

[AMENDED]

**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: 476-500 BLAKE STREET, 881-883 WHALLEY AVENUE, & 20-24 TOUR AVENUE. Site Plan Review, Coastal Site Plan Review, and Inlands Wetlands Review for the construction of a mixed-use development comprised of 129 residential dwelling units and 2 commercial spaces in a BA-2 zone. (Agent: James H. Segaloff, Esq. of Susman, Duffy & Segaloff, PC; Applicant/Owner: 500 Blake Street LLC and 881 Whalley LLC c/o Ocean Management)

REPORT: 1567-03 [Report amended to include corrected Additional Conditions of Approval]

INLAND WETLANDS FINDING: Approval

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 July 17, 2024. 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 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 bond will be required in conformity with Connecticut General Statutes Section 8-3(g). Bond, or other such financial instrument, shall be provided to the City Plan Department, in an amount equal to the estimated cost of implementation of erosion and sediment controls, plus 10 percent, prior to City Plan final sign-off on plans for building permit.
7. Flood elevation certificate accompany application for building permits.
8. Any proposed work within City right-of-way will require separate permits.
9. Prior to issuance of Building Permit, street address(es) shall be assigned by the City Engineer.
10. 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.
11. Any proposed removals of street trees must be coordinated with the Department of Parks, Recreation, and Tress prior to sign-off for building permits.
12. 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.

13. 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).

ADDITIONAL CONDITIONS OF APPROVAL

14. The Applicant will negotiate, execute and record on the land records a Coastal Access Easement in favor of the City of New Haven for the area labeled on the site plan documents. The improvements include patio and pocket park areas on Blake Street and Tour Avenue that are connected by a 8-foot wide multi-use path with appropriate landscaping and vegetative buffers along it. The City of New Haven may request a bond or letter of credit to ensure completion of the improvements or otherwise withhold Certificates of Occupancy until the improvements are made.
15. Applicant will adjust spacing and/or type of lighting along property line with 881 and 883-889 Whalley Avenue to reduce light levels detectable at the property line.
16. After further consultation local residents and stakeholders, the applicant will submit detailed traffic signal and sidewalk improvements for review and approval by TTP and the Engineering Department before sign off on building permits. The applicant will give special attention to the intersections of Blake Street and Valley Street and the site with Tour Avenue.

Submission: SPR Application Packet including DATA, WORKSHEET, SITE, SESC, CSPR, and IW forms. NARRATIVE attached. Application fee: \$360. Received February 18, 2020.

- *Stormwater Management for Mixed-Use Development* dated February 18, 2020. Received February 18, 2020.
- *Reflective Surface Calculations for Mixed-Use Development* dated February 18, 2020. Received February 18, 2020.
- Traffic Impact Study dated February 2018. Received February 18, 2020.
- Attachment to Application for Coastal Site Plan Review received February 28, 2020.
- Groundwater Data from Geotechnical and Environmental Exploration dated February 26, 2020. Received February 27, 2020.
- Copies of Public Access and Repass Easements (Statement of Compensation and Certificate of Taking). Dated April 25, 1990. Received February 27, 2020.
- Application drawings. 20 sheets received February 18, 2020. Revisions and five additional sheets received February 28, 2020. Revisions received March 12, 2020.
- Conceptual sketch of the coastal access easement area received March 10, 2020. Revised site plan to include proposed area subject to coastal access easement received May 15, 2020.

PROJECT SUMMARY:

