



State of Connecticut

Environmental Review Checklist

Last Updated 02/25/2020

Instructions for Use:

The Environmental Review Checklist (ERC), as defined in Sec. 22a-1a-1(9) of the Regulations of Connecticut State Agencies (RCSA), is intended to assist state agencies in (1) determining whether a proposed action or category of actions requires public scoping, or (2) in recording an agency's initial assessment of the direct, indirect, and cumulative environmental effects of a proposed action at the completion of public scoping.

For the purposes of CEPA, an Action is defined in Sec 22a-1a-1(2) of the RCSA as an individual activity or a sequence of planned activities initiated or proposed to be undertaken by an agency or agencies, or funded in whole or in part by the state.

Completion of the ERC is only *required* as part of a sponsoring agency's post-scoping notice in which the agency has determined that it will not be preparing an EIE (Sec. 22a-1a-7(d) of the RCSA).

In all other instances, the sponsoring agency has the option to use this form or portions of it, in conjunction with the applicable Environmental Classification Document (ECD), as a tool to assist it in determining whether or not scoping is required and to document the agency's review. This can be especially useful for an agency administering a proposed action that is not specifically represented in the ECD or which may have additional factors and/or indirect or cumulative impacts requiring further consideration.

Even if an agency ultimately determines that public scoping is not necessary, as a matter of public record OPM highly recommends that the agency internally document its decision, and its justification.

In completing this form, include descriptions that are clear, concise, and understandable to the general public.

Note that prior to reviewing a proposed action under the Connecticut Environmental Policy Act (CEPA), Connecticut General Statutes (CGS), Section 16a-31 requires agencies to review any proposed actions for the acquisition, development or improvement of real properties, or the acquisition of public transportation equipment or facilities, and in excess of \$200,000, for consistency with the policies of the State Plan of Conservation and Development (State C&D Plan).



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PART I – Initial Review and Determination

Date: 10/25/2024
Name of Project/Action: 10 Liberty Street
Project Address(es): 10-30 Liberty Street/45 Spring Street, New Haven, CT 06519
Affected Municipalities: New Haven

Sponsoring Agency(ies): DOH
Agency Project Number, if applicable: NA
Project Funding Source(s)/Program(s), if known: Probable Federal Funds (HOME-ARP) and State Funds (FLEX)

Identify the Environmental Classification Document (ECD) being used in this review:

☒ Generic, or ☐ Agency-Specific

☒ An environmental assessment or environmental impact statement is being prepared pursuant to NEPA, and shall be circulated in accordance with CEPA requirements.

☒ The proposed action requires a written review by the State Historic Preservation Office (SHPO) and/or Nation Tribal Historic Preservation Office (NATHPO). Include SHPO/NATHPO reviews as an attachment or indicate the status of those reviews: "No historic properties will be affected" letter received from SHPO. Tribal consultation was also done as part of NEPA.

☒ Based on the analysis documented in this Environmental Review Checklist (ERC), and in consideration of public comments, this agency has determined that the preparation of an Environmental Impact Evaluation (EIE) for the proposed action is not warranted. Publication of this document to the Environmental Monitor shall satisfy the agency's responsibilities under [Section 22a-1a-7 of the Regulations of Connecticut State Agencies](#) (RCSA).

Completed by: Mithila Chakraborty, Ph.D., Environmental Analyst II

Note that prior to commencing a CEPA review, Connecticut General Statutes (CGS) Section 16a-31 requires state agencies to review certain actions for their consistency with the policies of the State Plan of Conservation and Development (State C&D Plan). Completion of this ERC assumes the agency has determined this proposed action to be consistent with the State C&D Plan.

