

NEW HAVEN CITY PLAN COMMISSION ACTION

RE: 281-289 CHAPEL STREET, Site Plan Review including Coastal Site Plan Review for new convenience store/gas station in a Heavy Industrial (IH) Zone (Owner/Applicant: Ralph Mauro, 281 Chapel Street Associates, LLC (#281); VPR LLC (#289), Agent: Robert Criscuolo).

REPORT: 1482-03

ACTION: Approval with Conditions

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, to September 18, 2018. 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 on final plans.
3. Comments under **Site Plan Review** shall be reviewed with the City Plan Department and resolution reflected on final plans, prior to circulation of plans 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. A Bond, or other financial instrument acceptable to the City's Corporation Counsel, in an amount of 2% of the certified overall estimated project cost, including 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.
6. 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.
7. A Flood Development Permit will be required by the Building Inspector prior to issuance of a building permit.
8. Any proposed work within the City right-of-way such as driveway apron replacement and sidewalk replacement will require separate permits.
9. Any sidewalks or curbs on the perimeter of the project deemed to be in damaged condition shall be replaced or repaired in accord with the approved site plan and using City of New Haven standard details.
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. Implementation of a Storm Drainage Operation and Maintenance Plan and Inspection Schedule is required, prior to issuance of Certificate of Occupancy.
12. 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.
13. As-built site plan 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 incl CSPR component, Application fee of \$270.00. Plan Set by Criscuolo Engineering 12/18/12 rvsd 07/25/13, 7/29/13, 8/26/13, and 9/11/13: Layout Plan, Grading and Drainage Plan, Existing Condition Plan, Gas Pump Elevations & Details, Site Details, Erosion and Sediment Control Notes and Details and Sign Details. Additional sheet Site IsoLux Plan received 9/11/13.

Previous City Actions: CSPR for Gasoline Fueling Station (CPC 1478-07, 05/15/13); Special Exception and Coastal Site Plan Review for a Gasoline Fueling Station and to permit 6 on-site parking spaces where 12 are required (BZA 13-23-S, 13-02-CAM, 06/11/13), CAL for Used Car Dealer (CPC 1403-02, application withdrawn 06/20/07).

Other Permits required: CAL (1481-01) and Retail Gasoline Dealer License from State of CT.

BACKGROUND:

This Site Plan application is accompanied by a CAL application which requires a public hearing. The Site Plan Review was required by the BZA as a condition of its approval on BZA application 13-23-S, 13-02-CAM. The site is in a BA zone on the north side of Chapel Street just east of the Chapel Street Bridge over the Mill River. The site and building house multiple uses and the gas station is an additional new use.

PROJECT SUMMARY:

Project: New 4 pump facility with 8 fueling stations and convenience store
Address: 281-289 Chapel Street
Site Size: 31,601 SF
Building size: 13,875 SF (incl 1,642 SF convenience store)
Zone: IH, CAM
Parking: 11 spaces incl 1 HC space (2 within building for other tenant)
Financing: Private
Project Cost: \$250K
Owner: 281 Chapel Street Assoc (#281), VPR LLC (#289) **Phone:**203-996-1544
Applicant: same
Agent: Robert A Criscuolo, PE, LS **Phone:** 203-481-0807
Site Engineer: same
City Lead: City Plan Dept. **Phone:** 203-946-6379

BACKGROUND

Zoning: The Site Plan as submitted meets the requirements of the New Haven Zoning Ordinance for the IH zone with the zoning relief attained.

Site Description/existing conditions: The two subject parcels are located on the north side of Chapel Street directly east of the Chapel Street Bridge over the Mill River. The 31,601 SF (total of both parcels) property is located on the west side of the intersection of Chapel and Mill Streets in a Heavy Industrial (IH) Zoning District. It is located approximately 200 ft east of the Mill River and lies within the boundaries of both the Coastal Area Management District as well as (in part) a 100 Year Coastal Flood Hazard Area. Criscuolo Park is located across Chapel Street to the south, Cold Spring School approximately 200 feet east. There is an existing building to the north fronting on Saltonstall Avenue which abuts the building on the subject site.

