

## NEW HAVEN CITY PLAN COMMISSION SITE PLAN REVIEW

**RE:** 510 GRAND AVENUE. Site Plan and Coastal Site Plan Review for changes to a previously approved site plan for remediation and grading activities in an IH zone. (Applicant/Agent: Carl Stopper of TRC Companies)

**REPORT:** 1554-01A1

**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 18, 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. The applicant shall refer to and complete the Conditions of Approval indicated on the original Site Plan and Coastal Site Plan approval (CPC Report 1554-01).

### Submission:

- Letter entitled "Grading Plan Revisions for Parcel A for Soil Remediation" dated September 19, 2019. Received September 19, 2019.
- Application drawings. 2 sheets received September 19, 2019.
  - C-6: Soil and Asphalt Barriers – North Side. Sealed September 18, 2019. Received September 19, 2019.
  - C-8: Barrier Cross Sections. Sealed September 18, 2019. Received September 19, 2019.

### PROJECT SUMMARY:

**Project:** English Station Soil Remediation Project (Grading Plan Revisions for Parcel A for Soil Remediation)

**Address:** 510 Grand Avenue

**Site Size:** 378,621 SF (8.69 acres)

**Zone:** IH (Heavy Industry)

**Owner:** David Tropper for Haven River Properties

**Phone:** (917) 705-7023

**Applicant/Agent:** Carl Stopper of TRC Companies, INC

**Phone:** (860) 298-9692

### BACKGROUND

#### Previous CPC Actions:

**CPC 1107-07:** Presentation on proposed Contingency Combustion Turbine Energy Project at English Station. No action. February 21, 1990.

**CPC 1108-07:** Coastal Site Plan Review for Substation at English Station and related Components of the Grand/Goffe Project. Approved March 7, 1990.

**CPC 1108-03:** Application to Connecticut Siting Council, Advice to Mayor regarding Contingency Combustion Turbine Energy Project at English Station. Approved March 7, 1990.

**CPC 1149-07:** Coastal Site Plan Review for installation of two gas fueled boilers and stack at English Station. Approved June 17, 1992.

**CPC 1554-01:** Coastal Site Plan and Soil Erosion and Sediment Control Review for on-site soil remediation activities in an IH zone. Approved March 20, 2019.

**Zoning:**

The revised Site Plan meets the requirements of the New Haven Zoning Ordinance for the IH zone.

**Site description/existing conditions:**

The project site, located on Ball Island, encompasses an area of approximately 378,621 SF (8.69 acres) and consists of a paved driveway and parking lot, a two-story former electrical generating plant, the former English Station power generating plant, an assembly hall, a storage building, a foam house, a paved coal bin storage area, a lined waste water surge basin, cable houses, and a subsurface cooling water tunnel. The site is retained by a steel bulkhead and is bounded by Grand Avenue in the north and the Mill River in the east, south, and west.

**Background:**

On March 20, 2019, the applicant received Site Plan and Coastal Site Plan approval to conduct remedial activities at 510 Grand Avenue (Parcel A and Parcel B) to remediate soil impacted by PCB and other pollutants. Approved remedial activities included the excavation and off-site disposal of PCB-impacted soil and surplus non-PCB-impacted soil, sediment, and porous materials, the collection of soil samples for further PCB and non-PCB-impacted soil analysis, dewatering and removal of sediment from the cooling water tunnel, preparation of sub-grade and on-site relocation of soils in areas of capping, construction of soil and asphalt caps to render soils inaccessible, the restoration of soil excavation areas and the cooling tunnel with suitable backfill soil. Since received approval from the City Plan Commission, the applicant has been working with Connecticut Department of Environmental Protection (CTDEEP) to finalize their approval of the Remedial Action Plans on site.

**Proposed activity:**

In response to CTDEEP's Conditional Approval for the Soil Remediation Alternatives Analysis, the applicant is requesting the approval of minor amendments to the originally approved site plan from the Commission. The proposed changes include slightly lowering the center top elevation of grass vegetated soil barrier on Parcel A by three (3) feet (from 4% to 2%). The changes will result in approximately 3,500 cubic yards of soil material being removed from the site and disposed of offsite at a permitted soil facility, that would have otherwise been placed beneath the soil barrier under the original approval. The site plan will still comply with city and state requirements after the changes.

**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: 27,700 CY

The on-site soil monitor 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 demolition;
- 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 larger than 5 acres, the applicant is required to obtain a General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction from CT DEEP in addition to adhering to the erosion and sediment control regulations of the City of New Haven.

**Sec. 60 Stormwater Management Plan:** Consistent with original

**Sec. 60.1 Exterior Lighting:** Not applicable

**Sec. 60.2 Reflective Heat Impact:** Not applicable

**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:**

**Coastal Flood Hazard Area (Flood Zone):** The project site is located within Special Flood Hazard Area (the area subject to inundation by the 1% annual chance flood (100-year flood)) Zone AE, as defined by FEMA Flood Insurance Rate Maps (FIRM) panels 09009C0441J and 09009C0442J effective July 8, 2013.

**Developed Shorefront:** The entire project site is located on and adjacent to highly urbanized/industrial waterfront in New Haven's Mill River District.

**Island:** The project site is located on Ball Island which is fully developed with industrial/commercial activities and surrounded along the perimeter by a steel bulkhead. The site bounded by the Mill River in the east, south, and west and by Grand Avenue in the north.

**Nearshore Waters:** The project site and proposed activities are located immediately adjacent to the Mill River. A steel bulkhead surrounds the island upon which the site is located.

**Shorelands:** The project site is located within the coastal boundary on a developed waterfront adjacent site.

Coastal Program Criteria	Comments
1. Potential adverse impacts on coastal resources and mitigation of such impacts	<i>The proposed changes to the originally approved site plan approval will not adversely impact coastal resources.</i>

2. Potential beneficial impacts	<i>The proposed revisions to the originally approved site plan will result in additional potentially contaminated soil (~3,000 CY) being permanently removed from the site, rather than stored on site, per the original approval.</i>
3. Identify any conflicts between the proposed activity and any goal or policy in the §22a-92, C.G.S. (CCMA)	<i>None.</i>
4. Will the project preclude development of water dependent uses on or adjacent to this site in the future?	<i>No. The site is appropriate for water-dependent use in the future, but that is not addressed in this application.</i>
5. Have efforts been made to preserve opportunities for future water-dependent development?	<i>No. The site is being remediated to meet industrial standards. The proposed project will not preclude future water-dependent development.</i>
6. Is public access provided to the adjacent waterbody or watercourse?	<i>No.</i>
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)?	<i>No. The existing perimeter steel bulkhead will remain and will not be altered.</i>
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'.	<i>No.</i>

**SITE PLAN REVIEW**

The proposed revisions to the approved site plan for Parcel A (510A Grand Avenue) (and Parcel B (510 Grand Avenue)) 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 amendments 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 22, 2020  
Edward Mattison  
Chair

**ATTEST:**   
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 are made conditions of the Building Permit.

**ADOPTED:** January 22, 2020

**ATTEST:**   
James Turcio  
Building Official