

NEW HAVEN CITY PLAN COMMISSION SITE PLAN REVIEW AND COASTAL SITE PLAN REVIEW

1599-02 **30 Waterfront Street.** MBLU: 066 0951 00100. Site Plan Review and Coastal Site Plan Review for a 1,400SF building addition in the Coastal Management Area and IH zone. (Owner: New Haven Terminal Inc; Applicant: American Greenfuels LLC; Agent: Stephen Benben, Triton Environmental Inc)

REPORT: **1599-02**

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 January 19, 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. 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. 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.
8. Flood elevation certificate [Flood Development Permit] certifying finished floor elevation shall] accompany application for building permits.
9. Any proposed work within City right-of-way will require separate permits.
10. 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.
11. 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.
12. As-built survey 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 received December 16, 2021:

- DATA sheet, SITE sheet, CSPR sheet
- \$360 application fee
- Appendix A – Executive Summary – (7 pages)
- Appendix B – Site Location Map – (1 page)
- Appendix C – FEMA Flood Panel (1 page)
- Appendix D – Existing Site Plan – (1 page)
- Appendix E – Proposed Site Plan – (1 page)
- Appendix F – Building Elevation Plan – (1 page)
- Appendix G – Stormwater Management Plan – (8 pages)
- Appendix H – Hydrology Report - (10 pages)

Received January 7, 2022:

- Letter regarding Stormwater Infiltration Impracticability dated January 7, 2022 (2 pages)

Received January 17, 2022:

- Letter regarding Reflective Heat dated January 14, 2022 (2 pages)
- WORKSHEET sheet, SESC sheet

PROJECT SUMMARY:

Project: American GreenFuels building addition

Address: 30 Waterfront Street

Site Size: 2.19 acres

Zone: IH

Parking: No proposed changes to parking or loading spaces

Owner: New Haven Terminal

Phone: 203-468-0805

Applicant: American GreenFuels LLC

Phone: 203-535-3211

Agent: Stephen Benben, Triton Environmental Inc

Phone: 203-458-7200

Previous CPC Actions:

3/16/2011 CPC#1450-01

30 WATERFRONT Street. Site Plan Review including Coastal Site Plan Review for new Biofuel Production Facility in an IH Zone. Greenleaf Biofuels LLC.

Zoning:

The Site Plan as submitted meets the requirements of the New Haven Zoning Ordinance for the IH Zone.

Existing Conditions

American Green Fuel's (AFG) facility is located at 30 Waterfront Street in New Haven, Connecticut. The facility is located on approximately 2.19 acres leased from New Haven Terminal (NHT) (see Site Location Map, Appendix B), which is located in the southern portion of the NHT site. The overall NHT site is approximately 25.3 acres and is bordered by Waterfront Street to the east, an electric power switchyard and oil dock pipelines to the south, New Haven Harbor to the west, and a bulk petroleum terminal to the north. The site is zoned as IH – High Industrial and noted as parcel number 66/951/100 in the City of New Haven Assessor's Office. The site is also located within the Coastal Management District and Federal Emergency Management Agency (FEMA) Special Hazard Flood Zone AE (el. 12).

The overall site currently consists of a large tank farm occupied by bulk aboveground storage tanks (ASTs), several office, boiler, and warehouse buildings, and two main docks for loading or offloading of liquid or solid bulk materials. AGF's leased area consists of the operations building/offices, mobile trailer used for office space, a concrete tank farm with multiple aboveground storage tanks and process vessels, storage areas, and various truck (off)loading areas (see Appendix D).

AGF's current operations include the use of raw materials, including used vegetable oil, received by truck, which are transferred to aboveground storage tanks located within the existing tank farm. Raw materials are pumped from the tank farm into process vessels in the operations building via product piping between the tank farms and the operations building. Biodiesel is produced by chemically reacting a vegetable oil with an alcohol (methanol). The finished biodiesel is transferred from the process operations and stored in ASTs in the non-flammable tank farm and in leased bulk storage tank(s) located off-site at New Haven Terminal's tank farm.

The entire portion of AGF's lease area is paved and is equipped with a stormwater collection system designed to treat stormwater runoff for sediment and minor oil drips and leaks. The tank farm is designed with sufficient secondary containment capacity to provide volumetric containment for a worst case scenario spill, in accordance with CT Department of Energy and Environmental Protection (DEEP) and US Environmental Protection Agency (EPA) requirements. AGF's operations are not adjacent to New Haven Harbor, however the overall NHT facility is considered a waterfront property and a water-dependent use.

Proposed Activity

AGF is proposing to construct a building addition on the south side of the existing process building. The purpose of the addition is to provide AGF with additional floor space for new process equipment. The building addition will be a "Butler" type pre-fabricated, steel-walled structure, and is built with a first floor elevation above the 100-year flood zone, elevation 12.0 NAVD88 (see Appendix E and F). The overall height of the building will match the existing process building. The building addition will be serviced with utilities from the existing building.

