

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

**RE:** 85 EAST STREET, Coastal Site Plan Review for Earthen Dike repair and Relocation of earthen Berm as secondary Containment area in an IH Zone (Owner/Applicant: Josh Fidler, Magellan Terminals Holdings, LP).

**REPORT:** 1457-03

**COASTAL FINDING:** No impact; Approval with Conditions (see page 2)

**Submission:** CSPR Application dated and rec'd. 09/22/11 by Triton Environmental, Inc.: Application form plus narrative and Figures: site location and coastal resource map, Overall site plan of Terminal, Areas of Berm Repair and Relocation. \$275 fee paid.

**Previous Site Actions by CPC:** new fuel tank installation (1302-12, 04/18/01) by Williams Energy.

### **BACKGROUND**

Magellan Terminals proposes to perform some remedial work within its 85 East Street terminal to provide second containment for the eastern tank farm and to provide better drainage away from the nearest above ground petroleum storage tank No. 14A.

**Proposed Activity:** Magellan is proposing to relocate and repair an existing earthen berm that provides secondary containment for the eastern tank farm. Concrete footings of a former tank location close to the edge of the harbor will be removed. Approximately 1,900 CY of earthen material will be moved, removed or added during the process where an existing berm will be excavated, the material screened to segregate soil from armour stone, and the berm reconstructed at its new location. Two other areas where the berm is deteriorated will be restored so that the secondary containment area is complete and effective. With appropriate sediment control measures in place, the project will not create any adverse impacts on coastal resources.

### **COASTAL PLANNING CONSIDERATIONS**

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.

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

**Coastal Flood Hazard Area:** The site for the proposed activity is located in special flood hazard area AE where the base flood elevation is 11 according to Flood Insurance Rate Map 09009C0441H, dated December 17, 2010. The top of the berm is at approximately elevation 15 (the bottom elevation is approximately 9). Completion of the berm will serve to prevent flooding as well as its containment function.

**Navigable waters:** The site is adjacent to New Haven Harbor with open access to the Long Island Sound.

**Developed Shorefront:** This is a port area which has been highly engineering and developed resulting in the functional impairment or substantial alteration of any natural physiographic features.

**Potential Adverse Impacts on Coastal Resources and Mitigation of Such Impacts:** No adverse impacts are anticipated as a result of this project.

**Future Water Dependent Development:** The terminal is a water dependent use. The proposed project will not limit future water dependent development opportunities on the site, but may enhance them.


**Public Access:** The industrialized site is not an appropriate location for public access due to safety and security reasons. Access to the water is provided nearby on the new Tomlinson Bridge and at the Long Wharf Maritime Center on Long Wharf Drive.

**FINDING**

Having considered all of the above criteria, the City Plan Commission finds the site plan consistent with the applicable goals and policies of the Connecticut Coastal Management Act and incorporates as conditions or modifications all reasonable measures which would mitigate the adverse impacts on coastal resources and future water-dependent activities. The Commission hereby approves the coastal site plan with the following conditions:

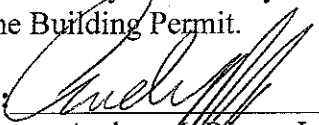
1. Flood elevation certificate shall be provided to the Building Official, prior to initiation of site work.
2. As-built site plan in accord with City requirements shall be filed with City Plan Department, upon completion of the project. Site Plan shall be submitted in both mylar and digital format [AutoCAD DWG or DXF file based on the State Plane Coordinates (NAD1983)]. Provide version of AutoCAD with submission.

**ADOPTED:** October 19, 2011  
Edward Mattison  
Chair

**ATTEST:**   
Karyn M. Gilvarg AIA  
Executive Director

The Coastal Site Plan Review, based upon the application and materials submitted by the applicant, and the report of the City Plan Commission, was conducted administratively without hearing by the Building Official of the City of New Haven in accordance with the Connecticut Coastal Management Act (CGS, Sections 22a-90 to 22a-112). The above written findings are hereby received by the Building Official and any conditions thereof are made conditions of the Building Permit.

**DATE ADOPTED:** 70/21/11

**ATTEST:**   
Andrew J. Rizzo, Jr.  
Building Official