

NEW HAVEN CITY PLAN COMMISSION SPECIAL PERMIT

RE: 24 AND 36 RIVER STREET, INCLUDING M/B/P 164 0700 00300. Special Permit for boat building, repair, service, and storage over 100 feet in length and special trade contractor with no limit as to floor area or enclosure in an IM zone. (Owners: James Bussmann of River Street Holdings, Inc. and River Street Storage Corporation; Applicant: Milan Patel of Patel Construction, LLC; Agent: Carolyn Kone of Brenner, Saltzman, & Wallman, LLP)

REPORT: 1522-04

ACTION: Approval

Note: See companion CPC Report 1522-02 for the same site.

Previous CPC Actions: None

Submission: SPR Application Packet including DATA, SPECIAL PERMIT, and WORKSHEET, SITE forms. NARRATIVE attached. Application fee: \$150. Received August 18, 2016.

- Spill Prevention, Containment, and Control Plan. Received September 12, 2016.
- Reflective Heat Study. Drawing date September 13, 2016.
- Cool Roof Solutions product information. Received September 15, 2016.
- Stormwater Management Analysis, dated October 7, 2016. Received October 7, 2016.
- Application drawings. 13 sheets received October 7, 2016.
 - Cover Sheet. Drawing date October 7, 2016.
 - Lot Line Adjustment Map. Drawing date August 18, 2016.
 - Existing Conditions Map. Drawing date August 18, 2016.
 - C0.01: General Notes & Legend. Drawing date October 7, 2016.
 - C1.00: Site Plan. Drawing date October 7, 2016.
 - C1.01: Site Details. Drawing date October 7, 2016.
 - C2.00: Grading, Drainage, & Utility Plan. Drawing date October 7, 2016.
 - C2.01: Drainage & Utility Details. Drawing date October 7, 2016.
 - C3.00: Soil Erosion & Sediment Control Plan. Drawing date October 7, 2016.
 - C3.01: Soil Erosion & Sediment Control Notes & Details. Drawing date October 7, 2016.
 - C4.00: Site Shading Plan. Drawing date October 7, 2016.
 - L1.00: Landscape & Lighting Plan. Drawing date October 7, 2016.
 - L1.01: Landscape & Lighting Details. Drawing date October 7, 2016.

OTHER RELEVANT INFORMATION:

- Letter from Fair Haven Community Management Team expressing support for project. Dated September 19, 2016. Received September 20, 2016.

BACKGROUND

Per the City of New Haven zoning regulations Sections 46 and 64, Milan Patel of Patel Construction, LLC has applied for a Special Permit (and Site Plan Review including Coastal Site Plan Review: CPC Report 1522-02) for boat building, repair, service, and storage over 100 feet in length and special trade contractor with no limit as to floor area or enclosure in an IM zone relating to a marine construction business at 24 and 36 River Street. 24 and 36 River Street is located on a developed waterfront site adjacent to the Quinnipiac River, immediately west of the Ferry Street Bridge.

Current site conditions:

24 River Street is an entirely developed site that is nearly 100 percent impervious. The parcel contains a multi-story brick building on the eastern portion of the property which abuts the Ferry Street Bridge. The remainder of

the site is a paved asphalt lot. 36 River Street is also entirely developed and nearly 100 percent impervious, containing a large, multi-story brick warehouse with the remainder of the site being a paved asphalt lot.

The Quinnipiac River lies at the southern end of both lots, with a sheet pile bulkhead along the river extending 101 feet from the Ferry Street Bridge across 24 River Street. A heavily eroded wooden bulkhead extends from the end of this bulkhead for the remainder of the 24 River Street property and on to the 36 River Street property. The remainder of the 36 River Street waterfront consists of rip rap along the water, with some brushy area and trees between the water and the paved area that comprises the rest of the site. As part of the proposed project, the entire waterfront portion of 36 River Street (21,119 SF in total) will be transferred to the 24 River Street parcel. This portion to be transferred is 66-feet wide at minimum and 140-feet wide at maximum and is currently entirely paved or brushy; the existing building will remain as part of the 36 River Street property.