PART II – Detailed Project Information

Description of the Purpose & Need of the Proposed Action:

The project consists of the demolition of five vacant, conjoined and dilapidated industrial buildings totaling approximately 60,000 SF, and the construction of a five-story 150-unit affordable apartment building. Walkable to employment opportunities in the City of New Haven's expanding Medical/Bioscience District and multi-modal transportation connectivity to the City's bike path network, local and regional bus and shuttle routes, interstate highways (I95 and I91), and the Union Station Transportation Hub offering Amtrak, MetroNorth, and local and regional bus services. The project will contain a range of units, including studios, one-, two-, and three-bedroom apartments and amenity space, including lobby, co-working, mail/package, fitness, trash/recycling, and indoor bike storage. All of the units will qualify as affordable housing. The square footage of the building will be approximately 150,000 sf. There will be 136 at-grade parking spaces and bike storage for at least 45 bikes. The first floor of the building will include a lobby and amenity spaces, including a coworking space and a gym as well as package, utility, trash/recycling rooms and indoor bike storage for 30 bikes. The façade design of the building, including its windows and site signage, is inspired by the Site's industrial history, while respecting its context, as the Site is bounded by both commercial and residential uses.

Description of the Proposed Action:

Sitework includes a new stormwater retention system that involves the installation of four new bioswales; construction of new curbs and sidewalks along Spring, Liberty, and Putnam Streets, installation of 24 new street trees; and new lighting. Sustainable measures for the building include, in addition to the bioswales, an electric HVAC system, EV ready parking, and solar panels. Site Plan approval was granted by the New Haven City Plan Commission. Additionally, the Office of State Traffic Administration ("OSTA") issued an Administrative Decision letter confirming that the traffic that will be generated by the Project will not require any improvements to adjacent roadways. In addition, environmental remediation was undertaken by the current property owner in accordance with the Connecticut Transfer Act, which remediation permits residential development. A No Audit Letter was received from the Connecticut Department of Energy and Environmental Protection ("DEEP") in December 2021, completing the property's obligations under the Transfer Act. In connection with the Project, the city was recently awarded a \$995,600 Brownfields grant from the Connecticut Department of Community and Economic Development ("DECD") to abate and demolish the buildings currently located on the Site, which work the Applicant will undertake.

Alternatives Considered:

No Action Alternative.

Public concerns or controversy associated with the proposed action:

None.

PART III – Site Characteristics (Check all that apply)

- The proposed action is non-site specific, or encompasses multiple sites; ☐
- Current site ownership: ☐ N/A, ☐ State; ☐ Municipal, ☒ Private,
☐ Other: Please Explain.
- Anticipated ownership upon project completion: ☐ N/A, ☐ State; ☐ Municipal, ☒ Private,
☐ Other: Please Explain.

Locational Guide Map Criteria:

<http://ctmaps.maps.arcgis.com/apps/webappviewer/index.html?id=ba47efccdb304e02893b7b8e8cff556a>

Priority Funding Area factors:

- ☒ Designated as a Priority Funding Area, including ☐ Balanced, or ☐ Village PFA;
- ☐ Urban Area or Urban Cluster, as designated by the most recent US Census Data;
- ☐ Public Transit, defined as being within a ½ mile buffer surrounding existing or planned mass transit;
- ☐ Existing or planned sewer service from an adopted Wastewater Facility Plan;
- ☐ Existing or planned water service from an adopted Public Drinking Water Supply Plan;
- ☐ Existing local bus service provided 7 days a week.

Conservation Area factors:

- ☐ Core Forest Area(s), defined as greater than 250 acres based on the 2006 Land Cover Dataset;
- ☐ Existing or potential drinking water supply watershed(s);
- ☐ Aquifer Protection Area(s);
- ☐ Wetland Soils greater than 25 acres;
- ☐ Undeveloped Prime, Statewide Important and/or locally important agricultural soils greater than 25 acres;
- ☐ Category 1, 2, or 3 Hurricane Inundation Zone(s);
- ☐ 100 year Flood Zone(s);
- ☐ Critical Habitat;
- ☐ Locally Important Conservation Area(s),
- ☐ Protected Land (list type): Enter text.
- ☐ Local, State, or National Historic District(s).