Project: 500 Blake Street Mixed-Use Development
Address: 476-500 Blake Street, 881-883 Whalley Avenue, & 20-24 Tour Avenue to be consolidated into 2 parcels—500 Blake Street (2.33+/- acres) and 881-883 Whalley Avenue (0.55+/- acres)
Site Size: 125,121 sq. ft. surveyed; 115,165 sq. ft. zoning lot
Zone: BA-2 (Business A-2 Districts)—*Village Center Mixed Use*. These districts serve distinct mixed-use communities woven into the larger tapestry of New Haven. Parking is reduced and density is increased to encourage development of neglected or vacant buildings into pedestrian-oriented storefront retail, dining, and other appropriate uses. Upper story residential dwellings are encouraged along commercial strips and ground floor residential dwellings are encouraged on side streets. Height limits are maintained to prevent over-development, but the district otherwise does not restrict property owners' ability to employ a range of architectural styles.
Parking: The resulting Blake Street Lot: 82 spaces are required; 122 are provided
The resulting Whalley Avenue Lot: 35 are required; 122 are provided by an easement granted in favor of the Whalley Avenue Lot from the Blake Street Lot; Total: 117 required; 122 provided.

Owner:	500 Blake Development LLC and 881 Whalley LLC C/O Ocean Management, LLC	Phone: 203-891-5832
Applicant:	Same	Phone:
Agent:	James H. Segaloff Esq. of Susman, Duffy & Segaloff, PC	Phone: 203-624-9830
Site Engineer:	TPA Design Group	Phone: 203-562-2181

BACKGROUND

Previous CPC Actions:

1542-06: On March 28, 2018, this Commission held a public hearing and reviewed proposed text and map amendments for the BA-2 Zoning District and recommended its approval to the Board of Alders.

Zoning: The Site Plan as submitted meets the requirements of the New Haven Zoning Ordinance for the BA-2 zone, with the accompany special permit application approved. A Special Permit is required for residential use over 5,000 square feet in the BA-2 Zone, and that application is submitted concurrently.

Site description/existing conditions: The existing Property is a conglomeration of a number of parcels owned by two affiliated entities, the applicant and 881 Whalley LLC. The Property as a whole abuts Blake Street to the north, the West River to the east, Tour Avenue to the south, and the backs of buildings fronting on Whalley Avenue to the west. The current site condition is a largely paved, underutilized area, and 500 Blake Street is occupied by a former restaurant which has been vacant for almost 15 years. The site slopes gently down from Blake to Tour. Along the West River is an Army Corps of Engineers flood wall project, topped with a 5ft. wide walkway for pedestrian access along the river. The area directly abutting the river and the walkway is subject to perpetual rights taken by the City of New Haven for flood control measures.

Proposed activity: The proposed building is a U-shape that hugs the West River. A total of 129 dwelling units and over 7,300 square feet of new commercial space will be built on the rear portion of the Property, along (but set back from) the flood wall bounding the West River. First-floor uses will be limited to areas fronting on Blake Street and Tour Avenue. Along Blake Street, it is intended that the new construction will feature an approximately 3,900-square-foot restaurant and, closer to the river, an approximately 3,400-square-foot retail space expected to house a small market. In respect of the residential nature of the Tour Avenue side, the development will feature smaller, townhouse style construction primarily as an amenity to the guests of the residents of the development.

A coastal access easement will be granted in favor of the City to create two recreational park areas for the public to enjoy—one on the Tour Avenue side and one the Blake Street side, connected by a landscaped, buffered pathway. This easement area abuts the existing walkway and grants the public two ways to enjoy the riverfront. This also preserves the possibility of a future water-dependent use development over the entire riverfront area.

Motor vehicle circulation/parking/traffic: Primary access to the site will be revised by demolishing the former 500 Blake Street Café, allowing new access to be constructed at the existing Blake-Valley intersection. This will allow the majority of the site's traffic to exit at an existing intersection with stoplight controls, minimizing the potential traffic impact on Blake Street. The existing access on Whalley Avenue will be revised to accommodate two-way traffic only to the existing parking lot on the adjacent property at 893 Whalley, with the driveway narrowing to one-way-in to the central parking lot behind 881-883 Whalley. This is intended to funnel all parking and loading traffic for the 881-883 Whalley uses to the central parking lot and the site exit to Blake Street, minimizing the amount of traffic exiting onto a busy section of Whalley Avenue. Secondary access will be at Tour Avenue, allowing for additional emergency access while minimizing the amount of traffic sent down the narrow one-way streets of the Tour-West Rock block.

