LETTER OF TRANSMITTAL
JOHN PAUL GARCIA & ASSOCIATES
190 Fairwood Road - Bethany CT 06524
Ph: (203)393-3306 Fax: (203)393-3941 email jp@jpgapc.com

TO: CITY OF NEW HAVEN
CITY PLAN DEPARTMENT
165 CHURCH ST
NEW HAVEN, CT 06510

DATE: 2/15/22
JOB No: 38418
RE: 141 OGDEN ST
CHE TIERNAN

WE ARE SENDING YOU:
☐ Shop Drawings ☐ Prints ☑ Plans ☐ Copy of letter ☐

VIA: ☑ Email ☐ Express mail ☐ Certified Mail ☐ Hand Delivered ☐ Pick Up ☐ Fed Ex ☐ UPS

<table>
<thead>
<tr>
<th>COPIES</th>
<th>DATE</th>
<th>NO.</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>6/9/2009</td>
<td>1</td>
<td>APPLICATION FOR SITE DEVELOPMENT PERMIT</td>
</tr>
<tr>
<td>4</td>
<td>6/15/2006</td>
<td>2</td>
<td>SOIL SCIENCE REPORT C-2 &amp; C-3</td>
</tr>
<tr>
<td>1</td>
<td>2/15/2022</td>
<td>1</td>
<td>SITE DEVELOPMENT PLAN C-1</td>
</tr>
<tr>
<td>2</td>
<td>2/15/2022</td>
<td>2</td>
<td>SITE DEVELOPMENT PLAN C-1</td>
</tr>
<tr>
<td>12</td>
<td>9/24/2014</td>
<td>1</td>
<td>PREVIOUS IWC APPROVAL CASE NO. 1489-01</td>
</tr>
<tr>
<td>5</td>
<td>5/11/2011</td>
<td>1</td>
<td>DRAINAGE CALCULATIONS</td>
</tr>
<tr>
<td>1</td>
<td>5/11/2011</td>
<td>1</td>
<td>ABUTTERS LIST</td>
</tr>
<tr>
<td>7</td>
<td>1/5/2022</td>
<td>1</td>
<td>HOUSE FLOOR PLANS</td>
</tr>
</tbody>
</table>

THESE ARE TRANSMITTED as checked below:
☑ For Approval ☐ For your Use ☐ As Requested ☑ For review and comment
☐ Other: ____________________________

REMARKS:
FOR APPLICATION TO INLAND WETLANDS.

PARCEL WAS PREVIOUSLY APPROVED AS A CLASS B WETLANDS BUT THE PERMIT HAS EXPIRED.
WE HAVE ATTACHED THE PRIOR APPROVAL.

CC: CHE TIERNAN

SIGNED ______________________
# Application for Development Permit

<table>
<thead>
<tr>
<th>DATA</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Project Address(es)</td>
</tr>
<tr>
<td><strong>141 ODOEN STREET</strong></td>
</tr>
<tr>
<td>A/K/A:</td>
</tr>
<tr>
<td>Tax Map-Block-Parcel(s)</td>
</tr>
<tr>
<td>218/1075/01700</td>
</tr>
<tr>
<td>Nearest Cross Street:</td>
</tr>
<tr>
<td>EDGEHILL ROAD</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>THIS BOX IS FOR CITY USE ONLY</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ Check Here if Fee Exempt.</td>
</tr>
<tr>
<td>□ As-of Right</td>
</tr>
<tr>
<td>□ Zoning Relief</td>
</tr>
<tr>
<td>□ Development Permit</td>
</tr>
<tr>
<td>□ Site Plan Review</td>
</tr>
<tr>
<td>□ Flood Development Permit</td>
</tr>
<tr>
<td>□ Performance Bond</td>
</tr>
<tr>
<td>□ Building Permit</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>File #</th>
<th>Fee Paid</th>
<th>Date (yy-mm-dd)</th>
</tr>
</thead>
<tbody>
<tr>
<td>#</td>
<td>$</td>
<td>/</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2. Property Owner Information &amp; Consent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: <strong>CHE TIBERIAN</strong></td>
</tr>
<tr>
<td>Firm</td>
</tr>
<tr>
<td>Street Address: <strong>433 DERBY AVE</strong></td>
</tr>
<tr>
<td>City: <strong>ORANGE</strong> State: <strong>CT</strong> ZIP: <strong>06477</strong></td>
</tr>
</tbody>
</table>

As OWNER OF THE PROPERTY I hereby authorize this development permit application, and:
1. I consent to necessary and proper inspections of the above property by agents of the City at a reasonable time after an application is made, and
2. I certify that I am familiar with all of the information provided in this application, and
3. I am aware that any permit obtained through deception, inaccurate or misleading information is subject to revocation and penalties, and
4. I certify that this project conforms to zoning or has applied for or been granted zoning relief.