PART IV - Assessment of Environmental Significance – Direct, Indirect, And Cumulative Effects

Required Factors for Consideration (Section 22a-1a-3 of the RCSA)	Agency's Assessment and Explanation
Effect on water quality, including surface water and groundwater;	<p>The proposed action will not result in any impact to groundwater and surface water quality.</p> <p>DEEP commented on Effect on water quality, including surface water and groundwater.</p> <p>"The entirety of the City of New Haven is within South Central Regional Water Authority's service area and it is not likely that new sources for drinking water will need to be developed. Regardless of the public water supply availability, it is unlikely that the proposed demand will cause the system to exceed the usage of 50,000 gallons per day (the jurisdictional threshold for DEEP's Diversion Program)."</p> <p>"This project will likely require a construction stormwater general permit. If this is a municipal project, it will be considered "locally exempt" under DEEP's stormwater permit and will require a registration if the total disturbed area exceeds 1-acre. If the project is a private development project, it will be considered "locally approvable" and will require a permit if the total disturbed area exceeds 5-acres. Information on the stormwater permit and links to appropriate resources can be found in the permit section below."</p> <p>"This project is in a subregional basin that drains to the Long Island Sound via New Haven Harbor, which is impaired for aquatic life, recreation, and shellfish, and as a result has a pollutant reduction analysis for bacteria. To minimize the water quality impacts, proper management measures should be taken, throughout both demolition and construction phases. The Water Planning and Management Division encourages incorporating green infrastructure where possible into the development plans to help with infiltration; as such the Water Planning and Management Division supports the incorporation of bioswales and encourage green infrastructure/low impact development as appropriate into the curb construction, as well as incorporating such elements into the construction of the apartment building. New Haven is one of the communities identified for Low Impact Development in the Long Island Sound Study Comprehensive Management Plan."</p> <p>The development team responded on request of DOH as below:</p>

	<p>“Effect on water quality, including surface water and groundwater:</p> <ul style="list-style-type: none"> • We agree that local water capacity should be sufficient for the proposed redevelopment. • A construction stormwater general permit is not required for this project. The project is considered “Locally Approved” which requires local approval from the New Haven City Plan Commission which was received 2/16/2022 and is required on title. In addition, this only has 2-acres of disturbance, well under the under 5-acre threshold. • We concur that there are no concerns related to the Aquifer Protection Area Program. • We are incorporating bioswales per local site plan approval and are planning for green infrastructure elements including solar array on the roof and potential geothermal as a source of heating and cooling.”
Effect on a public water supply system;	The project will not have any impact on the public water supply system. The location of this project is not in an aquifer protection area. DEEP also reviewed and commented as “There are no concerns related to the Aquifer Protection Area Program.”
Effect on flooding, in-stream flows, erosion or sedimentation;	<p>The project site is not located in 100- or 500-year flood zone.</p> <p>DEEP commented that, No work is proposed in or near any waterbodies, therefore no impacts to fisheries resources are expected and no further consultation with Fisheries is required.</p>
Disruption or alteration of an historic, archeological, cultural, or recreational building, object, district, site or its surroundings; A. Alteration of an historic building, district, structure, object, or its setting; OR B. Disruption of an archeological or sacred site;	No historic properties affected letter is available from State Historic Preservation Office.
Effect on natural communities and upon critical plant and animal species and their habitat; interference with the movement of any resident or migratory fish or wildlife species;	<p>No impact on Critical plant and animal species.</p> <p>DEEP reviewed that too and commented “The project location is not in a Natural Diversity Data Base (NDDDB) area and no further consultation with the NDDDB program is required. Please note that comments from the NDDDB Program are limited to plant and wildlife species that are listed as endangered, threatened, or special concern, and do not include non-listed plant and wildlife species.”</p>

