

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

RE: 1041 STATE STREET (MBLU: 182 0804 01300), "STATE STREET" (MBLU: 182 0804 01400), "MILL RIVER STREET" (MBLU: 182 0804 01500), AND 626± SQUARE FEET OF PROPERTY WITH NO MBLU LOCATED ADJACENT TO THE 1041 STATE STREET AND "STATE STREET" PARCELS. Site Plan Review and Coastal Site Plan Review for a conversion of existing 2.5 story commercial building (1041 State St) to townhouses and a new 6 story mixed use development on remainder of lot within the Light Industry (IL) Zone. (Owners: Post Road Residential INC., Bryan Smallman, State of Connecticut; Agent: Gregory Muccilli of Shipman & Goodwin LLC.; Applicant: Post Road Residential INC., Post Road Realty LLC.)

REPORT: 1594-02

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 October 20, 2026. 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. Comments under **ADDITIONAL CONDITIONS OF APPROVAL** shall be reviewed with the City Plan Department and resolution reflected on final plans, prior to their circulation for signoff.
5. 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.
6. 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.
7. 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.
8. As authorized by CGS Sec. 22a-107 an additional bond is required to secure compliance with all conditions of approval relating to the coastal site plan. The bond amount is to be determined based on consultation with City Plan and Engineering staff.
9. 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.
10. Any proposed work within City right-of-way will require separate permits.
11. Prior to issuance of Building Permit, street addresses shall be assigned by the City Engineer.
12. 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.
13. Filing (with City Plan) and implementation of a Storm Drainage Maintenance Plan and Inspection Schedule is required.
 14. 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.
 15. 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

16. Detailed plan with regards to storm sewer connection from the project site's retention system to the city storm sewer must be approved by Engineering Department prior to City Plan final sign-off on plans for building permit.
17. The applicant shall merge all associated tax lots for municipal regulation and tax purposes through the Office of the City Tax Assessor, and record on the land records. Applicant shall provide City Plan with a proof from the land records prior to issuance of building permit.

Submission: SPR Application Packet including DATA, WORKSHEET, SITE, SESC, and CSPR forms. NARRATIVE attached. Application fee: \$360. Received September 30, 2021.

- Site Development Plan Set. 26 Sheets. Dated 09.16.2021. Received 09.16.2021. Revise 10.08.2021. 27 Sheets.
- Application for Development Permit. Received 09.16.2021. Received 09.16.2021.
- Copies of Variances and Special Exceptions Approval Letter issued by the Board of Zoning Appeals on August 10, 2021. Received 09.16.2021.
- Site Stormwater Management Report and Maintenance Plan dated September 16, 2021. Received 09.16.2021.
- Transmittal letter from Shipman & Goodwin LLP dated September 16, 2021. Received 09.16.2021.
- Site Photos. Received 09.16.2021.
- Reflective Heat Impact from Hardscape or Paved Surfaces Memo - 1041 State Street dated September 16, 2021. Received 09.16.2021.
- Lighting Specification. Received October 12, 2021.

PROJECT SUMMARY:

Project: Multi-family residential development consisting of 75 units, with commercial space at street level.

Address: 1041 State Street (MBLU: 182 0804 01300), "State Street" (MBLU: 182 0804 01400), "Mill River Street" (MBLU: 182 0804 01500), and 626± square feet on adjacent property with no address or MBLU

Site Size: 19,607 SF (Approximately 0.45 Acres)

Zone: IL

Parking: 33 Spaces

Owner: Post Road Residential INC., Bryan Smallman, State of Connecticut

Phone:

Applicant: Post Road Residential INC., Post Road Realty LLC

Phone: 203 444 5202

Agent: Gregory Muccilli of Shipman & Goodwin LLC

Phone: 203 836 2806

BACKGROUND

Zoning:

