

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

**RE:** 424 GRAND AVENUE, Site Plan Review including Coastal Review for Soil Remediation Project (Owner: Reclamation Realty; Applicant: Helen Rosenberg, City of New Haven; Agent: Facility Support Services, LLC).

**REPORT:** 1481-06

**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, July 31, 2018. 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. Federal Emergency Management Agency elevation certificate shall be filed with the Building Official, prior to initiation of site work.
4. The name of the individual responsible for monitoring the soil erosion and sediment control plan shall be provided to the City Plan Department, prior to initiation of remediation activities or any site work.
5. Signoff on final plans by the City Engineer, Department of Transportation, Traffic and Parking and City Plan Department in that order shall be obtained prior to initiation of site work.
6. Any proposed work within the 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. Remedial Action Plan (RAP) shall be filed with the City Plan Department.
10. Environmental Land Use Restriction (ELUR) shall be filed with the City Plan Department and on the City Land Records.
11. As-built site plan shall be filed with City Plan Department, with a copy to the City Engineer, prior to issuance of final 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:** Development Permit Application form and Narrative 06/26/13 by Facility Support Services; including storm drainage calculations, Property Topographic Survey w/ locator map by Wescott & Mapes 03/22/13, Site Plan, Details, SESC Details, Excavation and Remedial Measures. Solid Disposal Truck Routes 07/19/13 received 7/24/13.

### PROJECT SUMMARY:

**Project:** Remediation activities  
**Address:** 424 Grand Avenue  
**Zone:** IH, CAM

**Site Size:** 70,365 SF (1.61 acres)  
**Financing:** DECD and EDA funds, Private  
**Project Cost:** c. \$375,000  
**Owner:** Reclamation Realty **Phone:** 203-752-1204  
**Applicant:** Helen Rosenberg (OED) **Phone:** 203-946-5889  
**Project Mgr:** Helen Rosenberg, Economic Development **Phone:** 203-946-5889  
**Agent:** Facilities Support Services, Inc. **Phone:** 203-288-1281  
**Site Engineer:** Westcott & Mapes **Phone:** 203-789-1260

**Previous Commission Relevant Actions:** Auth to apply for CT DECD Grant for environmental cleanup (CPC 1444-08, 09/22/10)

## **BACKGROUND**

Reclamation Realty with the assistance of the City of New Haven proposes to perform remediation activities at 424 Grand Avenue, located on the south side of the street at the corner of Haven Street east of the Mill River. While the site is not waterfront, it is one property away from the Mill River. There are easements along the west side of the site originating from the Manufactures Street Railway running north and south. The site includes a 1-story brick building fronting on Grand Avenue and Haven Street.

**Zoning:** The area is zoned Heavy Industrial (IH) and the plan is in conformance with the zone requirements. The area across Haven Street to the east is zoned RM-2. For future reference outdoor storage of up to 500 SF of materials, customary and incidental to the principal use of the property is permitted by right. Outdoor storage of more than 500 SF of materials requires a Special Permit.

**Proposed Activities:** Weathered asphalt will be removed, contaminated soils will be excavated and removed from the property, new drainage structures will be installed, and the soils will be replaced with clean fill and paving restored to prepare the site for the storage related to the lumber business. Depth of the excavation will range from 1 to 9'. The final elevation of the site will range from 11' at the west side to 18' at the east side of the site. Depth of pavement will be 1 foot (8" process aggregate base and 4" bituminous concrete). Contaminated materials will be transported off site in accord with a haul route submitted with the application (Grand Ave to East Street to Ives Place to I-91 north). Soil will be disposed to various locations depending upon the contamination level. No new paved surfaces will be created. All existing fences, sheds, storage areas, etc. shall remain in place, or be replaced, if needed, with a feature of similar size and type.

**Soil Erosion and Sediment Control Review:** Silt fencing down gradient of project area, hay bales, silt sacks in the drainage structures, and a tracking pad will be installed on the property prior to commencement of the remediation activities. Approximately 1,927 CY of material will be removed from the site and 1,276 CY of new material will be backfilled on the site. Steven Daniels of Facility Support Services, LLC has been named as the individual responsible for monitoring the site to assure that the soil erosion measures are maintained and that there is no soil or runoff entering City catch basins or the storm sewer system. He is also responsible for assuring there is no dust gravitation off site by controlling dust generated by vehicles and equipment, during the project. Soil stockpiles if necessary shall be protected from dust gravitation and soil erosion. 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*.

