

NEW HAVEN CITY PLAN COMMISSION COASTAL SITE PLAN REVIEW
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RE: 3 CLIFTON STREET. Site Plan and Coastal Site Plan Review for construction of 10 residential units in a BA zone. (Owner/Applicant/Agent: Erik Szyluk of Onyx Investments)
REPORT: 1521-03
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 November 16, 2021. 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 **ADDITIONAL CONDITIONS OF APPROVAL** 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; 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.
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 site restoration bond in an amount of \$2,500 per dwelling unit (\$25,000 total) will be required as a provision of this permit. Bond, or other such financial instrument, shall be provided to the City Plan Department, with a copy to the City Engineer, prior to City Plan final sign-off on plans for building permit.
7. As authorized by CGS Sec. 22a-107 an additional bond is required to secure compliance with all conditions of approval relating to the coastal site plan. The bond amount is to be determined based on construction costs and in consultation with City Plan staff.
8. The name of an individual responsible for monitoring the soil erosion and sediment control plan on a daily basis during the construction period shall be provided to the City Plan Department, prior to City Plan signoff on final Plans.
9. Flood elevation certificate [Flood Development Permit certifying finished floor elevation shall] accompany application for building permits.
10. Any proposed work within City right-of-way will require separate permits.
11. Prior to issuance of Building Permit, street address(es) shall be assigned by the City Engineer.
12. 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.
13. Milling and repaving of Clifton Street from the end of Clifton Street at the Quinnipiac River to the matchline of new pavement approximately 20 feet west of the intersection of Clifton Street and Quinnipiac Avenue will be completed by the applicant, prior to issuance of Certificate of Occupancy or release of site bond in accordance with the Code of General Ordinances, Chapter 27, Article III, Section 27-79(h).
14. 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.

15. Filing (with City Plan) and implementation of a Storm Drainage Maintenance Plan and Inspection Schedule is required.
16. 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.
17. 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 paper, mylar, and digital PDF on CD or flash drive.

ADDITIONAL CONDITIONS OF APPROVAL

18. Public access to the kayak launch area at the end of Clifton Street must stay open and unimpeded during construction;
19. One set of signed and sealed, conformed drawings including architectural must be submitted to City Plan prior to sign-off for building permits;
20. Applicant shall consult with Corporation Counsel to draft a permanent coastal access easement along the entire frontage of the Quinnipiac River to the site property lines, the draft of which must be submitted to City Plan prior to receiving building permits;
21. A final public access easement shall be recorded on City land records with a copy provided to City Plan prior to sign-off for Certificate of Occupancy; and
22. Applicant must secure a Certificate of Permission (COP) for shoreline stabilization from the Connecticut Department of Energy and Environmental Protection (DEEP), with a copy provided to City Plan prior to sign-off for building permits.

Submission: SPR Application Packet including DATA, WORKSHEET, SITE, SESC, and CSPR forms. NARRATIVE attached. Application fee: \$270. Received July 21, 2016.

- Stormwater Management Report dated July 18, 2016. Received July 21, 2016.
- Stormwater Basin Volume Calculations dated August 11, 2016. Received August 16, 2016.
- Shading diagrams. 3 sheets received August 3, 2016.
- Lighting cut sheet from Sea Gull Lighting. Received August 22, 2016.
- Architectural drawings. 5 sheets received July 21, 2016.
- Application drawings. 8 revised sheets received November 9, 2016.
 - Title sheet. Revision date November 8, 2016.
 - Boundary & Topographic Survey. Drawing date May 21, 2016.
 - Site Layout & Landscaping Plan. Revision date November 15, 2016. (Received via email only)
 - Grading & Utility Plan. Revision date November 8, 2016.
 - Erosion & Sedimentation Control Plan. Revision date November 8, 2016.
 - Standard Site Details. Revision date November 8, 2016.
 - Drainage & Utility Details. Revision date November 15, 2016. (Received via email only)
 - Lighting Plan & Details. Revision date November 8, 2016.