Dated: **Feb. 15**, 2022

Signature of PROPERTY OWNER

<table>
<thead>
<tr>
<th>3. Applicant Information &amp; Certification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: <strong>SAME AS OWNER</strong></td>
</tr>
<tr>
<td>Firm</td>
</tr>
<tr>
<td>Street Address</td>
</tr>
<tr>
<td>City: <strong>STATE ZIP</strong></td>
</tr>
</tbody>
</table>

As APPLICANT I am familiar with all of the information provided in this application and aware that any permit obtained through deception, inaccurate or misleading information is subject to revocation and penalties.

Dated: **Feb. 15**, 2022

Signature of APPLICANT

<table>
<thead>
<tr>
<th>4. Authorized Agent Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: <strong>JOHN PAUL GARDO</strong></td>
</tr>
<tr>
<td>Firm: <strong>JOHN PAUL GARCIA &amp; ASSOC.</strong></td>
</tr>
<tr>
<td>Street Address: <strong>190 FAIRWOOD RD</strong></td>
</tr>
<tr>
<td>City: <strong>BETHANY</strong> State: <strong>CT</strong> ZIP: <strong>06524</strong></td>
</tr>
</tbody>
</table>

Check □ One: The AUTHORIZED AGENT for the attached Development Application is:
□ Lessee □ Attorney □ Architect □ Engineer □ Real Estate Agent □ Contractor □ Other-Specify

As AUTHORIZED AGENT I am familiar with all of the information provided in this application and aware that any permit obtained through deception, inaccurate or misleading information is subject to revocation and penalties.

Dated: **Feb. 15**, 2022

Signature of AUTHORIZED AGENT
Application for Development Permit

WORKSHEET

1. Calculate LOT AREA as defined by the New Haven Zoning Ordinance excluding the following categories:
   - Wetlands and Watercourses as defined in Sections 22a-38 15&16) C.G.S. and appearing on New Haven County USDA Soil Conservation Service Soil Survey.
   - State-designated Tidal Wetlands defined and mapped under Sections 22a-29(a)(2) and 22a-30 C.G.S.
   - Any parcel area below the Mean High Water Mark.

**LOT AREA CALCULATION WORKSHEET**

ZONING LOT AREA = TAX PARCEL AREA MINUS STEP 1 TOTAL

<table>
<thead>
<tr>
<th>Area:</th>
<th>TAX PARCEL AREA:</th>
<th>MINUS STEP 1 TOTAL:</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Tidal Wetlands</td>
<td>0 SF</td>
<td>15,770 SF</td>
</tr>
<tr>
<td>B. Area below Mean High Water Mark</td>
<td>0 SF</td>
<td>2,979 SF</td>
</tr>
<tr>
<td>C. Inland Wetlands &amp; Watercourses</td>
<td>2,979 SF</td>
<td>12,791 SF</td>
</tr>
<tr>
<td><strong>= STEP 1 TOTAL</strong></td>
<td><strong>2,979 SF</strong></td>
<td><strong>12,791 SF</strong></td>
</tr>
</tbody>
</table>

2. ZONING TABLE (Fill in below or include on submission drawing cover sheet.)

<table>
<thead>
<tr>
<th>ZONING DISTRICT:</th>
<th>Not Applicable = ☑</th>
<th>Standard [Permitted or Required]</th>
<th>Proposed [or Allowed by BZA]</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. ZONING LOT AREA [Calculate Above]</td>
<td>7,500 Sq. Ft.</td>
<td>12,991 Sq. Ft.</td>
<td></td>
</tr>
<tr>
<td>2. NUMBER OF DWELLING UNITS</td>
<td>1 Units</td>
<td>1 Units</td>
<td></td>
</tr>
<tr>
<td>3. LOT AREA PER DWELLING UNIT</td>
<td>3,500 Sq. Ft/DU</td>
<td>12,991 Sq. Ft/DU</td>
<td></td>
</tr>
<tr>
<td>4. IMPERVIOUS SURFACE</td>
<td>0 Sq. Ft.</td>
<td>5,325 Sq. Ft.</td>
<td></td>
</tr>
<tr>
<td>5. FRONT YARD</td>
<td>25 Feet</td>
<td>88.0 Feet</td>
<td></td>
</tr>
<tr>
<td>6. SIDE YARDS</td>
<td>8 Feet and 12 Feet</td>
<td>8.5 Feet and 29.1 Feet</td>
<td></td>
</tr>
<tr>
<td>7. REAR YARD</td>
<td>25 Feet</td>
<td>25.6 Feet</td>
<td></td>
</tr>
<tr>
<td>8. BUILDING HEIGHT</td>
<td>35 Feet</td>
<td>&lt;35 Feet</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ZONING DISTRICT:</th>
<th>Not Applicable = ☑</th>
<th>Standard [Permitted or Required]</th>
<th>Proposed [or Allowed by BZA]</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. ZONING LOT AREA [Calculate Above]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. TOTAL FLOOR AREA (ALL FLOORS):</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. FLOOR AREA RATIO (FAR = B/A)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. IMPERVIOUS SURFACE</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. PARKING</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. LOADING</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3. MATERIAL (SOIL, ROCK OR FILL) TO BE MOVED, REMOVED OR ADDED

