

NEW HAVEN CITY PLAN COMMISSION COASTAL SITE PLAN REVIEW
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RE: 407 EAST STREET (AKA 517 AND 539 GRAND AVENUE AND 19 AND 59 NEW STREET). Site Plan Review and Coastal Site Plan Review for soil remedial activities including soil removal to prepare for future development at former Saint-Gobain Performance Plastics site in an IL zone. (Owner: Jeffrey Laydon for East Street Development, LLC; Applicant: James Smith for Saint-Gobain Corporation; Agent: Robert Zei of Forensic Environmental Services, Inc.)

REPORT: 1530-05

ACTION: Approval with Conditions

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 May 17, 2022. 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. Signoff on final plans by the City Engineer; Department of Transportation, Traffic, and Parking; City Plan Department; and Fire Marshal in that order shall be obtained prior to initiation of site work or issuance of building permit.
4. 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.
5. A site bond will be required in conformity with Connecticut General Statutes Section 8-3(g). Bond, or other such financial instrument, shall be provided to the City Plan Department, in an amount equal to the estimated cost of implementation of erosion and sediment controls, plus 10 percent, prior to City Plan final sign-off on plans for building permit.
6. Any proposed work within City right-of-way will require separate permits.
7. 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.

ADDITIONAL CONDITIONS OF APPROVAL

8. Applicant must use City-standard soil erosion and sedimentation control details.
9. One set of revised signed and sealed drawings must be submitted to City Plan prior to commencement of site work.

Submission: SPR Application Packet including DATA, WORKSHEET, SITE, SESC, and CSPR forms. NARRATIVE attached. Application fee: \$270. Received April 20, 2017.

- Conceptual Remedial Action Plan dated April 18, 2017. Received April 20, 2017.
- Areas of Concern. Drawing date May 27, 2014. Received April 20, 2017.
- Proposed Soil Excavation Areas. Drawing date November 16, 2016. Received April 20, 2017.
- ES-1: Erosion and Sedimentation Control Plan. Drawing date April 26, 2017. Received May 3, 2017.

PROJECT SUMMARY:

Project: Remedial work at former Saint-Gobain Performance Plastics facility

Address: 517 and 539 Grand Avenue, 19 and 59 New Street (AKA 407 East Street)

Site Size: 135,907 SF (3.12 acres)

Zone: IL (Light Industry)

Financing: Private

Parking: not applicable

Owner: Jeffrey Laydon for East Street Development, LLC

Phone: 203-562-7283

Applicant: James Smith for Saint-Gobain Corporation

Phone: 610-893-5667

Agent: Robert Zei of Forensic Environmental Services, Inc.

Phone: 610-594-3940

City Lead: City Plan Department

Phone: 203-946-6379

BACKGROUND**Previous CPC Actions:**

CPC 1191-02, June 21, 1995: CSPR for enclosure of outdoor storage pad for ongoing storage of chemical incidental to industrial use in an IH zone.

CPC 1223-10, March 19, 1997: CSPR for enclosure.

CPC 1488-03, January 15, 2014: SPR and CSPR for new facility for reprocessing vegetable oil for re-use.

Zoning:

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

Site description/existing conditions:

The project area consists of four parcels totaling 3.12 acres. Three of the parcels (517 and 539 Grand Avenue and 59 New Street) are contiguous and are bounded by railroad tracks to the west, another property under the same ownership to the north, the Mill River to the east, and Grand Avenue to the south. The fourth parcel, 19 New Street, is across the railroad tracks and is bounded by East Street to the west. The entire complex, which formerly housed the Saint Gobain Performance Plastics facility, is surrounded by a chain link fence. The majority of the site is paved or covered by buildings or the remaining foundations of demolished buildings. Vegetated areas are limited to small strips along the railroad property fencelines and landscaped areas along the western and southwestern property margins. The area is in an industrial zone and is largely surrounded by industrial uses, although there is a residential neighborhood to the north across the Amtrak railroad tracks.

Proposed activity:

The applicant proposes to conduct remedial activities consisting of limited soil excavation. Soil will be excavated from five total areas within the project site. A temporary soil stockpile area will be created on the parcel at 19 New Street, which is currently a fenced and vacant asphalt-covered lot. The stockpile will be covered by plastic sheeting, and if possible, all stockpiled soils will be loaded and transported off-site for proper disposal within one to two weeks. No excavated soils will remain on site for more than 45 days. After soil removal activities are completed, all excavation will be backfilled to match the existing grade.

Upon completion of remedial activities and subsequent site development, the applicant will submit a comprehensive environmental land use restriction (ELUR) that will address post-remediation site conditions. The comprehensive ELUR will ensure that the site is not used for residential activities in the future.

Motor vehicle circulation/parking/traffic:

No changes to existing parking are proposed.

Bicycle parking:

None proposed.

Trash removal:

Excavated soils will be stockpiled at 19 New Street. The stockpile will be covered by plastic sheeting, and if possible, all stockpiled soils will be loaded and transported off-site for proper disposal within one to two weeks. No excavated soils will remain on site for more than 45 days.

Signage:

None proposed.

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: 570-740 CY

Start Date: June 2017

Completion Date: August 2017

Responsible Party for Site Monitoring: John Paul Garcia of JPGA

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;
- 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: Not applicable.

This plan is for soil removal to prepare for future development. Stormwater management plans will be included in development plans, to be submitted for City Plan Commission approval at a later date.

Sec. 60.1 Exterior Lighting: Not applicable

Sec. 60.2 Reflective Heat Impact: Not applicable

Project Timetable: The project is expected to begin within 30 days of approval, and take approximately seven weeks to complete.

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:

Coastal Flood Hazard Area (Flood Zone): A portion of the site lies within the Special Flood Hazard Area of the 100-year flood zone, with a base flood elevation of 12 feet.

Estuarine Embayments: The Mill River is tidally influenced, with an open connection to Long Island Sound.

Coastal Program Criteria	Comments
1. Potential adverse impacts on coastal resources and mitigation of such impacts	The proposed work does not include any buildings or structures that may be affected by the flood hazard area.
2. Potential beneficial impacts	Although current soil and groundwater contamination have minimal, if any, effect on the Mill River, the proposed activities will further reduce the potential for any remaining contamination at the site to impact the river.
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
5. Have efforts been made to preserve opportunities for future water-dependent development?	No
6. Is public access provided to the adjacent waterbody or watercourse?	No. The site is a former industrial facility with environmental land use restrictions to protect the public from exposure to contaminated materials, including historic fill.
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)?	No
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 Page 1.

ADOPTED: May 17, 2017
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: May 17, 2017

ATTEST: 
James Turcio
Building Official