
Date of Receipt

Fee and date paid

P21-21A File Number

Approval date

TOWN OF NORTH HAVEN
PLANNING AND ZONING COMMISSION
APPLICATION FORM
(Only one item per form)

600 Universal Drive, Map 21, Lot 12 IL-80 3,800 s.f. (building)
(ADDRESS OF BUILDING OR BLOCK MAP, BLOCK & LOT NUMBER) ZONE TOTAL SQUARE FOOTAGE

THIS APPLICATION IS FOR AND **MUST** INCLUDE THE FOLLOWING:

- ____ Site plan approval (Submit 14* copies of the site plan) ▶ 1 original and 14 copies of the application
- ____ Certified A-2 Survey
- ____ 2 copies of Bond Estimate Form * 14 PLANS @ 24" x 36"
- 5.1.1.2 Cite the regulation that permits proposed use

TITLE OF PLAN: CAM Site Plan

- Date and most current revision date of plan: August 6, 2021
- CAM site plan review (Submit 14* copies)
- ____ Amend zoning regulations Section to be amended (Submit 14 copies of proposed amendment)
- ____ Proposed zone change (Submit 14* copies of location map)
- ____ Special Permit Cite regulation that authorized the special permit
- ____ Fill permit (Submit 14* copies)
- ____ Excavation permit (Submit 14* copies)
- ____ Permit to grade or regrade the property (Submit 14* copies of a certified plan showing existing grades and proposed grades)

ANSWER ALL QUESTIONS THAT ARE APPLICABLE OR WRITE N/A:

- Does the property for which this application is submitted:
- ____ Lie within 500' of an adjoining municipality or will traffic or water drainage impact an adjoining municipality
- Lie within the Coastal Area Management boundary
- ____ Contain any wetlands and/or watercourses
- ____ Lie within the Aquifer Protection Zone
- ____ Lie within the floodplain or floodway
- ____ Lie within 50' of the Quinnipiac River or Muddy River