The applicant proposes traffic signal improvements on Blake Street that were requested by TTP to address traffic concerns. The applicant also removed additional parking spaces on site partially in response to the traffic study.

Bicycle parking: The vehicle parking spaces will be supplemented by a significant excess of bicycle spaces—more than four times the required bicycle parking—with two rooms of the building containing a total of fifty (50) indoor bicycle spaces and exterior bike racks contributing an additional ten (10) outdoor bike spaces.

Trash removal: The trash removal systems includes 2 large dumpsters and a trash enclosure containing 2 compactors.

Signage: In addition to directional signage (required by law and exempt from zoning regulation), the applicant is proposing a signage at the entrance on Blake Street as requested by TTP.

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: **5,156 cy.**

Start Date: July 2020

Completion Date: December 2021

Responsible Party for Site Monitoring: Anthony Bianco, A&G Contracting, Inc.

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 MEETING REQUIREMENTS: TBD

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;
- 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:
50% of non-roof hardscape:

48,245 SF
24,122.5 SF

Shaded (average)	
SRI > 29	
Cement	
Parking striping	
StreetBond coating	
TOTAL PROPOSED SHADED/HIGH SRI AREA	24,533 SF
% SHADED/HIGH SRI PROPOSED	50.9%

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 except for the following issues, which must be addressed prior to sign-off for permits:

- TTP will continue to review plans for crosswalks and sign improvements on the entrance at Blake Street as further details are developed.
- City Plan Dept. will confirm that light pollution concerns have been addressed through fixture type or spacing changes.
- City Plan will continue to work with applicant on details of Coastal Access easement to be recorded on the land records.

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

RELEVANT REGULATIONS

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.

Section 6.7 of the Inland Wetland Regulations

Class B - Minor Impact.

This classification shall be assigned to any application which the Commission determines involves a regulated activity but does not require extensive and detailed engineering or soils surveys or water quality measurements, and the applicant has supplied information, which in the opinion of the Commission, is sufficient to determine that the activity falls within the following:

6.7.1 Any activity which involves a removal or deposition of material which will not have a substantial adverse effect on the regulated area or on another part of the inland wetlands or watercourses system; *or...*

6.8 Required Findings - Class B Applications.

When the Commission finds that the proposed regulated activity is a Class B Application, it must make written findings in accordance with the criteria of Section 7 of these Regulations. A permit may be granted with or without conditions. The Commission must find the following:

6.8.1 That there is no preferable location on the subject parcel or that no other available location could reasonably be required; and

6.8.2 That 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

6.8.3 That the activity and the conduct of the activity 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.

Proposed regulated activity: Movement/grading of material within 50 feet of the wetland/watercourse.

Determination of classification: The Commission finds that this is a Class B Application because it is a regulated activity (e.g. the moving of earth) within 50 feet of the West River. However, the application does not have a substantial adverse effect on the watercourse because there is an Army Corps floodwall that separates the activities from the river. The existing stormwater management infrastructure provides the necessary flood water storage capacity, and in this application, the applicant provides additional capacity. The applicant is granting a coastal access easement to the City in the area directly abutting the floodwall as a safeguard against negative impacts to the watercourse. The activity will likely result in no reduction of capacity of the watercourse, and by the addition of pervious surface where impervious surface currently exists, the activities may have an increase in the natural capacity of the area. The coastal access easement area will also provide recreation and open space.

Wetland/watercourse area altered:

Wetlands: 0 acres

Open water body: 0 acres

Stream: ~358 linear feet

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 holds 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.

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:

Freshwater Wetlands & Watercourses: The West River runs over the eastern portion of the property and an area of wetlands is present along its western edge south of Blake Street. The watercourse and wetland are isolated from the project site by a flood wall constructed by the US Army Corps of Engineers as part of the West River flood project. A report on the wetlands is attached; we note that the report categorizes the wetlands as inland rather than tidal since it found “no evidence of a predominance of tidal wetlands plants observed along this portion of the West River.” We note that the site is remote from the coast and cannot support water-dependent commercial uses since the West River is not navigable at this location. Public access to the West River walkway will be preserved to allow continued public appreciation of the river.

