

NEW HAVEN CITY PLAN COMMISSION COASTAL SITE PLAN REVIEW
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RE: 285 NICOLL STREET. Site Plan Review and Coastal Site Plan review for construction of a brewery within an existing building in an IL zone. (Owner: Rakesh Narang for Narang New Haven Co., LLC; Applicant: Timothy Wilson for East Rock Brewing Co., LLC; Agent: Carolyn Kone for Brenner, Saltzman, and Wallman, LLP)

REPORT: 1528-02

ACTION: Approval with Conditions

STANDARD 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, until March 23, 2022. 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 **ADDITIONAL CONDITIONS OF APPROVAL** 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 Greater New Haven Water Pollution Control Authority; City Engineer; Department of Transportation, Traffic, and Parking; City Plan Department; and Fire Marshal 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. Any proposed work within City right-of-way will require separate permits.
8. 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.
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 paper, mylar, and digital PDF on CD or flash drive.

ADDITIONAL CONDITIONS OF APPROVAL

12. Per conditions of relief granted by the BZA, no Certificate of Occupancy can be granted for this project until the 93-space parking garage is completed

Submission: SPR Application Packet including DATA, WORKSHEET, SITE, SESC, and CSPR forms. NARRATIVE attached. Application fee: \$270. Received February 16, 2017.

- Recorded Special Exception to permit beer manufacturing and to permit 0 on-site parking spaces where 29 are required. Received February 16, 2017.
- Information packet re: pre-existing non-conformity of need to back over the sidewalk to access rear loading dock/parking area off of Mitchell Drive. Received March 2, 2017.
- Application drawings. 10 sheets received February 16, 2017. Revisions received March 3, 2017.
 - 01-01: Cover Sheet.
 - 02-01: Boundary & Topographic Survey. Revision date February 16, 2017.
 - 11-01: Site Development Plan. Revision date March 2, 2017.
 - 11-02: Mitchell Street Loading Area Detail. Revision date March 2, 2017.
 - 11-03: Truck Turning Plan. Drawing date March 2, 2017.
 - SK-1–SK-3: Floor Plans. Drawing date February 14, 2017.
 - A 1.1 H: Brewery Plan.
 - S1.1: Tank Foundations Plan & Typ. Details. Drawing date February 14, 2017.

PROJECT SUMMARY:

Project: East Rock Brewing Company

Address: 285 Nicoll Street

Site Size: 165,677 SF (3.80 acres)

Zone: IL (Light Industrial)

Financing: Private

Parking: No new parking associated with this project. A total of 152 existing or approved off-street spaces on this site or across the street are available.

Owner: Rakesh Narang for Narang New Haven Co., LLC

Phone: 860-583-4646

Applicant: Timothy Wilson for East Rock Brewing Company, LLC

Phone: 203-530-3484

Agent: Carolyn Kone for Brenner, Saltzman, and Wallman, LLP

Phone: 203-772-2600

Architect: Newick Architects

Phone: 203-777-6928

Site Engineer: Bryan Nesteriak for B&B Engineering

Phone: 203-881-8145

City Lead: City Plan Department

Phone: 203-946-6379

BACKGROUND

Previous CPC Actions:

1503-02: Coastal Site Plan Review and Site Plan Review for conversion of warehouse space to gym (March 18, 2015)

1504-01: Coastal Site Plan Review and Site Plan Review for conversion of warehouse space to office (April 15, 2015)

1512-03: Site Plan Review and Coastal Site Plan Review for adaptive reuse of existing industrial building for use as office space and parking garage (December 16, 2015)

Zoning:

The Site Plan as submitted meets the requirements of the New Haven Zoning Ordinance for the IL zone, with the zoning relief granted to permit beer manufacturing and to permit 0 on-site parking spaces where 29 are required.

Site description/existing conditions:

285 Nicoll Street is an existing 157,122 SF warehouse in the East Rock neighborhood. The site is bounded by Nicoll Street to the west, Mitchell Drive to the north and east, and an industrial/office property to the south. The Wilbur Cross High School campus and East Rock Park are across Mitchell Drive and a residential neighborhood lies to the west. A 45-space surface parking lot is also across the street to the west. The site includes two parking/loading dock areas (one concrete, one asphalt and concrete) on the back side of the building that are

accessed from Mitchell Drive. The building currently contains a fitness gym and office space in other portions of the building.

In December 2015, the building owners received CPC approval to convert vacant space within the building's basement to a 93-space parking garage. This garage has not yet begun construction.

Proposed activity:

The applicant proposes to convert a portion of the unused space within the existing building for use as a brewery and tasting room. The bulk of the space (approximately 22,600 SF) will be used for beer manufacturing, which will then be shipped off site for retail sale. An approximately 3,300 SF tasting room and retail space will be constructed at the space's front entrance from Nicoll Street. Current plans do not include on-site food preparation, although the applicant may wish to add this capability at a later date. The tasting room will feature seating for up to 100 guests who may bring off-site food for consumption. Food prepared off-site may be sold for consumption as well. The applicant is seeking approval to construct three silos (two for raw materials, one for spent grain) and a CO₂ tank in the rear parking lot off of Mitchell Drive, although these will not be constructed until a later day as required to meet production demands. The tallest of these silos may be up to 34 feet in height and all silos and the CO₂ tank will be protected with bollards to prevent motor vehicles from hitting them.