RECEIVED
AUG 16 2021
TOWN OF NORTH HAVEN
LAND USE AND DEVELOPMENT

BL Companies, INC
ENGINEER'S NAME

(203) 630-1406 (203) 630-2615
ENGINEER'S PHONE NUMBER FAX NUMBER

Thomas McKenzie - Panera, LLC
Print Applicant's Name

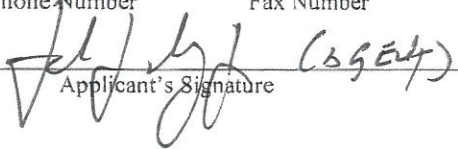
Cinemark USA, INC
Print Owner's Name

3630 S. Geyer Rd, Suite 100, Sunset Hills, MO 63127
Applicant's Address

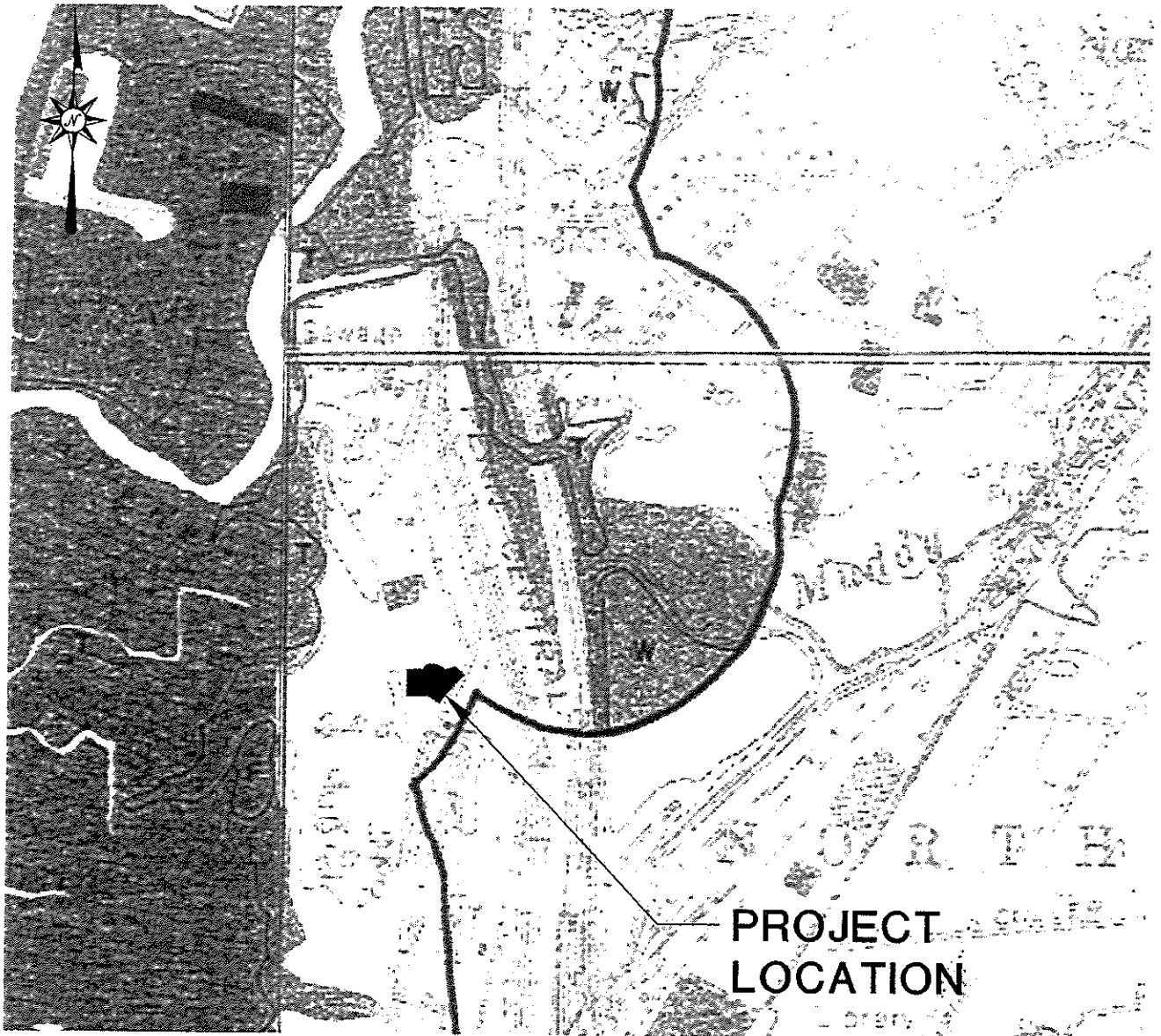
3900 Dallas Pkwy, Suite 500, Plano, TX 75093
Owner's Address

(314) 984-3545 (314) 909-3370
Applicant's Phone Number Fax Number


Owner's Phone Number


Applicant's Signature


See attached authorization letter.
Owner's Signature




COASTAL LAND RESOURCES

 **SHORELANDS:** Upland areas at elevations in excess of the 100 year still water flood level and located within the coastal boundary. (Sources: 2,5)

INTERTIDAL RESOURCES

 **REGULATED TIDAL WETLANDS:** Official state designated and regulated tidal wetlands located within the coastal boundary. The areas depicted on this map shall in no way supersede the official state regulated tidal wetland maps at the scale of 1:2400. (Source: 6)

 **COASTAL BOUNDARY:** As defined in Section 22a-94 of the Connecticut General Statutes as amended by Public Act 79-535. (Lands and waters seaward of the inside edge of this line are subject to the provisions of the Connecticut Coastal Management Act)

