

**NEW HAVEN CITY PLAN COMMISSION PLANNED DEVELOPMENT ACTION
NEW HAVEN CITY PLAN COMMISSION COASTAL SITE PLAN REVIEW**

RE: 45 YALE AVENUE, CONNECTICUT TENNIS CENTER PDD # 86, Detailed Plan Amendment and Site Plan Review including Coastal Site Plan Review for Addition of Fill to raise grade of existing Recreational Field (Owner/Applicant: Yale University).

REPORT: 1442-01

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 July 21, 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. Comments under **Site Plan Review** on page 4 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 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 permits.
5. Flood Development Permit certifying the proposed and final elevation of the ground surface shall be submitted to the Building Official, prior to initiation of site work.
6. Any proposed work within City right-of-way will require separate permits.
7. 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.
8. Upon completion, as-built site plan in accord with City requirements shall be filed with City Plan Department. Site Plan shall be submitted in both mylar and digital format [TIFF file based on the State Plane Coordinates (NAD1983)]. Provide version of AutoCAD with submission.
9. Plans for any future signage at new entry shall be submitted to the City Plan Department for review and approval.

Submission: Development Permit application 06/17/10, supplemental information by URS 07/12/10; \$210 fee; Narrative Letter from Haley & Aldrich 06/16/10. Plans by URS Corp 06/17/10, revised 7/12/10: Title Sheet, A-2 Survey, Site Demo Plan, Grading and SESC Plan, Site Material Plan, Sanitary Force Main Plan and Profile, SESC Details, Haul Route. Letter from Haley and Aldrich 07/16/10 with attachments.

Previous Relevant City Plan Commission Actions: Inland Wetlands Review (1111-13, 04/25/90), Coastal Site Plan Review (1111-09, 04/25/10), Application and General Plans for PDD (CPC 1112-0105/09/90), DPR & CSPR for Stadium (1124-12, 1124-15, 11/14/90, Consolidated Conditions of Approval (1118-11, 07/25/90), Modification to Traffic Operations Plan (1146-14, 04/15/92).

BACKGROUND

Yale University proposes an Amendment to the Detailed Plans for the Connecticut Tennis Center PDD #86 approved by the Board of Aldermen in the early 1990's. The overall site is bounded by Chapel Street to the north, Yale Avenue to the west, Derby Avenue to the south, and the West River to the east. The University proposes to raise the grade of the northern portion of the site at 45 Yale Avenue (commonly known as Lot A) by placing clean fill to be excavated from the site of the new Yale School of Management at 155-181 Whitney Avenue and transported by truck to the site. The northern portion of the site is used as an informal recreational field by the University and is used during the annual tennis tournament for parking for up to 400 patrons of the tournament.

Proposed Activity: A construction entrance with anti-tracking pad will be located in the existing driveway at the corner of Yale Avenue and Chapel Street. Soil erosion measures including silt barrier and haybales will be established along the east and south sides of the field. The area of slope between elevation 18 along Yale Avenue and elevation 12 along Chapel Street will be cleared and grubbed. A 6" sanitary force main purported to be under the field will be removed, as will the asphalt drive into the site from the northwest corner of Yale Avenue and Chapel Street. Light poles along the perimeter will be removed. If the original main existed, a new 6" sanitary force main will be placed. Approximately 30,000 cubic yards of clean fill will be excavated from the Yale SOM site and brought by truck and deposited on site. The fill will be spread evenly across the already mostly level grassy field to a finished elevation ranging from 10 to 13 feet. The southern and eastern edges of the field will slope gently back down to the existing grade (elevation 9 to elevation 5). A new commercial driveway apron and curb cut off Yale Avenue will be constructed. The drive will come across a slope from Yale Avenue towards the northern end of the field, cross the field to the east and then head south to connect with existing drives adjacent to the Tennis Center. When the final grading is complete, grass will be reestablished and the side slopes will be stabilized with grass plantings. The new driveway entry will be gated and planted out with landscaping. Turf will be established on the location of the existing drive.

Transport of Soil from SOM Site: Haley and Aldrich will be monitoring both excavation activities at SOM and filling activities at the recreational field. They will only designate soil for shipment to the field that has been pre-characterized through chemical testing as being compliant with the CTDEP regulatory criteria for clean fill. Shipping manifests will be used to document material shipment between these two locations.

The **haul route** to the site will be Whitney Avenue, to Trumbull Street, to I-91 South, to Route 34 west, to North Frontage Road, to Ella Grasso Boulevard, to Derby Avenue, to Yale Avenue, to the site. The return will be via Yale Avenue to Derby Avenue, to Ella Grasso Boulevard, to Legion Avenue, to Route 34 east, to I-91 North, to Trumbull Street exit, to Whitney Avenue. An alternate haul route is also provided in case utility work is underway on Trumbull Street.

Soil Erosion and Sediment Control Plan: A total of 30,000 cubic yards of material will be added to the site. Joe Bolton of DiMeo Construction 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 and that no materials are being tracked off site. He is also responsible for assuring there is no dust gravitation off site by controlling dust generated by vehicles and equipment for the duration of the project. 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*.

