

## NEW HAVEN CITY PLAN COASTAL SITE PLAN REVIEW

**RE:** **RAILROAD AVENUE (M/B/P 179/0567/00110).** Coastal Site Plan Review for outdoor storage of materials including aggregates, coils, rebar, and steel products. (Owner: Simkins Industries; Applicant: Coy Angelo of Petroleum Terminals; Agent: Ron Bomengen of Fuss & O'Neill.)

**REPORT:** 1514-03

**ACTION:** Approval

**Note:** Companion CPC Report 1514-10 for the same site.

**Previous CPC Actions:** None.

**Submission:** Received 12/7/15, including: SPR application packet including DATA, WORKSHEET, CSPR, and SPECIAL PERMIT forms; narrative; authorization from property owner; application fee of \$420 (including Special Permit); application drawings, two sheets dated 12/1/15 (existing conditions survey and SP-01: Outdoor Storage of Materials); response to testimony dated February 16, 2016 from January 20, 2016 public hearing.

### 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 Municipal Coastal Program.

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

**Estuarine Embayments:** The parcel directly abuts the Mill River to the east, which has a connection to the sea through Long Island Sound.

**Coastal Flood Hazard Area (Flood Zone):** The subject property lies within the Special Flood Hazard Area of the 100-year flood zone.

**Nearshore Waters:** The parcel is directly adjacent to the Mill River.

**Developed Shorefront:** The parcel is a developed shorefront and has been engineered resulting in a functional impairment and substantial alteration for its natural physiographic features and systems. It is in a Heavy Industrial zone that has been historically utilized as such, including its current use.

**Navigable Waters:** The Mill River is navigable and accessible from New Haven Harbor and Long Island Sound.


Coastal Program Criteria	Comments
1. Potential adverse impacts on coastal resources and mitigation of such impacts	The parcel is zoned Heavy Industrial (IH) and is surrounded by other IH properties. The heavy industrial use of numerous IH properties in the vicinity has resulted in poor water quality of the estuarine embayment areas. Because no new construction activities are proposed and the existing use will not change, there will be no additional adverse impacts to the estuarine embayment areas or nearshore waters. A potential adverse impact may be erosion of stored aggregate materials and/or the gravel surface of the parcel, but the applicant has implemented specific measures and practices to avoid or mitigate the potential of such impacts. Measures include best management practices (BMPs) outlined in the Connecticut Department of Energy and Environmental Protection (CTDEEP) General Permit for Stormwater Associated with Industrial Activities. Raw materials will be placed off the ground, allowing stormwater to infiltrate through gravel and into the ground. Catch basins on the parcel have been equipped with inlet protections to reduce transport of sediment off site. This includes haybale protection and/or the placement of filter fabric between the grate and frame of the inlet. Dust controls are provided as needed by water trucks. A street sweeper is on contract to sweep Ives Place, East Street, and Railroad Avenue Monday through Friday, a minimum of three times a day. They are also on call to sweep these streets as operations required in order to maintain clean public streets.
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)	The project is consistent with coastal goals and policies stated in section 22a-92, C.G.S. (CCMA) as the parcel is already fully developed and there no proposed construction activities.
4. Will the project preclude development of water dependent uses on or adjacent to this site in the future?	The facility will not preclude development of water dependent uses on the site in the future.
5. Have efforts been made to preserve opportunities for future water-dependent development?	The project does not foreclose future development of the site or a shift in possible land use.
6. Is public access provided to the adjacent waterbody or watercourse?	Public access is not feasible, as the industrial nature of the site and active rail line create safety hazards incompatible with public access.
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)?	The proposed project does not include any new shoreline flood and erosion control structure or any changes to the existing shoreline flood and erosion control structures that exist at the site.
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.

The conditions of approval of the Coastal Site Plan are as follows:

1. Operations shall be conducted in a manner consistent with the plans and application submitted on December 7, 2015, unless modified herein.
2. Outdoor storage shall be limited to the 100,000 SF delineated in Sheet SP-01: Outdoor Storage of Materials, dated December 2015 and submitted as part of the application package on December 7, 2015.
3. Materials to be handled on site shall be limited to non-hazardous, bulk, dry cargo.
4. Height of piles of materials on site shall be a maximum of 20 feet above Ives Place. If the applicant wishes to stack materials more than 20 feet high, an application for a new Special Permit must be submitted.
5. No processing of materials shall occur on site.
6. A robust dust control plan, including sweeping schedules and mitigation measures (both on- and off-site), shall be provided to City Plan Department for review and approval within 60 days of the date of publication of City Plan Commission approval of staff report.

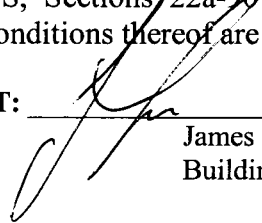
7. Petroleum Terminals will prohibit idling of vehicles on-site in accordance with Regulations of Connecticut State Agencies 22a-174-18 and inform truck operators of this prohibition through signage on the premises and enforcement by facility operators and/or the Livable City Initiative (LCI) Building Division.
8. Applicant must update site plan to show entrance and exit to site, including an anti-tracking pad.
9. Site fences, lighting, and landscaping shall be maintained in good repair and appearance.

**ADOPTED:** March 16, 2016  
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 16, 2016

**ATTEST:**   
James Turcio  
Building Official