**PROJECT
LOCATION**



ARCHITECTURE
ENGINEERING
ENVIRONMENTAL
LAND SURVEYING

COASTAL AREA LOCATION MAP
PROPOSED RESTAURANT DEVELOPMENT
570 UNIVERSAL DRIVE NORTH
NORTH HAVEN, CONNECTICUT

Designed A.T.K.
Drawn A.T.K.
Reviewed
Scale 1"=1,000'
Project No. 1900929
Date 06/08/19
CAD File 190092901-CAM-Fig

FIG-A

Office of Long Island Sound Programs

Model Application Form Municipal Coastal Site Plan Review For Projects Located Fully or Partially Within the Coastal Boundary

Please complete this form in accordance with the attached instructions (CSPR-INST-11/99) and submit it with the appropriate plans to appropriate municipal agency.

Section I: Applicant Identification

Applicant:	<u>Panera, LLC</u>	<u>3630 S. Geyer Rd</u>	Date:	<u>8/9/2021</u>	
Address:	<u>Ste 100, Sunset Hills, MO 63127</u>		Phone:	<u>(314) 984-3545</u>	
Project Address or Location:	<u>600 Universal Drive North, North Haven</u>				
Interest in Property:	<input type="checkbox"/> fee simple <input checked="" type="checkbox"/> option <input type="checkbox"/> lessee <input type="checkbox"/> easement				
	<input type="checkbox"/> other (specify) _____				
List primary contact for correspondence if other than applicant:					
Name:	<u>BL Companies Inc. John Schmitz</u>				
Address:	<u>355 Research Parkway</u>				
City/Town:	<u>Meriden</u>	State:	<u>CT</u>	Zip Code:	<u>06450</u>
Business Phone:	<u>#203-630-1406</u>				
e-mail:	<u>jschmitz@blcompanies.com</u>				

Section II: Project Site Plans

Please provide project site plans that clearly and accurately depict the following information, and check the appropriate boxes to indicate that the plans are included in this application:

- Project location
- Existing and proposed conditions, including buildings and grading
- Coastal resources on and contiguous to the site
- High tide line [as defined in CGS Section 22a-359(c)] and mean high water mark elevation contours (for parcels abutting coastal waters and/or tidal wetlands only)
- Soil erosion and sediment controls
- Stormwater treatment practices
- Ownership and type of use on adjacent properties
- Reference datum (i.e., National Geodetic Vertical Datum, Mean Sea Level, etc.)

Section III: Written Project Information

Please check the appropriate box to identify the plan or application that has resulted in this Coastal Site Plan Review:

- Site Plan for Zoning Compliance
- Subdivision or Resubdivision
- Special Permit or Special Exception
- Variance
- Municipal Project (CGS Section 8-24)

Part I: Site Information

1. Street Address or Geographical Description: 600 Universal Drive North

City or Town: North Haven

2. Is project or activity proposed at a waterfront site (includes tidal wetlands frontage)? YES NO

3. Name of on-site, adjacent or downstream coastal, tidal or navigable waters, if applicable:

Quinnipiac River is adjacent and downstream

4. Identify and describe the existing land use on and adjacent to the site. Include any existing structures, municipal zoning classification, significant features of the project site:

The existing site is zoned IL80 and the existing site is a vacant lot, once a parking lot. Existing surrounding uses include an automobile dealership to the north, a retail development to the east, a cinema to the west and a restaurant to the south.

5. Indicate the area of the project site: 50,895 s.f. acres or square feet (circle one)

6. Check the appropriate box below to indicate whether the project or activity will disturb 5 acres or more total acres of land area (please also see Part II.B. regarding proposed stormwater best management practices):

- Project or activity will disturb 5 or more total acres of land area on the site and may be eligible for registration for the Department of Environmental Protection's (DEP) General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities
- Project or activity will not disturb 5 or more total acres of land area

Part II.A.: Description of Proposed Project or Activity

Describe the proposed project or activity including its purpose and related activities such as site clearing, grading, demolition, and other site preparations; percentage of increase or decrease in impervious cover over existing conditions resulting from the project; phasing, timing and method of proposed construction; and new uses and changes from existing uses (attach additional pages if necessary):

The project includes the development of a 3800 SF
restaurant building with associated parking area, grading
and utilities. All sitework will be confined within the
existing limits of disturbance on the existing site. The
impervious coverage will be reduced.