Proposed Activity:

The applicant intends to demolish the 24 River Street building and construct a new office/storage building for Cambridge Marine Construction, Inc. Cambridge will use the Quinnipiac River adjacent to the site as a home port for its boats and marine construction equipment (cranes, backhoes, etc.). The new building will be a three-floor rectangular, metal building totaling 18,908 SF. The new building will front River Street, with a glass storefront window that will wrap around the western side of the building. The River Street side of the building will include a well-lit plaza area with street furniture, landscaping, and planters. The southern side of the building, facing the Quinnipiac River, will include high doors that will allow a crane to be placed in the building for repairs. Because the building is located within the 100-year floodplain, there will be flood vents below the base that will allow water to flow through the building in the event of a severe storm. The ground floor will include a lobby and industrial high bay area for equipment repair and an industrial area for part and tool storage. The second floor will contain offices and the third floor will house mechanical and electrical equipment so as to be well above the base flood elevation level.

The existing surfaces of the waterfront portion of the site will be used for a laydown area and remain mostly unchanged, although nearly the entirety of the waterfront portion of the site will be paved with bituminous asphalt. The exception to this is the very eastern edge of the site, in the footprint of the building to be demolished, which will be covered with compacted gravel.

Cambridge currently owns one 45-foot barge and intends to acquire a 65-foot boat and 150-foot dredge barge; these boats will be tied up no more than eight to eleven feet from the shore when not in use at job sites during the March-October work season. The boats will not be tied up at the same time, and for no longer than one to two weeks at a time. The boats may be in dry dock for less than 30 days if being repaired, and a crane may be moved from the water to the land for short periods of time. There will be a fence between the dry dock area and the new building.

PUBLIC HEARING:

A public hearing was held on October 20, 2016. A transcripts of the hearing, CPC meeting 1523, is available from City Plan Department.

SPECIAL PERMIT

Section 64 of the New Haven Zoning Ordinance states:

Statement of purpose. The development and execution of a comprehensive zoning ordinance is based upon the division of the city into districts, within which the *use* of land and *structures* and the bulk and location of *structures* in relation to the land are substantially uniform. It is recognized, however, that there are certain *uses* and features which, because of their unique characteristics, cannot be distinctly classified or regulated in a particular district or districts, without consideration, in each case, of the impact of such *uses* and features upon neighboring *uses* and the surrounding area, compared with the public need for them at particular locations. Such *uses* and features are therefore treated as special permits.

Special Permit Criteria	Comments
<p>a. <i>Burden of proof.</i> A special permit shall not be considered an entitlement, and shall be granted by the Commission only after the applicant has demonstrated to the satisfaction of the Commission that all ordinance requirements are met.</p>	<p><i>Applicant has submitted plans and other information indicating that its proposed marine construction office, storage, and waterborne transportation activities are appropriate for the site bordering the Quinnipiac River.</i></p>
<p>b. <i>Ordinance compliance.</i> The proposed use shall comply with all applicable regulations, including any specific standards for the proposed use as set forth in this ordinance. Any accessory use to a special permit must receive express authorization from the commission.</p>	<p><i>The proposed use is consistent with the uses in the IM zone.</i></p>
<p>c. <i>Comprehensive Plan of Conservation and Development.</i> The Commission shall determine if the proposed special permit's use and improvements comply with the City's development plans.</p>	<p><i>The project is consistent with Vision 2025's goal to encourage development of marine areas as a mix or marine-related activities with other activities (including office use) and is in accord with the future land use map in Vision 2025 to convert this area to industrial mixed use. Vision 2025 also contemplates revitalizing the neighborhood around River Street, which this project will help to accomplish. The use of flood vents, the metal building materials, and placing the office and utilities on the upper levels of the new building comply with the goals of Vision 2025 to adapt to anticipated sea level rise and coastal flooding. The project is also consistent with the River Street 2002 Municipal Development Plan (MDP) because jobs will be created, personal property taxes will increase, light industrial uses are proposed, and the orientation of the building and other site improvements are consistent with the design guidelines in the MDP.</i></p>
<p>d. <i>Natural features.</i> Special permits must preserve trees and other natural site features to the greatest extent possible so as to minimize their impact upon surrounding properties and the district, and must not have an adverse impact on significant scenic vistas or on significant wildlife or vegetation habitat.</p>	<p><i>The site is mostly developed with a building and pavement; existing trees along the Quinnipiac River will not be disturbed. New trees and plantings will be added to a plaza area along River Street. Views from surrounding properties will not be adversely impacted because the current building at 24 River Street is a two-story 22-foot tall building; the average height of the new building, which has a pitched roof, will only be slightly higher at 27 feet. Tidal vegetation on the site will be protected during construction.</i></p>
<p>e. <i>Hazard protection.</i> The proposed use shall not have a detrimental impact upon the use or peaceable enjoyment of abutting or nearby properties as a result of vibrations, fumes, odor, dust, erosion, sedimentation, flooding, fire, noise, glare, hazardous material use, storage, transportation or disposal, or similar conditions.</p>	<p><i>The existing building at 24 River Street is non-compliant with respect to flood prevention regulations, whereas the new building will meet all floodplain development requirements. No hazardous material will be stored on site, and the applicant has developed a robust spill prevention, containment, and control plan. No vibrations, fumes, odor, dust, erosion, sedimentation, fire, or glare is expected. Protective measures to control dust, erosion, and sedimentation will be taken during construction.</i></p>

