

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

RE: Wilbur Cross Athletics Complex. 195 Mitchell Drive a/k/a Orange Street. MBLU: 194 0443 00200. Site Plan Review, Coastal Site Plan Review, and Inland Wetlands Review for replacement and reconstruction of athletic facilities adjacent to Wilbur Cross High School including rebuilt track, new turf field, and athletic lighting, in PDU 34.
(Owner/Applicant: City of New Haven).

REPORT: 1621-01

INLAND WETLANDS FINDING: Approval with Conditions

COASTAL SITE PLAN ACTION: Approval with Conditions

SITE PLAN 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 December 15, 2027. 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 for building permits. A digital copy of the recorded report shall be provided to staff (.pdf).
3. Upon approval by the City Plan Commission, provide compiled digital copies of all application materials, including drawing sets and reports, to staff for filing (.pdf files) prior to City Plan signoff for building permits.
4. 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.
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. Any proposed work within City right-of-way will require separate permits.
7. Within 10 business days of City Plan Commission approval, the applicant shall submit a digital (.pdf) and hard copy of the final approved plan set (including all revisions) to the City Plan Department
8. Following completion of construction, any catch basins in the public right-of-way impacted by the project shall be cleaned, prior to issuance of Certificate of Occupancy.
9. 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 mylar and digital form (.pdf).

Submission: SPR Application Packet including DATA, WORKSHEET, SITE, SESC, CSPR, and IW forms. NARRATIVE attached. Municipal projects are fee-exempt. Received October 20, 2022.

Received October 20, 2022

- Civil plans, 5 sheets, dated October 20, 2022, revised November 3, 2022, November 10, 2022, November 14, 2022, and November 16, 2022
- Stormwater Management Report, 14 sheets, dated October 20, 2022

Received November 4, 2022

- Inland Wetlands application form, 1 sheet, n.d., revised November 10, 2022
- Wetlands delineation report, 6 sheets, dated October 25, 2022
- Lighting submittal, 7 sheets, dated October 31, 2022

PROJECT SUMMARY:

Project: Wilbur Cross Athletics Field

Address: 195 Mitchell Drive, a/k/a 'Orange Street'

MBLU: 194 0443 00200

Site Size: 163,786 SF

Zone: PDU 34

Parking: No change to existing

Owner: City of New Haven

Phone: 203-946-6417

Applicant: City of New Haven, Engineering Department

Phone: 203-946-6417

BACKGROUND

Previous CPC Actions:

5/21/2003 1336-04 181 MITCHELL Drive. Site Plan Review Amendment for Field Building and Bleachers.

Applicant: Board of Education

9/20/2000 1293-01 MITCHELL Drive. Site Plan Review including Coastal Site Plan Review for Phase III Site Improvements including concession, restrooms, bleachers and press box. Applicant: Dept. of Parks Recreation and Trees

7/16/1999 1271-11 181 MITCHELL Drive. Minor Modification to PDU and Site Plan review for Tennis and Basketball Courts Renovation. Applicant: Board of Education

6/17/1998 1249-06 MITCHELL Drive. CSPR and SESC Review for Renovation of Wilbur Cross High School Athletic Fields. Applicant: Department of Parks, Recreation, and Trees

Zoning:

The Site Plan as submitted meets the requirements of the New Haven Zoning Ordinance for PDU 34.

The Applicant proposes to subdivide the parcel into two parcels, as shown on the site plans. The subject parcel for this site plan application is the northern parcel.

Site description/existing conditions:

The site is located in PDU 34. The proposed parcel includes Wilbur Cross High School and the entire Wilbur Cross Athletics Complex along Mitchell Drive. The area of work proposed for this project is limited to the area around the existing football field and is delineated on the site plans. The Mill River borders this area to the west, with Mitchell Drive to the east, tennis courts and surface parking to the north, and additional athletic field space to the south. The existing field and track are used heavily by the community and New Haven Public Schools, and have become significantly degraded.