The Site Plan as submitted meets the requirements of the New Haven Zoning Ordinance for the IL zone, with the zoning relief granted. At the August 10, 2021 meeting of the Board of Zoning Appeals, the applicant was granted

variances to allow for residential use on the first floor in combination with residential use in the upper floors, a FAR of 4.6 where a maximum of 3.0 is permitted, a rear yard setback of 0ft where 25ft is required, to permit the location of an off-premise sign within 1,500ft of another off-premise sign, to allow for an off-premise sign to be located within 250 of a Park district, to allow for an off-premise sign to be located within 250ft of a Historic District, and to allow for a sign height of 35ft where 30ft is permitted, Special Exception to allow 33 off-street parking spaces where 37 is required and 0 off-street loading spaces where 2 is required.

Site description/existing conditions: historic building

The project site consists of 4 parcels, approximately 0.43 Acres combined. The applicant intends to consolidate all the parcels and bring them under one address. The site is occupied by a 2-story industrial (Warehouse) historic building facing State Street with a billboard atop of the rear of the structure and an associated parking lot and loading space and an additional fenced paved parking lot.

The project site is bounded by State Street to the north, a vacant area and the I-91 highway to the east and south, and Mill River Street to the west.

Proposed activity:

- Construction of a new mixed-use building including:
 - 9 studio units, 33 one-bedroom units and 29 two-bedroom units
 - Ground-level parking garage including
 - 1,010 SF of commercial space at street level
 - 2,800 SF of additional common amenity space located on the first and second floors
 - 590 SF outdoor lounge on the second floor
 - 1,470 SF rooftop deck, the roof is also planned to house a solar array.
- Demolition of the rear portion of an existing historic building and conversion of the remainder of the building into 4 townhouses

Motor vehicle circulation/parking/traffic: Parking is provided on the first level of the proposed new building consisting of one-way circulation entering from Mill River Street and exiting onto State Street. 33 parking spaces are proposed, including 2 ADA van spaces

Bicycle parking: Approximately 65 bicycle parking spaces (2,570 SF) are proposed at the basement of the 4 townhouses. Another bike room for 10 bikes is proposed on the first floor (430 SF).

Trash removal: The trash room (800 sqft) is located on the ground floor facing Mill River St. The trash will be rolled out to Mill River St for pick up.

Signage: An existing billboard will be retained, rotated and affixed to the new building. Variances to permit the location of an off-premise sign within 1,500ft of another off-premise sign, to allow for an off-premise sign to be located within 250 of a Park district, to allow for an off-premise sign to be located within 250ft of a Historic District, and to allow for a sign height of 35ft where 30ft is permitted were granted by the Board of Zoning Appeals August 10, 2021.

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: 750

Start Date: fourth quarter of 2022

Completion Date: Major construction to be completed within approximately 18 months thereafter.

Once a contractor is chosen, an individual will be named as the individual responsible for monitoring soil erosion and sediment control measures on a daily basis, and that name provided to the City Plan Department prior to signoff of final plans for permits.

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 both during 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 less than 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;
- 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:

770 SF
385 SF

Shaded (average)	0 SF
SRI > 29	770 SF
Cement	SF
Parking striping	SF
StreetBond coating	SF
TOTAL PROPOSED SHADED/HIGH SRI AREA	770 SF
% SHADED/HIGH SRI PROPOSED	100%

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 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?	No, the I-91 Highway is located between the project site and the Mill River. Thus, at the current condition there is no possibility to develop water dependent uses.
5. Have efforts been made to preserve opportunities for future water-dependent development?	No, the proposed project will develop the entire project site as a multi-family residential building. It is unlikely that water-dependent development opportunities will be incorporated into this development in the future.
6. Is public access provided to the adjacent waterbody or watercourse?	No, the 91 Highway is located between the project site and the Mill River. Thus, there is no public access to the Mill River.
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.
--	-----

Project Timetable:

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 Pages 1 and 2.

ADOPTED: November 3, 2021
Leslie Radcliffe
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 administratively without hearing by the City Plan Commission of the City of New Haven 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: November 3, 2021

ATTEST: 
James Turcio
Building Official