

**NEW HAVEN CITY PLAN COMMISSION INLAND WETLANDS REVIEW  
NEW HAVEN CITY PLAN COMMISSION DETAILED PLAN REVIEW**

**RE:** 50 BROOKSIDE AVENUE, WEST ROCK PDD #119, Inland Wetlands Review and Detailed Plan Review for 101 Rental Units known as Phase II (Owner: Housing Authority of City of New Haven; Applicant: Michaels Development Company).

**REPORT:** 1439-02

**ACTION:** Approval with Conditions

**INLAND WETLANDS FINDING:** Approval

**CONDITIONS OF APPROVAL**

1. The Phase II Site Plan is approved for a period of six years, and the approval will expire if the project is not completed by April 21, 2016.
2. The applicant shall record on the City land records an original copy of this Inland Wetland and Detailed 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 on final plans.
3. Comments under **Site Plan Review** on pages 6-7 shall be reviewed with the City Plan Department and resolution reflected on final plans, prior to their circulation for signoff.
4. Signoff on final plans by the City Engineer, Department of Transportation, Traffic and Parking and City Plan Department in that order shall be obtained prior to initiation of site work or issuance of building permit. The Greater New Haven Water Pollution Control Authority and Fire Marshall shall also review the plans.
5. Final 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 Bond, or other financial instrument acceptable to the City's Corporation Counsel, in an amount of 2% of the certified overall estimated project site cost, including roadwork, grading, paving, fencing, storm drainage, soil erosion measures, landscaping and the like, shall be provided to the City Plan Department, with a copy to the City Engineer, prior to City Plan signoff on final 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 for building permit.
8. Any proposed work within City right-of-way will require separate permits.
9. Prior to issuance of Building Permit, street addresses shall be assigned by the City Engineer.
10. Final determination of traffic markings, V-loc locations, signs and traffic controls on site and on the perimeter of the site will be subject to the approval of the Department of Transportation, Traffic and Parking.
11. Following completion of construction, any City catch basins in the public right-of-way impacted by the project shall be cleaned, prior to issuance of Certificate of Occupancy.
12. The Stormwater Management Plan shall be amended to assure unimpeded continuous flow of Wilmot Brook from the Hamden town line to the southern property line and Wintergreen Brook from the northern property line to the property line downstream of the Brookside Avenue Bridge, in accord with the section entitled **Brook Maintenance** on page 4 of this report and with the terms of a Memorandum from Richard H. Miller, City Engineer, dated April 20, 2010, attached herewith as Appendix A.

13. Prior to issuance of Final Certificates of Occupancy for the overall project, a request for Certificate of Completion in accord with Zoning Ordinance Section 65 (e) (3) shall be submitted to the City Plan Commission for approval.
14. As-built site plan of Phase II shall be filed with City Plan Department, with a copy to the City Engineer, prior to issuance of Final Certificate of Occupancy. Site Plan shall be submitted in both mylar and digital format [.DWG file based on the State Plane Coordinates (NAD1983)]. Provide version of AutoCAD with submission.

**Submission:** Development Permit Application including Inland Wetlands and SESC components, Application fee of \$240, Stormwater Management Plan for Phase II inc. Existing and Proposed Hydrology Plans by Diversified Technology Consultants (DTC) 03/18/10; Sanitary Sewer Design Report by DTC 03/18/10, Wetland and Watercourse Delineation Review 10/07/09 Ethan Stewart, DTC..

*Civil Plans* by DTC 03/18/10: Cover Sheet with location map and project team, Legend & Gen. Notes; Site Location, Zoning FEMA, & NCRS Mapping; Existing Conditions Plans (3 sheets), Site Demo Plans, Site Layout Plans (2 sheets), Site Grading & Drainage Plans (2 sheets), Rockview Borrow & Restoration Plan, Hawthorne Way and Augustine St. Road Profiles, Site Utility Plans, Sit Electrical Utility Plan, Site Lighting Plan, Soil Erosion and Sediment Control; Phasing, SESC Plans, Narrative & Details; Site Landscape Plan (2 Sheets), Traffic & Pavement Markings, Maintenance & Protection of Traffic Plan, GNHWPCA Details (3 sheets), CNH Standard Details (12 sheets), Construction Details (7 sheets).

