

NEW HAVEN CITY PLAN COMMISSION SITE PLAN REVIEW

RE: 39-41, 43-45, AND 47-49 DAYTON STREET AND 1122, 1130, 1136-1138, 1144-1144½, 1146-1148, AND 1150 WHALLEY AVENUE. Site Plan Review for demolition of existing buildings and construction of a 13,600 SF CVS. (Owner: Dayton Whalley Realty, LLC and Garfield Perkins; Applicant: Doug Benoit for Arista Development, LLC; Agent: John Knuff for Hurwitz, Sagarin, Slossberg, & Knuff, LLC)

REPORT: 1517-02

ACTION: Approval with conditions

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 May 19, 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, Fire Marshall, 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.
5. Construction Operations Plan/Site Logistics Plan, including any traffic lane/sidewalk closures, temporary walkways, detours, signage, haul routes to and 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. The name of an individual responsible for monitoring the soil erosion and sediment control plan on a daily basis during the construction period shall be provided to the City Plan Department, prior to City Plan signoff on final Plans.
8. Any proposed work within City right-of-way will require separate permits.
9. Prior to issuance of Building Permit, street address(es) shall be assigned by the City Engineer.
10. 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.
11. 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.
12. Filing (with City Plan) and implementation of a Storm Drainage Maintenance Plan and Inspection Schedule is required prior to issuance of Certificate of Occupancy.
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 paper, mylar, and digital PDF on CD or flash drive.

Submission: SPR Application Packet including DATA, WORKSHEET, SITE, and SESC forms. NARRATIVE attached. Application fee: \$270. Received March 17, 2016.

- Application cover letter from Attorney John Knuff, dated March 16, 2016. Received March 17, 2016.
- BZA Special Exception to permit transition parking in a residence district and to permit 70 on-site spaces where 133 are required, dated March 9, 2016. Received March 17, 2016
- Traffic Impact and Access Study, dated March 2016. Received March 17, 2016.
- Revised Stormwater Management Plan, dated April 15, 2016. Received April 18, 2016.
- Response to stormwater management criteria, dated April 7, 2016. Received April 8, 2016.
- Response to staff comments, dated April 7, 2016. Received April 8, 2016.
- Response to staff comments, dated April 15, 2016. Received April 18, 2016.
- Reflective heat calculations performed by RJO'Connell & Associates, dated April 15, 2016. Received April 19, 2016.
- Cimarron LED Luminaires product brochure. Received April 19, 2016.
- Application drawings. 20 revised sheets received April 18, 2016.
 - C-0.1: Cover Sheet. Revision date April 15, 2016.
 - SV-1-SV-3: ALTA/ACSM Land Title Survey. Drawing date January 21, 2015.
 - C-1: Demolition Plan. Revision date April 15, 2016.
 - C-2: Erosion Control Plan. Revision date April 15, 2016.
 - C-3: Site, Parking, & Traffic Control Plan. Revision date April 15, 2016.
 - C-4: Grading & Drainage Plan. Revision date April 15, 2016.
 - C-5 Utility Plan. Revision date April 15, 2016.
 - L-1-L-2: Landscape Plan and Details. Revision date April 15, 2016.
 - C-6: Erosion Control Details and Narrative. Revision date April 15, 2016.
 - C-7-C-8: Site Details. Revision date April 15, 2016.
 - C-9: Utility Details. Revision date April 15, 2016.
 - C-10: Drainage Details. Revision date April 15, 2016.
 - C-11: Photometrics Plan. Revision date April 15, 2016.
 - C-12: Intersection Sight Distance Plan. Revision date April 15, 2016.
 - OL: Outline Plan. Drawing date February 25, 2016.
 - Exterior Elevations. Drawing date March 18, 2016.

PROJECT SUMMARY:

Project: Whalley Avenue/Dayton Street CVS
Address: 39-41, 43-45, and 47-49 Dayton Street and 1122, 1130, 1136-1138, 1144-1144½, 1146-1148, and 1150 Whalley Avenue
Site Size: 70,222 SF (1.61 acres)
Zone: BA (General Business) and RM-2 (High-Middle Density Residential)
Financing: Private
Parking: 71 car spaces (including 2 HC and 1 HC van-accessible) and 8-spot bicycle rack
Owner: Garfield Perkins (43-45 Dayton Street)
Dayton Whalley Realty, LLC (Remainder of parcels)
Applicant: Doug Benoit for Arista Development **Phone:** 781-769-5900
Agent: John Knuff for Hurwitz, Sagarin, Slossberg, & Knuff **Phone:** 203-877-8000
Site Engineer: Brian Dundon for RJO'Connell & Associates, Inc. **Phone:** 781-279-0180
City Lead: City Plan Department **Phone:** 203-946-6379

BACKGROUND

Previous CPC Actions:

CPC 1515-14: Special Exceptions to permit transition parking in a residence district and to permit 70 on-site parking spaces where 133 spaces are required for a retail store in BA and RM-2 zones (15-89-S).

