

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

RE: **EDGEWOOD AVENUE AT CHAPEL STREET (Edgewood Park)**, Inland Wetlands Review for Deposit of Fill and Construction of Raised Walkway along Duck Pond (Owner: Department of Parks, Recreation and Trees; Applicant: Gwen Macdonald of CT Fund for the Environment/Save the Sound).

REPORT: 1446-04

FINDING: Approval with Conditions; Beneficial impact on coastal resources

CONDITIONS OF APPROVAL:

1. Adequate erosion and sediment control measures shall be utilized by the contractor so that soil and other materials do not impact coastal resources.
2. Construction Operations Plan including location of construction entrance shall be approved by the City Plan Department, prior to initiation of construction.

Submission: Application and Narrative dated 10/20/10 prepared by Gwen Macdonald of CFE/Save the Sound, 60% design Plans by Milone & MacBroom October 11, 2010: Title sheet with Project Site Vicinity Map, General Notes & Legend, Existing Conditions Site Plan, Site Plan Layout and Grading, Layout and Landscaping, Site Plan Grading, Site Details.

Previous CPC actions: CSPR, Site Plan Review inc. Soil Erosion and Sediment Control Review for Resource Restoration Project (CPC 1286-04, 04/12/2000).

BACKGROUND

The City Engineer proposes improvements in the vicinity of the Duck Pond in Edgewood Park east of the West River, north of Chapel Street and west of Ella T Grasso Boulevard in the Westville/West River neighborhood. The Duck Pond is predominantly a fresh water tidal pond with brackish water entering from the West River upon the rise and fall of the tide, subject to regulation of the tide gates at Orange Avenue (see CPC companion Report 1446-03). The duck pond was dredged of approximately 27,000 cubic yards of material in 2000 and stormwater improvements were made at that time.

In 2009, Save the Sound/Connecticut Fund for the Environment, Inc. applied for and received a grant from the National Oceanic and Atmospheric Administration (NOAA) through the American Recovery and Reinvestment Act (ARRA) to restore tidal wetlands in West Shore and Edgewood Parks by replacing three of the twelve tide gates at Orange Avenue with self-regulating tide gates and to improve access for tidal flow to areas such as the duck pond.

Proposed activity: This portion of the ARRA project involves construction of a raised walkway along the edge of the Edgewood Park Duck Pond. This will involve filling to create a series of grassed islands along the edge of the pond with two areas of board walk at elevation 4.2 to allow for improved tidal flow into and out of the pond. As the Duck Pond is a major neighborhood attraction, approximately 1,800 cubic yards of fill will be placed here and along the edge of the soccer field to maintain access for the people who enjoy being in close proximity to the pond. Additionally pedestrian access will be improved from Edgewood Avenue and Chapel Street to the soccer and softball field to the west of the West River. Following completion of the project, landscaping improvements include removal of dead trees and invasive species and replacement with native plants and trees.

Prior to initiation of site work, soil erosion and sediment control measures will be implemented to prevent soil, fill and other foreign materials from falling and washing into the water. Once final grades are reached topsoil will be spread and grass will be planted to stabilize the banks and trail areas.

Due to the fact that a portion of the proposed activity is within a watercourse and that freshwater inland wetlands will be affected, an inland wetlands permit is required from the Inland Wetlands Commission.

Project Timetable: will depend upon DEP permitting. It is anticipated that work will start in the summer of 2011 and take approximately 4 months.

Determination of Inland Wetland Classification: The Commission has reviewed the options for classification, as stated in Sections 4 and 5 of the Regulations and has determined that the wetlands application qualifies as a Class B Application. Fees have been waived, due to the fact that a City agency is making

application for the improvements. The current Inland Wetland application is deemed complete and formally received by the Commission at its meeting of November 17, 2010.

