

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

**RE:** 19-20, 17, 15 VALLEY PLACE NORTH, 9, 11, 12, 13, 14 VALLEY PLACE SOUTH,  
26-32 ROCK CREEK ROAD, Inland Wetlands Application for Rock Creek Channel  
Clearing Project (Private Property Owners; Agent: City Engineer).

**REPORT:** 1455-01

**INLAND WETLAND FINDING:** Approval

**BACKGROUND:**

**Submission:** Inland Wetland application and narrative dated 8/3/2011, letters of consent from private property owners, Full size Site Plan 8/2/11 entitled "Rock Creek Road Channel Cleaning Ward 30" with photographs incorporated by Department of Engineering. Fee waived due to City Dept. applicant.

**Proposed Activity:** The City Engineer proposes to perform maintenance work in the northwestern branch of Rock Creek, a small watercourse which flows in open channel through the rear yards of private property owners residing on Valley Place North and Valley Place South off Valley Street and also Rock Creek Road in the northwestern part of the City. The channel is contained with concrete walls for part of the passage and by earthen walls in other parts. The watercourse has become full of silt, debris, and live and dead brush and as a result, floods in times of heavy rain and in winter causes dangerous icing of the Valley Place roadways. The goal of the work will be to remove existing impediments and restore channel flow to minimize the negative impact to homes and properties.

The work will consist of removing brush and debris to the limits of the existing channel from Rock Creek Road to the property line of the Micro Society Magnet School at 311 Valley Street. Included in the work is mobilization (including removal of existing fences and protection of private property to minimize soil runoff or erosion during the project), cutting and removal of brush and stumps or roots, removal of excess silt, sand and debris as necessary to restore normal channel flow, and disposal of all material in a proper manner. Once the channel clearing work is complete, the areas adjacent to the creek will be finally stabilized with loam and grass seed, and any evidence of disturbance on the private property will be alleviated.

Access to the work site will first occur through a City right of way from Valley Place North. While it is anticipated that much of the work will be with hand and power tools, other mechanical equipment may be necessary to clear the channel and transport material out and away from the creek. The City Engineer has acquired right of entry from most of the property owners fronting on the creek, and he may need to utilize the entry right along the way as the work proceeds north to south.

**Other Permits Required:** No other State or Federal permits are required.

**Project Timetable:** Cleaning of the creek will commence in October 2011 and will be completed within approximately a month's time.

**Determination of Inland Wetland Classification:** The Commission has reviewed the options for classification, as stated in the Regulations and has determined that the wetlands application qualifies as a Class B Application. The activity proposed will not have substantial adverse effect on the regulated area or any other part of the inland wetlands and watercourses system. The current Inland Wetland application is deemed complete and formally received by the Commission at its meeting of August 17, 2011.

**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.

### **INLAND WETLAND PLANNING CONSIDERATIONS**

Rock Creek as it flows through this area has been subject to siltation and loading with debris for a number of years which has caused flooding of the roadways and surrounding area due to diminution of stormwater storage capacity. The Commission has considered all criteria and believes that execution of the project will not adversely impact the regulated area, but will instead improve the flow of water, reduce flooding and restore hydraulic drainage capacity of the channel for drainage of the area. **Once the project is complete, the property owners should be alerted that yard waste should not be dumped in the Creek as the cycle will begin again.**

### **Required Findings for a Class B Application:**

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

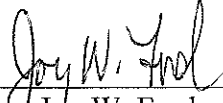
1. There is no preferable location on the subject parcel or no other available location could reasonably be required;
2. No further technical improvements in the plan or safeguards for its implementation are possible, or taking into account the resources of the applicant, could reasonably be required; 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**

The City Plan Commission, acting as the Inland Wetlands Commission, finds that there is no preferable location of the proposed activity on the site, nor are there further technical improvements required in the plans, nor are there mitigation measures to be imposed as conditions. The proposed construction will increase the natural capacity of the watercourse to support desirable biological life, prevent flooding, supply water, and facilitate drainage. All of the required findings have been satisfied. An Inland Wetland Permit may be issued.

**ADOPTED:** August 17, 2011  
Roy Smith, Jr.  
Vice Chair

**ATTEST:**

  
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Joy W. Ford  
Planner