**NEW HAVEN CITY PLAN COMMISSION INLAND WETLANDS REVIEW**
**NEW HAVEN CITY PLAN COMMISSION SITE PLAN REVIEW**
**NEW HAVEN CITY PLAN COMMISSION COASTAL SITE PLAN REVIEW**

**RE:** **904 QUINNIPIAC AVENUE.** Site Plan Review, Coastal Site Plan Review, and Inland Wetlands Review for conversion of a residential dwelling into four units in an RM zone. (Owner/Applicant/Agent: Richard Votto)
**REPORT:** 1520-03
**INLAND WETLANDS FINDING:** Approval
**COASTAL SITE PLAN and SITE PLAN ACTION:** Approval with Conditions

**CONDITIONS OF APPROVAL**

1. Pursuant to State Statute, this Inland Wetland, Site Plan and CAM approval is valid for a period of five (5) years after the date of decision, to August 24, 2021. 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 Greater New Haven Water Pollution Control Authority; City Engineer; Department of Transportation, Traffic, and Parking; Fire Marshal; 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 site restoration bond in an amount of $2,500 per dwelling unit ($10,000 total) will be required as a provision of this permit. Bond, or other such financial instrument, shall be provided to the City Plan Department, with a copy to the City Engineer, prior to City Plan final sign-off on plans for building permit.
7. Any proposed work within City right-of-way will require separate permits.
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. Filing (with City Plan) and implementation of a Storm Drainage Maintenance Plan and Inspection Schedule is required.
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.
12. Applicant must work with City's Corporation Counsel to negotiate and record a public access easement from Quinnipiac Avenue to and including the boardwalk along the Quinnipiac River. Plans must be revised to include boardwalk details and to ensure that the boardwalk can be accessed from the subject parcel.

**Submission: SPR Application Packet including DATA, WORKSHEET, SITE, IW, CSPR, and SESC forms. NARRATIVE attached. Application fee: $270. Received June 16, 2016.**

- Stormwater Management Plan dated June 16, 2016. Received July 8, 2016. Revised version received August 4, 2016.
- Wetland and watercourse delineation review, revised July 5, 2016. Received July 8, 2016.
- Manufacturer lighting cut sheets. Received August 22, 2016.
- Application drawings. 12 sheets received August 4, 2016.
  - CV.01: Cover Sheet. Revision date August 4, 2016.
  - LY.01: Layout Plan. Revision date August 4, 2016.
  - LY.02: Photometric Plan. Revision date August 4, 2016.
  - GD.01: Grading, Drainage, and Utilities Plan. Revision date August 4, 2016.
  - SE.01: Soil Erosion and Sedimentation Control Plan. Revision date August 4, 2016.
  - PL.01: Planting Plan and Details. Revision date August 4, 2016.
  - PL.02: Proposed Shade Plan. Revision date August 4, 2016.
  - DT.01-02: Sedimentation and Erosion Control Details. Revision date August 4, 2016.
  - DT.03-05: Standard Site Details. Revision date August 4, 2016.
- Application drawings. 8 sheets received August 9, 2016.
  - EX.01: Survey. Drawing date July 13, 2004.
  - EX.02: Existing Conditions and Demolition Plan. Revision date August 4, 2016.
  - A-1.00-1.04: Floor Plans. Revision date August 4, 2016.
  - A-2.01: Front Elevation. Revision date August 4, 2016.

**PROJECT SUMMARY:**
**Project:** Residential conversion
**Address:** 904 Quinnipiac Avenue
**Site Size:** 36,281 SF (0.83 acres)
**Zone:** Residential Low-Middle Density (RM-1)
**Financing:** Private
**Parking:** 7 spaces (including 1 HC van-accessible)
**Owner/Applicant/Agent:** Richard Votto **Phone:** 203-623-0493
**Site Engineer:** Murali Atluru for DTC **Phone:** 203-239-4200
**City Lead:** City Plan Department **Phone:** 203-946-6379

**BACKGROUND**
**Previous CPC Actions:**
CPC 1365-21, April 6, 2005: BZA advisory report and CSPR to construct 13-unit condominium in an RM-1 zone.
CPC 1372-03, August 17, 2005: Site plan review incl. IW and CSPR for 13-unit development in an RM-1 zone.
CPC 1398-08, January 17, 2007: Site plan review incl. CSPR for 13 condominium units.