Use of pesticides, toxic or hazardous materials or any other substance in such quantities as to cause unreasonable adverse effects on the environment;	<p>DEEP commented as:</p> <p>“Use of pesticides, toxic or hazardous materials or any other substance in such quantities as to cause unreasonable adverse effects on the environment.</p> <p>At the property, soils with constituents of concern (COCs) above the Connecticut Remediation Standard Regulations (RSRs) were encountered during the removal of heating fuel oil underground storage tank (UST) in 2016. Remedial actions were conducted, and a Remedial Action Report was completed. A licensed environmental professional (LEP) verification was rendered in September 2021. The PCB Program has no records for this address.”</p> <p>“An Environmental Land Use Restriction (ELUR) is recorded on the property with two inaccessible soil subject areas (beneath the existing building and beneath the pavement). A release from the ELUR must be requested if the pavement, building, and/or soil beneath are to be disturbed.”</p> <p>According to development team:</p> <p>“• We retain the LEP who worked on the ELUR and expect that he will remain involved as we progress demo and then excavation preliminary to the new development.</p> <p>• The development team engaged an environmental consultant to survey hazardous materials; the findings of the survey included an inventory of where PCBs are present, which will be remediated as part of the demolition and abatement of the existing building and in accordance with all local and state requirements.”</p>
Substantial aesthetic or visual effects;	The project is not expected to cause substantial aesthetic or visual impacts in the area.
Inconsistency with: (A) the policies of the State C&D Plan, developed in accordance with section 16a-30 of the CGS; (B) other relevant state agency plans; and (C) applicable regional or municipal land use plans;	Proposed project is consistent with the State C&D Plan Growth Management principles #1 (Redevelop and Revitalize Regional Centers and Areas with Existing or Currently Planned Physical Infrastructure); Growth Management Principle #2 (Expand Housing Opportunities and Design Choices to Accommodate a variety of Household Types and Needs); and Growth Management Principle #3 (Concentrate Development around Transportation Nodes and Along Major Transportation Corridors to Support the Viability of Transportation Options).
Disruption or division of an established community or inconsistency with adopted municipal and regional plans, including impacts on existing housing where sections 22a- 1b(c)	Temporary disruption is expected but the long-term affect will be positive to the site and neighborhood.

and 8-37t of the CGS require additional analysis;	
Displacement or addition of substantial numbers of people;	No direct, indirect or cumulative impacts.
Substantial increase in congestion (traffic, recreational, other);	During work there can be some temporary traffic but best management practice can be adopted to reduce the impact.
A substantial increase in the type or rate of energy use as a direct or indirect result of the action;	Some increase may occur.
The creation of a hazard to human health or safety;	No direct, indirect or cumulative impacts.
Effect on air quality;	During construction or reuse there can be a little air dust issue but no direct, indirect or cumulative impacts are anticipated from rehab work. DOH advised client to adopt best management practices to reduce potential air quality impacts. No comments submitted at this time from DEEP.
Effect on ambient noise levels;	No noise issue is anticipated from reuse work.
Effect on existing land resources and landscapes, including coastal and inland wetlands;	Not any adverse impact on coastal or inland wetland are anticipated. According to DEEP: "It appears that there are no wetlands or watercourses on the property. As such 401 or 404 Water Quality permitting is not required from DEEP Land and Water Resources Division or Army Corps of Engineers, respectively."
Effect on agricultural resources;	Not any adverse impact on agricultural land is anticipated.
Adequacy of existing or proposed utilities and infrastructure;	Existing utilities are present on site and in the area.
Effect on greenhouse gas emissions as a direct or indirect result of the action;	Not any adverse impact is anticipated.
Effect of a changing climate on the action, including any resiliency measures incorporated into the action;	Not any adverse impact is anticipated.
Any other substantial effects on natural, cultural, recreational, or scenic resources.	Environmental Justice and Pest Control: "DEEP staff reviewed the project location and determined that the project is located in an Environmental Justice community. In Connecticut, an Environmental Justice community is defined as 1) a distressed municipality as designated by the Department of Economic and

