

NEW HAVEN CITY PLAN COMMISSION COASTAL SITE PLAN REVIEW
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RE: **500 WATERFRONT STREET.** Site Plan Review and Coastal Site Plan Review for improvements to the Gulf Oil facility's existing secondary containment system and the elevation of the existing earthen and concrete berms in an IH zone. (Agent: Stephen Benben of Triton Environmental, Inc.; Owner/Applicant: Steve Carten for Gulf Oil, LP)

REPORT: **1567-05**

ACTION: **Approval**

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 March 25, 2020. 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. 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.
5. 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 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.
7. 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.
8. Flood elevation certificate [Flood Development Permit certifying finished floor elevation shall] accompany application for building permits.
9. Any proposed work within City right-of-way will require separate permits.
10. 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.
11. Any proposed removals of street trees must be coordinated with the Department of Parks, Recreation, and Trees prior to sign-off for building permits.
12. Filing (with City Plan) and implementation of a Storm Drainage Maintenance Plan and Inspection Schedule is required.
13. 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.
14. 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).

Submission: SPR Application Packet including DATA, WORKSHEET, SITE, SESC, and CSPR forms. NARRATIVE attached. Application fee: \$360. Received February 18, 2020.

- Stormwater Management Plan received February 18, 2020.
- Application drawings. 11 sheets received February 18, 2020.

PROJECT SUMMARY:

Project: Improvements of Gulf's secondary containment structure
Address: 500 Waterfront Street
Site Size: 523,591 SF (12 acres)
Zone: IH (Heavy Industry)
Parking: 20 existing parking spaces, no additional parking changes
Owner: Steve Carten (Gulf Oil, LP) **Phone:** (339) 933-7200
Applicant: Same as above
Agent: Stephen Benben **Phone:** (203) 458-7200
Site Engineer: Triton Environmental, Inc.

BACKGROUND

Previous CPC Actions:

- **CPC 1558-06:** Site Plan and Coastal Site Plan Review for the construction of a gasoline/distillate AST and a gasoline additive AST. Zone: IH. Recommended approval June 19, 2019.
- **CPC 1556-12:** Special Exception and Coastal Site Plan Review for the removal and installation of above ground fuel tanks. Zone: IH. Recommended approval April 17, 2019.
- **CPC 1537-03:** Site Plan Review and Coastal Site Plan review for 3,000,000 gallon fuel additive storage tank in an IH zone. Approved December 20, 2017.
- **CPC 1537-10:** Special Exception and Coastal Site Plan Review for removal/installation of above ground fuel tanks. Zone: IH. Recommended approval November 15, 2017.
- **CPC 1528-14:** Coastal Site Plan review for 8,000 gallon fuel additive storage tank in an IH zone. Approved March 23, 2017.
- **CPC 1389-05:** Site Plan Review inc. CSPR for Construction of new Office Building and related Improvements in an IH Zone. Approved June 21, 2006.

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

Site description/existing conditions: The project site encompasses an area of approximately 12 acres and is occupied by Gulf Oil's New Haven facility that consists of a bulk petroleum terminal and contains bulk storage tanks that store petroleum, ethanol products, and additives surrounded by a single secondary containment structure. The site is bound by marine terminal facilities to the north and south, Waterfront Street to the east, and New Haven Harbor to the west.

Proposed activity: The applicant proposes to improve their existing secondary containment area (approximately 6 acres of the terminal) which includes the raising and widening the existing earthen containment berm to a 13ft elevation, raising the concrete containment wall to a 13ft elevation, earthwork to grade the containment area floor to improve stormwater runoff, installation of a 60 mil HDPE texture liner and bentonite clay throughout the containment area, and replacement and upgrade of the existing stormwater drainage infrastructure.

Motor vehicle circulation/parking/traffic: The site includes circulation areas for tanker trucks and employee parking. No parking changes are proposed.

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: 8,103 CY

Start Date: Upon approvals

Completion Date: Four to six months later

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 during the 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 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: Waiver Requested

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;

The purpose of this project is inherently to make the site more resilient to storm events and to upgrade existing stormwater infrastructure to the extent practicable on the site and as required by other regulatory agencies.

- 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

Sec. 60.1 Exterior Lighting: Not applicable

Sec. 60.2 Reflective Heat Impact: Waiver requested

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:

Estuarine Embayment's: The site abuts the New Haven Harbor to the west. The proposed activity will be completed on or within the existing secondary containment area.

Coastal Flood Hazard Area (Flood Zone): The site is located within the FEMA Special Flood Hazard AE with a base flood elevation of 12 feet.

Developed Shorefront: The site is located within the coastal boundary in a heavy industrial zoned area that has been developed within other industrial marine terminals. The proposed activity will be completed within an existing secondary containment structure and will not include any alterations for the property's shorefront.

Navigable Waters: The site is located east of New Haven Harbor within a marine terminal area.

Coastal Program Criteria	Comments
1. Potential adverse impacts on coastal resources and mitigation of such impacts	None.

2. Potential beneficial impacts	<i>The proposed site improvements, including earthwork to raise and widen the existing earthen containment berm to an elevation of 13 feet NAVD (1 foot above the FEMA base flood elevation of New Haven Harbor, work to raise the concrete containment wall to an elevation of 13 feet, and stormwater management improvements, will mitigate the impacts of future natural hazards, including 100-year flood events.</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.</i>
5. Have efforts been made to preserve opportunities for future water-dependent development?	<i>The site is established as a petroleum bulk storage terminal that requires access to New Haven Harbor to receive shipments of petroleum products. The proposed project includes the installation of a secondary containment liner and the building up of berms within and surrounding the tank farm area. The proposed work will improve on existing structures and will not change the water-dependent status of the site.</i>
6. Is public access provided to the adjacent waterbody or watercourse?	<i>The site is located in a Heavy Industrial zone and includes petroleum bulk storage terminals that receive shipments of petroleum products. Public access is not provided due to the inherent safety and security concerns associated with these properties.</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>The elevation along the top of the existing secondary containment berms varies between slightly below and slightly above the based flood elevation of 12 feet. The project includes the build-up of all existing earthen and concrete berms to a height of 13 feet, above the base flood elevation, to protect the tank farm from a 100-year flood event.</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

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.

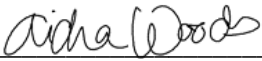
COASTAL FINDING:

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

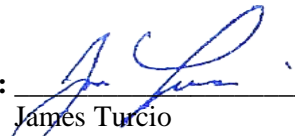
The City Plan Commission approves the submitted Site Plans subject to conditions on Page 1.

ADOPTED: March 25, 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 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: March 25, 2020

ATTEST: 
James Turcio
Building Official