**Zoning**:
The Site Plan as submitted meets the requirements of the New Haven Zoning Ordinance for the RM-1 zone.

**Site Description/existing conditions:**
The parcel is a long, narrow site, with approximately 110' feet of frontage on Quinnipiac Avenue. A 4,746 SF single-family home sits at the eastern edge of the lot along the road. The rear of the site is mostly grassy, other than an asphalt parking lot and detached garage immediately behind the home, and extends approximately 450' from Quinnipiac Avenue to inland wetlands and the Quinnipiac River, sloping downwards from an elevation of about 42' to the mean high water elevation of 3.9'.

**Proposed Activity:**
The owner proposes to renovate the existing building to accommodate a total of four dwelling units within the existing footprint and structure of the home.

**Circulation/Parking/Traffic:**
Vehicles will enter the site from Quinnipiac Avenue through the existing curb cut at the north side of the property. The existing asphalt driveway and parking lot will be removed and a new concrete driveway apron and asphalt driveway and seven-space parking lot will be constructed. Pedestrian access to the site is provided by a sidewalk running along Quinnipiac Avenue.

Public access to the Quinnipiac River is to be provided per the Connecticut Coastal Management Act. The neighboring property to the south currently has a boardwalk along the river, and this application includes an extension of that boardwalk across the subject property to its northern property line. Although defined plans for providing public access to this boardwalk via a permanent easement are not included in the application at this time, establishing and recording such an easement will be a condition of approval of this project.

**Trash removal:**
Trash is to be removed via the City's standard residential trash collection.

**Signage:**
None.

**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:** 3,600
**Start Date:** 2016 **Completion Date:** 2017
**Responsible Party for Site Monitoring:** Rich Votto

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 during both 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:**
REQUIRED DOCUMENTATION
☒ Soil characteristics of site;
☒ Location of closest surface water bodies and depth to groundwater;
☒ DEEP ground and surface water classification of water bodies;
☒ Identification of water bodies that do not meet DEEP water quality standards;
☒ Proposed operations and maintenance manual and schedule;
☒ Location and description of all proposed BMPs;
☒ Calculations for stormwater runoff rates, suspended solids removal rates, and soil infiltration rates;
☒ Hydrologic study of pre-development conditions commensurate with conditions.

STANDARDS
☒ Direct channeling of untreated surface water runoff into adjacent ground and surface waters shall be prohibited;
☒No net increase in the peak rate or total volume of stormwater runoff from the site, to the maximum extent possible, shall result from the proposed activity;
☒Design and planning for the site development shall provide for minimal disturbance of pre-development natural hydrologic conditions, and shall reproduce such conditions after completion of the proposed activity, to the maximum extent feasible;
☒Pollutants shall be controlled at their source to maximum extent feasible in order to contain and minimize contamination;
☒Stormwater management systems shall be designed and maintained to manage site runoff in order to reduce surface and groundwater pollution, prevent flooding, and control peak discharges and provide pollution treatment;
☐Stormwater management systems shall be designed to collect, retain, and treat the first inch of rain on-site, so as to trap floating material, oil and litter;
☒On-site infiltration and on-site storage of stormwater shall be employed to the maximum extent feasible;
☒Post-development runoff rates and volumes shall not exceed pre-development rates and volumes for various storm events. Stormwater runoff rates and volumes shall be controlled by infiltration and on-site detention systems designed by a professional engineer licensed in the state of Connecticut except where detaining such flow will affect upstream flow rates under various storm conditions;
☒Stormwater treatment systems shall be employed where necessary to ensure that the average annual loadings of total suspended solids (TSS) following the completion of the proposed activity at the site are no greater than such loadings prior to the proposed activity. Alternately, stormwater treatment systems shall remove 80 percent TSS from the site on an average annual basis; and
☒Use of available BMPs to minimize or mitigate the volume, rate, and impact of stormwater to ground or surface waters.

