

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

RE: 34 LLOYD STREET, Site Plan Review including Coastal Site Plan Review for Site Improvements for Capasso Restoration in an IL Zone (Owner/Applicant: City of New Haven).

REPORT: 1471-01

ACTION: Approval with Conditions

CONDITIONS OF APPROVAL

1. Pursuant to State Statute, this site plan and soil erosion and sediment control plan approval is valid for a period of five (5) years following the date of decision, November 20, 2017. 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. Federal Emergency Management Agency elevation certificate shall be filed with the Building Official, prior to initiation of site work or issuance of building permit.
4. The name of the individual responsible for monitoring the soil erosion and sediment control plan shall be provided to the City Plan Department, prior to initiation of remediation activities or any site work.
5. 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.
6. Any proposed work within the City right-of-way will require separate permits.
7. Any sidewalks or curbs on the perimeter of the project deemed to be in damaged condition shall be replaced or repaired in accord with City of New Haven standard details.
8. 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.
9. Remedial Action Plan (RAP) shall be filed with the City Plan Department.
10. Environmental Land Use Restriction (ELUR) shall be filed with the City Plan Department and on the City Land Records.
11. As-built site plan shall be filed with City Plan Department, with a copy to the City Engineer, prior to issuance of final Certificate of Occupancy. Site Plan shall be submitted in both mylar and digital format [.DWG file based on the State Plane Coordinates (NAD1983)]. Provide version of AutoCAD with submission.

Submission: Development Permit Application form inc. CSPR section 10/18/12 and Narrative (application fee waived); Design Report by Milone and MacBroom 10/18/12 including drainage computations, hydrology map and lot line adjustment survey; Plan Set by Milone and MacBroom 10/18/12, revised 11/13/12: Title Sheet, Layout and Landscaping Plan, Grading, Utilities and SESC Plan, Lighting and Electrical Plan, Detail Sheets.

PROJECT SUMMARY:

Project: Site Improvements for Capasso Restoration

Address: 34 Lloyd Street

Zone: IL, MDP, CAM
Site Size: 66,736 SF (1.53 acres)
Financing: DECD and EDA funds, Private
Project Cost: \$850,000 (including \$590,000 remediation)
Owner/Applicant: City of New Haven **Phone:** 203-946-5889
Agent: Milone and MacBroom, Cheshire **Phone:** 203-271-1773
Site Engineer: Milone and MacBroom, Cheshire **Phone:** 203-271-1773
City Lead: City Plan Dept. **Phone:** 203-946-6379
Project Manager: Helen Rosenberg, Economic Development **Phone:** 203-946-5889

Previous Commission Relevant Actions: LDA Amendment to alter parcel being sold (CPC 1470-11, 10/17/12), Authorization to Apply for \$500,000 DECD Grant for Environmental Cleanup (CPC 1465-09, 05/16/12), Site Plan Review including CSPR for Shoreline Stabilization and Roadway Extension including Drainage Improvements (CPC 1453-03, 06/15/11), Lease Agreement with Option to Purchase a portion by Capasso Restoration (CPC 1397-12, 12/13/06).

BACKGROUND

The City and Capasso restoration have agreed that Capasso will purchase the site at 34 Lloyd Street, on the west side of the street north of a portion of a property which remains in the ownership of the City and south of 198 River Street, also owned by the City. The land disposition depends upon some site remediation to be performed by the City with funding provided by the State of Connecticut. There have been recent public improvements on Lloyd Street including street end improvements in accord with the River Street MDP. The Quinnipiac River is to the south.

Zoning: The area is zoned Light Industrial (IL) and the plan is in conformance with the zone requirements. Note: Outdoor storage of up to 500 SF of materials, customary and incidental to the principal use of the property is permitted.

Proposed Activity: The first phase of the project will be remediation of PCBs and other impacts on the southern portion of the property, and then the remediation of volatile organic compounds (VOCs) on the northern portion. The site will be capped with clean fill raising the elevation as much as possible while respecting the building elevations and tie in to Lloyd Street. The City will participate in all improvements related to capping the site, including excavation and earthwork, drainage, landscaping, subsurface lighting improvement (such as conduit, conductors, and bases), pavement, structures, and security fencing. Capasso Restoration will make improvements to the existing building and will be responsible for light fixtures and the final striping of the parking lot. A Remedial Action Plan (RAP) is being developed to be followed during construction.

Soil Erosion and Sediment Control Review: Silt fencing will be installed at the perimeter of the property prior to commencement of the remediation activities. A construction entrance will be installed in the location of a new driveway to the north of the existing building. An individual will be required to be named as responsible for monitoring the site to assure that the soil erosion measure area maintained and that there is no soil or runoff entering City catch basins or the storm sewer system. Such individual is also responsible for assuring there is no dust gravitation off site by controlling dust generated by vehicles and equipment, during the project. Soil stockpiles if necessary shall be protected from dust gravitation and soil erosion. 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*.