Letter from Andy Bevilacqua, DTC 04/16/10 responding to City comments.

*Architectural Building Plans* by Kenneth Boroson Architects 03/18/10: Building Plans and Elevations for Bldgs. 4 & 6 (Italianate), Bldgs. 5, 9, 10 & 12 (Arts & Crafts), Bldg. 6 (Victorian), Bldg. 7, 15, 19 & 20 (National), Bldgs. 11 & 14 (Colonial).

*Other materials considered:* Memorandum from Richard Miller, City Engineer regarding Brook cleaning for Wilmot Brook 04/20/10.

### PROJECT SUMMARY

<b>Project:</b>	Phase II of West Rock Redevelopment Project	
<b>Address:</b>	50 aka 49 Brookside Avenue (individual addresses to be assigned)	
<b>M/B/L:</b>	364-1190-00301	
<b>Site Size:</b>	2,604,562 SF (59.79 acres) =overall parcel	
<b>Zoning Lot Area:</b>	1,327,608 SF (30.47 acres)	
<b>Wetlands Area:</b>	1,276,954 SF (29.3 acres)	
<b>Zone:</b>	PDD #119	
<b>Financing:</b>	CHFA State Housing Tax Credits, Moving to Work Funds, Federal Home Loan Bank Funds, Economic Stimulus Funds (possible)	
<b>Project Cost:</b>	\$40 million	
<b>Parking:</b>	133 off street spaces plus on street parking	
<b>Total Project Units:</b>	475	
<b>Units in Phase II:</b>	101 rental units	
<b>Property Owner:</b>	Housing Authority of New Haven	<b>Phone:</b> 203-498-8800
<b>Contact:</b>	James Miller, Dep. Dir.	<b>Phone:</b> same
<b>Applicant:</b>	Michaels Development Company	<b>Phone:</b> 203-870-9195
<b>Contact:</b>	Peter Wood	<b>Phone:</b> same
<b>Agent:</b>	L. Andrew Bevilacqua (DTC)	<b>Phone:</b> 203-239-4200
<b>Architect:</b>	Kenneth Boroson Architects	<b>Phone:</b> 203-624-0662
<b>Architect:</b>	Torti Gallas and Partners, Maryland	<b>Phone:</b> 301-588-4800
<b>Site Engineer:</b>	Diversified Technologies Consultants	<b>Phone:</b> 203-239-4200
<b>Contact:</b>	L. Andrew Bevilacqua (DTC)	<b>Phone:</b> 203-239-4200
<b>City Lead:</b>	City Plan Dept.	<b>Phone:</b> 203-946-6379
<b>Project Manager:</b>	Catherine Schroeter, LCI	<b>Phone:</b> 203-946-8274

### BACKGROUND

**Previous relevant Actions of the Commission:** 6 PDU Application and General Plan Approvals with conditions (CPC 1420-06, 09/17/08; CPC 1421-21, 1421-22, 1421-23, 1421-24, 1421-25, 10/15/08); Cooperation Agreement (CPC 1426-14,

03/18/09); PDU #118 (WR #5) Amendment (CPC 1426-31, 03/18/09); PDU #s 111A, 112, 113, 114, 115, 118: Amendments (see CPC 1428-22, 23, 24, 25, 26, 27 05/20/09). Inland Wetland, Site Plan and Detailed Plan Review for Phase I (CPC 1428-08, 06/17/09); Inland Wetland & Watercourses Application Schedule Hearing (CPC 1432-07, 09/16/09); Inland Wetlands (CPC 1433-01, 11/18/09), PDD #119 Designation (1433-02, 11/18/09).