Due to the project's river-side location and slope leading directly to Quinnipiac River and the corresponding high water table, it is neither feasible nor practical to capture one inch of rainfall over the entire site. The proposed rain garden is designed to collect, retain, and treat the first inch of rainfall for the entire developed area of the site.

**Sec. 60.1 Exterior Lighting: SUBMISSION MEETS REQUIREMENTS**
REQUIRED DOCUMENTATION
☒Lighting Plan with location of all fixtures, type of fixture and elevation of lights;
☒Manufacturer specifications or cut-sheet for each fixture;
☒Photometrics.

STANDARDS
☒Prevent or minimize direct glare and light trespass;
☒All parking area lighting shall be full cut-off type fixtures and shall not exceed twenty (20) feet in height from the ground to the highest point of the fixture;
☒Up lighting and high pressure sodium light sources are prohibited. Externally lit signs, display building and aesthetic lighting must be lit from the top and shine downward and not sideward or upward. The lighting must be shielded to prevent direct glare and/or light trespass. The lighting must also be, as much as physically possible, contained within the target area;
☒All building lighting for security or aesthetics shall be full cut-off or shielded type, not allowing any upward distribution of light. Floodlighting is discouraged, and if used, must be shielded to prevent: (a) disability glare for drivers or pedestrians, (b) light trespass beyond the property line, and (c) light above the horizontal plane;
☒Where non-residential development is adjacent to residential property, no direct light source shall be visible at the property line at ground level or above; and
☒High pressure sodium and flickering or flashing lights are prohibited.

**Sec. 60.2 Reflective Heat Impact: SUBMISSION MEETS REQUIREMENTS**
STANDARDS
☒ 50% of all on-site non-roof hardscape or paved areas will be either:
☒ shaded AND/OR
☒ constructed of a material with a solar reflectance index of at least 29.

| | |
|---|---|
| TOTAL SF of non-roof hardscape: | 8,187 SF |
| 50% of non-roof hardscape: | 4,094 SF |
| | |
| Shaded (based on average values per code): | 1,572 SF |
| Areas with SRI > or = 29 | 2,668 SF |
| TOTAL PROPOSED SHADED/HIGH SRI AREA | 4,240 SF |
| **% SHADE/HIGH SRI PROPOSED** | **51.8%** |

**Project Timetable:**
Construction is expected to begin in 2016 and be completed in 2017.

**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.

## INLAND WETLANDS REVIEW

**CLASSIFICATION**
☐ Class N: Non-Regulated Uses
☐ Class A: Uses Permitted by Right
☐ Class S: CTDEEP Regulated Operations and Uses
☒ Class B: Inland Wetlands Commission Regulated Operations and Uses Having a Minor Impact
☐ Class C: Inland Wetlands Commission Regulated Operations and Uses Having a Major Impact

***Definition of Regulated activity*** - any operation within or use of a wetland or watercourse involving removal or deposition of material, or any obstruction, construction, alteration, or pollution of such wetlands or watercourses, and any earth moving, filling, construction, or clear-cutting of trees, or any such operation within fifty (50) feet of wetlands or watercourses.

**Determination of Classification:**
No construction activity is to take place within the wetlands area itself. The proposed boardwalk will be located in the 50' regulated area. The boardwalk will be elevated, with only wood posts in the ground. The boardwalk is a passive use, and once constructed, its use is expected to have little impact upon the wetlands area, as there will be very limited runoff, interaction with vegetation, or disturbance of soils.

Based on this information, staff suggests to the Commission that this application be categorized as a **CLASS B**.

**Proposed Regulated Activity**:
The project proposes to construct a boardwalk within a regulated wetland area. The boardwalk is proposed both within the wetlands itself as well as within the 50' regulated area adjacent to existing wetlands. It will be built upon direct burial wood posts and elevated above the existing grade.

