the soil, picking up contaminants and depositing them within the adjacent waterway or regulated area. No further technical improvements are possible or required **besides those listed under Site Plan Review**. The proposed activity and its conduct will result in little, if any, reduction of the natural capacity

of the wetlands or watercourses to support desirable biological life, prevent flooding, supply water, facilitate drainage, and provide recreation and open space.

The Commission believes that the required findings for a Class B application have been satisfied. The Inland Wetland application is hereby approved, in accord with the submitted plans and the Conditions as stated on page 1.

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.

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

This parcel falls within Flood Zone X on Community Panel 0429J, all within 100 feet of the West River in this location. Should a Building Permit be required for this site, a Flood Elevation Certificate will be required as part of that application.

Resources adjacent to the site include: Coastal Flood Hazard Area (Flood Zone AE), Freshwater Wetlands and Watercourses, and Shorelands.

The Coastal Flood Hazard Area within and adjacent to this site is a result of its location adjacent to the West River. Flood Hazard Areas are subject to inundation by the 1% annual chance of flood.

Freshwater Wetlands and Watercourses are also adjacent to the site due to the presence of the West River. In fact, part of the site falls within the 50' regulated area as discussed under the Inland Wetlands part of this report.

Shorelands are defined as those lands within the coastal boundary exclusive of coastal hazard areas which are not subject to dynamic coastal processes and which area comprised of typical upland features. They generally function as immediate sources of upland runoff contributing to drainage. In this case, the shorelands adjacent to the project will be minimally affected by the development.

Positive Impacts on Coastal Resources:

Given the contaminated nature of the soils found within the existing parking area, capping with new bituminous pavement provides positive impact; contaminants will not be able to leach through the contaminated soils and reach the adjacent coastal areas via groundwater.

Potential negative impacts on coastal resources and mitigation of such impacts: none

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 with the following comments:

- Dumpster and related enclosure must be moved out of the 50' upland review area;

- Details for securing stacked landscape timber edge must be provided to staff for review prior to sign-off. Include detail for outlets of perforated pipe drainage system;
- Layout and access to drop-off and pick-up area must be clarified, including striping, drive aisle dimensions and access point(s);
- Provide standard detail of concrete curb and sidewalk replacement; and
- Two catchbasins adjacent to the site must be cleaned prior to occupancy.

INLAND WETLAND FINDING

The Commission believes that the required findings for a Class B application have been satisfied. The Inland Wetland application is hereby approved, in accord with the submitted plans and the Conditions as stated on page 1.

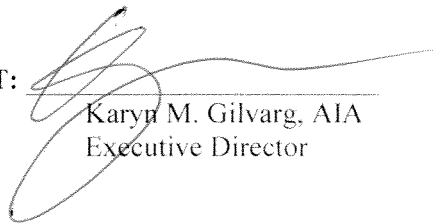
COASTAL FINDING:

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 the standard conditions on Page 1.

ADOPTED: October 15, 2014
Edward Mattison
Chair

ATTEST: 
Karyn M. Gilvarg, AIA
Executive Director

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.

DATE ADOPTED: October 15, 2014

ATTEST: 
Daniel O'Neill
Building Official