**Zoning:** The Site Plan as submitted meets the requirements of the New Haven Zoning Ordinance for the Planned Development District #119 as approved by the Board of Aldermen. Michaels Development Company has previously received general and detailed plan approvals from the Board of Zoning Appeals and City Plan Commission for 6 separate Planned Development Units (PDUs 111A through 115, and PDU 118) for a total of 121 multifamily rental and single family homeownership dwelling units on 8.38 acres (part of a larger 59.6 acre parcel) at property known as 50 (aka 49) Brookside Avenue, located in the northwest corner of the city and abutting the Town of Hamden. The Board of Aldermen has since approved a Planned Development District #119 which encompasses the entire West Rock project area, including the area of the PDUs.

The overall West Rock redevelopment plan calls for approximately 475 residential dwelling units ranging from apartments to single family houses, from rentals to individual ownership, and includes a senior housing component and a management building. This development will take place on approximately 100 acres of Housing Authority property located on Brookside Avenue and Wilmot Road.

**Proposal:** The Phase II site is located between the Phase I site to the east and the wetlands and watercourse to its west. It is bounded by new Bosley Street on the north, new Augustine Street on the west, new Jennings Way on the east, and new Moore Drive on the south including two buildings to the south of Moore Drive. Phase II includes 101 rental units of the same design as the rental units in Phase I. New roadway construction includes extension of new Augustine Street and new Bosley Street, a new Pollard Street, and extension of Solomon Crossing. All utilities are being placed underground as part of the infrastructure construction. The site was previously the location of public housing units which have since been demolished.

**Dwelling Units:** Unit types will be townhouse units in strings of 2 to 6 units per building. The units range in height from one to three stories with a typical height of 2 to 2.5 stories. There will be no stacked units as in Phase I. Each string is composed to read as a single unified composition in one of several different styles (Arts & Crafts, Colonial, Italianate, Victorian, and National), providing each building with its own character. As sustainability is one of the goals of the project, the architecture will be designed referencing Green Communities standards as well.

**Exterior materials of the residential units:** The materials are the same as presented in the PDD application for each architectural prototype. Typical materials for all buildings are fiber cement clapboard siding, asphalt shingle roofs with standing seam metal roofs on porches, fiberglass/Urethane surrounds on porch columns, PVC railings, urethane foam and fiber cement window, door & building trim, vented fiber cement soffits, and urethane foam cornices and brackets. While no natural materials are utilized, all will be long lasting and low maintenance. All designs are acceptable as shown.

**Parking:** The buildings are arranged within a regular block type street network in which buildings front and define the public realm. Each unit includes a single off-street parking space accessed from shared interior parking areas behind the units with parallel on-street parking also provided on all streets.

**Stormwater Management Plan:** The site's stormwater management plan has been designed as if this were an undeveloped site. Stormwater will be handled in bioswales constructed as part of Phase I at the extremes of the neighborhood that seek to handle runoff in an environmentally sensitive manner while also providing a natural amenity for the site. Water quality basins (micropool extended detention basins) were designed to attenuate peak flow discharges from the site and treat the water quality volume prior to any remainder discharging into the existing wetlands. The micropools will be planted with hydrophilic vegetation to encourage sediment and nutrient removal for stormwater.

*A Post-Construction Stormwater Facility Operation and Maintenance Schedule using Best Management Practices is included in the Stormwater Management Plan. BMPs include sweeping of paved surfaces on an*

annual basis, maintenance of outfalls (monthly inspection), roof runoff management (bi-annually), sediment forebays monthly inspection), vegetation (annually) and litter (weekly) control.