Motor vehicle circulation/parking/traffic:

No on-site parking in addition to that already approved for prior projects at 285 Nicoll Street will be constructed for this project. Although the planned silos and the CO₂ tank will eliminate six parking spaces and two loading spaces, the number of approved on-site spaces exceeds parking requirements. Customer parking is provided via a 45-space lot across the street at 268 Nicoll Street, a total of 14 spaces in two lots on Mitchell Drive, street parking in the surrounding neighborhood, and a 93-space parking garage below the building that has necessary City approvals but has not yet begun construction. These lots will be shared with other uses in the building and the neighborhood, however the peak hours for the brewery and tasting room are expected to be evenings and weekends outside of regular working hours, when the demand for these parking spaces would otherwise be low. According to the conditions of relief granted by the BZA, no Certificate of Occupancy can be granted for this project until the 93-space parking garage is completed.

General shipping and receiving activity will take place at an interior loading area off Nicoll Street that can accommodate a semi-trailer truck with a standard 48-53' trailer. Loading and unloading for raw and spent material and CO₂ will occur on the northeast corner of the lot facing Mitchell Street. The applicant anticipates that loading of the silos will not occur more than once per week and unloading of spent material will not occur more than one time per day. The CO₂ tank will be filled two to three times per week. These delivery vehicles will have to back over the sidewalk to either enter or leave the site. However, this condition has existed for many years, as the loading docks were constructed in 1956, prior to the 1962 Zoning Ordinance that prohibited backing over the sidewalk. Therefore, the condition is a pre-existing non-conformity and can continue without further zoning relief.

Bicycle parking:

There is an existing 14-space bicycle rack near the building's front entrance on Nicoll Street. An additional 7-space rack is proposed as part of this project.

Trash removal:

Trash and recycling disposal and removal will occur inside the building next to the interior loading dock on Nicoll Street. The applicant anticipates that trash and recycling pickup will not occur more than once per day.

Signage:

None included in application.

Sec. 58 Soil Erosion and Sediment 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: 150

Note: Because the project is between 1 and 5 acres (“small construction”), the applicant is not required to obtain a General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction from CT DEEP as long as the applicant has adhered to the erosion and sediment control regulations of the municipality in which the construction activity, in this case, the City of New Haven.

Sec. 60 Stormwater Management Plan:

Not applicable

Sec. 60.1 Exterior Lighting:

Not applicable

Sec. 60.2 Reflective Heat Impact:

Not applicable

Project Timetable:

None given, as it is contingent upon the completion of the 93-space parking garage first, although the applicant hopes to be operating by the fall.

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:

Flood Hazard Area: 285 Nicoll Street is located partially within Flood Zone X according to FIRM # 09009C0433J and 09009C0434J, dated July 8, 2013. No base flood elevation is determined for this zone.

Freshwater Wetlands & Watercourses: No freshwater wetlands are adjacent to the site. At its closest, the Mill River is approximately 350 feet from the 285 Nicoll Street building across Mitchell Drive and Wilbur Cross High School's athletic fields.

Coastal Program Criteria	Comments
1. Potential adverse impacts on coastal resources and mitigation of such impacts	Although the development is located outside of the 100-year-flood plain and no base flood elevation level has been determined, part of the site, including the parking lot with proposed storage silos and CO ₂ tank, is within the 500-year flood zone. The silos and tank will be elevated a few feet off the ground and will be protected with bollards to prevent the stored materials from escaping in the event of a flood.
2. Potential beneficial impacts	None identified in application.
3. Identify any conflicts between the proposed activity and any goal or policy in the §22a-92, C.G.S. (CCMA)	None identified in application.
4. Will the project preclude development of water dependent uses on or adjacent to this site in the future?	No.
5. Have efforts been made to preserve opportunities for future water-dependent development?	The site's location does not allow for water-dependent development.
6. Is public access provided to the adjacent waterbody or watercourse?	The site does not have access to the river.
7. Does this project include a shoreline flood and erosion control structure (i.e. breakwater, bulkhead, groin, jetty, revetment, riprap, seawall, placement of barriers to the flow of flood waters or movement of sediment along the shoreline)?	No.
8. Does this project include work below the Coastal Jurisdiction Line (i.e. location of topographical elevation of the highest predictable tide from 1983 to 2001)? New Haven CJL elevation is 4.6'.	No.

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.

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 conditions on Page 1.

ADOPTED: March 23, 2017
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.

ADOPTED: March 23, 2017

ATTEST:

James Turcio
Building Official