Part II.B.: Description of Proposed Stormwater Best Management Practices

Describe the stormwater best management practices that will be utilized to ensure that the volume of runoff generated by the first inch of rainfall is retained on-site, especially if the site or stormwater discharge is adjacent to tidal wetlands. If runoff cannot be retained on-site, describe the site limitations that prevent such retention and identify how stormwater will be treated before it is discharged from the site. Also demonstrate that the loadings of total suspended solids from the site will be reduced by 80 percent on an average annual basis, and that post-development stormwater runoff rates and volumes will not exceed pre-development runoff rates and volumes (attach additional pages if necessary):

Existing infiltration ponds will be used to retain and infiltrate
the first inch of runoff. By infiltrating the first inch
of runoff and providing hooded outlets the site will
achieve 80%TSS reduction. The reduction in impervious
coverage translates into a reduction in flow rates and
volume for every event.

Part III: Identification of Applicable Coastal Resources and Coastal Resource Policies

Identify the coastal resources and associated policies that apply to the project by placing a check mark in the appropriate box(es) in the following table.

Coastal Resources	On-site	Adjacent	Off-site but within the influence of project	Not Applicable
General Coastal Resources* - Definition: CGS Section 22a-93(7); Policy: CGS Section 22a-92(a)(2)	X	X	X	
Beaches & Dunes - Definition: CGS Section 22a-93(7)(C); Policies: CGS Sections 22a-92-(b)(2)(C) and 22a-92(c)(1)(K)				X
Bluffs & Escarpments - Definition: CGS Section 22a-93(7)(A); Policy: CGS Section 22a-92(b)(2)(A)				X
Coastal Hazard Area - Definition: CGS Section 22a-93(7)(H); Policies: CGS Sections 22a-92(a)(2), 22a-92(e)(5), 22a-92(b)(2)(F), 22a-92(b)(2)(J), and 22a-92(c)(2)(B)		X		
Coastal Waters, Estuarine Embayments, Nearshore Waters, Offshore Waters - Definition: CGS Sections 22a-93(5), 22a-93(7)(G), and 22a-93(7)(K), and 22a-93(7)(L) respectively; Policies: CGS Sections 22a-92(a)(2) and 22a-92(c)(2)(A)				X
Developed Shorefront - Definition: CGS Section 22a-93(7)(I); Policy: 22a-92(b)(2)(G)				X
Freshwater Wetlands and Watercourses - Definition: CGS Section 22a-93(7)(F); Policy: CGS Section 22a-92(a)(2)				X
Intertidal Flats - Definition: CGS Section 22a-93(7)(D); Policies: 22a-92(b)(2)(D) and 22a-92(c)(1)(K)				X
Islands - Definition: CGS Section 22a-93(7)(J); Policy: CGS Section 22a-92(b)(2)(H)				X
Rocky Shorefront - Definition: CGS Section 22a-93(7)(B); Policy: CGS Section 22a-92(b)(2)(B)				X
Shellfish Concentration Areas - Definition: CGS Section 22a-93(7)(N); Policy: CGS Section 22a-92(c)(1)(I)				X
Shorelands - Definition: CGS Section 22a-93(7)(M); Policy: CGS Section 22a-92(b)(2)(I)	X	X	X	
Tidal Wetlands - Definition: CGS Section 22a-93(7)(E); Policies: CGS Sections 22a-92(a)(2), 22a-92(b)(2)(E), and 22a-92(c)(1)(B)		X		

* General Coastal Resources policy is applicable to all proposed activities

Part IV: Consistency with Applicable Coastal Resource Policies and Standards

Describe the location and condition of the coastal resources identified in Part III above and explain how the proposed project or activity is consistent with all of the applicable coastal resource policies and standards; also see adverse impacts assessment in Part VII.A below (attach additional pages if necessary):

The western portion of the adjacent cinema site is currently occupied by tidal wetlands, freshwater wetlands, and coastal hazard areas, these areas are untouched. The subject site is shorelands and has been developed as a parking area previously. (refer to additional attached map Figure A).