**Brook Maintenance:** Recent spring flooding events as a result of a substantial rain storm in March 2010 caused a water level in the receiving stream (Wilmot Brook) higher than the outlet conduits from the Phase I detention/retention basins. The applicant has investigated the likely causes for the flooding events and has determined that considerable debris blockage in the channel upstream of the detention basin appears to have forced stream flow from the channel and directed it toward the detention basin berm.

**To allow for unrestricted flow of both Wilmot and Wintergreen Brooks and any other brooks on the subject property, the Stormwater Management Plan shall be further expanded to include maintenance of the brooks in accord with a Memorandum from Richard Miller, City Engineer dated April 20, 2010, regarding Wilmot Brook. In each brook, the contractor shall identify the main channel, remove all fallen trees, brush and any loose material from the channel and 10 feet either side of the main channel. All material shall be removed from the site and not left in the wetlands or piled to the side where flooded waters can move the material. Work shall be accomplished without use of any heavy equipment which would disturb the channel or impact the adjacent wetland area. At completion the contractor shall notify the City Engineer of the completed work and at such time be inspected for compliance. Any areas deemed not satisfactory shall be reworked. Once the work effort has been accepted, the main channel shall be surveyed with bottom elevation taken every 100 feet. The completed plan will be presented to the City Engineer for record purposes.**

**The area of the work for Wilmot Brook shall begin at the New Haven / Hamden town line which is coincident to the development site property (land of the Housing Authority), extend southward to the limit of the property, approximately 4,000 to 5,000 feet. The work in Wilmot Brook is required to be completed as part of Phase I during summer 2010.**

**Furthermore, the channel of Wintergreen Brook from a point adjacent to the northern property line to the property line downstream of the Brookside Avenue Bridge shall receive the same treatment as explained in Mr. Miller's Memorandum.**

Maintenance of the channel is critical to the functioning of the drainage flow from the development as intended. Once there is an unrestricted channel, **the Brooks shall be inspected twice a year and cleaned of overgrowth and material that would restrict stream flow.** Should a storm event occur that results in the outlets backflowing to the retention basins, the stream shall be evaluated and any debris removed.

The Maintenance Plan also shall include regular maintenance of the vegetated detention/retention basins themselves. The Commission recommends that the Cooperation Agreement be amended to add these ongoing maintenance programs as responsibilities of the Developer.

**Utilities/Lighting:** Proposed site utilities will be located underground throughout the development as required in a Planned Development. Electric, gas, water, sewer, and cable TV service mains will be located within the proposed new municipal road rights of way. Street lights within the public rights-of-way will be standard City light fixtures and poles maintained by the City. Site lighting outside of the right of way will be owned and maintained by the property management company.

The existing sanitary sewer has been removed with the demolition of the existing roadways. According to the submitted Sanitary Sewer Design Report, the design flow rate for the sanitary sewer system is estimated to be 534,400 gallons per day with all pipes designed to have a velocity greater than 2 feet/second when flowing full. The redevelopment project will not increase sanitary sewer flow from the site when compared with the existing development. This plan will ultimately require the approval of the Greater New Haven Water Pollution Control Authority.

**Roadways/Walkways:** Existing roadways have been abandoned by the Board of Aldermen (portion of Brookside Avenue north of bridge, Willow Court and Laurel Court) and new roads have been accepted by the

City as public streets through a Cooperation Agreement between the City, Housing Authority and Michaels Development Company. Phase II will involve demolition of the final portions of Brookside Drive and removal of two temporary cul-de-sacs. New roadways being constructed as part of Phase II are the western half of Bosley Street (eliminating a temporary cul-de-sac created in Phase I), Pollard Street, Solomon Crossing (extending westward from the "dog leg left" in Phase I), extension of Moore Drive, and construction of Augustine Street running north/south and a roundabout at the intersection of Solomon Crossing and Augustine Street. Proposed roads will be constructed to City standards and will be provided with traffic control signage and appropriate pavement markings. Bicycle lanes will be provided integral to the roadways along the outside perimeter roads (Augustine Street in Phase II). Public sidewalks are included on all streets, with the backs of units accessing parking areas via limited access shared walks.