Chris Harriman of Haley and Aldrich is named as the monitor of both the excavation and loading activities at the Whitney Avenue site and also for the filling activities at the Yale Avenue site. He and Mr. Bolton shall be responsible for determining the appropriate response, should unforeseen erosion or sedimentation problems arise. He and Mr. Bolton are 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.

COASTAL PLANNING CONSIDERATIONS

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 updated New Haven Coastal Program.

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

Coastal Flood Hazard Area: This property is located within Flood Zones A6 and B on FIRM 090084-0002C (1983). While the site is considered a floodplain, boring results submitted at the time of the Tennis Center application show that Lot A has been a filled area since at least the early twentieth century. Lot A is not within any defined floodway.

Coastal waters: The source of the West River, immediately adjacent to the site, is north of New Haven at Lake Watrous. It flows in a southerly direction, west of West rock Ridge, through Lake Dawson, Konold's Pond, and Lily Pond, through the Westville area, Edgewood Park, West River Memorial Park to New Haven Harbor. Although the site is inland of the tidal gates near Orange Avenue, there is evidence of several inches rise and fall of tide at the site.

Inland Wetlands and Watercourses: Adjacent to the site is the West River, a mapped watercourse at the time of the development of the Tennis Center in the 1990's. This project will not impact the watercourse as all activity will take place outside of the 50 foot setback line from the river bank. A silt fence with staked hay bales will be established along the east and south sides of the work area to prevent any runoff during the period when the soil is being deposited and graded. An inland wetlands application is not required.

Tidal wetlands: While the site was likely tidal wetlands at a much earlier time, at the time of the Tennis Center review, the Army Corps and CT Department of Environmental Protection Inland Water Resources Division each submitted letters stating the site was out of their regulatory jurisdiction. A letter from Haley and Aldrich concludes that the proposed work will not occur in or impact inland or tidal wetlands.

Potential Adverse Impacts on Coastal Resources and Mitigation of Such Impacts: A potential adverse impact would be run off of deposited materials during the project. Soil erosion and sediment control measures will be installed to contain the work project area, and to prevent materials from escaping into the watercourse.

Potential loss of flood storage volume: In the original application for the Tennis Center the developer's consultant estimated that the loss of flood storage area represented a 0.4 percent reduction in the West River's reach, based upon the total storage between I-95 and Edgewood Avenue being 2,450 acre-feet. The 100 year flood level in this area is controlled by Long Island Sound as the outlet. The Commission found at the time that the impact of the stadium construction on the flood storage volume was minimal.

With this application, URS has supplied information stating the available flood storage volume of Long Island Sound is massive and therefore, filling of the proposed site will have negligible impact on the water levels controlled by the backwater from Long Island Sound, and will have no impact on the to flooding elevations for the 10, 50, 100 and 500 year storms. The 30,000 CY (18.5 acre-feet) of proposed fill at the north side of the CT Tennis facility if placed entirely below the flood storage level, represents a 0.7 percent reduction in the flood storage capacity in this river's reach.

Public access: At the time of the Planned Development and Coastal Site Plan approval for the Tennis Center, visual and casual public access to the West River at the eastern edge of Lot A was required to be maintained. The DEP Coastal Resources Management Division concurred that permanent provision of public access was an appropriate means of satisfying the water dependent use standards. The Commission required selective pruning and clearing of the jumble of growth along the water's edge to provide for better general access to the West River. Existing points of access to the field from Chapel Street and Derby Avenue at the West River bridges were opened and posted with signage for public access (except during the tournament when access to the site must be controlled). The current proposed improvements on the site will not change the existing uses on the site or the continued passive public access to the West River. The Commission will continue to require that this access be maintained from Chapel and Derby, which may involve some minor pruning of growth on the pathways leading to the field. There should be no impact on the coastal resources or inland wetlands and watercourses buffer area.

The uses remain in keeping with the goals and policies of the New Haven Coastal Program.

Other permits required: The applicant believes there are no state or federal permits required. In the original application, a letter from the Army Corps of Engineers dated 04/11/90 stated that an ACOE permit was not required as all work was limited to the upland area. Locally, an electrical permit and a permit for the curb cut will be required. A Flood Elevation certificate will also be required by the Building Official.

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.

Project Timetable: The project will be initiated following the Annual Tennis Tournament concluding August 29, 2010 and will be complete by spring 2011.

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:

- *Pedestrian access pathways to Lot A from Chapel Street and from Derby Avenue shall be cleared and maintained as public access to the field and to the West River*
- *Add stop sign 4' back of sidewalk at new entry/exit.*
- *Inspect 24" storm line in the existing drive*
- *Consider adding a catch basin into the 24" storm line in the existing drive or a riprap swale along the new drive as it parallels Chapel Street to capture storm runoff.*

PDD and SITE PLAN ACTION

The Commission finds the Detailed Plan Amendment and Site Plan generally in accordance with the Planned Development District standards, and hereby grants an approval with Conditions as noted on Page 1.

ADOPTED: July 21, 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).

DATE ADOPTED: 7/26/10

ATTEST: 
Andrew J. Rizzo, Jr.
Building Official