



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: **3/30/2022**
Name of Project/Action: **Berlin – 833 Deming Road**
Project Address(es): **833 Deming Road, Berlin, CT**
Affected Municipalities: **Berlin, CT**

Sponsoring Agency(ies): **The Department of Housing**
Agency Project Number, if applicable:
Project Funding Source(s)/Program(s), if known: **2021 4% Low Income Housing Tax Credits, DOH Flex Funds**

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: [See October 2, 2020 SHPO determination of no historic properties affected by this proposed action.](#)

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: Jacinta Frazier, Architectural Design Reviewer 2, Department of Housing

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 proposed project is a multifamily residential development with 20% affordable housing and 80% market-rate housing on an 11.3 acre site on Deming Road in Berlin. The development will include 88 apartment units (44 1-bedrooms, 44 2-bedrooms), a clubhouse, outdoor recreational spaces, and parking. The site is located in a primarily residential area and will be serviced by public utilities, emergency providers, retail/commercial facilities, public transportation, and recreation areas. The property is currently occupied by two existing houses which will be demolished for the development. The State Historic Preservation Office (SHPO) has determined that no historic properties will be affected.

Description of the Proposed Action:

See above

Alternatives Considered:

Not known.

Public concerns or controversy associated with the proposed action:

There is no public concern or controversy known for this project

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;
- Priority **Funding Areas** **Not a PFA** **PFA under map option 1** **PFA under map options 1 & 2**
- 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:

- Conservation Area Factors** **6-7 Factors** **4-5 Factors** **1-3 Factors (from CTmap)**
- 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; possible – see CTmap
- Undeveloped Prime, Statewide Important and/or locally important agricultural soils greater than 25 acres;
- Category 1, 2, or 3 Hurricane Inundation Zone(s); (Storm Surge)
- 100 year Flood Zone(s); *
- 500 year Flood Zone(s);
- Critical Habitat;
- Locally Important Conservation Area(s),
- Protected Land (list type): Enter text.
- Local, State, or National Historic District(s).
- Agricultural Land

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;	The proposed development has obtained all relevant approvals from local and state authorities for requirements on water quality. The development is limited towards the western area of the site, past the upland setback, and preserve existing wetlands The plans install protection measures on sedimentation and erosion controls to protect Little Brook. Stormwater is managed onsite within the allowed areas of disturbance.
Effect on a public water supply system;	The existing public water supply will be extended to serve the proposed development.
Effect on flooding, in-stream flows, erosion or sedimentation;	The proposed construction is adjacent to Cold Spring Brook (Little Brook) which does not include a floodplain. All stormwater is managed onsite as to not affect peak in-stream flows or erosion or sedimentation.
Disruption or alteration of an historic, archeological, cultural, or recreational building, object, district, <u>site or its surroundings</u> ; A. Alteration of an historic building, district, structure, object, or its setting; OR B. Disruption of an archeological or sacred site;	None known. The State Historic Preservation Office (SHPO) determination October 2, 2020 - <i>'No archaeological investigation is warranted because it is unlikely the proposed housing development will impact significant archeological deposits. Based on the information provided to our office, it is SHPO's opinion that no historic properties will be affected by this undertaking'</i>
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>The project scope does not include any activities within the wetlands and does not have any direct impact to the wetlands. Indirect impacts will be managed by sediment and erosion control measures during construction and on-site stormwater management systems in the long term.</p> <p>The Connecticut Department of Energy and Environmental Protection (DEEP) has approved the project's protective measures for a population of Easter Box Turtles within the wetlands at the eastern edge of the site.</p> <p>The DEEP CEPA review notice dated 8/11/2020 confirms that the protective measures have been approved and that an additional review by DEEP Fisheries determined that there were no concerns with fish that may occur in Cold Spring Brook (Little Brook) or the Mattabesset River.</p>
Use of pesticides, toxic or hazardous materials or any other substance in such quantities as to	A Phase 1 Environmental Site Assessment found trace amounts of residual pesticides due to previous farming operations. The results did not indicate the widespread occurrence of residual pesticides

cause unreasonable adverse effects on the environment;	of levels that would be expected to pose any risk to future occupants. This finding was confirmed on third party review by a Licensed Environmental Professional.
Substantial aesthetic or visual effects;	The proposed development is substantial but has a scale and form that is contextual with the residential surroundings.
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;	The proposed project is in a Priority Funding Area.
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) and 8-37t of the CGS require additional analysis;	The are no know disruption or division of established communities or inconsistencies with adopted municipal or regional plans.
Displacement or addition of substantial numbers of people;	The proposed action creates 88 unit of family housing and will bring additional people to the area.
Substantial increase in congestion (traffic, recreational, other);	The proposed action will not have significant impact to traffic operations, per traffic study performed by Fuss & O'Neil in connection with the development
A substantial increase in the type or rate of energy use as a direct or indirect result of the action;	The proposed project will meet high energy standards from the Department of Housing.
The creation of a hazard to human health or safety;	None
Effect on air quality;	Indirect. Minimal
Effect on ambient noise levels;	Indirect. Minimal
Effect on existing land resources and landscapes, including coastal and inland wetlands;	The project has received all local planning and zoning approvals and approval from the Town of Berlin Inland Wetlands and Watercourses Commission.
Effect on agricultural resources;	The Farmland Soils Maps shows that the site contains just over 5 acres of combined prime farmland soils and statewide farmland soils although the site is primarily wooded and there are no farming activities at this site.
Adequacy of existing or proposed utilities and infrastructure;	The proposed redevelopment involves extension of the public drinking water supply to the Site

Effect on greenhouse gas emissions as a direct or indirect result of the action;	The proposed project will meet high energy standards from the Department of Housing and limit greenhouse gas emissions
Effect of a changing climate on the action, including any resiliency measures incorporated into the action;	The proposed project will provide resilient structures, energy efficient and outside any floodplain areas.
Any other substantial effects on natural, cultural, recreational, or scenic resources.	The proposed action does not have any substantial effects on natural, cultural, recreational, or scenic resources.
Cumulative effects.	Enter text.

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

Site plan approval from the Town of Berlin Planning and Zoning Commission, October 13, 2020 and Site Plan Amendment January 27 2021

Wetlands permit from the Town of Berlin Inland Wetlands Commission, August 17, 2020 and Amendment approval January 5, 2021

Encroachment permit from the Department of Transportation, February 7, 2022

DEEP General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities – December 7, 2020

DEEP NDDB Determination of Protective Measures – June 17, 2020

SHPO determination of no historic properties affected, October 2, 20220

Building Permit from the Town of Berlin Building Department, March 31, 2022

PART VI – Sponsoring Agency Comments and Recommendations

The project was scoped for CEPA on the CT Environmental Monitor on July 20, 2021 because there were over 5 acres of agricultural land, minor impact to wetlands and habitat and the development contained over 40 housing units on a greenfield site. The project has received all relevant review and approvals from local and state authorities. All investigations concluded that no Environmental Impact Statement is warranted.

PART VII - Public Comments and Sponsoring Agency Responses:

Scoping Comments received by CT DEEP August 11, 2021