STATE OF CONNECTICUT
DEPARTMENT OF HOUSING

ENVIRONMENTAL ASSESSMENT CHECKLIST
Project ID No: **(issued by OPM)**

Date: 12/20/2016 **Staff Contact: Helen Muniz**
Municipality: Meriden **Project Name:** Meriden Commons Phase I/II
Funding Source: TBD **State Funds:** TBD
Type of State Agency Review **Stage 1 X** **Stage 2**

This assessment is being conducted in conformance to the department's Environmental Classification Document to determine CEPA obligations

Project Description: Pennrose Properties is seeking state financial assistance for the Meriden Commons Phase I/II project to be located at 161 State Street, 177 State Street and 62 Cedar Street, Meriden, CT. The proposed Meriden Commons project consists of two phases. Phase I includes the construction of 75 housing units within a single four story building. Total development area of Phase I will be 99,557 s.f. with 87 new parking spaces on 1.72 acres. Phase II includes the construction of 76 housing units within three buildings that are three to four stories in height. Total development area of Phase II will be 105,096 s.f. with 74 new parking spaces on 2.14 acres. The combined Meriden Commons Phase I/II project will consist of 151 units in four buildings with a total development area of 204,653 s.f. and 161 new parking spaces on 3.83 acres.

Note: environmental remediation is a positive environmental impact, but not a CEPA activity.

RCSA sec. 22a-1a-3 Determination of environmental significance (direct/indirect)

1) *Impact on air and water quality or on ambient noise levels*

a) *Air*— The Department of Public Health recommends if a new building is to be constructed as part of the project plan, it should be built using radon resistant features for occupied spaces.

For large construction projects, the Department of Energy and Environmental Protection (DEEP) typically encourages the use of newer off-road construction equipment that meets the latest EPA or California Air Resources Board (CARB) standards. If that newer equipment cannot be used, equipment with the best available controls on diesel emissions including retrofitting with diesel oxidation catalysts or particulate filters in addition to the use of ultra-low sulfur fuel would be the second choice that can be effective in reducing exhaust emissions. The use of newer equipment that meets EPA standards would obviate the need for retrofits.

The DEEP also encourages the use of newer on-road vehicles that meet either the latest EPA or California Air Resources Board (CARB) standards for construction

projects. These on-road vehicles include dump trucks, fuel delivery trucks and other vehicles typically found at construction sites. On-road vehicles older than the 2007-model year typically should be retrofitted with diesel oxidation catalysts or diesel particulate filters for projects. Again, the use of newer vehicles that meet EPA standards would eliminate the need for retrofits.

Additionally, Section 22a-174-18(b)(3)(C) of the Regulations of Connecticut State Agencies (RCSA) limits the idling of mobile sources to 3 minutes. This regulation applies to most vehicles such as trucks and other diesel engine-powered vehicles commonly used on construction sites. Adhering to the regulation will reduce unnecessary idling at truck staging zones, delivery or truck dumping areas and further reduce on-road and construction equipment emissions. Use of posted signs indicating the three-minute idling limit is recommended. It should be noted that only DEEP can enforce Section 22a-174-18(b)(3)(C) of the RCSA. Therefore, it is recommended that the project sponsor include language similar to the anti-idling regulations in the contract specifications for construction in order to allow them to enforce idling restrictions at the project site without the involvement of the DEEP.

b) *Water Quality*— The Department of Energy and Environmental Protection strongly supports the use of low impact development (LID) practices such as water quality swales and rain gardens for infiltration of stormwater on site. Key strategies for effective LID include: managing stormwater close to where precipitation falls; infiltrating, filtering, and storing as much stormwater as feasible; managing stormwater at multiple locations throughout the landscape; conserving and restoring natural vegetation and soils; preserving open space and minimizing land disturbance; designing the site to minimize impervious surfaces; and providing for maintenance and education. Water quality and quantity benefits are maximized when multiple techniques are grouped together.

The effectiveness of various LID techniques that rely on infiltration depends on the soil types present at the site. According to the Natural Resources Conservation Service's Soil Web Survey, the soils at the property consist of urban land. These soils are unrated in their suitability for various stormwater management practices. However, infiltration practices may be suitable at this site. Soil mapping consists of a minimum 3 acres map unit and soils may vary substantially within each mapping unit. Test pits should be dug in areas planned for infiltration practices to verify soil suitability and/or limitations. Planning should insure that areas to be used for infiltration are not compacted during the construction process by vehicles or machinery. The siting of areas for infiltration must also consider any existing soil or groundwater contamination. Even if infiltration is limited at a site, it is still possible to implement LID practices such as green roofs on buildings or the use of cisterns to capture and reuse rainwater.