Proposed Activity: The applicant has submitted a proposal to convert approximately 1,642 SF of an existing 14,000 SF commercial structure to a convenience store along with four gasoline pumps (8 dispensers) and a canopy located on a portion of an existing front yard parking lot. The new facility will be located at the western edge of the property and will incorporate a recently acquired former railroad right-of-way. The pumps are located a minimum of 13 ft from the street line per regulations. Four 6,000 gallon underground fuel storage tanks are located on the western boundary of the site. The balance of the

site is currently occupied by a concrete contractor. Existing uses within the 13,875 SF building are storage/warehouse space for the concrete contractor, Concrete Creations

In addition to the 8 fuel dispensers, canopy cover and the 4 underground fuel tanks, proposed site improvements include 2 new 30' wide driveway aprons off Chapel Street and a new apron off Mill Street (although this apron is not related to the gas fueling station). The new convenience store will serve as the center of the operation where patrons will pay for fuel. There is an existing drive off Saltonstall Avenue along the west side of the building. A new concrete sidewalk will be constructed along the Mill and Chapel Street frontages. The parking area will be refurbished for a total of 7 spaces including 1 HC space. There are 2 additional employee parking spaces and a loading space along the west side of the building.

Stormwater Management Plan: A stormwater collection system is proposed for the site, including 2 leaching galleries on the west side of the building and several new catch basins. The system meets the requirements of Section 60 Stormwater Management Plans.

Soil Erosion and Sediment Control Review: The area of the underground fuel tanks will be excavated resulting in approximately 200 CY of material. An anti tracking pad will be installed off Chapel Street, silt sacks will be installed within catch basins, and silt fences will be installed along the west property line. No one is named as the individual responsible for monitoring the site to assure there is no soil or runoff entering City catch basins or the storm sewer system, and for monitoring soil erosion and sediment control measures on a daily basis. The name of such individual shall be furnished to the City Plan Department prior to City Plan signoff for building permit. Such individual is responsible for assuring there is no dust gravitation off site by controlling dust generated by vehicles and equipment, both during the excavation and construction phases. A soil stockpile 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*.

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

Circulation/Parking/Traffic/Loading: Cars will enter the site through one of two driveway curb cuts and will either park or will proceed to the gas pumps. Exiting movements are similar. Tanker trucks will enter the site through the far western curb cut and will exit the site via the drive to Saltonstall Avenue. Deliveries will follow a similar path as tankers.

Landscaping: There is no landscaping shown on the site plan aside from a grass strip which will be introduced between the new sidewalk and the curb on Mill and Chapel Street.

Trash removal There is a proposed enclosed dumpster on the west side of the building.

Lighting: A lighting plan conforming to Section 60.1 Exterior Lighting standards will need to be reviewed and approved by City Plan Staff prior to issuance of Building Permit.

Reflective Heat Impact: RFI impacts have been met through the use of Streetbond epoxy paint over the surface of the impervious paved spaces.

Signage: No signage shown; any signage shall meet zoning ordinance requirements.

Project Timetable: Construction will be initiated upon permitting and will take approximately 6 months.

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:

- **A plan for site lighting per Section 60.1 Exterior Lighting must be reviewed and approved by City Staff prior to sign-off for building permit.**
- **Any signage must be reviewed by City Staff prior to sign-off for building permit.**
- **A document detailing the agreement with the State for connection to its drainage system will be required prior to sign-off for building permit.**
- **A document detailing the necessary permissions from the Department of Consumer Protection and DEEP will be required prior to sign-off for building permit.**

COASTAL SITE PLAN REVIEW

The Commission has already performed its review as advice to the Board of Zoning Appeals in its report 1478-07 and its *findings* are reiterated here. While the property is not waterfront, it is located approximately 200 ft from the Mill River and lies within the boundaries of both the Coastal Area Management District as well as a 100 Year Coastal Flood Hazard Area.

Coastal Resources at or adjacent to the site, potential adverse impacts and mitigation measures:

Coastal Flood Hazard Area: The site and building are currently located primarily within Flood Zones AE where the base flood elevation is 12 according to FIRM # 09009C0442J, dated July 8, 2013). However since the application was filed prior to that date, the FIRM 09009C0442H, effective December 17, 2010 applies here. On the 2010 map the site shows as being located in Zone X (an area of 500 year flood) and Zone AE where the base flood elevation is 11. The floor elevation of the existing building is located above the flood elevation. Flood Development Permit will be required at the time of building permit.

Shorelands: There are shorelands adjacent to the site developed for commercial and industrial uses. There are no potential impacts on the shorelands.

COASTAL FINDING

The proposed project is in accordance with the goals and policies of the Coastal Management Act and will not adversely impact the capability of the land and coastal resources to support development, preservation or use.

SITE PLAN ACTION


The City Plan Commission approves the submitted Site Plans subject to the standard conditions on Page 1.

ADOPTED: September 18, 2013
Edward Mattison
Chair

ATTEST: 
Karyn M. Gilvarg, AIA
Executive Director

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.

DATE ADOPTED: 9/24/13

ATTEST: 
Daniel O'Neill
Building Official