**Soil Science Report:**
The Wetland and Watercourse Delineation Review provided DTC categorizes five distinct types of soils on-site. In the wetlands area of the site, Westbrook mucky peat (99) and Udorthents, smoothed (308) are both present. In the regulated portion of the site, on-site soils include Udorthents-Urban land complex (306), Cheshire (263B), and Urban Land (308).

**Vegetation:**
Vegetative cover immediately surrounding the improved area at the eastern end of the site is primarily lawn and some broadleaved deciduous vegetation. The vegetative cover along the western boundary is the invasive Japanese knotweed followed by phragmites.

**Planting Plan:**
The planting plan is limited to the eastern portion of the site, well outside of both the wetlands and the 50' regualted area. Plantings include a variety of trees and shrubs surrounding the home and parking area, and a rain garden west of this area. The rain garden will capture and treat the stormwater for all impervious areas on the site.

During installation of the boardwalk, invasive plants will be removed, along with wood debris from a deteriorated dock on site.

**Application Evaluation Criteria:** In reviewing a Class B or C 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 water effecting 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.

The proposed work within the wetlands and wider regulated area is limited to the proposed elevated boardwalk. The minimal in-ground construction associated with the boardwalk, limited to support posts, should not affect any of the evaluation criteria listed above. The proposed rain garden will capture and treat runoff from the street and the developed portion of the site, thereby improving water quality of the wetlands. The wetlands on this site are adjacent to a coastal area; the boardwalk is the least intrusive method of providing the public access required by the Connecticut Coastal Management Act.

**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.

**INLAND WETLAND FINDING**

The only work proposed within the wetland area is the construction of the boardwalk. Because the existing boardwalk on the neighboring property currently ends within the wetlands area, any connection to it will necessarily also be within the wetlands. The applicants have designed the boardwalk with the minimum possible area in the wetlands, with the remainder in the regulated buffer area. In order to provide coastal access in accordance with the Connecticut Coastal Management Act and connect with the existing boardwalk to the south, the boardwalk cannot be located elsewhere on site. The proposed rain garden is expected to adequately capture runoff from the developed portion of the site in order to prevent accumulation of debris and/or contaminants within the wetland area.

The Commission believes that required findings for a Class B application have been satisfied. The Inland Wetland application is hereby approved, in accord with the submitted plans and the Conditions as stated on page 1.

**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:**

*Intertidal Flats:* The southern end of Quinnipiac River in New Haven is a tidal body, with gently sloping banks composed of muddy, silty, and fine sandy sediments and generally devoid of vegetation.

*Tidal Wetlands:* The southern end of Quinnipiac River in New Haven is a tidal body, with tidal wetlands along its western shore in the vicinity of the project site.

*Estuarine Embayments:* The southern end of Quinnipiac River in New Haven is a tidal body, with saline sea water from Long Island Sound and New Haven Harbor diluted by freshwater from upriver sources.

*Coastal Flood Hazard Area*: A portion of the site is located within the 100-year floodplain of the Quinnipiac River (Zone AE) with a base flood elevation of 12 feet.

| Coastal Program Criteria | Comments |
|---|---|
| 1. Potential adverse impacts on coastal resources and mitigation of such impacts | The applicant has not identified any adverse impacts. |
| 2. Potential beneficial impacts | The proposed boardwalk would increase public access to the coastal resources. |
| 3. Identify any conflicts between the proposed activity and any goal or policy in the §22a-92, C.G.S. (CCMA) | None identified. |
| 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? | Yes, development along the water's edge is limited and existing view corridors from Quinnipiac Avenue, through the site, to the waterfront are maintained. |
| 6. Is public access provided to the adjacent waterbody or watercourse? | The existing boardwalk from the neighboring property to the south will be extended. At this time, there is no easement or way to access the boardwalk from the subject parcel. Both a permanent easement and access must be provided as a condition of approval. |
| 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. |

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

**ADOPTED:** August 24, 2016
Edward Mattison
Chair

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

**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.

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:** August 24, 2016

**ATTEST:** _____
James Turcio
Building Official