**CALCULATE MATERIAL TO BE MOVED, REMOVED OR ADDED (Calculate below - Enter sizes in feet).**

<table>
<thead>
<tr>
<th>No ☐ Yes MATERIAL TO BE MOVED:</th>
<th>Length x Width x Depth = Cubic Feet + 27 = Cubic Yards</th>
</tr>
</thead>
<tbody>
<tr>
<td>☑ Yes MATERIAL TO BE MOVED:</td>
<td>30' x 15' x 2.0' = 900 + 27 = 33</td>
</tr>
<tr>
<td>☑ Yes MATERIAL TO BE ADDED:</td>
<td>30' x 15' x 2.0' = 900 + 27 = 33</td>
</tr>
<tr>
<td>☑ Yes MATERIAL TO REMOVED:</td>
<td>60' x 50' x 6.2' = 18,600 + 27 = 689</td>
</tr>
<tr>
<td>TOTAL MATERIAL TO BE MOVED, REMOVED OR ADDED =</td>
<td>755</td>
</tr>
</tbody>
</table>

**REGRADING OF SITE**

☐ No ☑ Yes Are more than 800 cubic yards soil, rock or fill to be MOVED, REMOVED OR ADDED?
☑ No ☐ Yes Is more than 30% of the lot area proposed to be REGRADED by more than 2 feet? (do following calculation).

REGRADED AREA IN SQUARE FEET 3,900 + TOTAL LOT AREA 15,770 IN SQUARE FEET = 25 PERCENT

[Area to be re-graded by more than 2 feet divided by Total Lot Area equals Percentage of Lot to be re-graded]
Application for Development Permit: Site Plan Review

SITE

A NARRATIVE IS REQUIRED

NARRATIVE: A description of the proposed project in sufficient detail to determine that it complies with the New Haven Zoning Ordinance and State of Connecticut Soil Erosion and Sediment Control Standards. (Attach NARRATIVE or include it on the submitted SITE PLAN).

1. State the purpose and intended use of the project.
   To construct a 5-BEDROOM RESIDENTIAL HOUSE with ATTACHED GARAGE & DRIVEWAY and CONNECTION TO CITY WATER & SEWER.

2. Describe the structure(s) and construction activities.
   CONSTRUCTION OF A 2-STORY HOUSE with ATTACHED 2-CAR GARAGE & DRIVE. WETLANDS MITIGATION MEASURES AS APPROVED IN 2014 INCH ARRANG.

3. State the construction Start and End Dates/Provide a Construction Staging Plan/If phased provide Time Estimates for Each Phase.
   START DATE SOON AFTER APPROVAL. ESTIMATED CONSTRUCTION TIMELINE IS 6 MONTHS.

4. List any Federal or State Permits required and their status. Furnish copy of permits issued or applications filed.
   CHECK ☒ HERE IF NONE ☒

5. Provide Board of Zoning Appeals Decision Letters if zoning relief has been secured. Plan must be in compliance with the New Haven Zoning Ordinance to receive Site Plan approval.

SITE PLAN SUBMISSION REFER TO "SITE PLAN GUIDELINES" AT CITYOFNEWHAVEN.COM

SURVEY
1. ☒ A-2 Survey of property boundary, right-of-way, street, building and/or setback lines, easement lines.
2. ☐ A-2 Survey not required. Staff has determined this project is: ☐ Exempt ☐ Unregulated ☐ Minor Application.
3. ☒ Show Coastal Management District Boundary, Flood Zones, wetlands, watercourses, (soil types if pertinent).

SITE PLAN DATA Please use the checklist below and SESC REGULATIONS as a guide to provide required data.
4. ☒ SITE PLAN [1" = 20' or larger is preferred] with north arrow, scale, date prepared, and name of preparer.
5. ☒ General Location Map at a scale of 1 inch = 600 feet, with North Arrow.
6. ☒ Buildings and improvements on abutting parcels within 50 feet of the property lines
7. ☒ Names of abutting Property Owners.
8. ☒ Driveways, aprons, sidewalks, curbs, walkways, parking layout, loading facilities, and utilities.
9. ☒ Provide applicable standard City details.
10. ☒ Existing and proposed topographical contours where slope is LESS THAN 15%, show at 2 FOOT intervals.
11. ☒ Existing and proposed topographical contours where slope is 15% OR MORE, show at 5 FOOT intervals.
12. ☒ Proposed site alterations including cleared, excavated, filled or graded areas.
13. ☒ Existing trees with diameters of 8 inches or greater, and changes proposed, including protection measures.
14. ☒ Edge of wooded areas.
15. ☐ Proposed landscaping keyed to a plant list. Include size and planting detail.
16. ☒ Sanitary sewage disposal, water supply lines, other utilities on or serving the site.
17. ☒ Proposed building plans and elevations.
18. ☐ New property lines & improvements: signs, fences, walls, dumpsters, outdoor storage area, lighting.

