

**NEW HAVEN CITY PLAN COMMISSION COASTAL SITE PLAN REVIEW  
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**RE:** 100 RIVER STREET, Site Plan Review and Coastal Site Plan Review for Modifications to Plans for new Warehouse Facility for Colony Hardware in an IM Zone (Owner: City of New Haven; Applicant: The Sophie Group).

**REPORT:** 1451-01

**ACTION:** Approval with Conditions

**COASTAL FINDING:** Approval

**CONDITIONS OF APPROVAL**

1. The Site Plan is approved for a period of five years, and the approval will expire if the project is not complete by June 15, 2016.
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 for Building Permit.
3. Comments under **Site Plan Review** on page 5 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 City Engineer, Department of Transportation, Traffic and Parking and City Plan Department in that order shall be obtained prior to initiation of site work or issuance of Building Permit. The Greater New Haven Water Pollution Control Authority and Fire Marshall shall also review the plans.
5. Construction Operations Plan/Site Logistics Plan, including any traffic lane/sidewalk closures, temporary walkways, detours, signage, and haul routes to and from site 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. The name of individual(s) who are responsible for maintaining Soil Erosion and Sediment Control measures and who will monitor the Soil Erosion and Sediment Control Plan on a day to day basis during construction shall be provided to the City Plan Department, 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 necessary easements shall be secured prior to issuance of building permits for the new buildings.
9. Any sidewalks or curbs on the perimeter of the project deemed to be in damaged condition or damaged by the project 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. Building construction shall comply with the City's recently revised Flood Damage Prevention Ordinance. A Flood Elevation Certificate certifying finished floor elevation of the two structures shall be submitted to the Building Official prior to issuance of Building Permit.
12. Implementation of an ongoing Storm Drainage Maintenance Plan and Inspection Schedule is required.
13. 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.
14. 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 both mylar and digital format [.TIFF file based on the State Plane Coordinates (NAD1983)]. Provide version of AutoCAD with submission.

**Submission:** Development Permit application inc. Coastal Site Plan Review application and narrative, Drainage Report by Milone and MacBroom 03/08/11 rev. 4/20/11, Letter noting changes from original approval 03/08/11, Memo 4/20/11

regarding revised site drainage; Site Plan set rec'd. 03/08/11: Survey by Edward Lally Jr. 11/30/07; Plans by Milone and MacBroom 03/11 rev. 4/20/11: Site Layout Plan, Site Grading & Drainage Plan, Site Utilities Plan, Cut/Fill Analysis Plan, Schematic Site Lighting Plan inc. fixtures, SESC Plan, Site Details. SESC Narrative and Details, Truck Turning Movement and Circulation Plan,; Schematic Site Plan by Lazarus & Sargeant 03/03/11, Schematic Floor Plans, Schematic Elevations, Street Wall & Fence Details, Building Sign elevation.

**PROJECT SUMMARY:**

**Project:** New 124,800 SF office, retail and distribution facility for Colony Hardware  
**Address:** 100 River Street  
**Site Size:** 373,568 SF (8.57 acres) (minus 50' wide strip to become riverfront walkway)  
**Zone:** IM, CAM, Flood Zone, MDP Parcels E, F & G  
**Financing:** Private  
**Project Cost:**  
**Parking:** 105 spaces including 5 HC spaces  
**Loading:** 9 tractor trailer spaces; 12 truck bays  
**Owner:** Hess Corporation **Phone:** 732-750-6616  
**Applicant:** The Sophie Group (Mark Franklin) **Phone:** 203-466-5252  
**Agent:** Sam Sargeant **Phone:** 203-265-3194 x 116  
**Architect:** Lazarus & Sargeant **Phone:** same  
**Site Engineer:** Milone & MacBroom (replaced Juliano Associates) **Phone:** 203-271-1773  
**City Lead:** City Plan Dept. **Phone:** 203-946-6379  
**Project Manager:** Helen Rosenberg, Economic Development **Phone:** 203-946-5889

**BACKGROUND**

**Previous relevant Actions of the Commission:** River St. MDP (01/07/02), Ground Lease (CPC 1414-12, 03/19/08, renewal 1442-16, 07/21/10), Special development Grant from City (1443-08, 08/18/10), Site Plan Review inc. CSPR for Colony Hardware (CPC 1417-10, 06/18/08).