Roof and stormwater runoff will be collected utilizing the existing site infrastructure. As the building addition will be constructed in an area of existing pavement, no net increase of stormwater runoff is expected. As such, no modifications of the existing stormwater infrastructure is planned. A detailed analysis of the stormwater management system is provided in the Stormwater Management Plan. The total area of disturbance includes the removal of existing pavement, associated site grading and the installation of a concrete ramp to meet the existing grades. The total site disturbance is anticipated to be approximately 3,000 square feet.

Motor vehicle circulation/parking/traffic: No proposed changes to parking or loading

Bicycle parking: N/A, IH zone

Trash removal: No proposed changes to trash removal

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

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: 655 CY

Start Date: February 2022

Completion Date: December 2022

Responsible Party for Site Monitoring: Mikulas Gasparik, American Greenfuels LLC

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 the 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: No new exterior lighting proposed.

Sec. 60.2 Reflective Heat Impact: Requirement waived.

The applicant has requested a waiver pursuant to Section 60.2(c)(3) because they cannot achieve the 50 percent level using reasonable methods but have otherwise maximized the percentage achieved by using high SRI value material on flat roof surfaces that make up 40.6% of the site (35,248 SF).

The City Plan Commission urges the applicant to consider measures to increase heat reflectivity on the site when opportunities arise in the future.

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.

As detailed in the Coastal Site Plan Review application materials, Characteristics and Condition of Coastal Resources at or Adjacent to the site include:

Rocky Shorefront

The site is located in a heavy industrial zoned area that has been developed within other industrial marine terminals. The site appears to have been constructed on top of fill materials that have been historically deposited. The shorefront of the terminal consists of a riprap embankment and/or bulkheads. The proposed activity will not include any alterations to the property's shorefront.

Intertidal Flats

Due to the low disturbance area and the distance from the shoreline, the proposed activity will not impact the intertidal flats. Additionally, the quality and volume of stormwater discharged to the harbor will remain unchanged. As such, it is believed the project will have no impact on this coastal resource.

Estuarine Embayment

Due to the low disturbance area and the distance from the shoreline, the proposed activity will not impact the estuarine embayment. Additionally, the quality and volume of stormwater discharged to the harbor will remain unchanged. As such, it is believed the project will have no impact on this coastal resource.

Coastal Flood Hazard Area (Flood Zone)

The site is located within the FEMA Special Flood Hazard Zone AE with a base flood elevation of 12 feet. An AE flood zone has a 1 percent probability of flooding every year (100 year floodplain). As discussed previously, the proposed building additional will be constructed above the elevation of the 100-year flood elevation.

Developed Shorefront

Due to existing uses, the NHT site is subject to US Coast Guard Maritime Security (MARSEC) requirements. All persons entering the site must have Transportation Worker Identification Certification (WIC), or be escorted by TWIC.

Coastal Hazard Area

The entire site is located within an AE flood zone with an established base flood elevation of 12 feet (NAVD).

Coastal Program Criteria	Comments
1. Potential adverse impacts on coastal resources and mitigation of such impacts	The site is located within a heavy industrial area and is developed with bulk storage tanks, asphalt-paved surfaces, containment structures, and support buildings and structures which encompass the entirety of the site. As such, there are no vegetation or animal habitats on or adjacent to the site. Furthermore, according to the DEEP Natural Diversity Database (dated December 2019), the site is not in an area mapped with ecologically sensitive species. The proposed activity will also not affect the view of coastal resources at the site. Several coastal resources were identified at the site, as listed above, and the project was determined to have no adverse impact on these resources.
2. Potential beneficial impacts	None.
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, the project is located within the New Haven Terminal facility which is considered a waterfront property and a water-dependent use.
5. Have efforts been made to preserve opportunities for future water-dependent development?	The project is located within the New Haven Terminal facility which is considered a waterfront property and a water-dependent use. The proposed project will not impact future water-dependent development in New Haven Terminal.
6. Is public access provided to the adjacent waterbody or watercourse?	No. Project located on an industrial site (tank farm) in the High Industrial (IH) zone. All persons entering the site must have Transportation Worker Identification Certification (WIC), or be escorted by TWIC.
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.
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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.

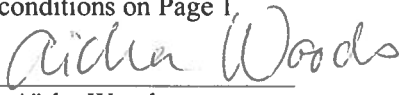
COASTAL FINDING:

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 Page 1.

ADOPTED: January 19, 2021
Leslie Radcliffe
Chair

ATTEST: 
Aicha Woods
Executive Director, City Plan Department

ADOPTED: January 19, 2021

ATTEST: 
James Turcio
Building Official