ENGINEERING DATA. Please provide the following data using the checklist as a guide.
19. ☒ Storm Drainage details including roof leaders.
20. ☒ Existing and proposed grades and construction materials.
21. ☒ Support Data and Drainage Calculations to show adequacy of pipe sizes, flow, slope, invert and top of grate connections [Not required because: ☐ Exempt ☐ Unregulated ☐ Minor Application].
Application for Development Permit: Soil Erosion and Sediment Control Review SESC

Please fill out DATA, WORKSHEET, and SITE SECTIONS in addition to the following items:

SITE PLAN
On a Scaled Site Plan prepared by a Connecticut Registered Architect, Landscape Architect, Civil Engineer, or Licensed Soil Scientist, show the following:
☒ Construction details for proposed SESC measures and storm water management facilities in accord with standard city details.
☐ Location and design details for all proposed SESC measures and storm water management facilities over the period of construction.

SOIL EROSION AND SEDIMENT CONTROL DATA
Print or type information in space provided, or Check ☒ appropriate box below if information is not filled in on this form.
☒ Shown on SITE PLAN, or
☐ Described in SEPARATE ATTACHMENT.

1. Describe proposed Soil Erosion & Sediment Control Measures.

________________________________________________________________________

2. Schedule of Grading and Construction activities. Include start and stop dates and duration of activity.

________________________________________________________________________

3. Describe the Sequence for Final Stabilization of the site.

________________________________________________________________________

4. Outline the Operations and Daily Maintenance Program.

________________________________________________________________________

5. Contingency Provisions. Describe your procedures if unforeseen erosion or sedimentation problems arise.

________________________________________________________________________

6. Individual Responsible for Monitoring SESC Control Measures
Name John Paul Garcia
Firm John Paul Garcia & Assoc.
Street Address 190 Fairwood Rd
City Bethany State CT ZIP 06529
Daytime Phone: 203-393-3306
☒ Business ☐ Home ☐ Answering Service
☐ Fax: ☒ Cell:
☒ E-Mail: jpl@jplgarcia.com
Nighttime/Emergency: __________________________

7. On Site Monitor of SESC Control Measure Installation and Maintenance
Name __________________________
Firm __________________________
Street Address __________________________
City __________________________ State __________ ZIP
License # __________________________
Daytime Phone: __________________________
☐ Business ☐ Home ☐ Answering Service
☐ Fax: ☐ Cell:
☐ E-Mail: __________________________
Nighttime/Emergency: __________________________
APPLICATION FOR DEVELOPMENT PERMIT: INLAND WETLANDS REVIEW

INLAND WETLANDS & WATERCOURSE DATA

For projects within 50 feet of an Inland Wetland or Watercourse provide a Scaled Site Plan at 1" = 20' or larger scale showing existing and proposed conditions (as described in SITE section) in relation to wetlands and watercourses. Delineation of regulated wetlands, watercourses and soil types by a CERTIFIED SOIL SCIENTIST is required, along with the information below:

1. Describe what activity/alteration is proposed within the wetland and/or watercourse.

   DRIVEWAY CROSSING, UTILITY CONNECTIONS

2. Wetlands/Watercourse area proposed to be permanently altered: ±35' or ±30' Linear Feet
   Wetlands: 0.025 acres Open Water Body: — acres Stream: — linear feet
   Area of Wetlands and/or Watercourses proposed to be restored, enhanced, or created: 0.023 acres

3. Describe existing and proposed activities within 50 feet of an Inland Wetland or Watercourse (the upland or buffer area):

   NO EXISTING ACTIVITIES PROPOSED ACTIVITIES INCLUDE CONSTRUCTION
   OF A SINGLE-FAMILY HOUSE DRIVE AND UTILITIES.

4. Upland Area proposed to be altered: 0.16 acres

5. List any Federal and/or State Permits issued or required and their status for work on this property.

   N/A

NAME OF CERTIFIED SOIL SCIENTIST (OR OTHER LICENSED PROFESSIONAL) PREPARING THIS APPLICATION SECTION

Name: John Paul Garcia
Firm: John Paul Garcia & Assoc.
Street Address: 190 Faterwood Rd
City: Bethany
License #: 14405
Daytime Phone: 203-393-3306
Business: X
Home: 
Answering Service: 
Fax: 
Cell: 
E-Mail: jpc@jpc99.com

INSTRUCTIONS FOR INLAND WETLANDS REVIEW

Fill out DATA, SUMMARY, NARRATIVE, SESC and SITE sections with this INLAND WETLANDS Section.

