

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

**RE:** 808 WASHINGTON AVENUE, Site Plan Review including Coastal Site Plan Review for Volume Reduction Facility in an IL Zone (Owner: Bixon Liquidation Corporation, Applicant: Laydon Industries, LLC).

**REPORT:** 1447-03

**ACTION:** Approval with Conditions

**CONDITIONS OF APPROVAL**

1. The Site Plan is approved for a period of five years, and the approval will expire if the project is not completed by December 15, 2015.
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 and City Plan Department in that order shall be obtained prior to initiation of site work or issuance of building permit. The Fire Marshall shall also review the plans.
4. Flood elevation certificate [Flood Development Permit certifying elevations of site] shall be furnished to the building official prior to any on-site operation.
5. Any proposed work within City right-of-way will require separate permits.
6. Final determination of traffic markings, V-loc locations, signs and traffic controls on the perimeter of the site will be subject to the approval of the Department of Transportation, Traffic and Parking.
7. Stormwater Pollution Prevention Plan shall be in place at all times. Anti-tracking pad/construction entrance shall be maintained in good condition, and there shall be no tracking of materials or migration of fugitive dust off site.
8. A 10-foot buffer shall be maintained between the restored berm and permanent jersey barriers for the full length of the waterfront. Silt fence and staked hay bales shall be installed within the 10' buffer area in accord with standard City of New Haven details.
9. A 10-foot setback from the property line shall be maintained around the remaining perimeter of the site. Placement or storage of materials shall be prohibited within the setback area.
10. Pile height shall not exceed heights shown on submitted site plan.

**Submission:** Development Permit Application, Application fee of \$270, Operations & Maintenance Plan & Stormwater Pollution Prevention Plan 11/10, Coastal Management Consistency Review Worksheet c. 1989, Description of Recycling Yard Operation for Laydon Industries; Copy of FNOV 08/11/10 from Kevin Zawoy DEP, Listing of adj property owners, Site Plan by Nafis & Young 09/09/10 including berm detail, Soil Erosion Control details 08/12/10.

**PROJECT SUMMARY:**

<b>Project:</b>	Clean fill Volume reduction & stockpiling facility (concrete, asphalt, stone, soil)	
<b>Address:</b>	808 Washington Avenue	<b>MBPs:</b> 305/0022/01500, 305/0022-01700
<b>Site Size:</b>	159,693 SF (3.66 acres)	
<b>Zone:</b>	IL, CAM	
<b>Financing:</b>	Private	
<b>Parking:</b>	parking area shown (application notes 4 spaces)	
<b>Property Owner:</b>	Bixon Liquidation Corp.	<b>Phone:</b> 203-268-5106
<b>Applicant:</b>	Laydon Industries, LLC	<b>Phone:</b> 203-562-7283
<b>Agent:</b>	John Colleran, Esq.	<b>Phone:</b> 203-281-2700
<b>Site Engineer:</b>	Lawrence Secor, Nafis & Young Engineers	<b>Phone:</b> 203-484-2793
<b>City Lead:</b>	City Plan Dept.	<b>Phone:</b> 203-946-6379

## BACKGROUND

**Previous relevant actions of the Commission:** Advice on Special Exception and CSPR (1444-19, 09/22/10), Zoning relief granted by BZA 10/12/10 (10-80-S, 10-07-CAM). SPR inc. CSPR of Stormwater Management Plan for Reduction of Scrapyard site (CPC 1346-09, 01/21/04), Special Exception & CSPR for continuation of junkyard use (adj. site) and reduction of site from 7 to 3.9 ac (CPC 1343-05, 10/15/03)

**Site:** Subject site is "Lot B" of a lot split in 2010. (Lot "A" to the north houses Metal Management and is owned by Bixon Liquidation Corp.). South of Metal Management site on east bank of West River between Grasso Boulevard and the West River, the waterfront site is accessed through a common drive from State of Connecticut land off Ella T. Grasso Boulevard which also serves Metal Management. The site was formerly part of the Bixon scrap yard to the north and was separated off and cleared by the owner as a potential development site. As required by the CT Department of Environmental Protection a berm was constructed along the water side of the site in the late 1980's to separate the waterfront from the scrapyard use.

**Proposed Activity:** The applicant, Laydon Industries, has submitted a site plan showing a volume reduction facility for recycling of concrete, stone, soil and asphalt materials and stockpiles pre- and post-processing. The facility's purpose is to crush, screen and recycle bulk material generated primarily from New Haven construction projects. Inbound concrete, asphalt, sand and topsoil are processed into a usable product that can be installed back onto various construction projects. Submission of a site plan application was a condition of the Board of Zoning Appeals approval. This volume reduction activity has been on going since early 2010 prior to Laydon's receiving permission to operate in a Light Industrial zone.

The site plan shows an odd-shaped site with designated locations of piles of various commodities such as:

- "Unprocessed concrete, soil, stone"
- "Unprocessed concrete, soil stone and asphalt"
- "Unprocessed sand"
- "Processed Aggregate"
- "Processed Sand"
- "Processed Topsoil" or "Topsoil screened"
- "Asphalt millings"

The piles are marked on the site plan with either pile heights or approximate quantities within the pile. There are no buildings on site nor are there any proposed. In the center of the site is a location for crushing, screening and related equipment such as a crusher/impactor, screener, payloader, excavator, dozer and conveyor, all used for the processes being completed on site. Trucks deliver material to the site and remove material from the site once it has been processed.