PROJECT SUMMARY:

Project: Construction of 10 townhouse units

Address: 3 Clifton Street

Site Size: 22,834 SF (0.52 acres)

Zone: General Business (BA)

Financing: Private

Parking: Each townhouse will be constructed above an attached garage

Owner/Applicant/Agent: Erik Szyluk, Manager, Onyx Investments, LLC

Architect: Kenneth Boroson, Kenneth Boroson Architects

Site Engineer: Brandon Handfield, Yantic River Consultants

City Lead: City Plan Department

Phone: 860-983-3050

Phone: 203-624-0662

Phone: 860-367-7264

Phone: 203-946-6379

BACKGROUND

Previous CPC Actions:

CPC 1247-17, May 20, 1998: CSPR for shoreline rehab

CPC 1339-27, July 16, 2003: CPC advisory report to BZA for Coastal Site Plan Review and Special Exception to permit full liquor license for 49-seat restaurant in a BA zone

CPC 1340-20, August 13, 2003: Site plan review for restaurant use

CPC 1413-18, February 20, 2008: CPC advisory report to BZA for Coastal Site Plan Review and Special Exception to permit a 106-seat restaurant with seasonal outdoor seating (36-seats) in a BA Zone

Zoning:

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

Site Description/existing conditions:

The site is located at the west end of Clifton Street, adjacent to the Quinnipiac River. Presently, the parcel is largely developed and impervious. A nearly 6,000 SF one-story building that formerly housed a restaurant occupies the western end of the site, near the river, while an asphalt parking lot occupies much of the eastern portion of the property.

Proposed Activity:

The applicant proposes to demolish the existing restaurant and parking lot and construct a multi-family, 10-unit townhome structure with associated site utilities and drainage.

Circulation/Parking/Traffic:

Each townhome would have its own private garage underneath the home that would be accessed through a series of five curb cuts/driveways along Clifton Street, with each garage sharing a driveway with a neighboring home.

Trash removal:

Each home will have its own garbage can, which will be emptied via curbside pickup.

Signage:

None.

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: 200

Start Date: Fall 2016

Completion Date: Fall 2017

Once a contractor is chosen, an individual will be named as the individual responsible for monitoring soil erosion and sediment control measures on a daily basis, and that name provided to the City Plan Department prior to signoff of final plans for permits.

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 both during the demolition and construction phases;
- 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*.

Sec. 60 Stormwater Management Plan:

REQUIRED DOCUMENTATION

- Soil characteristics of site;
- Location of closest surface water bodies and depth to groundwater;
- DEEP ground and surface water classification of water bodies;
- Identification of water bodies that do not meet DEEP water quality standards;
- Proposed operations and maintenance manual and schedule;
- Location and description of all proposed BMPs;
- Calculations for stormwater runoff rates, suspended solids removal rates, and soil infiltration rates;
- Hydrologic study of pre-development conditions commensurate with conditions.

STANDARDS

- Direct channeling of untreated surface water runoff into adjacent ground and surface waters shall be prohibited;
- No net increase in the peak rate or total volume of stormwater runoff from the site, to the maximum extent possible, shall result from the proposed activity;
- Design and planning for the site development shall provide for minimal disturbance of pre-development natural hydrologic conditions, and shall reproduce such conditions after completion of the proposed activity, to the maximum extent feasible;
- Pollutants shall be controlled at their source to the maximum extent feasible in order to contain and minimize contamination;
- Stormwater management systems shall be designed and maintained to manage site runoff in order to reduce surface and groundwater pollution, prevent flooding, and control peak discharges and provide pollution treatment;
- Stormwater management systems shall be designed to collect, retain, and treat the first inch of rain on-site, so as to trap floating material, oil and litter;
- On-site infiltration and on-site storage of stormwater shall be employed to the maximum extent feasible;
- Post-development runoff rates and volumes shall not exceed pre-development rates and volumes for various storm events. Stormwater runoff rates and volumes shall be controlled by infiltration and on-site detention systems designed by a professional engineer licensed in the state of Connecticut except where detaining such flow will affect upstream flow rates under various storm conditions;
- Stormwater treatment systems shall be employed where necessary to ensure that the average annual loadings of total suspended solids (TSS) following the completion of the proposed activity at the site are no greater than such loadings prior to the proposed activity. Alternately, stormwater treatment systems shall remove 80 percent TSS from the site on an average annual basis; and
- Use of available BMPs to minimize or mitigate the volume, rate, and impact of stormwater to ground or surface waters.

Due to the project's river-side location and slope leading directly to Quinnipiac River and the corresponding high water table, it is neither feasible nor practical to capture one inch of rainfall over the entire site. The proposed rain garden is designed to collect, retain, and treat all rainfall on the building's roof and most of the backyard. The City Engineer has approved that this deviation from the New Haven Zoning Ordinance is acceptable.