Application Evaluation Criteria: In reviewing a Class B or C Application, the Commission must consider the following environmental impact criteria in its evaluation, as stated in Sections 7.2 and 7.3 of the City's Inland Wetlands and Watercourses Regulations:

- The ability of the regulated area to continue to absorb, store or purify water or to prevent flooding.
- Increased erosion problems resulting from changes in grades, ground cover, or drainage features.
- The extent of additional siltation or leaching and its effect on water quality and aquatic life.
- Changes in the volume, temperature, or course of a waterway and their resulting effects on plant, animal and aquatic life.
- Natural, historic, or economic features that might be destroyed, rendered inaccessible or otherwise affected by the proposed activity.
- Changes in suitability of the area for recreational and aesthetic enjoyment.
- Existing encroachment lines, flood plain and stream belt zoning and requirements for dam construction.
- Any change in the water effecting aquatic organisms or other wildlife, water supply and quality, or recreational and aesthetic enjoyment.
- The existing and desired quality and use of the water in and near the affected area.
- Reports from other City agencies and commissions not limited to the Environmental Advisory Council, Building Official, and City Engineer.
- The importance of the regulated area as a potential surface or ground water supply, a recharge area or purifier or surface or ground waters, a part of the natural drainage system for the watershed, a natural wildlife feeding or breeding area, its existing and potential use for recreational purposes, existence of rare or unusual concentrations of botanical species, availability of other open spaces in the surrounding area, or its value for flood control.

The Commission must consider the following **additional** criteria:

- Alternatives which might enhance environmental quality or have a less detrimental effect, without increasing basic project costs.
- Short versus long term impacts.
- Potential loss of irrevocable resources or property impairment.
- Suitability of action for area.
- Mitigation measures which may be imposed as conditions.

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.

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

Flood Hazard Area: The Duck Pond area is within Flood Zone A6 with a base elevation of 11 on FIRM 090084-0002C, dated 1983, revised by LOMR 1997. Part of the area may be in Zone B, an area of 100 to 500 year flood.

Freshwater wetlands and watercourses: Inland wetlands soils and fresh water wetlands are located in and around the duck pond.

Potential Adverse Impacts on Coastal Resources and Mitigation of Such Impacts: Adverse impacts may be migration of materials into the watercourse during grading activity to create a public walkway. Soil Erosion measures will be utilized to mitigate such potential activity.

Beneficial Impacts: Potential flooding will be mitigated with the combination of the self regulating tide gate project and the duck pond project. Existing access to the duck pond creates erosion into the pond. Improving public access to the pond by creating the walkway will beneficially impact the wetlands and the community.

Public Access: Public access within the park will be improved for pedestrians wishing to walk across and around the pond and also for those to reach the recreational ball fields on the west side of the West River.

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 both coastal resources and future water-dependent activities. The project will significantly improve tidal wetland habitat where there is none today, support increased access and habitat for wildlife especially migratory fish and improve water quality within the lower estuary and eventually the Long Island Sound. **The Commission therefore approves the Coastal Site Plan with conditions. (see page 1):**

INLAND WETLAND FINDING

Required Findings for a Class B Inland Wetlands Application:

The Commission must make the following findings for a Class B Application:

1. There is no preferable location on the subject parcel or no other available location could reasonably be required;
2. No further technical improvements in the plan or safeguards for its implementation are possible, or taking into account the resources of the applicant, could reasonably be required; and
3. The activity and its conduct will result in little if any reduction of the natural capacity of the wetlands or watercourses to support desirable biological life, prevent flooding, supply water, facilitate drainage, and provide recreation and open space.

The City Plan Commission, acting as the Inland Wetlands Commission, finds that there is no preferable location of the proposed activity on the site, nor are there further technical improvements required in the plans, nor are there mitigation measures to be imposed as conditions. The proposed construction will substantially increase the natural capacity of the water body to support desirable biological life, prevent flooding, supply water, and facilitate drainage. The Commission has considered all criteria and believes all of the required findings have been satisfied. An Inland Wetland Permit may be issued.

Other Permits which may be required and are the responsibility of the applicant: DEP 401 Water Quality Certificate.

ADOPTED: November 17, 2010
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: 11/23/10

ATTEST: 
Andrew J. Rizzo, Jr.
Building Official