

**MINUTES FOR MEETING 1607
A SPECIAL MEETING AND PUBLIC HEARING OF THE
NEW HAVEN CITY PLAN COMMISSION
Thursday, May 5, 2022 at 6:00 PM
WEB-BASED MEETING HOSTED ON ZOOM**

LINK:

<https://newhavenct.zoom.us/j/98298328270?pwd=NHIYUE5mZTAwME9nbUpmd0lHNWNzUT09>

Passcode: Planning2

To view meeting materials, and meeting recording, visit:

<https://cityplancommission.newhavenct.gov/pages/may-5-2022-meeting>

I. ROLL CALL

Commissioners Present: Chair Leslie Radcliffe, Vice Chair Edward Mattison, Commissioner Ernest Pagan, Commissioner Alder Adam Marchand.

City Staff Present: Director Laura Brown, Deputy Director of Zoning William Long, Planner Esther Rose-Wilen, Assistant City Engineer Dawn Henning, Attorney Roderick Williams.

Interpreter Otilia Arroyo also present.

II. PUBLIC HEARINGS (start at 6 PM)

1602-06 **19 WHEELER STREET aka 'FAIRMONT AV'**
MBLU: 082 0974 02001
Owner: Airline Avenue Realty LLC; **Applicant:** Murphy Road Recycling LLC; **Agent:** Meaghan Miles, Carmody Torrance Sandak & Hennessey LLP

Special Permit

Renewal for an existing solid waste facility in the Coastal Management area in the IH Zone.

Deputy Director Long called the item.

Ian Christmann, 475 Quinnipiac Avenue, introduced himself as an Intervener.

The applicant team made introductions.

Chair Radcliffe requested a description of day-to-day operations at Murphy Road Recycling which the Mark Zessin, Engineer with the Applicant, provided.

Planner Rose-Wilen stated that Commission had received 14 pieces of written Public Testimony. Two letters in support of the application, six letters in opposition, four informational documents, and two technical memos from the Peer Reviewer contracted by City Plan, Blackledge Consulting. A video testimony was also received. The Petition for Intervention is also included in the record. Planner Rose-Wilen summarized additions to the record since the April 25, 2022 meeting as well as revisions to the Draft Staff Reports, and some additional Conditions of Approvals suggested by the City Health Department

Concerns raised in Public Testimony included:

- Whether there is a more appropriate location for the facility
- Proximity to the Quinnipiac River
- Proximity to residences in an Environmental Justice community
- Noise early in the morning (3am) and difficulties with reporting this
- High Asthma rates in the neighborhood
- Foul odors
- Rodents on residential properties
- Wet waste vehicles coming and going from the site
- Complaints made about the facility to the Health Department
- Seagull scavenging
- Disparate impact on tenants in the neighborhood
- Operation outside of allowable hours
- Challenges in reporting and filing complaints for residents
- Enforcement challenges
- The possibility to grant the Special Permit for a shorter term than 5-years
- Whether the different uses on the site should be regulated together
- History of disproportionate impact of heavy industry and environmental racism on the Annex neighborhood
- Lack of monitoring of the site by City and State agencies
- Lack of public engagement stipulated in the applicant's state mandated Environmental Justice plan
- Volume of trucks coming and going, in a quantity beyond Applicant's estimate
- Issues with the single stream recycling process
- Questions about the Blackledge Consulting memo
- Mis-categorization of the area as "industrial use" as opposed to "mixed-use"
- History of non-compliant activity on the site
- Concentration of waste facilities in disinvested communities in the City of New Haven
- Issues with stormwater management on the site
- Concerns with excavation in contaminated soils on the site related to stormwater management improvements
- Inconsistencies with municipal and state plans for coastal areas and hazard mitigation
- Trucks stored on site that previously contained wet waste and may have residues
- Difficulty with enforcement when you cannot separate the different uses on the site
- Concerns related to climate change and resulting increased flooding
- Pollution of the river leading to public health and environmental concerns
- Additional conditions of approval to consider

Attorney Miles responded to the Public Testimony and questions from the Commissioners on behalf of the applicant. Attorney Segaloff provided additional response on behalf of the applicant.

Attorney Miles responded to the Intervener's statements.

Engineer Mark Zessin responded to claims 4-6 in the Petition for Intervention.

Intervener Ian Christmann responded to the applicant's comments on the Petition for Intervention.

Rafael Ramos, Director of Environment Health for the City of New Haven responded to the applicant's comments and spoke about the Departments intention to implement enforcement in response to complaints about the site.

Chair Radcliffe closed the Public Hearing at 10:19 PM.

III. SITE PLAN REVIEW

1602-05 **19 WHEELER STREET aka 'FAIRMONT AV'**

MBLU: 082 0974 02001

Owner: Airline Avenue Realty LLC; **Applicant:** Murphy Road Recycling LLC; **Agent:** Meaghan Miles, Carmody Torrance Sandak & Hennessey LLP

Site Plan Review and Coastal Site Plan Review

Existing solid waste facility in the Coastal Management area in the IH Zone.

Passed over.

IV. MINUTES OF MEETINGS

Meeting:

- Meeting #1605 (April 25, 2022)
- Meeting #1606 (April 27, 2022)

Passed over.

The Commission determined that deliberations would be continued on May 25, 2022 at 6pm.

Commissioner Alder Marchand moved to adjourn. 3-0 in favor. The meeting adjourned at 10:28PM.