Sec. 60.1 Exterior Lighting: SUBMISSION MEETS REQUIREMENTS

REQUIRED DOCUMENTATION

- Lighting Plan with location of all fixtures, type of fixture and elevation of lights;
- Manufacturer specifications or cut-sheet for each fixture;
- Photometrics – Not required per consultation with City Plan staff.

STANDARDS

- Prevent or minimize direct glare and light trespass;
- All parking area lighting shall be full cut-off type fixtures and shall not exceed twenty (20) feet in height from the ground to the highest point of the fixture;
- Up lighting and high pressure sodium light sources are prohibited. Externally lit signs, display building, and aesthetic lighting must be lit from the top and shine downward and not sideward or upward. The lighting must be shielded to prevent direct glare and/or light trespass. The lighting must also be, as much as physically possible, contained within the target area;
- All building lighting for security or aesthetics shall be full cut-off or shielded type, not allowing any upward distribution of light. Floodlighting is discouraged, and if used, must be shielded to prevent: (a) disability glare for drivers or pedestrians, (b) light trespass beyond the property line, and (c) light above the horizontal plane;
- Where non-residential development is adjacent to residential property, no direct light source shall be visible at the property line at ground level or above; and
- High pressure sodium and flickering or flashing lights are prohibited.

Sec. 60.2 Reflective Heat Impact: SUBMISSION MEETS REQUIREMENTS

STANDARDS

- 50% of all on-site non-roof hardscape or paved areas will be either:
 - shaded AND/OR
 - constructed of a material with a solar reflectance index of at least 29.

TOTAL SF of non-roof hardscape:	3,320 SF
50% of non-roof hardscape:	1,660 SF
Shaded (based on average values per code):	1,083 SF
Areas with SRI > or = 29	710 SF
TOTAL PROPOSED SHADED/HIGH SRI AREA	1,793 SF
% SHADE/HIGH SRI PROPOSED	54%

Project Timetable: The applicant plans to begin construction in fall 2016, with completion anticipated in fall 2017.

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:

Intertidal Flats: There are narrow bands of gently sloping areas between the high tide (CJL) and low tide line to the south of the site consisting of muddy, silty, and fine sandy sediments.

Tidal Wetlands: The tidal wetlands generally follow the CJL.

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

Coastal Flood Hazard Area: The site is located entirely within the FEMA Special Flood Hazard Area Zone AE elevation 12'. The site is not located within a Coastal Flood Zone V or VE and is therefore not subject to velocity hazard (wave action).

Nearshore Waters: The mean high water line, or CJL, encompasses the south and southwest portions of the property, with nearshore waters comprising the areas between the CJL and the depth approximated by the ten-meter contour, which would lie at an undetermined location in the Quinnipiac River or Long Island Sound.

Developed Shorefront: The site and adjacent lands are developed for residential and commercial uses. However, these developed areas do not appear to be highly engineered and/or developed resulting in functional impairment or substantial alteration of the natural physiographic features or systems.

Navigable Waters: The Quinnipiac River is a navigable waterbody with access to inland areas and Long Island Sound.

Recreational Feature: The site is adjacent to the City of New Haven Parks & Recreation canoe launch located at the end of Clifton Street.

Coastal Program Criteria	Comments
1. Potential adverse impacts on coastal resources and mitigation of such impacts	Sediment and erosion will be controlled during the construction period to minimize any short-term impacts to intertidal flats, tidal wetlands, and estuarine embayments. The proposed residential structures will be constructed within a flood zone, but the lowest floor will be elevated above 13' (BFE +1). Non-basement areas below the BFE will allow for the automatic entry and exit of flood water to equalize hydrostatic flood forces on exterior walls.
2. Potential beneficial impacts	The reduced amount of impervious surface and proposed stormwater management system will reduce peak flow rates and volumes and improve the stormwater runoff quality that discharges from the site. Native plants and shrubs will be planted adjacent to existing tidal wetlands to supplement existing vegetation. Reconstruction of the sidewalk and milling and paving of the street will enhance pedestrian access to the canoe launch and new public access located at the end of Clifton Street.
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?	The site plans include a coastal access easement of varying dimensions with a 5'-wide stone dust walking path along the Quinnipiac River, extending from the property's southern boundary to Clifton Street.

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'.	Yes, a COP will be required from CT DEEP for shoreline stabilization work below the CJL. (See Additional Conditions of Approval #22 on page 2.)

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 Pages 1 and 2.

ADOPTED: November 16, 2016
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: November 16, 2016

ATTEST: 
James Turcio
Building Official