

**NEW HAVEN CITY PLAN COMMISSION COASTAL SITE PLAN REVIEW
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RE: 24 AND 36 RIVER STREET, INCLUDING M/B/P 164 0700 00300. Site Plan Review and Coastal Site Plan Review for construction of new building and dry dock area to be used for marine construction business 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: 1522-02

ACTION: Approval with Conditions

Note: Companion CPC Report 1522-04 for the same site.

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 **October 20, 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 **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; Fire Marshal; City Engineer; Department of Transportation, Traffic, and Parking; and City Plan Department; and 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. Flood Elevation Certificate [Flood Development Permit certifying finished floor elevation shall] accompany application for building permits.
8. Any proposed work within City right-of-way will require separate permits.
9. 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.
10. 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.
11. Filing (with City Plan) and implementation of a Storm Drainage Maintenance Plan and Inspection Schedule is required.
12. 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.
13. 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

14. Prior to construction of the proposed drainage system, the applicant shall test the subsoils in at least two locations where the stormwater gallery system is proposed;
15. Adjustments or modifications to the system as may be necessary based on the results of the testing (including the replacement of unsuitable soils with select fill) shall be to the satisfaction of the Engineering Department;
16. Prior to issuance of building permits, recorded copies of the lot swap and cross easements for 24 and 36 River Street must be provided to City Plan;
17. Applicant to provide City Plan with one bound and conformed set of signed and sealed site plans.

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

PROJECT SUMMARY:

Project: Dry dock and building for marine construction

Address: 24 and 36 River Street

Site Size: 75,122 SF (1.72 acres)

Zone: Light Industry/Marine (IM)

Financing: Private

Parking: 9 parking spaces (including 1 HC van-accessible) and 1 loading space

Owner: James Bussman, River Street Holdings, LLC (24 River) and River Street Storage Corporation (36 River)

Applicant: Milan Patel, Patel Construction, LLC

Phone: 978-740-2765 x200

Agent: Carolyn Kone, Brenner, Saltzman, & Wallman, LLP

Phone: 203-772-2600

Architect: Silver/Petrucci + Associates

Phone: 203-230-9007

Site Engineer: Tim Onderko, Langan Engineering

Phone: 203-562-5771

City Lead: City Plan Department

Phone: 203-946-6379

BACKGROUND**Previous CPC Actions:**

None

Zoning:

The Site Plan as submitted meets the requirements of the New Haven Zoning Ordinance for the IM zone.

Site Description/existing conditions:

24 River Street is an entirely developed site that is mostly 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 mostly 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 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 a 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.

Circulation/Parking/Traffic:

Traffic will enter and exit the site via an existing 28-foot wide curb cut opposite Ferry Street. The parking and loading area will be constructed along the new building's western frontage. Hours of operation will be Monday to Friday, 7AM to 5PM. No significant truck traffic is expected, as employees are likely to stay on site all day and delivery of materials will generally be made to work sites rather than Cambridge's offices.

Trash removal:

A garbage dumpster will be located on a concrete pad at the south end of the vehicle parking area and will be emptied by a private contractor.

Signage:

No signage was submitted as part of this 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: 185

Start Date: Spring 2017

Completion Date: Fall 2017

Responsible Party for Site Monitoring: Milan Patel

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 both during 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 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*.

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: SUBMISSION MEETS REQUIREMENTS

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 the 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.

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:	30,499 SF
50% of non-roof hardscape:	15,250 SF
Shaded (based on average values per code):	1,040 SF
Areas with SRI > or = 29	15,642 SF

TOTAL PROPOSED SHADED/HIGH SRI AREA
% SHADE/HIGH SRI PROPOSED

16,682 SF
54.7%

Project Timetable:

Construction is planned to begin in spring 2017 and end in fall 2017.

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:

Tidal Wetlands: There is an area of tidal vegetation adjacent to the site.

Coastal Flood Hazard Area: The project site is located within a Special Flood Hazard Area Zone AE +12', as defined by FEMA Flood Insurance Rate Map (FIRM) No. 09009C0442J dated July 8, 2013.

Developed Shorefront: The project site includes a bulkhead and revetment structure.

Navigable Waters: The site is adjacent to the Quinnipiac River, which contains a navigation channel.

Coastal Program Criteria	Comments
1. Potential adverse impacts on coastal resources and mitigation of such impacts	<p>The tidal wetlands on site will be protected during construction and will not be impacted by the proposed work.</p> <p>The building to be constructed will be located within a flood zone with Base Flood Elevation (BFE) 12'. The ground floor below the BFE will be used for storage and constructed using flood-resistant materials. It will also be equipped with flood vents to allow the automatic entry and exit of flood waters. All utilities and office space will be located above the BFE.</p> <p>On occasion, boats will be tied up in the Quinnipiac River 8-11' from the rip rap portion of the site. The applicant will comply with all Coast Guard and Army Corps of Engineers regulations and protocols regarding its operations with respect to the navigable channel.</p>

2. Potential beneficial impacts	The existing building within the floodplain will be demolished and replaced with a compacted gravel surface. The proposed project requires use of a developed shorefront, and as such the existing developed shorefront will be maintained. By utilizing an already developed shorefront, the project will not impact other coastal resources.
3. Identify any conflicts between the proposed activity and any goal or policy in the §22a-92, C.G.S. (CCMA)	None.
4. Will the project preclude development of water dependent uses on or adjacent to this site in the future?	No, this project itself is a water-dependent use.
5. Have efforts been made to preserve opportunities for future water-dependent development?	Yes, the waterfront will remain open to allow for water-borne transportation of marine barges and equipment.
6. Is public access provided to the adjacent waterbody or watercourse?	No, the site will be used as an active yard for boat and marine construction equipment temporary storage, maintenance, and repair.
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)?	Yes, the existing bulkhead and rip rap revetment on the site will be maintained.
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 Pages 1 and 2.

ADOPTED: October 20, 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: October 20, 2016

ATTEST: _____
James Turcio
Building Official