**Related current actions:** Footings & Access Agreement (1453-06), Site and Coastal Review for Drainage work in Lloyd St (1453-03).

**Zoning:** The Site Plan as submitted meets the requirements of the New Haven Zoning Ordinance for the IM zone. The IL zone abuts the site to the west. The site is a waterfront site within the coastal management zone, and is also located within the River Street MDP. The Commission had previously approved a Site Plan and Coastal Site Plan Review in 2008 (see CPC 1417-10) for the Sophie Group which has since modified the plan with a different approach to grading, drainage and phasing. The project will be built in one phase rather than in phases as previously approved.

**Existing Conditions:** The former Hess Terminal has been demolished, including fuel storage tanks. The existing building foundations, various concrete slabs, and bituminous concrete pavements still remain. The existing containment berms for the fuel tanks also remain. The remainder of the site is mostly compacted gravel. The site will be remediated by Hess as it is prepared as a building site for Colonial Hardware.

**Proposed Activity:** The Sophie Group proposes a 124,800 SF facility for Colony Hardware's office, retail and distribution operation at 100 River Street, the site of the former Hess Terminal. The new facility will serve as the headquarters for Colony's expanding operation. Colony has outgrown its existing facility at 821 East Shore Parkway and 50 Fulton Terrace (aka 15 Stiles Street) in the Port District. (See CPC 1414-12 for background). The new building will be two stories with 108,000 SF on the ground floor and 12,800 SF on the second level (office and storage). The project also includes a 4,000 SF 1-story outbuilding for specialized material storage on the eastern side of the larger building. The ground lease obligates the Sophie Group to purchase the property and gives the Sophie Group the right of first refusal to acquire the adjacent property to the west at 142 River Street, owned by the City.

**Stormwater Drainage:** Due to the fact that there is contamination on the site, several areas will be remediated by the current owner as part of the construction project. As part of a Remedial Action Plan (RAP), impervious surface in the form of the building and the additional paving will serve as a cap of contaminated material which

will remain on site, thus the 2.9 acre increase in impervious surface on site for a total of 5.6 acres. Originally the stormwater system has been designed to accommodate drainage in two separate detention systems, but the Greater New Haven Water Pollution Control Authority did not permit a connection into River Street if other alternatives existed. Milone and MacBroom has reconfigured the plan and revised its hydraulic computations for one system which will collect runoff from the vehicle parking areas, landscaped areas, and roof runoff which will discharge into the new 48" storm drainage system proposed in Lloyd Street and ultimately discharges to the Quinnipiac River (see CPC 1453-03 for a separate review of the Lloyd Street system which contains a new "duckbill" check valve on the 48" RCP at the end of Lloyd Street to prevent tidal flow into the drainage system.) No on site detention is proposed.

New catch basins with 2' sumps and the final one prior to discharge with a 4' sump will be installed throughout the site. A stormwater operation and maintenance plan including scheduled cleaning of the catch basins, as well as regular sweeping of the paved areas has been provided (see Site Layout Plan) and will be required to be implemented as a condition of this approval.

A Remedial Action Plan (RAP) has required that impervious surface shall provide "cap" to the contaminated soils remaining on site. Impervious surface is increased by 2.9 acres over the existing condition which will increase runoff from the site. The goal of the drainage design in light of the RAP capping requirements was to provide conveyance of proposed stormwater flows rather than attenuation to existing stormwater runoff flows. The catch basins with hoods and sumps should catch coarse sediment and floatables from entering the River. Additionally there are two depressed grass areas along the River street frontage and two grassed swales along the southern boundary with the future Riverwalk which will further filter runoff prior to entering drainage systems.

**Utilities:** Water, gas, electric, cable, fire protection and sanitary sewer connections will be made underground to utilities in River Street. Any damage to sidewalks shall be repaired in accord with standard City details.

**Circulation/Loading/Parking:** Access to the site will be through two drives off River Street, the western one which will be for passenger vehicles only and the eastern one for trucks which may also enter from or exit onto Lloyd Street. The eastern truck entrance and the Lloyd Street entrance will have customized curb cuts which have received the approval of the City Engineer. A site entrance opposite Blatchley Avenue with a stamped concrete walkway will be for pedestrians. Parking is in front of the building (to the north). Loading will all occur on the east side of the building within a secure truck maneuvering area. A bike rack will be required.