Proposed activity:

Proposed activity includes the replacement and reconstruction of the athletic facilities adjacent to Wilbur Cross High School including rebuilding the track, a new turf field, and installation of athletic lighting. The existing track will be demolished and the topsoil removed from the existing football field. New asphalt and track surface will be installed, along with a synthetic turf field above a stone drainage layer. New athletic lighting will be installed, along with perforated drain pipes around the field. The long jump track will be relocated from the current location between the track and the Mill River, to one of the 'D' zones on the field.

Motor vehicle circulation/parking/traffic:

No changes are proposed to the existing parking facilities on the parcel. The Applicant will ensure all accessible parking spaces are striped to the correct dimensions and that all accessible pathways are in good repair.

Bicycle parking:

New bicycle racks with capacity for 10 bicycles are proposed between the existing bleachers and Mitchell Drive.

Trash removal:

No changes proposed to existing conditions. Trash is collected in barrel receptacles which are emptied on a regular schedule by the Departments of Parks and Public Works.

Signage: No new signage proposed at this time. All signage must meet zoning ordinance requirements.

Sec. 58 Soil Erosion and Sedimentation 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: 7,871 CY

Start Date: March 2023

Completion Date: September 2023

Responsible Party for Site Monitoring:

Giovanni Zinn

GZinn@newhavenct.gov

203-410-0238

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 during both 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*.

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: SUBMISSION MEETS REQUIREMENTS
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.

Sec. 60.1 Exterior Lighting: SUBMISSION MEETS REQUIREMENTS

REQUIRED SUBMISSION

- Lighting Plan with location of all fixtures, type of fixture and mounting height of lights;
- Manufacturer specifications or cut-sheet for each fixture;
- Photometrics.

STANDARDS

- In general, all exterior light sources must be directed downward. The lighting must also be, as much as physically possible, contained within the target area;
- Parking Lot and Security Lighting.* All outdoor light fixtures within a parking lot, vehicular circulation area, or pedestrian area must be of a Full Cutoff or Fully-Shielded type;
- Architectural Lighting.* Lighting for building facades and Indirectly Illuminated Signs is permitted subject to the following: (a) Uplighting does not exceed 900 lumens & (b) Upward aimed light is Fully-Shielded and fully-confined from projecting into the sky, eaves, roofs, or overhangs. The light must be fully confined within the vertical surface of the wall being illuminated;
- Unshielded Lighting.* Floodlighting is discouraged, and if used, must be shown that the type of fixture proposed is not objectionable because it (a) prevents Glare for drivers and pedestrians and light above a horizontal plane, and (b) mitigates light trespass beyond the property line. Unshielded, motion activated lighting will not be triggered off the property on which the fixture is located and must go off within five minutes of activation. Unshielded lighting creating Glare or Light Trespass is required to be re-aimed and/or fitted with a shield device to block the Glare;
- Lighting Curfew.* On all parking fields, including surface lots, parking decks and top levels of parking garages which contain a minimum of four light poles, the lighting must be reduced by at least 50 percent of full operational levels within 30 minutes after the close of business. Because certain minimum lighting levels are recommended for safety and security, parking field lighting does not need to be reduced to less than an average .2 footcandles as measured horizontally at the surface on which the light pole is mounted in accordance with Illuminating Engineer Society (IES) Standards; and

Height. Exterior Lighting must not exceed 20 feet in height from the point on the ground directly below the fixture to the highest point on the fixture. Lighting mounted higher than 20 feet may be permitted through the site plan review process, either by Staff or the Commission, as applicable, depending on the site conditions. Note: Athletic field lighting is exempt from the height maximum per NHZO Section 60.1(e)7.

Maximum Light Levels at the Property Line.