Part V: Identification of Applicable Coastal Use and Activity Policies and Standards

Identify all coastal policies and standards in or referenced by CGS Section 22a-92 applicable to the proposed project or activity:

- General Development* - CGS Sections 22a-92(a)(1), 22a-92(a)(2), and 22a-92(a)(9)
- Water-Dependent Uses** - CGS Sections 22a-92(a)(3) and 22a-92(b)(1)(A);
Definition CGS Section 22a-93(16)
- Ports and Harbors - CGS Section 22a-92(b)(1)(C)
- Coastal Structures and Filling - CGS Section 22a-92(b)(1)(D)
- Dredging and Navigation - CGS Sections 22a-92(c)(1)(C) and 22a-92(c)(1)(D)
- Boating - CGS Section 22a-92(b)(1)(G)
- Fisheries - CGS Section 22a-92(c)(1)(I)
- Coastal Recreation and Access - CGS Sections 22a-92(a)(6), 22a-92(C)(1)(J) and 22a-92(c)(1)(K)
- Sewer and Water Lines - CGS Section 22a-92(b)(1)(B)
- Fuel, Chemicals and Hazardous Materials - CGS Sections 22a-92(b)(1)(C), 22a-92(b)(1)(E) and 22a-92(c)(1)(A);
- Transportation - CGS Sections 22a-92(b)(1)(F), 22a-92(c)(1)(F), 22a-92(c)(1)(G), and 22a-92(c)(1)(H)
- Solid Waste - CGS Section 22a-92(a)(2)
- Dams, Dikes and Reservoirs - CGS Section 22a-92(a)(2)
- Cultural Resources - CGS Section 22a-92(b)(1)(J)
- Open Space and Agricultural Lands - CGS Section 22a-92(a)(2)

* General Development policies are applicable to all proposed activities

** Water-dependent Use policies are applicable to all activities proposed at waterfront sites, including those with tidal wetlands frontage.

Part VI: Consistency With Applicable Coastal Use Policies And Standards

Explain how the proposed activity or use is consistent with all of the applicable coastal use and activity policies and standards identified in Part V. For projects proposed at waterfront sites (including those with tidal wetlands frontage), particular emphasis should be placed on the evaluation of the project's consistency with the water-dependent use policies and standards contained in CGS Sections 22a-92(a)(3) and 22a-92(b)(1)(A) -- also see adverse impacts assessment in Part VII.B below (attach additional pages if necessary):
 See attached additional pages.

Part VII.A: Identification of Potential Adverse Impacts on Coastal Resources

Please complete this section for all projects.
 Identify the adverse impact categories below that apply to the proposed project or activity. The "applicable" column must be checked if the proposed activity has the potential to generate any adverse impacts as defined in CGS Section 22a-93(15). If an adverse impact may result from the proposed project or activity, please use Part VIII to describe what project design features may be used to eliminate, minimize, or mitigate the potential for adverse impacts.