Should unforeseen erosion or sedimentation problems arise, such individual 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.

Site improvements/drainage: The site currently has no drainage system and stormwater runoff drains into the street or over land to the Quinnipiac River. A drainage system will be installed respectful of the remediation program to capture stormwater on site, using smooth plastic pipe where possible or concrete pipe where two feet of cover is not possible. The system ties into a 15" RCP stub to the property installed during the recent construction in Lloyd Street. The system will feature watertight joints to prevent ground water that is potentially contaminated for entering the system. The discharge is to the new 48" RCP outfall recently installed as part of the shoreline stabilization project. The system is designed to a 10-year storm standard.

Circulation/Parking/Loading: One new curb cut will be installed north of the building in addition to an existing cut to the building's south. The site will have 30 parking spaces including 2 HC spaces. Trucks will enter the site on the north side of the building and will circle to the loading dock be on the south side. Landscaping will be added in and around the parking lot including some linden, honey locust, and kousa dogwood trees.

Lighting Plan: Parking area lighting fixtures shall be full cut-off type fixtures and shall not exceed 20' in height. All building lighting for security ore aesthetics shall also be full cut-off or a shielded type of fixture.

Site Remediation: Remediation will be conducted on two parcels, one to the south of the building and the other to the north and west of the building (part of 198 River Street). Remediation will include excavation and removal of soil impacted by PCBs, metals, coal ash derivatives, volatile organic compounds (VOCs), and oil related hydrocarbons. The remediation activities will be conducted in accord with the State of CT Remediation Standard Regulations (RSRs). In the end Environmental Land Use Restrictions (ELURs) will be required to be filed for each parcel on the City's Land Records. CT DEEP will require that two separate Remedial Action Plans (RAPs) be filed as well.

Phase I will address the site to the south of 34 Lloyd Street building (approximately 25,000 SF) by remediating PCBs in the former metal scrap yard. The soil and debris will be removed from the area and filled with clean material in a manner whereby the site will be elevated to approximately 1.5 to 2.5 feet above street level, allowing certain soils to remain in-situ, "capped" by the fill and paving.

Phase II will involve remediation of a larger area (45,000 SF) to the north and west of the building. Originally part of the Bigelow Boiler factory complex, this site tests relatively high for concentrations of VOCs. Soils may have to be excavated more deeply than the soils in Phase I but will receive similar treatment of filling and capping.

Reflective heat impact from paved or hardscape surfaces: The site will be nearly 100% impervious except for some landscaped areas, due to the RSR requirements. Therefore it is not reasonable to require that the site meet the requirements of Section 60.2 of the Zoning Ordinance regarding reflective heat impacts, given the history of the site and the fact that there is no new construction but the use of an existing building. If excavation turns out differently than expected, additional landscaping could be added and impervious surface could be reduced.

Trash Collection: At the southwest corner of the building there is a screened area for a dumpster; collection will be private.

Conformance with River Street MDP, Coastal Program and Comprehensive Plan of Development: These improvements conform to the Plans.

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.

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

Coastal waters/Navigable waters: Adjacent to the site. Quinnipiac River is subject to tidal action and is navigable and accessible to New Haven Harbor and Long Island Sound.

Coastal Flood Hazard Area: The site is located within Flood Zone AE, an area of 100 year flood, on FEMA FIRM #09009C0442H, dated 12/17/10. Flood development permits and elevation certificates are required for substantial improvements in this area.

Developed Shorefront: Much of the natural physiological features and systems in these areas have diminished due to the nature of the previous uses of this waterfront area. Stabilization of the shorefront will improve the overall condition and is not expected to have an adverse impact.

Potential Adverse Impacts on Coastal Resources and Mitigation of Such Impacts: A potential adverse impact is runoff into the storm drainage system or the Quinnipiac River during and following the construction period. The contractor shall utilize appropriate soil erosion and sediment control measures (silt fences) to ensure there is no runoff into the stormwater management system during the construction period.

Project Timetable: Once remediation activities have been concluded, spring 2013 to late fall 2013.

Federal or State Permits required: DEEP requires a separate RAP for each portion of the parcel.

SITE PLAN REVIEW

Plans have been reviewed by the Site Plan Review team with representatives from City Plan, City Engineer, Livable City Initiative Building Division and Department of Transportation, Traffic and Parking and have been found to meet the requirements of City ordinances, Regulations and standard details with the following comments:

- *FEMA elevation certificate for the improvements to be filed with the building official prior to initiation of site work.*
- *Provide detail of swinging gate.*

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 no 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: November 20, 2012
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 Site Permit.

DATE ADOPTED: 11/28/12

ATTEST: 
Andrew J. Rizzo, Jr.
Building Official