- a. *The maximum light level at any point on the property line cannot exceed: .1 footcandles within or adjacent to a property with a residential use or .2 footcandles when adjacent to properties with other uses. Where the adjacent property is a residential use or mixed-use and the first floor is not residential, the maximum light levels at the property line cannot exceed .2 footcandles;*
- b. *Color.* Because blue light brightens the night sky more than any other color of light, lighting must have a color temperature of no more than 3000 Kelvins. Exterior Lighting that has warmer light spectrums are preferred;
- c. *The Staff or the Commission, as applicable, may determine that certain light fixtures are exempt from these requirements of this Section because they do not adversely affect an adjacent property owner or the night sky or because they are necessary for the functioning of the use.*

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: 359,229 SF
50% of non-roof hardscape: 179,615 SF

Shaded (average)	-
SRI > 29	182,424 SF
Concrete	51,093 SF
Athletic court and track surfaces with SRI>29	131,349 SF
StreetBond coating	-
TOTAL PROPOSED SHADED/HIGH SRI AREA	182,242 SF
% SHADED/HIGH SRI PROPOSED	51%

Sec. 50. Inclusionary Zoning: DOES NOT APPLY

Project Timetable: March 2023-September 2023

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.

INLAND WETLANDS REVIEW

CLASSIFICATION

- Class N: Non-Regulated Uses
- Class A: Uses Permitted by Right
- Class S: CTDEP Regulated Operations and Uses
- Class B: Inland Wetlands Commission Regulated Operations and Uses Having a Minor Impact
- Class C: Inland Wetlands Commission Regulated Operations and Uses Having a Major Impact

Definition of Regulated activity - any operation within or use of a wetland or watercourse involving removal or deposition of material, or any obstruction, construction, alteration, or pollution of such wetlands or watercourses,

and any earth moving, filling, construction, or clear-cutting of trees, or any such operation within fifty (50) feet of wetlands or watercourses.

Determination of classification:

The Commission has reviewed the options for classification, as stated in Sections 3, 4 and 5 of the Regulations, and has determined that the wetlands application qualifies as a Class B Application. The activity proposed will not have substantial adverse effect on the regulated area or any other part of the inland wetland and watercourses system. This application was received by the Inland Wetland Commission at its meeting on November 16, 2022.

Proposed regulated activity:

Proposed regulated activity includes the removal of the long jump pit, milling and paving, or full depth reconstruction (as needed), on existing track areas, new track in D zones and conduit and light poles for stadium lighting. The applicant proposed to restore the area of the long jump track to vegetated area using an appropriate upland seeds mix. The applicant notes that the track is pitched away from the wetland area and towards the new synthetic turf football field. Water quality impacts, if any, are minimized by grading away from any path of direct surface runoff, providing significant detention and infiltration storage under the proposed synthetic turf field, and using a tight textile to discourage migration of solid materials into the detention and infiltration layer below the turf field. It is the City's understanding that the installation of a synthetic turf field is compliant with all federal and state regulations including, but not limited to, health regulations.

Wetland/watercourse area altered:

Wetlands: 0 acres open water body: 0 acres stream: 0 linear feet

Regulated area altered:

0.3 acres

Soil science report:

A Wetland and Watercourse Delineation report was conducted by Eric Davison, Certified Professional Wetland Scientist. The study was conducted on October 26, 2022. Wetlands were delineated by examining the upper 20" of the soil profile with an auger. The delineated wetland consists of the western banks of the Mill River. There is a narrow band of forested floodplain along the river, consisting of alluvial soils subject to flooding. Wetland soils are comprised of the Rippowan series, and Aqueuts.

Vegetation:

There is a narrow band of forested floodplain along the river. Between the forested area and the existing track there is a narrow grassy area. The Wetland and Watercourse Delineation report notes that the understory of the alluvial wetland boundary is dominated by Japanese knotweed, an invasive species.

Planting plan:

The applicant has identified on their site plans that the area formally occupied by the long jump track which is proposed to be removed, will be restored to a more natural vegetated state, appropriate for an area directly upland of a forested floodplain, through the planting of a native seed mix. All disturbed unpaved areas within 50' of the river's edge will be seeded with New England Semi-Shade Grass and Forbs Mix, from New England Wetland Plants.