1. Consult the City of New Haven Inland Wetlands and Watercourses Regulations to prepare this supplement. They are available on line at cityofnewhaven.com or for purchase at the New Haven City Plan Department.
2. For Class B Applications the City Plan Commission may elect to schedule a Public Hearing.
3. For Class C Applications a Public Hearing is required.
4. APPLICANT is required to send NOTICE to abutters and property owners within 200 feet of the subject property for Class B and C Applications not less than 7 days prior to the City Plan meeting date and provide copy of notice and mailing list.
June 9, 2009

ATTN: Michael Chapman
1014 Saint Georges Road
Baltimore, MD 21210

Re: 141 Ogden Street, New Haven, CT
SS&ES Job No. 2009-95-CT-NHN-3

Dear Mr. Chapman:

In accordance with your request, Soil Science And Environmental Services, Inc. (SS&ES) conducted a site inspection on June 4, 2009. The purpose of the inspection was to verify whether Inland Wetlands are still present on the parcel. Thomas W. Pietras, SS&ES Soil Scientist, performed the investigation.

Previously, Kenneth C. Stevens, SS&ES Soil Scientist, inspected two adjoining parcels at 123 Edgehill Road and 141 Ogden Street on May 18, 2005. Mr. Stevens identified an intermittent pond on the westerly parcel, i.e. 123 Edge Hill Road and a wetland containing Raynham silt loam (Ra) on the easterly parcel, i.e. 141 Ogden Street. The limits of the intermittent pond and wetland soils were delineated with consecutively numbered, survey tapes (1 thru 12). A sketch map of flagged wetlands is shown in Figure 1. In Mr. Stevens Soil Report, he noted the following: "Storm drains in the streets and a drainpipe through the property have lowered the water table. The wetland no longer supports wetland vegetation. The vegetation within the wetland is presently lawn grasses and ornamental shrubs and plants. In the western end of the wetland there is a small garden pond."

Subsequent to Mr. Stevens' investigation, the property at 123 Edge Hill Road has been altered. The pond was re-located to the west and made into a larger water body. According to the letter from Edith Chapman to SS&ES, dated May 29, 2009, a drainage system was installed along the eastern edge of the property at 123 Edge Hill Road.
On 6/4/09 Mr. Pietras dug a dozen holes with a spade and auger throughout the area at 141 Ogden Street that had previously been identified by Mr. Stevens as Inland Wetland. The soils in the delineated wetland were found to contain between six to eighteen inches of very dark loamy fill overlying the original, extremely silty wetland soil. Just below the fill is a black, heavy silt loam buried topsoil containing reddish mottles. The buried topsoil was six to twelve inches in thickness. Below the buried topsoil is a grayish to very dull brownish-gray B horizon. Textures in the B horizon ranged from fine sandy loam to loamy sand and the B horizon contained red mottles and black manganese stains. At depths near 30 inches the underlying subsoil was found to consist of moderately dense, dull reddish brown loam. The soils in all twelve test holes were identified by Mr. Pietras as wetland soil and the wetland delineation previously conducted by Mr. Stevens was determined to be substantially correct.

Of the twelve test holes dug on 6/4/09 only one test hole had some soil saturation within 24 inches of the ground surface. Soil saturation was encountered in the test hole located at the far western portion of the delineated wetland at 141 Ogden Street. The test hole was dug just upslope of a metal cover plate that accesses a subsurface drainage pipe. The upper soil in this test hole was very moist and saturation was encountered at a depth of 12 inches. Vegetation growing in the area of the western test hole included jewelweed and mint. These two plants commonly grow on moist to wet soils. The remaining test holes contained moist to very moist soils, but no saturation. Vegetation found in the majority of the wetland consists of lawn grasses and scattered shrubs and trees. The lack of saturated soils and near complete absence of wetland vegetation on the wetland soil provide evidence that the soils have been drained and the water table has been lowered.

According to the State of Connecticut Inland Wetlands and Watercourses Act, Wetland means land, including submerged land, but not Tidal Wetland, which consists of any of the soil types designated as poorly drained, very poorly drained, alluvial and floodplain by the National Cooperative Soil Survey. Soils identification and wetlands mapping in Connecticut are conducted by digging test holes between 15 and 40 inches deep. Soils are examined in the field for organic content, coloration patterns in soil horizons, soil textures, depths to indicators
of high water table and presence of bedrock or other restrictive layers. Based on their features, the soils in the test holes are identified to soil types and series names utilizing the classification system established by the National Cooperative Soil Survey.

The soil type in the wetland at 141 Ogden Street consists of Raynham silt loam. The Raynham silt loam is a poorly drained soil. The fill overlying the Raynham silt loam is shallow, i.e. less than 20 inches thick, and it does not change the soil type. The soil classification system utilized by the National Cooperative Soil Survey acknowledges that soils subject to artificial drainage are not re-classified into a new soil type. Soil coloration patterns that develop in poorly drained soils, i.e. gray matrix and red and/or gray mottling, can persist for many years following artificial drainage. The presence of the wetland diagnostic coloration patterns in the soils at 141 Ogden Street still classify them as wetlands.