Should unforeseen erosion or sedimentation problems arise, Mr. Daniels is fully responsible for insuring 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 contractor is responsible for notifying the City Engineer within twenty-four hours of any such situation with a plan for immediate corrective action. Danielle Sandella of Facility Support Services has been named as the individual to monitor the site's soil erosion and sediment control measures on a day to day basis.

**Site improvements/drainage:** The current drainage system will be improved by the addition of new catch basins and dry wells to capture the storm runoff which will be collected and sent to the sewer system in Grand Avenue. .

**Site Remediation:** A Phase I ESA conducted in 2012 and previous subsurface assessments performed between 1999 and 2012 have identified two main areas of contamination on the Site, which was associated with former uses and/or Site history, as follows:

- Presence of widespread historically polluted urban fill materials was identified in the western portion of the Site which include slag, cinder, coal and ash. Constituents of Concern (COCs) commonly found in these types of materials include metals, petroleum hydrocarbons (ETPH) and polycyclic aromatic hydrocarbons (PAHs). Analytical testing has confirmed the presence of these COCs above applicable RSR criteria.
- Site industrial development history as a truck radiator manufacturer, electronic circuit board manufacturer, construction yard and paint supply distributor indicate volatile organic compounds (VOCs), petroleum hydrocarbons, metals, PAHs and polychlorinated biphenyls (PCBs) as potential COCs. Analytical testing confirmed that VOCs, ETPH, and PAH concentrations above applicable RSR criteria are present in the eastern portion of the Site related to historic industrial activities. PCBs were not detected in soil or groundwater.

As part of the remediation activities, a Remedial Action Plan (RAP) has been prepared for the Site, which was submitted to the Connecticut Department of Energy and Environmental Protection (CT DEEP) in January 2013. The selected remedial alternative includes the use of an Environmental Land Use Restriction (ELUR), as well as a Widespread Polluted Fill variance. Placement of the ELUR and the Widespread Polluted Fill variance will accommodate the following provisions of the RAP:

- To apply the less stringent I/C DEC compliance criteria for soils and groundwater.
- Allow for "Inaccessible" soils with substance concentrations in excess of RSRs Direct Exposure Criteria to be left beneath the former building foundation slab and beneath a 3-inch paving cap and 2-foot "clean" asphalt and soil buffer layer, or a 4 ft. layer of clean soil for unpaved areas.
- Allow for soils to remain in place beneath the area of the site building to allow for soils with substance concentrations in excess of RSRs Direct Exposure Criteria and GBPMC as "Inaccessible" and Environmentally Isolated" soils.
- Obtain a Variance for Widespread Polluted Fill to allow for GB PMC exceedances of applicable substances (lead and ETPH) to remain in-situ for impacts solely attributable to the historically deposited fill for the courtyard area of the Site and for the northwestern areas of the Site (ETPH). Application of this variance considers that the CT DEEP has approved proposed changes to the RSRs whereby fill materials that contain VOCs levels below RSRs GB PMC such as those which have been historically deposited on the Site with applicable substance concentrations over the RSRs GB PMC are able to remain insitu as Widespread Polluted Fill.

The remediation activities will be conducted in accord with the State of CT Remediation Standard Regulations (RSRs) as a "Voluntary Remediation".

**Project Timetable:** Construction is anticipated to begin on or about August 1, 2013 and to be complete within about 6 weeks.

**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 Hazard Area:** The site is located primarily outside the floodplain but partially within Flood Zone AE, an area of 100 year flood, on FEMA FIRM #09009C0442J, dated 07/08/13. Flood development permits and elevation certificates are required for substantial improvements in this area.

**Potential Adverse Impacts on Coastal Resources and Mitigation of Such Impacts:** A potential adverse impact is runoff into the storm drainage system or overland to the Mill River during and following the construction period. The contractor shall utilize appropriate soil erosion and sediment control measures) to ensure there is no runoff into the stormwater management system during the construction period.

**SITE PLAN REVIEW**

Plans have been reviewed by the Site Plan Review team with representatives from City Plan, City Engineer, Livable City Initiative Building Division and Department of Transportation, Traffic and Parking and have been found to meet the requirements of City ordinances, Regulations and standard details with the following comments:

- *FEMA elevation certificate for the improvements to be filed with the building official prior to initiation of site work. (see condition #3)*


**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:** July 31, 2013  
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 Site Permit.

**DATE ADOPTED:** \_\_\_\_\_

**ATTEST:**   
Daniel O'Neill  
Building Official