An STC Major Traffic Generator determination letter is pending.

**Brookside Avenue Bridge over Wintergreen Brook:** Just west of the entry to the project is a cast-in-place concrete twin box culvert bridge over Wintergreen Brook which provides primary access to the redevelopment area from Wilmot Road. As part of the Phase I approval, the applicant was required to mill and repave the roadway approaches to the bridge between Wilmot Road and the new roadway system and to make repairs to the bridge over Wintergreen Brook. The Bridge was rated in fair condition upon an inspection in September 2008, confirmed by a cursory inspection by the applicant in June 2009. Additional underwater inspection of the underpinnings is to occur during spring 2010 as part of Phase I to determine any further course of action. While the bridge is sound there are some improvements to be made which will effectively extend the life of the existing bridge until such time as it can be replaced. The applicant has applied for funding which if granted could be used towards a full replacement, and the City Engineer has identified the bridge as a replacement in his future capital project effort on City bridges.

**New Bridge over Wintergreen Brook:** General Plans for the Planned Development District included preliminary design of a new span connecting the former Brookside and Rockview neighborhoods which will be part of a future phase of the overall project. In the site plan review for Phase II the Commission notes that the City prefers that the bridge have sidewalks on both sides and plans will be modified as requested.

**Landscaping:** New streets are tree lined in the tree belt with maples, ashes, honey locusts, pin oaks, and sergeant cherries. Trees are to be spaced so that they do not interfere with sight lines or sign posts. Internal parking areas are embellished with similar trees. The City's landscape architect has commented that the plant palette is very minimal and that it would be desirable to increase the plant quantities if the budget permits, and if not possible a greater variety of species should be used to provide for more variety, interest and seasonal variation. The developer has revised plans accordingly, and will also revise Phase I plans.

**Trash collection and recycling** for rental units will be provided by a private hauler under contract with the development's management company. Dumpsters are provided in the rental area at the rear of the proposed buildings in the parking areas. Homeownership units in the overall project will be serviced by municipal trash and recycling collection, although the City may contract this out to the management company as this run is distant from existing public works runs.

**Mail delivery** in the rental area will be in cluster box units strategically located within the parking areas which have been identified on the submitted plans. Homeownership units in the overall project will be provided with individual curbside boxes.

**Soil Erosion and Sediment Control Review:** The applicant states a total of 9,641 cubic yards of material will be moved on the site of which 4,764 CY will be removed. R2D (Riverview Realty & Development Corp.) is named as responsible for monitoring the site to assure there is no soil or runoff entering City roadways, catch basins or the storm sewer system. Once the construction contract has been awarded, the name of an individual who will monitor the site on a daily basis will be required to be provided to the City Plan Department prior to issuance of building permit. Such individual shall be responsible for assuring there is no dust gravitation off site by controlling dust generated by vehicles and equipment, both during continuing demolition and ongoing construction phases. Soil stockpiles if necessary shall be protected from dust gravitation and soil erosion. 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*.

R2D shall be responsible for determining the appropriate response, should unforeseen erosion or sedimentation problems arise and fully responsible for insuring 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 contractor is responsible for notifying the City Engineer within twenty-four hours of any such situation with a plan for immediate corrective action.

**Construction Sequence:** Utility and road construction for Phase II is proposed to begin in September 2010. Unit construction will begin in October 2010 and is anticipated to be complete within 18 months.

**Other Permits:** General Permit for Stormwater associated with Construction activities (file 30 days prior to construction); State Traffic Commission Major Traffic Generator determination letter (pending).