	<p>Community Development or 2) defined census block groups where 30% of the population is living below 200% of the federal poverty level. This Connecticut Environmental Justice map represents environmental justice communities.</p> <p>To guarantee efficient pest control in these communities during demolition and construction activities, a pest management plan must be in place prior to demolition to address the displacement of rodents from old buildings, foundations, infrastructure, pipes, and culverts, so neighboring areas do not inherit a pest management problem. Integrated pesticide management practices should be in place to reduce dependency on pesticides and promote long-term pest prevention.</p> <p>Prior to demolition, a comprehensive survey of the project area should be conducted to identify rodent nesting and feeding areas. An extermination plan should be developed in coordination with municipal health officials to be implemented before demolition commences. After demolition, the project site and surrounding area should be monitored to confirm the success of extermination efforts and investigate any reports of rodents.</p> <p>A professional exterminator should be retained to develop a written rodent management plan. The plan should:</p> <ul style="list-style-type: none"> • Name all businesses, their employee(s) and role(s) they play in supporting or actively managing the rodent population for the duration (pre-demolition, throughout the project including post-demolition/construction) of the project for accountability purposes. • Include details on who/how sanitation will be addressed prior to and throughout the project – dumpsters in good condition (no rot, no holes larger than a dime) with drain holes kept plugged/covers that close well and are kept closed, emptied or removed from the site frequently enough that they do not overflow. • Identify/remove sources of water wherever possible. <p>portal.ct.gov/DEEP</p> <ul style="list-style-type: none"> • Describe pre-baiting of burrows and placement of bait stations prior to demolition. • Describe how often the construction site and its surroundings will be monitored (at least weekly, possibly more often) for sanitation, water sources, active burrows, replacement and refilling of bait stations throughout the entirety of the project. • Identify rodenticides to be used, listing them in a hierarchy of first, second and third choice. • Describe how communication will take place between the parties involved, frequency of evaluating the program, overall steps that will be implemented if weaknesses or failures in the program are identified. <p>The city where the project is taking place should have their Health Department/Housing Code Enforcement staff communicate with owners of surrounding properties on the importance of</p>
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	<p>maintaining sanitation and managing rodents on their own properties.”</p> <p>“Demolition: The disposal of demolition waste should be handled in accordance with applicable solid waste statutes and regulations, information on the disposal of demolition debris is available online at Construction and Demolition Waste.”</p> <p>The development team responded: “Environmental Justice and Pest Control:</p> <ul style="list-style-type: none"> • We anticipate that pest control will be integral to the demolition plan, and an exterminator will be involved to coordinate efforts to investigate and control rodents. • Demolition waste will be handled in accordance with applicable regulations.”
Cumulative effects.	Positive cumulative impact on reusing a previous mill structure for residential building meeting more housing needs.

PART V - List of Required Permits, Approvals and/or Certifications Identified at the Time of this Review

DEEP has made recommendations in their review letter dated June 7, 2024 (attached). At the request of DOH, Developer/Consultant confirmed that all comments were considered.

Below find responses to the Department of Energy and Environmental Protection (DEEP) Notice of Scoping for the proposed project at 10 Liberty Street, New Haven.

(1) Effect on water quality, including surface water and groundwater:

- We agree that local water capacity should be sufficient for the proposed redevelopment.
- A construction stormwater general permit is not required for this project. The project is considered “Locally Approved” which requires local approval from the New Haven City Plan Commission which was received 2/16/2022 and is required on title. In addition, this only has 2-acres of disturbance, well under the under 5-acre threshold.
- We concur that there are no concerns related to the Aquifer Protection Area Program.
- We are incorporating bioswales per local site plan approval and are planning for green infrastructure elements including solar array on the roof and potential geothermal as a source of heating and cooling.

(2): Use of pesticides, toxic or hazardous materials:

- We retain the LEP who worked on the ELUR and expect that he will remain involved as we progress demo and then excavation preliminary to the new development.

- The development team engaged an environmental consultant to survey hazardous materials; the findings of the survey included an inventory of where PCBs are present, which will be remediated as part of the demolition and abatement of the existing building and in accordance with all local and state requirements.

(3) Environmental Justice and Pest Control:

- We anticipate that pest control will be integral to the demolition plan, and an exterminator will be involved to coordinate efforts to investigate and control rodents.
- Demolition waste will be handled in accordance with applicable regulations.

PART VI – Sponsoring Agency Comments and Recommendations

Based on the environmental assessment of the proposed project, DOH recommends that the project proceed as proposed and preparation of an Environmental Impact Evaluation (EIE) is not warranted.

PART VII - Public Comments and Sponsoring Agency Responses:

No public comments provided during scoping notice period.