Zoning:

The Site Plan as submitted meets the requirements of the New Haven Zoning Ordinance for the BA and RS-2 zones, with the zoning relief granted to permit transition parking in a residence district and to permit 70 on-site parking spaces where 133 spaces are required.

Site Description/existing conditions:

The project site is comprised of nine parcels of land at the southeast corner of Whalley Avenue and Dayton Street. All nine properties are currently developed, with uses consisting of vacant two-story residential structures, retail businesses, and a convenience/liquor store.

Proposed Activity:

All existing buildings (totaling 17,600 SF) are to be demolished and replaced by a 13,600 SF single-story, freestanding CVS, including a pick-up/drop-off window for prescribed pharmaceuticals only along the southern wall of the CVS building. The building will front both Whalley Avenue and Dayton Street, with the entrance on the east side of the building, facing the parking lot. A 6'-tall privacy fence will be installed along the entire southern and half of the eastern property lines.

Circulation/Parking/Traffic:

The existing site is currently served by five curb cuts/driveway aprons, two on Whalley Avenue and three on Dayton Street, in order to serve the multiple residences/businesses contained within the project site. The proposed project will consolidate the driveways and parking areas so that the entire site is served by one parking lot, with one curb cut/driveway on Whalley Avenue and one on Dayton Street. The parking lot will contain a total of 71 vehicle parking spaces, with an additional eight-spot bicycle rack. A drive-thru lane with bypass lane will be constructed on the south side of the building; both the entrance and exit of the drive-thru will connect to the site's parking lot. A new eight-foot wide concrete sidewalk will be constructed along the entire length of the project's more than 200-foot Dayton Street frontage. The existing sidewalk along Whalley Avenue will be maintained, with existing curb cuts to be sawcut and reconstructed to match existing conditions. Pedestrians accessing the building from Whalley Avenue can connect directly from the Whalley Avenue sidewalk, while pedestrians coming from Dayton Street must utilize two crosswalks across the drive-thru lane.

Trash removal:

Two on-site dumpsters will be emptied on a regular basis by a contracted hauler. An additional trash receptacle is proposed within the owner's property along the sidewalk near the Dayton/Whalley intersection; emptying this receptacle will also be the responsibility of the property owner.

Signage:

Identifying CVS signage is proposed for the western, northern, and eastern sides of the building and meets Zoning Ordinance requirements. A 7'6" tall cedar "Welcome to Westville" sign is proposed within the owner's property near the Dayton/Whalley intersection.

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: 8,800

Start Date: August/September 2016

Completion Date: Spring 2017

Once a contractor is chosen, an individual will be named as the individual responsible for monitoring soil erosion and sediment control measures on a daily basis, and that name provided to the City Plan Department prior to signoff of final plans for permits.

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*.

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

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 SUBMISSION

- 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:	38,500 SF
50% of non-roof hardscape:	19,250 SF
Shaded (based on average values per code):	- SF
Areas with SRI > or = 29	19,600 SF
TOTAL PROPOSED SHADED/HIGH SRI AREA	19,600 SF
% SHADE/HIGH SRI PROPOSED	50.9%

Project Timetable: Construction is scheduled to begin in August/September 2016 and be substantially complete by spring 2017, with the store being open to customers in summer 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 except for the following issues, which must be addressed prior to sign-off for permits:

- The owner must combine the nine parcels into a single lot and record it on the land records, with a copy provided to City Plan;
- Applicant to provide City Plan with recorded copy of BZA letter of relief;
- Plans submitted for sign-off must include bicycle rack details;
- Plans submitted for sign-off must include top shield on Apollo lighting fixture as illustrated in product cut sheet submitted by applicant on April 20, 2016; and
- Provide one complete, signed and sealed, bound and conformed set of drawings for City Plan records.

ACTION

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

ADOPTED: May 19, 2016
Adam Marchand
Acting Chair

ATTEST: 
Karyn M. Gilvarg, AIA
Executive Director