### **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 with the following comments:

#### **Lighting:**

- SL 101: Photo-metrics were run based on Metal Halide (MH) lamps. Schedule Sheet shows 100 Watt High Pressure Sodium (HPS) lamp for Pedestrian King Luminaires. It should be 100 Watt MH lamp (cut sheets sent to Stephen Gendreau from DTC on 9/08/09). For Cobra Head Luminaires schedule sheet shows 200 Watt HPS lamps, it should be 200 Watt MH Lamps: ***Applicant has agreed to use of Metal Halide lamps to match the lamps utilized in Phase I.***
- SL 101: Pedestrian 12' Washington posts are made by Spring City, Luminaires are by King Luminaire. It should be clear to avoid confusions. Flagpoles product (poles & arms) shall be black to match Spring City Ductile Iron Lamp Post. Cobra Head luminaire shall be black to match King Luminaire fixture.
- Make corrections on plans SL 101 and CJ 520: ***Plans will be revised to clarify.***

#### **Engineering:**

- Concern regarding recent rains that produced a water level in the receiving stream higher than the outlet conduits from the Phase I retention/detention basins and also a failure in the basin wall: brings up questions of the hydraulic capacity of the receiving stream and its ability to handle the future full development flows;
- Concern regarding performing maintenance along the receiving stream (Wilmot Brook). Entire streams within the property limits of the project to be cleared of debris and the twin culvert at Brookside be cleared of sediments and debris: ***Flooding was not a result of natural channel levels but caused by considerable debris blockage upstream. The contractor will be directed to assure unimpeded flow property line to property line by clearing the brooks upstream and downstream of obstructions and debris, in accord with the City Engineer's directive (see page 4).***

**Transportation:** *These issues have been addressed and plans revised accordingly*

- At Pollard Street: eliminate necking down at Augustine St. intersection
- At roundabout: mark bike lane with "cat tracks"
- Markup of Sheets CT101 and CT301
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**For new bridge (not part of this package):**

- Consider sidewalk on both sides: ***plans have been revised as requested***
- Apply for letter of map revision: ***A Conditional Letter of Map Revision (CLOMR) has been submitted to the building official and awaits City signoff.***

***Planning (Landscaping): Plans have been revised as requested and the comment will also be applied to Phase I landscape plan:***

- The Tree Pit with Stone Dust Surface detail shown on sheet CJ.513 is for tree planting within pavement. Since the tree planting will be in lawn areas, this detail does not apply. City standard detail STD-NH-32C should be used.
- The plant palette is very minimal. There are only 4 shade trees, 4 ornamental trees and 3 foundation shrubs used in the entire plan. It would be very desirable if the plant quantities could be increased but this may be a function of the budget. If the plant quantities can not be increased and the plant locations remain as shown, a greater variety of plant species should be used to provide more variety, interest and seasonal variation consistent with the project's concept of creating a more residential landscape character and less of an institutional feeling.

## **INLAND WETLANDS REVIEW**

**Proposed activity:** The Phase II application states that there is no proposed activity within 50 feet of wetlands and therefore the application doesn't trigger Inland Wetlands Review. Wetlands impacts were confined to Phase I with construction of the detention/retention basins with outfalls and to the future phase to construct the bridge between the former Brookside and Rockview neighborhoods.

However, Phase II will include clearing the brooks of obstructions, debris and foreign material which will have a minimal impact on the watercourses and adjacent wetlands during the process but will not last once the material is pulled from the channel. Clearing does not involve "dredging" or lowering the elevation of the brooks which would require both DEP and Army Corps permits.

Following completion of the overall project, ongoing maintenance of the outfalls into the wetlands buffer and wetlands as well as maintenance of a continuous flow in Wilmot Brook and Wintergreen Brook will be required elements of a stormwater maintenance plan.

**Determination of Wetlands Classification:** The Commission has reviewed the options for classification, as stated in Sections 4 and 5 of the Regulations and has determined that the wetlands application qualifies as a Class B Application. The activity proposed will have no significant effect on the regulated area or any other part of the inland wetlands and watercourses system.