<p>f. <i>Historic preservation.</i></p>	<p><i>No historic structures on site</i></p>
<p>g. <i>Design and architectural compatibility.</i> The operational and physical characteristics of the special permit shall be compatible with the surrounding area and the neighborhood in which it is proposed. Site design and architectural features which contribute to compatibility include, but are not limited to, landscaping, drainage, access, and circulation, building style and height, bulk scale, setbacks, open areas, roof slopes, building orientation, overhangs, porches, ornamental features, exterior materials and colors.</p>	<p><i>The new building has been designed in the "classical industrial" style to be compatible with the massing, setbacks, materials, and colors of other buildings in the neighborhood. The front of the building will face River Street and will consist of a storefront window system that will wrap around to the western façade of the building, allowing light to enter the building and creating a welcoming presence on River Street. The western portion of the new building will have a two-story glass lobby. The metal walls on the building and the blocks on the base of the building are intended to evoke the industrial history of the area, and the building walls will be of a similar brick color as that used in the construction of the nearby Brewery Square Condominiums. The Ferry Street façade will be broken up with architectural details, including decorative steel beams and a smooth face accent blocks. The average height of the new building will be less than that of the existing 36 River Street building, and a well-lit plaza for public use with planters and benches will be located in front of the entrance to the lobby area along the River Street side of the building.</i></p>
<p>h. <i>Property values.</i> The use and site design shall not have a detrimental effect on the property values in the surrounding area.</p>	<p><i>The project has the potential to have a positive effect on property values in the area. Currently, the 24 River Street building is vacant as are a number of other sites in the vicinity. An attractive new building employing a number of people should increase the perception of safety in the area and make the site more pleasing and valuable, particularly because landscaping will be added to the River Street side of the building.</i></p>
<p>i. <i>Traffic impact.</i> The applicant shall demonstrate how the proposed use will not adversely affect the safety and convenience of vehicular and pedestrian circulation on, adjacent or nearby the site. The Commission may require a traffic impact study be submitted to it by the applicant for any special permit use of land. The study shall consider traffic patterns and adequacy of proposed off-street parking and loading resulting from the proposed development.</p>	<p><i>The site will provide parking spaces for the 10-15 employees working in the building. Employees will not be leaving during the day, and materials will be delivered to work sites and not to 24 River Street. There will be one on-site loading space. Accordingly, there would be minimal additional traffic generated as a result of the new use.</i></p>

CONDITIONS OF APPROVAL:

None

ADOPTED: October 20, 2016
Edward Mattison
Chair

ATTEST: 
Karyn M. Gilvarg, AIA
Executive Director