Although an area at 141 Ogden Street was identified as containing wetland soil, there is strong evidence that the wetland has been artificially drained. As a result of the drainage, the wetlands on the subject property provide very limited functional values that are typically associated with wetlands. Additionally, the functional value of the wetland at 141 Ogden Street is further diminished by its very small size, presence of shallow fill and isolated location within a densely developed, residential neighborhood.

Respectfully submitted,

SOIL SCIENCE AND ENVIRONMENTAL SERVICES, INC.

[Signature]

Thomas W. Pietras
Professional Wetland and Soil Scientist
Ogden St.

Sketch map of Inland wetlands and soil types field identified on June 15, 2006.

Thomas W. Petros

Thomas W. Petros, P.E., C.G.
R.E. Registered Professional Soil Scientist
WETLANDS/WATERCOURSES AND SOIL REPORT

To: Gateway Development
P.O. Box 3946
Woodbridge, CT 06525

$SE$E Job No: 2006-293-CT-WEN-1
Client Job No: ___________________

Site Inspection Date: June 15, 2006

PROJECT TITLE AND LOCATION: +/- 1/2 acre parcel located west of 123 Ogden Street, New Haven, CT

IDENTIFICATION OF WETLANDS AND WATERCOURSES RESOURCES

WETLANDS AND WATERCOURSES PRESENT ON PROPERTY: Yes XX No _______

Wetlands: Inland Wetlands XX Tidal Wetlands _______
Watercourses: Streams _______ Waterbodies _______

Remarks: The wetlands have been partially drained.

VEGETATION COMMUNITIES PRESENT IN WETLANDS

Forest _______ Sapling/Shrub XX Wet Meadow _______ Marsh _______ Field/Lawn XX

SOIL MOISTURE CONDITION

Dry _______ Moisit XX Wet _______

WINTER CONDITIONS

Frost Depth: _______ inches
Snow Depth: _______ inches

The classification system of the National Cooperative Soil Survey, USDA, Natural Resources Conservation Service and the State Soil Legend were used in this investigation. The investigation was conducted by the undersigned Registered Soil Scientist. A sketch map showing wetland boundaries and the numbering sequence of wetland markers, watercourses and soil types in both wetland and non-wetland are included with this report.

All wetland boundary lines established by the undersigned Registered Soil Scientist are subject to change until officially adopted by local, state or federal regulatory agencies.

Respectfully Submitted by

SOIL SCIENCE AND ENVIRONMENTAL SERVICES, INC.

Thomas W. Pietras
Registered Professional Soil Scientist
Wetland Scientist

See attached pages
SOIL SCIENCE AND ENVIRONMENTAL SERVICES, INC.
545 Highland Avenue * Route 10 * Cheshire * Connecticut * 06410 * (203) 272-7817
FAX (203) 272-6698

WETLANDS/WATERCOURSES AND SOIL REPORT

PROJECT TITLE AND LOCATION: +/- ½ acre parcel located west of Ogden Street, New Haven, CT

NUMBERING SEQUENCE OF WETLAND BOUNDARY LINE MARKERS:
1 THRU 6  7 THRU 10

SOILS SECTION:
Soil Legend: State Soil Number/County Soil Symbol, Soil Series Name, Taxonomic Class & Brief Description.

WETLAND SOILS:
12/Rb Ravanel silt loam (Aquic Endoaquepts) - This is a deep, poorly drained, friable, loamy textured soil developed over sandy and gravelly outwash. Outwash soils occur in valleys, outwash plains and terraces.

NON-WETLAND SOILS:
20/Eh Ellington silt loam (Aquic Dystrudepts) - This is a deep, moderately well drained, friable, reddish-colored, loamy soil developed over sandy and gravelly outwash derived from sandstone, shale and basalt. Outwash soils occur in valleys, outwash plains and terraces.

63/Cs Cheshire fine sandy loam (Typic Dystrudepts) - This is a deep, well drained, friable, reddish-colored, coarse-loamy textured, glacial till soil derived from sandstone, shale and basalt. Cheshire soils occur on glaciated plains, hills and ridges.

Notes: The wetlands on the property have historically been significantly altered as a result of the surrounding residential and urban development. The wetland soil has been partially drained. There was no saturation within the upper 6 to 12 inches of the wetland soil on the majority of the property. A very small, excavated pond lies on the neighboring property to the west. Drainage from the pond flows into a subsurface drainage pipe that begins near the property line. There is a six to ten inch layer of dark, loamy fill that overlies the original, extremely silty wetland topsoil. Vegetation growing in the wetland soil consists mainly of lawn and landscape plants that are common to better draining soils. Many of the plants are considered as invasive plants and include Japanese knotweed, Norway maple, English ivy, multiflora rose and ground ivy. In summation, the Inland Wetlands identified on the subject property are very small and isolated, contain a rare wetland soil type which developed under wetter conditions than currently exist on the property, support minimal wetland vegetation and provide very limited wetland functional value.
Sketch map of Inland Wetlands + Soil types field identified
on June 15, 2006

Thomas W. Vitoos
NEW HAVEN CITY PLAN COMMISSION INLAND WETLANDS REVIEW
RE: 141 OGDEN STREET, Inland Wetlands Application to construct a single-family residence in an RS-1 zone. (Owner: Edith Houghton Chapman; Agent: Stephen Studer, Esq.)