**Application Evaluation Criteria:** In reviewing a Class B Application, the Commission must consider the following environmental impact criteria in its evaluation, as stated in Sections 7.2 and 7.3 of the City's Inland Wetlands and Watercourses Regulations:

- The ability of the regulated area to continue to absorb, store or purify water or to prevent flooding.
- Increased erosion problems resulting from changes in grades, ground cover, or drainage features.
- The extent of additional siltation or leaching and its effect on water quality and aquatic life.
- Changes in the volume, temperature, or course of a waterway and their resulting effects on plant, animal and aquatic life.
- Natural, historic, or economic features that might be destroyed rendered inaccessible or otherwise affected by the proposed activity.
- Changes in suitability of the area for recreational and aesthetic enjoyment.
- Existing encroachment lines, flood plain and stream belt zoning and requirements for dam construction.
- Any change in the water affecting aquatic organisms or other wildlife, water supply and quality, or recreational and aesthetic enjoyment.
- The existing and desired quality and use of the water in and near the affected area.
- Reports from other City agencies and commissions not limited to the Environmental Advisory Council, Building Official, and City Engineer.
- The importance of the regulated area as a potential surface or ground water supply, a recharge area or purifier or surface or ground waters, a part of the natural drainage system for the watershed, a natural wildlife feeding or breeding area, its existing and potential use for recreational purposes, existence of rare or unusual concentrations of botanical species, availability of other open spaces in the surrounding area, or its value for flood control.

The Commission must consider the following **additional** criteria:

- Any evidence and testimony presented at a public hearing, should one be held.
- Alternatives which might enhance environmental quality or have a less detrimental effect, without increasing basic project costs.
- Short versus long term impacts.
- Potential loss of irrevocable resources or property impairment.
- Suitability of action for area.
- Mitigation measures which may be imposed as conditions.

### **INLAND WETLANDS PLANNING CONSIDERATIONS**

The Commission has considered all criteria and believes that execution of the Phase II project will not have a negative impact on the regulated area but that the clearing of the brooks will have a positive impact on the project and the overall area. There will be no loss of wetlands as a result of Phase II activity.

#### **Required Findings for a Class B Application:**

The Commission must make the following findings for a Class B Application:

1. There is no preferable location on the subject parcel or no other available location could reasonably be required;
2. No further technical improvements in the plan or safeguards for its implementation are possible, or taking into account the resources of the applicant, could reasonably be required; and
3. The activity and its conduct will result in little if any reduction of the natural capacity of the wetlands or watercourses to support desirable biological life, prevent flooding, supply water, facilitate drainage, and provide recreation and open space.

### **INLAND WETLANDS FINDING**

The City Plan Commission, acting as the Inland Wetlands Commission, finds that there is no preferable location of the proposed activity on the site, nor are there further technical improvements required in the plans aside from the required modification of the Stormwater Management Plan. In particular, the proposed channel clearing activity will result in little if any reduction of the natural capacity of the watercourse to support desirable biological life, prevent flooding, supply water, and facilitate drainage. All of the required findings have been satisfied. The Commission approves the Plans for Phase II and a Stormwater Management Plan to be amended to include measures to assure that Wilmot Brook and its perimeter are cleared of obstructions and debris, and its channel delineated on a survey for the record. Additionally, the clearing measures shall be applied to Wintergreen Brook from a point adjacent to the northern property line to the property line downstream of the Brookside Avenue Bridge.

### **DETAILED PLAN ACTION**

The City Plan Commission hereby finds that the Detailed Plans for Phase II are largely in accord with the approved Application and General Plans as amended and approves them subject to the conditions on Pages 1-2.

### **SITE PLAN ACTION**

The City Plan Commission approves the submitted Site Plans for Phase II subject to the standard conditions on Pages 1-2.

**ADOPTED:** April 21, 2010  
Edward Mattison  
Chair

**ATTEST:**

  
Karyn M. Gilvarg, AIA  
Executive Director