c) *Noise*— N/A

2) *Impact on a public water supply system or serious effects on groundwater, flooding,*

erosion, or sedimentation

a) *Water Supply*— N/A

b) *Groundwater*— N/A

c) *Flooding*— The southern portion of the site is within the existing 100-year flood zone of Harbor Brook on the community's Flood Insurance Rate Map. More than half of the Phase I building and one third of Building C in Phase II is within the 100-year flood zone. When the overall Harbor Brook Master Plan in completed, a Letter of Map Revision will show the Phase 1 and Phase 2 properties out of the floodplain. Because it is a State action within the existing mapped floodplain, the project must be certified by the DOH as being in compliance with flood and stormwater management standards specified in section 25-68d of the CGS and section 25-68h-1 through 25-68h-3 of the Regulations of Connecticut State Agencies and receive approval from the Department. Because it is a critical activity involving intensive use of the floodplain, it would require an exemption pursuant to section 25-68d(d).

   Flood Management Certification for Phase I and Phase II is being processed as two separate projects. The application with an exemption request for Phase 1 (#201610538) at 144 Mill Street/177 State Street went to public notice in October. It is anticipated to be issued shortly. A pre-application meeting was held for Phase II at 62 Cedar Street and 177 State Street on 11/1/16. This parcel is a city park with municipal pool that will be converted into housing units, a more intensive use of the floodplain. As with Phase I, an application with exemption request is needed for the project because part of Building C is currently in the floodplain. If the project were to be redesigned to move the building out of the floodplain, it would not need a certification or go through the public notice process for the exemption. In any case, the Land & Water Resources Division does not anticipate technical issues with Phase II, since the proposed buildings will be constructed in compliance with National Flood Insurance Program and State flood management regulations, including having the first floor above the 500-year flood elevation and dry egress available during the 100-year event.

3) *Effect on natural land resources and formations, including coastal and inland wetlands, and the maintenance of in-stream flows*— Stormwater discharges from construction sites where one or more acres are to be disturbed, regardless of project phasing, require an NPDES permit from the DEEP Permitting & Enforcement Division. The General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities (DEEP-WPED-GP-015) will cover these discharges. The construction stormwater general permit dictates separate compliance procedures for Locally Approvable projects and Locally Exempt projects (as defined in the permit). Locally Exempt construction projects disturbing over 1 acre must submit a registration form and Stormwater Pollution Control Plan (SWPCP) to the DEEP. Locally Approvable construction projects with a total disturbed area of one to five acres are not required to register with the DEEP provided the development plan has been approved by a municipal

land use agency and adheres to local erosion and sediment control land use regulations and the CT Guidelines for Soil Erosion and Sediment Control. Locally Approvable construction projects with a total disturbed area of five or more acres must submit a registration form to the Department prior to the initiation of construction. This registration shall include a certification by a Qualified Professional who designed the project and a certification by a Qualified Professional or regional Conservation District who reviewed the SWPCP and deemed it consistent with the requirements of the general permit. The SWPCP for Locally Approvable projects is not required to be submitted to the Department unless requested. The SWPCP must include measures such as erosion and sediment controls and post construction stormwater management. A goal of 80 percent removal of total suspended solids from the stormwater discharge shall be used in designing and installing post-construction stormwater management measures. Stormwater treatment systems must be designed to comply with the post-construction stormwater performance management requirements of the permit. These include post-construction performance standards requiring retention of the water quality volume and incorporating control measures for runoff reduction and low impact development practices.

4) *Disruption or alteration of an historic, archeological, cultural or recreational building, object, district, site or surroundings*— N/A

5) *Effect on natural communities and upon critical species of animal or plant and their habitats: interference with the movement of any resident or migratory fish or wildlife species*— The Natural Diversity Data Base, maintained by DEEP, contains no records of extant populations of Federally listed endangered or threatened species or species listed by the State, pursuant to section 26-306 of the CGS, as endangered, threatened or special concern in the project area. This information is not the result of comprehensive or site-specific field investigations. Current research projects and new contributors continue to identify additional populations of species and locations of habitats of concern as well as enhance existing data. Such new information is incorporated into the Data Base as it becomes available. Also be advised that this is a preliminary review and not a final determination. A more detailed review may be conducted as part of any subsequent environmental permit applications submitted to DEEP for the proposed site.

