

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: 71 Welton Street. Variances to permit a rear yard setback of 5ft where 12.67ft is permitted, a side yard setback of 5ft where 9.5ft is required, and Coastal Site Plan review for the construction of a new maintenance building. Zone: IH. Owner: AJM CT Realty LLC.
Applicant: Tom Knapp. (23-44-V, 23-45-CAM)
REPORT: 1632-21
ADVICE: Coastal Site Plan: Approve

PRINCIPAL APPLICABLE REGULATIONS**Section 43(g)**

(2): Side yards: There shall be no side yard required in any business or industrial district, except that in any case where a side yard is actually provided such side yard shall be required to be not less than five feet for a building wall having an average height of 20 feet or less, and not less than one foot for each four feet of average height for a building wall having an average height of more than 20 feet.

(3): Rear yards: There shall be a rear yard in all business and industrial districts of not less than ten feet for a building wall having an average height of 30 feet or less and not less than one foot for each three feet of average height for a building wall having an average height of more than 30 feet.

Section 55- Coastal Area Management Districts

Section 55(b)(2): Application for coastal site plan review: Whenever a nonexempt building, structure, use or activity is to be located within this district, the application for a building permit submitted pursuant to the State Building Code, the application for a variance or special exception submitted pursuant to subsections 63.C and D of this zoning ordinance, and application and general plan and detail plans of planned development districts pursuant to section 65 of the zoning ordinance, shall be accompanied by an application for coastal site plan review upon the forms provided by the zoning enforcement officer

BACKGROUND

The applicant is seeking Variances to permit a rear yard setback of 5ft where 12.67ft is permitted, a side yard setback of 5ft where 9.5ft is required, and Coastal Site Plan review for the construction of a new 3-story maintenance building to be utilized by an existing facility. The parcel is located within the IH (Heavy Industrial) zone and directly abuts the railroad tracks to the rear of the parcel. The use is permitted as-of-right and the proposed structure will allow for the establishment to expand and operate in a more efficient capacity. The proposed structure will also be situated on the lot in a manner that is screened from the rear by an existing fence and will have limited visibility from the public right-of-way. The proposal will not have any adverse effects to the public health, safety, or welfare of the neighboring properties or the parcel itself with the applicant stating that “the new structure will maintain an aesthetically pleasing and coordinated look to the balance of the property and provide curb appeal to the neighbors.”

THE BOARD OF ZONING APPEALS JULY 11, 2023 PUBLIC HEARING

Jim Prady, the engineer representing the applicant presented the item stating that they would like to construct a small building to separate all maintenance functions out of the existing facility. The location

of the structure is needed in order to keep adequate emergency access to the main building. There are no coastal resources within the vicinity of the site.

No members of the public spoke in favor or in opposition of this application.

PLANNING CONSIDERATIONS:

COASTAL SITE PLAN REVIEW

The Board's Coastal Site Plan Review, in accordance with Section 55C 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.

Characteristics and Condition of Coastal Resources at or Adjacent to the site:

Coastal Flood Hazard Area (Flood Zone): The parcel is located within Flood Zone X, Areas determined to be outside the 0.2% annual chance floodplain. Map# 09009C0434J (July 8, 2013).

Nearshore Waters: There are no near shore waters with the Quinnipiac River being located approximately 1,000ft to the East.

Shorelands: The site is within the coastal boundary on a developed non-waterfront-adjacent site.

Coastal Program Criteria	Comments
1. Potential adverse impacts on coastal resources and mitigation of such impacts	None
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?	Not Applicable
5. Have efforts been made to preserve opportunities for future water-dependent development?	Not Applicable
6. Is public access provided to the adjacent waterbody or watercourse?	Not Applicable
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

Sec. 60 Stormwater Management Plan:

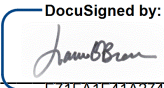
The applicant submitted did not submit a Stormwater Management Plan as part of this application.

Taking into consideration all of the above information City Plan staff finds that the proposed activity as shown on plans and in submitted reports appears to be consistent with the Connecticut Coastal Management Act and incorporates as conditions or modifications all reasonable measures which would mitigate the adverse effects on coastal resources and recommends approval upon completion of public hearing and receipt of recommendation from the City Plan Commission.

FINDINGS AND RECOMMENDATIONS

Based on considerations discussed above, the Commission views that the Coastal Site Plan Review is essentially in harmony with the general purpose and intent of the ordinance, the City's Comprehensive Plan and that the public health, safety, and general welfare will be served based on the location of this site and the surrounding infrastructure to support the granting of the special exception. Accordingly, the Commission recommends approval.

ADOPTED: July 19, 2023
Leslie Radcliffe
Chair

ATTEST:  July 28, 2023 | 2:50 PM EDT
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Laura E. Brown
Executive Director, City Plan Department