REPORT: 1489-01

INLAND WETLANDS FINDING: Approval with Conditions

CONDITIONS OF APPROVAL
1. Pursuant to State Statute, this Inland Wetland approval is valid for a period of five (5) years after the date of decision, to March 19, 2019. Upon petition of the applicant, the Commission may, at its discretion, grant extensions totaling no more than an additional five (5) years to complete all work connected to the original approval.
2. Signoff on final site plans by the Fire Department, City Engineer, Transportation Department and City Plan Department in that order shall be obtained prior to issuance of building permit or initiation of site work.
3. The applicant shall record on the City land records an original copy of this Inland Wetlands report (to be provided by the City Plan Department) and shall furnish written evidence that the document has been so recorded (showing volume and page number) to the City Plan Department, prior to City Plan signoff on final plans for a building permit or initiation of site work.
4. Any substantive modifications to the site plan including the building design and footprint or site grading and drainage will require City Plan Commission approval.
5. A site restoration bond in an amount of $5000 will be required as a provision of this permit. Bond, or other such financial instrument, shall be provided to the City Plan Department, with a copy to the City Engineer, prior to City Plan final sign-off on plans for building permit.
6. An individual who will monitor the Soil Erosion and Sediment Control Plan on a day-to-day basis shall be named, and such name and contact information shall be provided to the City Plan Department, prior to City Plan sign off on final plans for a building permit or initiation of site work.
7. Any activity within the public right-of-way will require separate permits.
8. Extreme care shall be taken in the protection and preservation of existing trees on the site.
9. Installation of the drainage system and overall site grading will be supervised and verified by a professional engineer (PE) hired and paid for by the Applicant. Verification will be comprised of a signed, certified letter sent to the Commission at the conclusion of construction stating that site grading and drainage were constructed in accordance with the approved plans and specifications.
10. The applicant will record the Declaration of Conservation Restriction (DCR) as attached to this application and as depicted on the submitted plans.
11. The creation of the wetland mitigation area (WMA) depicted on the submitted plans shall be supervised by either a professional wetland scientist (PWS), a certified professional soil scientist (CPSS) or a professional member of the Soil Scientist of Southern New England (SSSNE), hired and paid for by the Applicant. Qualifications to be reviewed by City staff for compliance. The scientist shall provide a report to the CPC within 30 days of completion of the work which either confirms the WMA was created in accordance with the DCR and approved plans or describes the actions necessary to comply with design intent. If reasonably possible, remedial action must be commenced within the subsequent 30 days, diligently pursued to completion, without interruption, as soon as reasonably possible and confirmed with a similar report. WMA shall be memorialized with permanent markers showing the physical extent of the WMA at the time of its creation. The creation of the WMA in
accordance with the DCR and approved plans must be completed prior to issuance of Certificate of Occupancy.

12. The professional scientist shall visit the site annually in springtime for a period of three years after the creation of the WMA. A report shall be provided to the CPC describing the condition of the WMA, including any action necessary to maintain the remediation area in accordance with the original design intent. If reasonably possible, any corrective action must be commenced within 30 days of the annual report and diligently pursued to completion, without interruption, as soon as reasonably possible.

13. As-built site plan (including verification of the boundaries of the WMA) 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 [.TIFF file based on the State Plane Coordinates (NAD1983)]. Note version of AutoCAD.

Previous CPC Actions:
CPC 1395-12: Inland Wetland application for single family house.
CPC 1449-06: Inland Wetland application to construct 1 family residence approved.
CPC 1480-04: Inland Wetland application to construct 1 family residence; application withdrawn.

Submission: INLAND WETLANDS Application Packet including DATA, WORKSHEET, SITE, SESC, and IW forms, including NARRATIVE. Application fee: $270 received
- Site Development Plan Sheet C-1 dated 6-17-10 (rvsd 2-25-14).
- Sheets C-2 and C-3 dated 6-17-10 (rvsd 10-7-13) and 9-16-13 received March 19, 2014.
- Stipulated Conditions of Approval (by Applicant, THESE ARE NOT CPC Conditions of Approval)
- Declaration of Conservation Restriction (revised received July 11, 2014)
- Forbearance Agreement

PROJECT SUMMARY:
Project: Construction of 5 BR Residential structure
Address: 141 Ogden Street
Site Size: 15, 770 SF (.36 acres) including 2979 SF (.07 acres) Inland Wetlands
Zone: RS-1
Financing: private
Project Cost: TBD
Parking: on-site, 4 spaces
Land Owner: Edith Houghton Chapman
Applicant: same
Agent: Anthony Avallone
Site Engineer: John Paul Garcia
Soil Scientist: Thomas Peitras
Phone: 904.874.1078
Phone: same
Phone: 203.882.4134
Phone: 203.393.3306
Phone: 203.272.7837
BACKGROUND

Site/Existing Conditions: The existing site is a vacant lot in a residential neighborhood. Existing wetlands cross the site north to south in a strip approximately 30 feet wide.

