

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

RE: 407 EAST STREET: Site Plan and Coastal Site Plan Review for new facility for reprocessing of vegetable oil for re-use. (Owner: Saint Gobain Performance Plastics; Applicant/Agent: James Hutson and Jeff DeWeese for Unity Fuels.)
REPORT: 1488-03
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 January 15, 2019. 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. 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.
6. Any proposed work within City right-of-way will require separate permits.
7. 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.
8. 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.
9. 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.
10. 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, and SESC, and CSPR forms. NARRATIVE included. Application fee: \$270 received December 18, 2013.

- Development Permit Application Drawings dated October 11, 2013, full-size set, received December 18, 2013. Revised Set received January 10, 2014, including Additional Narrative.

PROJECT SUMMARY:

Project: Unity Fuels/Grease Lightning
Address: 407 East Street
Site Size: 32,748 SF (0.75 acres)
Zone: IL (Light Industrial)
Financing: private
Project Cost: TBD
Parking: on-site 8 spaces, including 1 HC
Owner: Saint Gobain Performance Plastics **Phone:** 216.245.0529
Applicant: James Hutson and Jeff DeWeese **Phone:** 212.966.0900
Unity Fuels
Agent: same as applicant
Site Engineer: URS Corporation – Rocky Hill **Phone:** 860.529.8882
City Lead: City Plan Dept. **Phone:** 203-946-6379

BACKGROUND

Previous relevant Actions of the Commission:

- (CPC 1191-02) CSPA for enclosure of outdoor storage pad for ongoing storage of chemicals incidental to industrial use in an IH zone.
- (CPC 1223-10) CSPA for Enclosure.

Zoning: The Site Plan as submitted meets the requirements of the New Haven Zoning Ordinance for the IL (Light Industrial) zone. Zoning Relief granted: Special Exception and Coastal Management District Site Plan for collection, processing and shipping of vegetable oil in an IL District (13-88-S, 13-04-CAM), dated December 11, 2013.

Proposed Activity: The purpose and intended use of the project is to operate a facility which collects, cleans, filters and processes used vegetable oil for transit and use as nonhazardous renewable energy feedstock.

Stormwater Drainage and Compliance with Section 60 (Stormwater Management Plans):

The applicant has not provided a Stormwater Management Plan with this application, and has requested a waiver from the Commission from this requirement. **However, it should be noted that the development meets FOUR of the six items, any one of which normally triggers the requirement of a Stormwater Management Plan:**

- **The development occupies land of more than ½ acre;**
- **has more than ½ acre of existing or proposed impervious surface;**
- **is within the Coastal Area Management District; and**
- **has the potential, in the event of a spill, to cause significant nonpoint source pollution to the groundwater or surface drinking supplies.**

Compliance with Section 60.1 (Exterior Lighting):

The lighting plan has not been provided with the application as required for all site plans. Staff suggests the provision of lighting plans be made a condition of approval.

Compliance with Section 60.2 (Reflective Heat Impact from hardscape or paved surfaces):

The development contains more than ½ acre of impervious cover, and thus normally requires conformance with these standards. The applicant has requested a waiver from these standards. The ordinance states, "The requirements of this section may be waived by the commission with jurisdiction based on a showing that the applicant cannot achieve the 50 percent level using reasonable methods but

has otherwise maximized the percentage achieved...” **Given that the applicant has made no attempt to conform with this standard at all, staff suggests compliance with this section of the code be achieved via a combination of roof surface treatments, site epoxy paint and/or tree plantings.**

Soil Erosion and Sediment Control Review: Not applicable

Circulation/Loading/Parking: Two parking lots are included in the site plan, one for general parking and one for biofuel storage and vehicle parking. Eight spaces are included in the vehicular lot for vehicle. Handicap parking is incorrectly shown on the plans.

Trash removal: will be via private carrier through the larger parking lot. This has not been adequately described on plans.

Landscaping /Lighting: **Has not been provided as required.**

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:

The property falls within The City of New Haven’s Coastal Area Management District. The Mill River falls within 350 feet of the site, and the site surface contours run towards the River. Vegetation within the immediate area is mostly aggressive, non-native invasives along the railroad right-of-way. Some street trees have been planted in the vicinity, but most other trees are volunteer invasives as well. The Mill River at this location is still tidally influenced, though the influence of freshwater becomes more pronounced to the north of the site. The shores of the Mill River are mostly armored in adjacent locations, and the intertidal zone and functionality is minimal.

Positive Impacts on Coastal Resources: The only positive impact on coastal resources would be the removal of invasive, non-native vegetation. Without a planting plan, it is difficult to determine the intent of additional/new plantings.

Potential negative impacts on coastal resources and mitigation of such impacts: Potential negative impacts center on the unintentional spillage of the oils being processed at the plant. The tenant has in place the required permits from the State. It has also proposed a hydrophobic foam system around the tanks and operational area to provide secondary containment. Also illustrated on the plan (conceptually) are bollards to provide protection from truck or other vehicle intrusion into the tanks.

Project Timetable: The Company is proposing to begin preparing the site for business once all permits are acquired. Construction is anticipated to take 10 weeks.

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:

- Parking areas need to be fully dimensioned, including HC parking spaces and circulation drives. Handicap spaces need to be correctly designed to meet current codes. Handicap space needs to be located the shortest distance to the main door of the building;
- Trash enclosure (type and location) and dumpster need to be illustrated on the plans; truck turning movements should be illustrated for trash pick-up;
- Bollards or other tank protection needs to be illustrated on plans, including detail and spacing for actual bollards;
- Any additional or new signage must be reviewed and approved by Zoning official prior to issuance of Building Permit;
- Additional landscaping as noted in the site narrative shall be reviewed and approved by City Plan Staff (no planting plans have been provided as required in the application);
- Provide Stormwater Management plan as required by ordinance;
- Provide lighting plan identifying the location of all exterior lights and the type of fixture and elevation of such lights. The lighting plan shall also include manufacturer specifications or cut sheets for each exterior lighting fixture. Lighting to comply will all standards of Section 60.1 Exterior Lighting; and
- Provide evidence of compliance with Reflective Heat Impact ordinance through selective use of roofing materials, site epoxy paint, and/or tree planting. Calculations for shading shall be reviewed by City Plan staff for conformance with code.

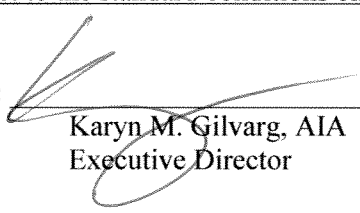
COASTAL FINDING:

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: January 15, 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: January 15, 2014

ATTEST:


Daniel O'Neill
Building Official