The site is bordered on the water side (west side) with an earth and riprap berm constructed when the site was used for metal recycling, and also with jersey barriers marking a 10' buffer setback from the berm. There are locations where the berm has deteriorated or is in need of refurbishing and areas where no jersey barriers are present. These areas are proposed to be refurbished to maintain a two-layer solid barrier between the activity and the West River. Additional jersey barriers will be added along the River at the southeastern corner to provide a continuous barrier along the waterside of the site. A silt fence and hay bales will be added between the berm and the concrete barriers to provide two additional protective layers. An 8' cyclone chain link fence borders the northern, southern and eastern sides of the site. In some locations the fencing has been impacted by the piles and heavy equipment. The site plan shows a 10' setback from the property line all the way around the perimeter of the site within which no materials may be stored.

**Stormwater Drainage:** There are no drainage structures on site nor is the site paved. The berms and jersey barriers act as storm water retention to allow water which falls on the site (in the form of precipitation) to infiltrate naturally and slowly into the soil. At the time of site visit there was standing water in the north central portion of the site.

**Stormwater Pollution Prevention Plan:** A SWPPP has been prepared in conjunction with the CT DEP General Permit for Discharge of Stormwater Associated with an Industrial Activity, issued in 2002, modified in 2003, and reissued in 2009 by the DEP Bureau of Water Management. The Plan identifies potential pollutant sources, provides an inventory of exposed materials, details a monitoring program, and identifies procedures for keeping the site properly maintained and in clean condition. The Operations and Maintenance Plan accounts for rate of collection and processing (on average 13 trucks per day or 37,440 CY per year), traffic flow, dust and stormwater control, noise control and safety procedures.

**Soil Erosion and Sediment Control Review.** Kristy Laydon is named as the individual responsible for monitoring the site to assure there is no soil or runoff entering City catch basins, the storm sewer system or the adjacent water body. She is responsible for assuring there is no dust gravitation off site by controlling dust generated by vehicles and equipment. Soil stockpiles shall be protected from dust gravitation and soil erosion. There shall be provisions for spraying of piles with water or calcium chloride to control dust gravitation. 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*.

Ms. Laydon 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 contractor is responsible for notifying the City Engineer within twenty-four hours of any such situation with a plan for immediate corrective action.

**Circulation/Loading/Parking:** Trucks enter and exit the site from the common drive off a cul-de-sac off Grasso Boulevard. Most of the operations are performed in the center of the site with materials taken from the "unprocessed" piles and then replaced in the "processed" piles.

**Trash removal:** There is no obvious location for material which is of no use to the applicant. Most material is recycled in one way or another. There are metal rebars and other materials separated from the concrete which are taken off site to a land fill or other recycler. Occasional dumping on site is cleared, removed and taken to the appropriate location.

#### **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 Flood Hazard Area:** This property is located within Flood Zone A6, according to Flood Insurance Rate Map 090084-0004C, where the base flood elevation has been determined to be elevation 11'.

**Navigable waters:** The West River is navigable for canoes and kayaks and accessible from New Haven Harbor and Long Island Sound.

**Estuarine Embayment:** The West River is a protected coastal water body with an open connection to Long Island Sound.

**Developed Shorefront:** Due to the industrial nature of the site, the shorefront on the West River consists primarily of the earth berm and concrete barriers designed to protect the river's water quality.

Coastal Program Criteria	Comments
1. Potential Adverse Impacts on Coastal Resources and Mitigation of Such Impacts	A potential adverse impact would be runoff of materials stored on the site into the West River. The refurbished earth berm, installation of properly maintained silt fence and hay bales, and prohibition of activities within 10' of the berm mitigate these concerns. The existing vegetation between the berm and the water's edge will not be disturbed.
2. Potential Beneficial Impacts	None identified in application.
3. Degree of Water Dependency	There is no water dependency currently in the site, and no water dependent use is planned for the site. However a water dependent use is not precluded permanently by this operation.
4. Insurance of outstanding quality of design and construction to produce an environment that enhances its waterfront location	While the site is visible from the West River, the berm blocks view of some the site activities immediately adjacent to the river. The area is highly commercial and industrial, and the site does not drastically devalue the waterfront resources in the area.
5. Consistency with the New Haven Coastal Program	The site has no waterfront access or use due to the industrial nature of the site. While the Coastal Plan recommends a walkway along the West River from Orange Avenue south to Kimberly Avenue, such walkway is not feasible with this use. The berm provides for some protection in case of eventual sea level rise. At some later date when the site is developed with a more permanent use, a walkway may be required.
6. Public Access	No public access due to industrial nature of site.

**Project Timetable:** Once permits are secured the applicant intends to proceed immediately with the proposed improvements.

**Other permits required:** CT DEP General Permit for discharge of storm water associated with Industrial Activity.

#### **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 conditions stated on page 1.

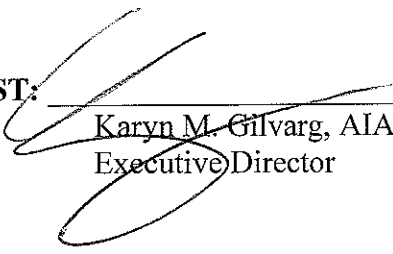
#### **COASTAL FINDING:**

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 minimal impact on coastal resources and approval for a coastal permit to be issued.

#### **ACTION**

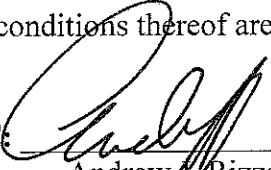
The City Plan Commission approves the submitted Site Plans subject to the standard conditions on Page 1.

**ADOPTED:** December 15, 2010  
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:** 12/17/10

**ATTEST:**   
Andrew Rizzo, Jr.  
Building Official