

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

RE: 189 FORBES AVENUE, Site Plan Review including Coastal Site Plan Review for New Dunkin' Donuts Restaurant with Drive-Thru in an IH Zone (Owner: Helmi Ali, Forbes Diner, Applicant: Neil Velleca, Jr.)

REPORT: 1383-05

FINDING: Approval with Conditions

CONDITIONS OF APPROVAL

1. Final Plans shall be brought to the City Plan Department, once LCI Building Department stamp has been secured and prior to circulation of plans for signoff. Comments under **Site Plan Review** on page 3 shall be reviewed with the City Plan Department and resolution reflected on final plans, prior to plan circulation for signoff.
2. Signoff on final plans by the City Engineer, Department of 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 Fire Marshall shall also review the plans.
3. The applicant shall record on the City land records at the City Clerk's office an original copy of this Site Plan Review report (to be provided by the City Plan Department) and shall furnish a copy of the recorded document (showing volume and page number) to the City Plan Department, prior to City Plan signoff on final plans for building permit.
4. An application for Flood Development Permit, certifying that the finished floor elevation shall be at elevation 12.00, shall be filed at the time of filing for building permit.
5. The Soil Erosion and Sediment Control Plan and Site Plan are valid for a period of one (1) year after the date of decision, initiating with issuance of this report. Plan may be extended for one additional year upon application to the Commission in accord with Section 11 of *Soil Erosion and Sediment Control Regulations of the City of New Haven* (SESC Regulations) and Section 4.3 of the *2004 Interim Site Plan Guidelines*.
6. Name of individual responsible for monitoring the Soil Erosion and Sediment Control Plan shall be provided to the City Plan Department, prior to City Plan signoff on final plans for Building Permit.
7. Final determination of site logistics, 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 Traffic and Parking.
8. Any proposed work within City right-of-way will require separate permits.
9. Sidewalk, tree belt including street trees, and curb condition shall be assessed and repair/replacement to City standard details shall be the responsibility of the applicant. Any City sidewalks damaged by the project shall be repaired or replaced to the satisfaction of the Director of Public Works.
10. 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.
11. 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 both mylar and digital format [.DWG file based on the State Plane Coordinates (NAD1983)]. Include version of AutoCAD.

Previous relevant City Actions: none

Submission: Development Permit application and \$196 fee, Narrative, Coastal Site Plan supplement, proof of taxes paid, Location Map, Plans by N.A. Velecca Engineering LLC dated 12/06/05, revised 02/15/06: Existing Conditions and Demolition Plan inc. Project Notes; Layout and Landscape Plan inc. Signage details; Grading, Drainage and Erosion Control Plan inc. Surface Hydrology, SESC narrative & drainage schedule; Site Detail sheet. Floor Plan & building elevations dated 08/02/05 by Pustola Associates.

Other materials considered: Letter from CT DOT District III dated 01/17/06.

PROJECT SUMMARY:

Project:	Construction of new Dunkin Donuts restaurant with drive-through window	
Address:	189 Forbes Avenue	
Site Size:	32,134 SF (.74 acres)	
Zone:	IH, CAM	
Financing:	Private	
Parking:	18 (inc. 1 HC), also truck parking and loading in rear	
Owner:	Ali Helmi (Forbes Diner)	Phone: 203-466-7900
Applicant:	Neil Angelini	Phone: 203-469-9211
Agent:	Neil Velleca, Jr.	Phone: 203-931-8655
Site Engineer:	N.A. Velleca Engineering LLC	Phone: 203-931-8655
City Lead:	City Plan Dept.	Phone: 203-946-6379

Zoning: The Site Plan as submitted meets the requirements of the New Haven Zoning Ordinance for the IH zone. The use with drive-in is permitted by right. The restaurant shall be used for the preparation of donuts, bagels and other bakery products, coffee, nonalcoholic beverages, food items and other products and merchandise sold from time to time in restaurants and typical Dunkin Donuts stores. The hours of operation shall be from 6 AM to 11 PM seven days per week.

Proposed Activity: Neal Angelini proposes to demolish the existing Forbes Diner at 189 Forbes Avenue at the corner of Stiles Street and to construct a new 20 seat Dunkin Donuts restaurant with associated parking. Forbes Avenue is a State roadway (Route 1).

Storm water Drainage/Other Utilities: The site currently captures none of the runoff and is nearly 100% impervious. Roof runoff will be caught in drywells. Small grassed areas are added. Stormwater runoff will be captured in a series of catch basins which will be discharged through an oil/water/grit separator into the exiting street drainage. Sewer lateral, gas and water service will connect into systems in Forbes Avenue, a State road.

Traffic/Circulation: Because the project is located on a State roadway, the applicant has submitted plans to the State DOT District III Office for review, and comments have been received with this application. The State requires a 280' stacking distance for the drive-thru window which is accommodated on site. The site has two drives, one on Forbes Avenue and one on Stiles. The Forbes Avenue drive has one lane in and one lane out, right turn only. There are truck parking and loading areas in the rear. There is a screened enclosed dumpster area also in the rear corner.

Landscape Plan: The street tree closest to the Stiles Street driveway will be replaced with a tree of like species of 2 ½ to 3" caliper to the other street trees. A large tree adjacent to the south property line will be retained. 4 new red oaks will be planted on site.

Soil Erosion and Sediment Control Review: The plan shows a construction entrance off Stiles Street and silt fencing around the perimeter of the site. The contractor is responsible for monitoring the site to assure there is no soil or runoff entering City catch basins or the storm sewer system, or should unforeseen erosion or sedimentation problems arise. An individual site monitor will be named at the time of building permit issuance. Such 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 contractor is responsible for notifying the City Engineer within twenty-four hours of any such situation with a plan for immediate corrective action. He is also responsible for assuring there is no dust gravitation off site by controlling dust generated by vehicles and equipment, both during the demolition and

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*.

Project Timetable: Anticipated construction start: June, 2006 to be completed by October, 2006.

PLANNING CONSIDERATIONS

While not officially listed on the State Historic Resources Inventory, the existing building known as the Forbes Diner is a classic 1950's style diner which may be of interest for preserving and moving off site. Commission staff has alerted the Connecticut Trust for Historic Preservation and the New Haven Preservation Trust who may be able to identify interested parties.

SITE PLAN REVIEW

Plans have been reviewed by the Site Plan Review team with representatives from City Plan, City Engineer, Livable City Initiative Building Division and Department of Traffic and Parking and have been found to meet the requirements of City ordinances, Regulations and standard details with the following comments:

- *Prior to installation of Forbes Avenue driveway apron, notify Department of Traffic and Parking to arrange for in the field determination of flare size.*
- *Work with Department of Traffic and Parking to make small adjustments in sign locations and numbers.*
- *Consider using long term paint for on- site striping.*
- *Flood Development Permit shall be provided to the Building Official at the time of Building Permit issuance.*

COASTAL PLANNING CONSIDERATIONS

The site is located within Flood Zone A-6 on Flood Insurance Rate Map # 090084-0005C, revised June 1992, an area of 100 year flood where the base flood elevation is determined at 11.00. The finished floor elevation of the new restaurant is at elevation 12.00. A Flood Development Permit Form shall be required to be filed with the application for building permit. No other coastal resources exist at or adjacent to this previously disturbed urban site which is removed from the waterfront, harbor and Long Island Sound. The Commission anticipates no adverse impacts on adjacent coastal resources.

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 Plan subject to the standard conditions on Page 1.

ADOPTED: March 15, 2006
Patricia A. King
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: _____

ATTEST: _____

Andrew J. Rizzo, Jr.
Building Official