

NEW HAVEN CITY PLAN COMMISSION INLAND WETLANDS REVIEW

RE: 1379 WHALLEY AVENUE at West River, Inland Wetlands Review for Demolition and Removal of Amity Substation (Owner/Applicant: United Illuminating).
REPORT: 1443-02
FINDING: Approval with Conditions

CONDITIONS OF APPROVAL

1. An original signed copy of this Inland Wetlands approval report (to be provided by the City Plan Department) shall be recorded on the land records of the City of New Haven and a copy of the recorded document (showing volume and page number) shall be provided to the City Plan Department, prior to initiation of site work.
2. Applicant shall plant at least one tree of 2" caliper on the site, location and species to be reviewed by the City Plan Department.
3. Flood Plain Development Permit shall be filed with the Building Official, prior to issuance of Demolition Permit.

BACKGROUND

Submission: Inland Wetlands application 07/19/10; Letter of consent from UI 07/02/10; List of property owners within 200'; Letter and map of wetland flagging from Michael Klein, Soil Scientist 07/15/10; IW DEP Reporting Form; Application fee of \$135.00; Plans by CCA LLC 07/09/10: General Legend and Notes, Property and Topographic Survey, Existing conditions Plan, Wetlands Permitting Site Plan, Sediment & Erosion Control Notes and Details.

Proposed Activity: United Illuminating Company proposes to demolish its Amity Substation, a small 416 SF building located at 1379 Whalley Avenue, a 0.13 acre site northwest of the intersection with East Ramsdell Street in the Westville area. Because the building falls within the 50' setback from the West River, Inland Wetlands review of the project is required. The building has a finished floor elevation of 76.18.

The work will consist of installation of soil erosion and sediment control measures at approximately elevation 71' parallel to the river bank; demolition and removal of the substation building including its foundation, concrete pads, vaults, metal structures, surrounding fence, gates and walkways; and final filling, grading and restoration of the site to a natural grassed condition. Any contaminated materials or soils discovered in the process will be disposed of in the proper manner. Foundations will be removed down to 12" below the surface. All disturbed areas will be filled in with good quality soil, graded out and planted with grass. The driveway apron will remain.
No redevelopment of the site by the owner is planned at this time.

INLAND WETLANDS REVIEW

Due to the fact that the proposed activity is within 50' of a freshwater watercourse, an inland wetlands permit is required from the New Haven Inland Wetlands Commission. The site is located within the flood plain on Flood Insurance Rate Map #090084-0002 C, May 2, 1983. It lies partially within Zone B, an area of 100 to 500 year flood and also Zone A3, an area where the base flood elevation has been determined at elevation 72.

Determination of Classification: The Commission has reviewed the options for classification, as stated in Sections 4 and 5 of 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

Wetlands application is deemed complete and formally received by the Commission at its meeting of August 18, 2010.

Soil Science Report: A wetlands delineation was conducted by registered soil scientist Michael Klein, on June 30, 2010 to find that the wetlands soils contain Alluvial Land (AL), containing poorly and very poorly drained alluvial soils, moderately well and well drained loamy alluvial soils on level flood plains associated with major streams and rivers.

Application Evaluation Criteria: In reviewing a Class B 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 alkalinity/acidity level, turbidity, bacteria count, or temperature of the water, or any alteration of its odor, color or test and the effect any such change may have on 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 WETLANDS PLANNING CONSIDERATIONS

The Commission has considered all criteria and believes that execution of the project will not adversely impact the regulated area, but will provide an improved condition by removal of a structure which is so close to the river. The river is protected from any runoff by a masonry wall which will remain following the demolition.

Other Permits Required: No DEP or Army Corps permits are required. A flood development permit and a demolition permit will be required from the City.

Project Timetable: Work shall begin in September 2010 and be complete in October.

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.

PLANNING CONSIDERATIONS

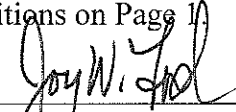
The site size has been diminished by a State Department of Transportation widening of Whalley Avenue. The Commission will require that the applicant shall either preserve the existing evergreens for replanting on the finished site or shall locate one new tree of 2" or greater caliper on the site.

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. The Inland Wetland Permit is hereby approved with the Conditions on Page 1.

ADOPTED: August 18, 2010
Edward Mattison
Chair

ATTEST:



Joy W. Ford
Planner II