6) *Use of pesticides, toxic or hazardous materials or any other substance in such quantities as to create extensive detrimental environmental impact*— N/A

7) *Substantial aesthetic or visual effects*— N/A

8) *Inconsistency with the written and/or mapped policies of the statewide Plan of Conservation and Development and such other plans and policies developed or coordinated by the Office of Policy and Management or other agency*— The proposed project is located within an area designated as Priority Funding Area and Balanced Priority Funding Area on the 2013-2018 Conservation and Development Policies Plan.

9) *Disruption or division of an established community or inconsistency with adopted municipal or regional plans*— N/A

10) *Displacement or addition of substantial numbers of people*— N/A

11) *Substantial increase in congestion (traffic, recreational, other)*— N/A

12) *A substantial increase in the type or rate of energy use as a direct or indirect result of the action*— In keeping with the DEEP's interest in furthering the use of alternate fuels for transportation purposes, DEEP recommends that Level 2 electric vehicle charging stations be included at 3% of the parking spaces in the project design. Increasing the availability of public charging stations will facilitate the introduction of the electric vehicle technology into the state and serve to alleviate the present energy dependence on petroleum and improve air quality.

13) *The creation of a hazard to human health or safety*— Significant specific releases of contamination in the Meriden Green area were remediated under various DEEP programs. Much of the Meriden Commons site is built on urban fill, which can contain coal ash and levels of metals and other contaminants above Remediation Standard Regulations (RSR) criteria. Development plans in urban areas that entail soil excavation should include a protocol for sampling and analysis of potentially contaminated soil. Soil with contaminant levels that exceed the applicable criteria of the RSR, which is not hazardous waste, is considered to be special waste. Often such soils can be left in place with an appropriate land use restriction.

The disposal of special wastes, as defined in section 22a-209-1 of the Regulations of Connecticut State Agencies (RCSA), requires written authorization from the Waste Engineering and Enforcement Division prior to delivery to any solid waste disposal facility in Connecticut. If clean fill is to be segregated from waste material, there must be strict adherence to the definition of clean fill, as provided in Section 22a-209-1 of the RCSA.

The DEEP Waste Engineering & Enforcement Division has issued a General Permit for Contaminated Soil and/or Sediment Management (Staging & Transfer) (DEP-SW-GP-001). It establishes a uniform set of environmentally protective management measures for stockpiling soils when they are generated during construction or utility installation projects where contaminated soils are typically managed (held temporarily during characterization procedures to determine a final disposition). Temporary storage of less than 1000 cubic yards of contaminated soils (which are not hazardous waste) at the excavation site does not require registration, provided that activities are conducted in accordance with the applicable conditions of the general permit. Registration is required for on-site storage of more than 1000 cubic yards for more than 45 days or transfer of more than 10 cubic yards off-site.

14) *Any other substantial impact on natural, cultural, recreational or scenic resources*— N/A

Cumulative Impacts: Not aware of any at this time.

Conclusion:
Following are the issues identified by various State agencies:

DEEP:
The Department of Energy and Environmental Protection has received the Notice of Scoping for proposed funding for the Meriden Commons housing project. The project is one component of the larger Meriden Green/HUB project that combines flood control, park development and brownfield redevelopment. Collaboration among the city, state agencies, including DECD, DEEP, DOT, OPM and DOH, the federal government, and private organizations have turned this abandoned industrial property into a park with multiple recreational purposes, and space for 170 residential units close to transit and approximately 20,000 square feet of retail and restaurant space.

In general, the Department supports efforts to increase the demand for public transportation through transit-oriented development. The increased use of public transit will reduce vehicle miles traveled and highway congestion, thus decreasing vehicular emissions that contribute to ozone formation, particulate matter levels and climate change. Redevelopment and revitalization of urban centers, expansion of housing opportunities and concentrating development around transportation nodes are three growth management principles of Conservation & Development Policies: The Plan for Connecticut 2013 - 2018.

DPH:
The Department of Public Health recommends that during construction of an occupied building, radon resistant features should be built into the infrastructure of the building. The list below describes the basic components of radon resistant new construction:

- A gas permeable layer, such as 4-inch gravel, placed beneath the slab to allow soil gases to move freely underneath the building
- Plastic sheeting over the gas permeable layer and under the slab to help prevent soil gases from entering the home
- Sealing and caulking all openings in the foundation floor to reduce soil gas entry
- A vent pipe, such as 6 inch PVC pope, to run from the has permeable layer through the building to the floor to safely vent soil gases above the building
- An electrical junction box installed in case an electric venting fan is needed later

The new building should be tested for radon after construction is completed. If radon results are at or above 4.0 picocuries per liter (pCi/L), the existing system should be activated by installing an in-line fan.

Recommendations:
The Environmental Assessment Checklist for this project does not appear to trigger an obligation under CEPA for an Environmental Impact Evaluation (EIE).