**Trash removal:** Dumpsters are located to the east of the building and will require registration with the Department of Public Works. Trash removal will be private.

**Landscaping /Lighting:** A schematic site plan shows linden trees along the street front, kousa dogwoods on islands in the parking lot and along the east property line. There are other species identified in a plant list which will be used across the front of the building. There are grassed areas on either side of the pedestrian entrance to the site on River Street and also grassed swales along the future river walk, all to be used as stormwater settling areas. A lighting plan shows the foot candle distribution on the site. Full cutoff fixtures have been specified.

**Building elevations and site amenities:** In keeping with the River Street MDP, the architect has based the building façade design on the older historic buildings in the area. The front exterior facing River Street is brick with a masonry base (red aggregate split faced CMU) and masonry trim (marble aggregate). The sides and rear are red sheet metal to resemble the brick color. The roof, trim and window frames (green) are metal. An architectural fence (black vinyl chain link) with brick and masonry piers runs along the property frontage. A tool motif tops the piers and fence posts. No gates are proposed except for at the drive entry/exit on Lloyd Street. Signage will be limited to a 60 SF sign above the public building entry. A chain link fence is shown along the river walk although no detail has been provided.

It should be noted that the western wall of the proposed 100 River Street building is in close proximity to the property line with 142 River Street, and a portion of the proposed building is approximately 10' from the existing building at #142. The City will require an Agreement with Sophie Group for placement of footings under the #142 property (see CPC report 1453-06). Code also requires an access area around the building.

**Soil Erosion and Sediment Control Review:** 4,740 CY of soil will be added to the site, 7,660 CY of material will be moved and 1,670 CY will be removed from the site. Rather than remove a large quantity of soil as

previously proposed, the applicant proposes to cut and fill the site using primarily existing soils to bring the grade up to 13' adjacent to the building. The building footprint area will be excavated to approximately elevation 8.5' for a geo-pier installation and then brought up to approximately 11.5'. The site will be ringed with silt fence; two construction entrances are shown in the locations of the eventual drives. Haybales and silt sacks will be used to protect the catch basins. An individual will be required to be named as responsible for insuring that SESC measures are properly installed, maintained and inspected according to the SESC Plan, and for monitoring the site to assure there is no soil or runoff entering City catch basins, the storm sewer system, or the River. This individual and an individual who will monitor the SESC Plan on a daily basis are required to be named prior to City Plan signoff on building permit drawings. He is also responsible for assuring there is no dust gravitation off site by controlling dust generated by vehicles and equipment, both during the remediation and construction phases. Soil stockpiles shown on the plan are to the west of the building and shall be protected from dust gravitation and soil erosion. 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*.

Such individual shall be responsible for determining the appropriate response, should unforeseen erosion or sedimentation problems arise. Should soil erosion problems develop (either by wind or water) following issuance of permits for site work, the contractor is responsible for notifying the City Engineer within twenty-four hours of any such situation with a plan for immediate corrective action.

**Consistency with River St. Municipal Development Plan:** The Plans are largely consistent with the MDP standards with the following comments:

*Blatchley Avenue extension to the waterfront:* The Development Commission granted approval for modifications to the standards of the plan including the elimination of the street extension, largely due to the fact that it had not been anticipated when the Plan was adopted that the three Hess parcels would be developed by a single developer.

*Building Placement:* While the MDP standards state the front yard setback shall be no more than 20', building placement has been restricted on this site due to remediation issues.

*Parking areas:* The MDP requires parking areas to be located to the side and rear of new buildings or suitably screened. As the building's placement due to remediation issues has affected the location of parking spaces to the front and side, an architectural fence and some landscaping will help screen the parking from view from River Street.

*Landscaping:* Plan follows MDP standards but landscaping is limited due to contaminated soil being capped. There are grass swales abutting the Riverwalk area.

*Fencing:* While standard chain link fencing is prohibited, the proposed black chain link architectural fencing with masonry piers is acceptable as shown.