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.

Required Findings for a Class B 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.

INLAND WETLAND FINDING

The Commission believes that the required findings for a Class B application have been satisfied. The Inland Wetland application is hereby approved, in accord with the submitted plans and the Conditions as stated on page 1.

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:

Inland Wetlands: see Inland Wetlands section of this report.
No additional coastal resources identified.

Coastal Program Criteria	Comments
1. Potential adverse impacts on coastal resources and mitigation of such impacts	<p>Potential adverse impacts include runoff and soil/sediment erosion during the demolition and construction phases. The Soil Erosion and Sediment Control Plan should mitigate this impact.</p> <p>Another potential adverse impact are the potential issues created by the artificial turf material proposed for the field. While these issues have not been conclusively documented in scientific research, potential adverse impacts include the contamination of stormwater runoff by leaching from the plastic material and contamination during flooding events caused by microplastics entering flood water and subsequently the Mill River. There would also be potential for negative impacts from the use of a natural turf, based on the chemical usage required for maintenance.</p>
2. Potential beneficial impacts	<p>Stormwater management measures will improve the quality and reduce the discharge rate of runoff from the site to the Mill River. As a result, the project has the potential to substantially reduce runoff into the Mill River and improve water quality, although the potential adverse impacts described above are also important to consider.</p>
3. Identify any conflicts between the proposed activity and any goal or policy in the §22a-92, C.G.S. (CCMA)	None identified.
4. Will the project preclude development of water dependent uses on or adjacent to this site in the future?	No-the project proposes improvement of publicly accessible recreation facilities adjacent to the Mill River with no impact on existing trails connecting the public to the waterfront.
5. Have efforts been made to preserve opportunities for future water-dependent development?	Yes-this project does not propose any activity that would limit opportunities for future water-dependent development.
6. Is public access provided to the adjacent waterbody or watercourse?	Yes. There are existing public access trails to the Mill River at this location. No changes are proposed to this access.

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.

PUBLIC HEARING

On November 30, 2022, the City Plan Commission voted to hold a public hearing on the item, finding that the specific circumstances of the application and significant public engagement warranted such action. A public hearing was held on December 15, 2022. Seventeen members of the public gave testimony, and fifteen items of written testimony were received prior to the hearing. Topics raised in public testimony can be found in the meeting minutes and a recording of the meeting is available to view on the Commission website.


PLANNING CONSIDERATIONS

This project will provide a much-needed renovation to a public resource enjoyed by thousands of city residents every year. The athletics fields at Wilbur Cross High School are used by Wilbur Cross students, students from other schools, and members of the public year-round. In City Plan Commission report #1619-01, the Commission recommended approval to the Board of Alders to authorize the Mayor to accept funding from the State of Connecticut and the United States Department of Housing for improvements to the East Rock Sports Complex. The Commission stated that the proposal is aligned with the City’s Comprehensive Plan because it: improves outdoor recreation space; repairs deteriorated infrastructure; and connects residents to the waterfront (Mill River). The project is the first step in this important work improving these facilities for city residents. Planning Staff note that the project proposes an artificial turf surface for the field. The decision to use this material was based on community feedback from members of the public including Wilbur Cross students and student athletes. There have also been concerns expressed with the sustainability/environmental impact of this material, with some potential adverse impacts described in the Coastal Site Plan Review section of this report. While our zoning ordinance does not have requirements related to artificial versus natural turf, it is important to balance practicality with sustainability, and to prioritize community feedback in decision-making, as well as considering impact of the materials on coastal resources.

ACTION

The City Plan Commission approves the submitted Site Plans subject to conditions on Page 1.

ADOPTED: December 15, 2022
Leslie Radcliffe
Chair

ATTEST: 
Laura E Brown
Executive Director, City Plan Department

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.

ADOPTED: December 15, 2022

ATTEST: 
James Turcio
Building Official