

**NEW HAVEN CITY PLAN COMMISSION SITE PLAN REVIEW  
NEW HAVEN CITY PLAN DETAILED PLAN REVIEW FOR PDD #85**

**RE:** 1513 WHALLEY AVENUE, POND LILY NATURE PRESERVE. Site Plan and Inland Wetlands Review for removal of Pond Lily Dam. (Owner: New Haven Land Trust; Applicant/Agent: Gwen Macdonald of Connecticut Fund for the Environment/Save the Sound)

**REPORT:** 1509-02

**SITE PLAN ACTION:** Approval

**CONDITIONS OF APPROVAL**

1. Pursuant to State Statute, this Inland Wetland and Site Plan approval is valid for a period of five (5) years after the date of decision, to September 17, 2020. 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 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. Construction Operations Plan/Site Logistics Plan, including any traffic lane/sidewalk closures, temporary walkways, detours, signage, haul routes to & from site, and construction worker parking plan shall be submitted to the Department of Transportation, Traffic and Parking for review and approval to prior to City Plan signoff on final plans for building permit.
6. 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.
7. 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.
8. Any proposed work within City right-of-way will require separate permits.
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. 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.
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 both mylar and digital format [.pdf file].

**Submission: SPR Application Packet including DATA, WORKSHEET, SITE, and SESC forms. NARRATIVE attached. Application fee: \$270. Received August 12, 2015.**

- DEEP permit to remove a 150-foot wide spillway from the Pond Lily Dam dated May 27, 2014. Dam Safety Permit DS-201400003, Water Quality Certificate WQC-201400004. Received August 12, 2015.
- Letter from Army Corps of Engineers, New England District authorizing discharge of dredged material in waters or wetlands dated June 4, 2014. Permit number NAE-2013-0780. Received August 12, 2015.
- Application drawings. 24 sheets received August 12, 2015.
  - G-001: Cover Sheet.
  - G-002: General Notes and Legend.
  - C-101: Construction Access Plan.
  - C-102: Key Plan, Existing Conditions Profile, and Staging.
  - C-103: Existing Conditions and Site Preparation: Pond Lily.
  - C-104: Existing Conditions and Site Preparation: Pond Lily Avenue Bridge Scour Protection & Bank Stabilization.
  - C-105: Existing Wetlands Plan Pond Lily.
  - C-106: Water Management: Pond Lily Dam.
  - C-107: Water Management: Pond Lily Avenue Bridge Scour Protection.
  - C-108: Grading Plan: Pond Lily Dam.
  - C-109: Grading Plan: Pond Lily Avenue Bridge Scour Protection & Bank Stabilization.
  - C-110: Proposed Wetlands Plan Pond Lily.
  - C-111: Site Restoration & Planting Plan.
  - C-301: Cross Sections and Profiles: Pond Lily Dam.
  - C-302-304: Cross Sections: Pond Lily Dam.
  - C-305: Cross Sections: Pond Lily Avenue Bridge Scour Protection.
  - C-501: Riffle Details Pond Lily Dam.
  - C-502: Temporary Erosion and Sediment Control Details.
  - MPT-01-03: Maintenance and Protection of Traffic. Drawing date August 9, 2015.
  - TR-1220\_02: Construction Sign Supports and Channelizing Devices. Drawing date February 16, 2011.

**PROJECT SUMMARY**

**Project:** Removal of Pond Lily Dam

**Address:** Pond Lily Nature Preserve, 1513 Whalley Avenue

**Site Size:** Approximately 430-foot long dam to be removed, 400 linear feet of river channel work and stream bank and associated features construction upstream from dam, and 3,500 SF of bridge scour countermeasures within the West River

**Building size:** N/A

**Zone:** Planned Development District (PDD) #85, General Business (BA)

**Financing:** Private

**Parking:** None

**Owner:** New Haven Land Trust

**Applicant:** Gwen Macdonald, CT Fund for the Env./Save the Sound

**Agent:** Gwen Macdonald, CT Fund for the Env./Save the Sound

**Site Engineer:** Stantec Consulting Services

**City Lead:** City Plan Department

**Phone:** 203-562-6655

**Phone:** 203-787-0646

**Phone:** 203-787-0646

**Phone:** 207-729-1199

**Phone:** 203-946-6379

**BACKGROUND**

**Previous CPC Actions:**

**CPC 1491-01:** Site Plan Review for the removal of the Pond Lily Dam.

**Zoning:**

The Site Plan as submitted meets the requirements of the New Haven Zoning Ordinance for the PDD #85 Whalley Commons and BA zones.

**Site Description/existing conditions:**

Pond Lily Dam is an approximately 430-foot long, eight-foot high earthen berm with a 190-foot long, 6-foot high, stone masonry spillway with a concrete cap that impounds approximately four acres of water within the Pond Lily Nature Preserve at the southern end of Lily Pond. The dam is a state-designated Class B hazard dam in poor condition that, despite the presence of a fish ladder, inhibits fish migration between Long Island Sound and upstream water bodies on the West River, including Konold's Pond and Lake Dawson.

**Proposed Activity:**

The Pond Lily Dam will be removed to restore fish passage and river connectivity, eliminate an owner liability and public safety hazard, improve water quality, and restore aquatic habitat. The project will reconnect 2.6 miles of the West River and 76.2 lake acres for migratory fish habitat on the West River to Long Island Sound. When the project is complete, the base flood elevation level along Whalley Avenue will be lower than under existing conditions.

In order to complete this project, the applicant will construct approximately 400 feet of river channel upstream from the existing dam, construct stream banks and associated features adjacent to the constructed river channel, and install scour countermeasures adjacent to the Regal Inn and Pond Lily Avenue bridges over the West River upstream from the dam.

DEEP normally only allows unconfined in water work to occur between July 1 and September 30 to avoid impact to diadromous fish species travelling up and down river corridors. However, because this project benefits such species and in water work will be complete before the spring migration season, DEEP Inland Fisheries Division has exempted this project from said restriction.

**Circulation/Parking/Traffic:**

In order to install bridge scour countermeasures, portions of Whalley Avenue and Pond Lily Avenue must be closed for a period of about two weeks. During stage one, the right lane of Whalley Avenue will be closed between the CT-15 North exit ramp and Pond Lily Avenue, although access will be maintained to the Regal Inn bridge. The sidewalk between the Regal Inn bridge and Pond Lily Avenue will also be barricaded during this period. During stage two of construction, both Whalley Avenue and the sidewalk will be reopened, but the right lane of Pond Lily Avenue between the CT-15 North on-ramp and Whalley Avenue will be closed. Lane closures will only occur between 10 AM and 3 PM and will be accompanied by traffic control personnel to direct vehicular and pedestrian traffic.

**Trash removal:**

N/A

**Signage:**

There will be temporary signs to direct vehicular and pedestrian traffic during road and sidewalk closures. There will be at least one permanent educational sign to inform Nature Preserve visitors. The design and location of this sign has not yet been selected.

**Sec. 58 Soil Erosion and Sedimentation 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:** 15,404 CY  
**Start Date:** September 17, 2015      **Completion Date:** November 30, 2015

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*.

**Sec. 60 Stormwater Management Plan:**

Not required.

**Sec. 60.1 Exterior Lighting:**

Not applicable.

**Sec. 60.2 Reflective Heat Impact:**

Not required.

**Project Timetable:**

In-water construction will take place between September 17, 2015 and November 30, 2015, pending regulatory 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.

**SITE PLAN ACTION**

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

**ADOPTED:** September 17, 2015  
Edward Mattison  
Chair

**ATTEST:**  
Karyn M. Gilvarg, AIA  
Executive Director