Potential Adverse Impacts on Coastal Resources	Applicable	Not Applicable
Degrading tidal wetlands, beaches and dunes, rocky shorefronts, and bluffs and escarpments through significant alteration of their natural characteristics or functions - CGS Section 22a-93(15)(H)		X
Increasing the hazard of coastal flooding through significant alteration of shoreline configurations or bathymetry, particularly within high velocity flood zones - CGS Section 22a-93(15)(E)		X
Degrading existing circulation patterns of coastal water through the significant alteration of patterns of tidal exchange or flushing rates, freshwater input, or existing basin characteristics and channel contours - CGS Section 22a-93(15)(B)		X
Degrading natural or existing drainage patterns through the significant alteration of groundwater flow and recharge and volume of runoff - CGS Section 22a-93(15)(D)		X
Degrading natural erosion patterns through the significant alteration of littoral transport of sediments in terms of deposition or source reduction - CGS Section 22a-93(15)(C)		X
Degrading visual quality through significant alteration of the natural features of vistas and view points - CGS Section 22a-93(15)(F)		X
Degrading water quality through the significant introduction into either coastal waters or groundwater supplies of suspended solids, nutrients, toxics, heavy metals or pathogens, or through the significant alteration of temperature, pH, dissolved oxygen or salinity - CGS Section 22a-93(15)(A)	X	X
Degrading or destroying essential wildlife, finfish, or shellfish habitat through significant alteration of the composition, migration patterns, distribution, breeding or other population characteristics of the natural species or significant alterations of the natural components of the		X

habitat - CGS Section 22a-93(15)(G)		X
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Part VII.B.: Identification of Potential Adverse Impacts on Water-dependent Uses

Please complete the following two sections only if the project or activity is proposed at a waterfront site:

- Identify the adverse impact categories below that apply to the proposed project or activity. The "applicable" column must be checked if the proposed activity has the potential to generate any adverse impacts as defined in CGS Section 22a-93(17). If an adverse impact may result from the proposed project or activity, use Part VIII to describe what project design features may be used to eliminate, minimize, or mitigate the potential for adverse impacts.

Potential Adverse Impacts on Future Water-dependent Development Opportunities and Activities	Applicable	Not Applicable
Locating a non-water-dependent use at a site physically suited for or planned for location of a water-dependent use - CGS Section 22a-93(17)		X
Replacing an existing water-dependent use with a non-water-dependent use - CGS Section 22a-93(17)		X
Siting a non-water-dependent use which would substantially reduce or inhibit existing public access to marine or tidal waters - CGS Section 22a-93(17)		X

2. Identification of existing and/or proposed Water-dependent Uses

Describe the features or characteristics of the proposed activity or project that qualify as water-dependent uses as defined in CGS Section 22a-93(16). If general public access to coastal waters is provided, please identify the legal mechanisms used to ensure public access in perpetuity, and describe any provisions for parking or other access to the site and proposed amenities associated with the access (e.g., boardwalk, benches, trash receptacles, interpretative signage, etc.):

There are no water-dependent use components at this site. The site is not appropriate for the development of a water-dependent use because the navigable waters of the Quinnipiac River and tributaries are separated from the shorelands by tidal and freshwater wetland areas and coastal hazard areas. These areas would need to be developed in order to provide access to the water and create a water-dependent use.

*If there are no water-dependent use components, describe how the project site is not appropriate for the development of a water-dependent use.

Part VIII: Mitigation of Potential Adverse Impacts

Explain how all potential adverse impacts on coastal resources and/or future water-dependent development opportunities and activities identified in Part VII have been avoided, eliminated, or minimized (attach additional pages if necessary):

See attached additional pages.

Part IX: Remaining Adverse Impacts

Explain why any remaining adverse impacts resulting from the proposed activity or use have not been mitigated and why the project as proposed is consistent with the Connecticut Coastal Management Act (attach additional pages if necessary):

See attached additional pages.

A. PART IV: CONSISTENCY WITH APPLICABLE COASTAL RESOURCE POLICIES AND STANDARDS.

Describe the location and condition of the coastal resources identified in Part III above and explain how the proposed project or activity is consistent with all of the applicable coastal resource policies and standards; also see adverse impacts assessment in Part VII.A below.

Answer: The adjacent cinema site is currently occupied by tidal wetlands, freshwater wetlands, and coastal hazard areas, these areas are untouched. The subject site is shorelands only and has been previously developed.