### **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.

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

**Estuarine Embayments:** The Quinnipiac and Mill Rivers are estuarine embayments are protected water bodies with an open connection to Long Island Sound.

**Coastal Flood Hazard Areas:** The site is located in Flood Zone AE, a special flood hazard area (100 year flood) where the base flood elevation has been determined at 10' on Flood Insurance Rate Map #09009C0442H, dated December 17, 2010. The existing site ranges in elevation from 6.4' to 10'. In final grading the highest elevation of the site will be 13' with elevation 8' at the Lloyd Street driveway frontage. The finished floor elevation of the main building is slated to be 13.25'. The finished floor elevation of the out-building will be 10.7'. A flood elevation certificate for both structures will be required at the time of building permit.

**Development Shorefront:** The shorefront has been previously developed and disturbed and natural physiographic features have been essentially eliminated.

**Public Access:** As part of the MDP and as funds become available, the City will develop a linear riverfront walkway which will extend from the east end of River Street connecting the Ferry Street Bridge to the western end at Criscuolo Park. Sheetpile bulkhead improvements will be made (see CPC Report 1453-03). The extension of Blatchley Avenue to the waterfront with a timber fishing pier at its terminus was a part of the improvements of the MDP, but as the Sophie Group has agreed to develop parcels on both sides of the potential street extension, the Development Commission modified this condition of the MDP. The ground lease states "... *Tenant agrees to pay to the landlord the sum of \$75,000 to partially offset the Landlord's cost of constructing either*" (i) *a fishing pier as a public amenity to be located at the foot of Poplar Street at the Quinnipiac River; (ii) the architectural screen set forth in Section 5.8(c) above; or (iii) any other architectural amenity the City may prefer. The Tenant shall make this payment to the Landlord within 6 months from the Commencement date of the Lease.*"

In addition there will be a canoe/kayak launch at the foot of Lloyd Street.

**Consistency with Coastal Program:** Two of the recommendations in the Coastal Program adopted June 21, 2006 are applicable to this site:

- "Carry out plans set forth in the River Street MDP. When redeveloping the waterfront properties, provide for public access at the edge of the water and also provide a buffer to accommodate sea level rise and mitigate coastal hazards."

Public access is provided, with a buffer between the building and the walkway.

- "Maintain connections to the edge of the water at the ends of the north-south streets that intersect with River Street, rather than allowing these streets to fall within the footprint of development."

While the Development Commission has modified the River Street MDP to permit the elimination of the connection of Blatchley Avenue to the riverfront, the Commission believes this developer should remain responsible for contributing to the construction of a fishing pier at the Poplar Street terminus, as well as the screening amenity at the River Street frontage. Additionally there will be public access improvements at the end of Lloyd Street as part of the storm sewer project (see CPC Report 1453-03).

**Project Timetable:** Construction is anticipated to begin early September 2011 and to be completed by early December 2012.

#### **SITE PLAN REVIEW**

Plans have been reviewed by the Site Plan Review team with representatives from City Plan, City Engineer, Livable City Initiative Building Division and Department of Transportation, Traffic and Parking and have been found to meet the requirements of City ordinances, Regulations and standard details with the following comments:

##### **City Plan:**

- *Add bike rack in vicinity of building entry*
- *Detail for chain link fencing at south property line to be approved by City Plan Department*

##### **Engineering:**

- *Recommend simplifying capture of stormwater from northeastern portion of the site by connecting 2 CBs Type "C" and Type "CL" and then connecting with manhole east of building (could reduce cost)*

#### **SITE PLAN ACTION**

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

#### **COASTAL FINDING**

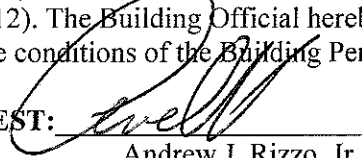
Taking into consideration all of the above information, the City Plan Commission finds the proposed activity consistent with all applicable goals and policies in Section 22a-92 of the Connecticut Coastal Management Act and incorporates as conditions or modifications all reasonable measures which would 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.

**ADOPTED:** June 15, 2011  
Roy Smith, Jr.  
Vice 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.

**DATE ADOPTED:** 6/17/11

**ATTEST:**   
Andrew J. Rizzo, Jr.  
Building Official