Coastal Flood Hazard Area: As shown on the attached FEMA Flood Insurance Rate Map, the site is located within Flood Hazard Zone AE with a base flood elevation of 14.0 NAD-1988, and there is a Floodway in the adjoining West River. A flood wall constructed by the US Army Corps of Engineers is present along the West River and portions of the Blake Street site frontage. Based on the attached flood profile from the FEMA flood study of the West River, flooding at this site is associated with river flooding from the West River rather than coastal flooding due to tidal surges.

Shorelands: The Connecticut DEEP Coastal Resource Map indicates that the site is within Shorelands, defined as “upland areas at elevations in excess of the 100-year still water flood level and located within the coastal boundary”. The area around the proposed development is dominated by commercial uses with residential areas to the east and south in the surrounding neighborhood. The site itself is not adjacent to the coastal waterfront or other coastal resources or features.

Coastal Program Criteria	Comments
1. Potential adverse impacts on coastal resources and mitigation of such impacts	The project site is currently occupied by several retail, restaurant and office uses along with a currently vacant restaurant. Much of the site is a parking lot supporting those uses. The proposed project would maintain commercial uses along Whalley Avenue and redevelop the parking area to incorporate residences above parking and new commercial uses along Blake Street. The site is already substantially developed with a long history of development and occupancy, so the redevelopment does not represent a new or expanded adverse impact to Coastal Resources.

<p>2. Potential beneficial impacts</p>	<p>Appropriate stormwater management measures including hydrodynamic separators and a subsurface retention/infiltration system consistent with City of New Haven and Connecticut DEEP requirements will be implemented to attenuate peak discharge rates and improve discharge water quality.</p> <p>The site will be burdened with a Coastal Access Easement to the benefit of the City of New Haven. This easement is granted to: (1) preserve future water-dependent development or further flood mitigation projects and (2) benefit the public with greater connectivity to the West River.</p>
<p>3. Identify any conflicts between the proposed activity and any goal or policy in the §22a-92, C.G.S. (CCMA)</p>	<p>The applicable coastal use policy is general development. And this proposal is in line with that policy. The proposed development will not extend into any areas that have not been previously disturbed and will maintain existing public access along a walkway atop the West River flood wall.</p>
<p>4. Will the project preclude development of water dependent uses on or adjacent to this site in the future?</p>	<p>No, the City is taking an easement along the river/floodwall to preserve further water dependent development.</p>
<p>5. Have efforts been made to preserve opportunities for future water-dependent development?</p>	<p>Yes, see above.</p>
<p>6. Is public access provided to the adjacent waterbody or watercourse?</p>	<p>Yes, there is existing access on top of the floodwall, but the Comprehensive Plan and the Plan for Greenways & Cycling Systems 2004 express that this area is too narrow for safe two-way bicycle passage. The applicant proposes a pathway adjacent to the floodwall to allow for multi-use passage through the site. It also proposes pocket parks on Blake and Tour—both parks feature areas to picnic and rest without needing to purchase anything.</p>
<p>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)?</p>	<p>No. The project only includes replacing the fence on top of the existing floodwall so that it matches the existing fencing on top of the wall and creates a more connected pedestrian experience.</p>
<p>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’.</p>	<p>No.</p>

ACTION

The City Plan Commission approves the submitted Site Plans subject to conditions on Pages 1 and 2.

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.

- **The proposed activity’s consistency is dependent on the granting of a coastal access easement in accordance with the Additional Conditions of Approval on Page 2.**

ADOPTED: May 20, 2020

ATTEST: *Aida Woods*

Edward Mattison
Chair

Aicha Woods
Executive Director, City Plan Department

Coastal Site Plan Review, based upon the application and materials submitted by the applicant, was conducted 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 as made conditions of the Building Permit.

ADOPTED: May 20, 2020

ATTEST: _____

James Turcio
Building Official