The project is consistent with the following applicable coastal resource policies and standards:

Sec 22a-92 (1) to insure that the development, preservation or use of the land and water resources of the coastal area proceeds in a manner consistent with the capability of the land and water resources to support development, preservation or use without significantly disrupting either the natural environment or sound economic growth.

The proposed redevelopment will help to ensure both the environmental and economic integrity of the existing site by creating a new restaurant that will provide jobs, and increase the local tax base, while also providing improved storm water quality management. A reduction in storm water runoff as a result of a reduction in impervious coverage will be obtained. By constructing the proposed improvements within the existing developed area, existing coastal resources will be preserved.

Sec. 22a-92(4) to resolve conflicts between competing uses on the shorelands adjacent to marine and tidal waters by giving preference to uses that minimize adverse impacts on natural resources while providing long term and stable economic benefits.

The proposed redevelopment will be confined within the existing developed area, therefore minimizing adverse impacts to existing natural resources. The improved stormwater management on site is an improvement over existing and previously permitted conditions. The investment in, and operation of a new restaurant will provide for long term and stable economic benefits to the Town of North Haven.

Sec. 22a-92(5) to consider in the planning process the potential impact of coastal flooding and erosion patterns on coastal development so as to minimize damage to an destruction of life and property and reduce the necessity of public expenditure to protect future development from such hazards.

The new restaurant building, and associated parking, will be constructed in already developed shorelands, outside of the coastal hazard area, tidal influenced zones and the 100-year base flood area. No additional fill will be placed in the floodplain, and the

stormwater improvements on site will provide a benefit by reducing peak run off flows over existing conditions.

B. PART VI CONSISTENCY WITH APPLICABLE COASTAL USE POLICIES AND STANDARDS.

Explain how the proposed activity or use is consistent with all of the applicable coastal use and activity policies and standards identified in Part V. For projects proposed at waterfront sites (including those with tidal wetlands frontage), particular emphasis should be placed on the evaluation of the project's consistency with the water-dependent use policies and standards contained in CGS Section 22a-92(a)(3) and 22c-92(b)(1)(A) – also see adverse impacts assessment in Part VII.B below.

Answer: The proposed coastal use and activity which applies to this project is “General Development”. The proposed redevelopment is consistent with the capability of the land and surrounding resources to support the action and will not disrupt the natural environment. The proposed action will maintain the existing commercial use of the site which has been in operation for over 30 years. The use is a permitted use within the IL80 (and subsequent IL30) Zone as outlined in the North Haven Planning and Zoning regulations and is consistent with the Town Plan of Development and will therefore continue the sound economic use of the site. The redevelopment of this site makes use of an already existing and adequate roadway system, with no new curb cuts. By limiting the development to the existing developed area, and providing improved stormwater quality features, the existing coastal resources will be preserved.

The existing site is not capable of supporting a “water-dependent use” as defined in the Connecticut General Statutes, despite its adjacency to the Quinnipiac River. The subject site is not direct waterfront and areas of vegetated tidal wetland and Coastal Flood Hazard area lie between the site and the River proper. Access to the River from this site to allow for recreational boating or access would require development of access through, and impacting these resources. There is also no direct access from the subject site to the waterway, the adjacent western site would need to provide access. Significant impacts to the coastal hazard area and tidal wetlands would need to be established in order to reach the western boundary of the adjacent site and navigable tidal waters. Historically, development on the site has been restricted to the upland side of the former Stream Channel Encroachment Line.

C. PART VIII: MITIGATION OF POTENTIAL ADVERSE IMPACTS

Explain how all potential adverse impacts on coastal resources and/or future water-dependent development opportunities and activities identified in Part VII have been avoided, eliminated, or minimized.

- *There will be no degradation of the visual quality of natural features or vistas and viewpoints. Previous land development approvals for the site included a trail easement for recreational use along the Quinnipiac River, which, once developed, will provide for public access to the marsh and existing viewpoints.*
- *There are no intertidal flats or shellfishing on or adjacent to the property.*