

## NEW HAVEN CITY PLAN COMMISSION COASTAL SITE PLAN REVIEW NEW HAVEN CITY PLAN COMMISSION SITE PLAN REVIEW

**RE:** **85 EAST STREET.** Site Plan Review and Coastal Site Plan Review for repairs to existing fuel farm containment walls. (Owner/Applicant: James Bacon of Magellan Midstream Partners; Agent: Robert Severance of WSP Group).

**REPORT:** 1499-03

**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 November 19, 2014. 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 & 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. Implementation of a Storm Drainage Maintenance Plan and Inspection Schedule is required.
10. 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.
11. 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 [.DWG file based on the State Plane Coordinates (NAD1983)]. Provide version of AutoCAD with submission.

**Submission: SPR Application Packet including DATA, WORKSHEET, SITE, SESC, CSPR, SITE BOND forms. NARRATIVE attached. Application fee: \$270. Received October 16, 2014.**

- Property-ALTA/ACSM Land Title Survey (2 sheets) dated 8/07/00, received October 21, 2014.
- Secondary Containment Upgrade Drawing Set (10 sheets) dated 10/2/14, received October 16, 2014; updated plans received November 12, 2014.

**PROJECT SUMMARY:**

**Project:** Secondary Containment Upgrade to Fuel Farm  
**Address:** 85 East Street  
**Site Size:** 858,914 SF (19.72 acres)  
**Zone:** IH (Heavy Industrial)  
**Financing:** private  
**Owner:** Magellan Midstream Partners **Phone:** 203.466.4400  
**Applicant:** same **Phone:**  
**Agent:** Robert Severance, PE (WSP Group) **Phone:** 914.747.1120  
**City Lead:** City Plan Department **Phone:** 203-946-6379

**BACKGROUND**

**Previous CPC Actions:**

CPC 1214-14: Convert #2 fuel tanks to asphalt storage and installation of related equipment.  
CPC 1225-7: Construct 24 LPG Storage Tanks within existing bulk petroleum terminal.  
CPC 1225-13: Review to construct 24 storage tanks for LPG Distribution.  
CPC 1232-29: Artwork applied to Oil Tank.  
CPC 1286-05: Construction of temporary trestle structures for Tomlinson Bridge Replacement.  
CPC 1302-12: New 10,000 gallon fuel tank.  
CPC 1457-03: Earthen Dike repair & relocation of earthen berm as secondary containment area.

**Zoning:**

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

**Site Description/existing conditions:**

The site is an existing "tank farm" in the port area of the City off East Street.

**Proposed Activity:**

Under EPA mandate, the applicant proposes to build a new secondary containment wall to replace the existing (failing) one.

**Circulation/Parking/Traffic:** n/a

**Trash removal:** n/a

**Stormwater Management Plan:** n/a

**Exterior Lighting:** n/a

**Reflective Heat Impact from hardscape or paved surfaces:** n/a

**Soil Erosion and Sediment Control Review:** n/a

**Signage:**

No new signage is indicated on the plans.

**Project Timetable:**

Applicant proposes to begin work upon approval by the Commission and to be finished in March 2015.

**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:**

Coastal Flood Zones, Developed Shorefront and Navigable Waters. The area has been highly manipulated over the past three hundred years, and there is little ecological benefit to the existing structures and uses as the site is almost completely paved and commercialized.

**Positive Impacts on Coastal Resources:**

The proposed containment walls are an improvement to existing conditions as a new secondary containment system helps to protect the adjacent resources from unintended or accidental spills or release of petrochemicals from the tanks.

**Potential negative impacts on coastal resources and mitigation of such impacts:**

The only potential negative impact stems from excavation of potentially contaminated soils. Applicant's submission indicates that all contaminated soils will be disposed of properly.

**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 with the following comments:

- Flood Management Certificate needs to be coordinated with Building Department prior to Building Permit issuance.

**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 the standard conditions on Page 1.

**ADOPTED:** November 19, 2014  
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.

**DATE ADOPTED: November 19, 2014**

**ATTEST:**



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Daniel O'Neill  
Building Official