Proposed activity: Applicant proposes to sell the land to a prospective buyer. Applicant is seeking approval for the building of a proposed 2275 SF house with an attached garage.

SITE PLAN REVIEW

Soil Erosion and Sediment Control Plan: The application states approximately 475 CY of soil will be removed and 12% of the site will be regraded. John Paul Garcia is named as the individual responsible for monitoring the site to assure there is no soil or runoff entering City catch basins or the storm sewer system. Once a contractor is chosen, an individual will be named as the individual responsible for monitoring soil erosion and sediment control measures on a daily basis, and that name provided to the City Plan Department prior to signoff of final plans for permits. This individual will also be responsible for assuring there is no dust gravitation off site by controlling dust generated by vehicles and equipment during 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.

John Paul Garcia shall be responsible for determining the appropriate response, should unforeseen erosion or sedimentation problems arise. He 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, John Paul Garcia is responsible for notifying the City Engineer within twenty-four hours of any such situation with a plan for immediate corrective action.

Stormwater Plan/Drainage Report/Compliance with Section 60 Stormwater Management Plans: Applicant is not required to comply with Section 60 due to the residential nature of the development. However, due to negotiations with the adjacent neighbor, a number of stormwater management strategies are proposed.

A swale, berm and associated curtain drain is proposed to be installed along the entire length of the southern property line (the down-gradient side). The drain will tie in to the existing storm sewer located within Ogden Street. Roof leaders along the rear (northeast) side of the house and garage will be connected to the solid 8" pipe in the curtain drain. The roof leader at the left front (southwest) house corner will be connected to a level spreader and will provide recharge to the wetland area. The remainder of the roof will connect around the house corner to the collection pipe picking up the front corners of the garage and will tie into the curtain drain system. The catchment area for the existing and created wetland areas is generally the extent of those areas alone, except for the small addition of water volume from the roof.

Compliance with Section 60.1 (Exterior Lighting): not applicable

Compliance with Section 60.2 (Reflective Heat Impact from hardscape or paved surfaces): not applicable

Site Circulation/Parking: Vehicles will enter the site via a drive off Ogden Street and will park either in the drive or the proposed garage.
Landscape Plan: Wetland mitigation area will be seeded with a wetland seed mix. Otherwise, no landscaping is shown on the plans except for the protection of existing mature trees.

Project Timetable: Construction is expected to commence upon sale of the property.

INLAND WETLANDS REVIEW

Definition of Regulated activity - any operation within or use of a wetland or watercourse involving removal or deposition of material, or any obstruction, construction, alteration, or pollution of such wetlands or watercourses, and any earth moving, filling, construction, or clear-cutting of trees, or any such operation within fifty (50) feet of wetlands or watercourses.

Determination of Classification: The Commission has reviewed the options for classification, as stated in Sections 3, 4 and 5 of the Regulations, and has determined that the wetlands application qualifies as a Class B Application. The activity proposed will not have substantial adverse effect on the regulated area or any other part of the inland wetland and watercourses system. This application was received by the Inland Wetland Commission at its meeting on March 19, 2014.

Proposed Regulated Activity: Applicant proposes activity in both the flagged wetland area and within the 50’ wetland setback. Activities within the flagged wetland include the grading and layout of the new driveway and the installation of part of the new curtain drain/berm system (discussed above). Activities within the 50’ wetland setback include the establishment of a wetland mitigation area (1010 SF), the remainder of the driveway construction and the construction of the proposed house and garage. Total disturbance of the site includes 720 SF within the flagged wetland, and 6710 SF within the 50’ wetland setback (including establishment of the wetland mitigation area).

Soil Science Report: Soil Science and Environmental Services Inc. investigated the property for Inland Wetlands on September 25, 2009. Thomas Pietras, SS&ES Soil Scientist performed the investigation and identified poorly drained Inland Wetland soil in the central portion of the property. The report states that wetland soil has been partially drained due to the surrounding residential development.

The wetland on the property is a very small, relic wetland that formed prior to the residential development in the neighborhood. According to the report, the area now provides very low wetland functions.

Mitigation for wetlands intrusion:
As remediation for the crossing of utilities and a driveway through the eastern portion of the wetlands soils, the applicant has proposed a mitigation area on site. It is proposed that approximately 24” of existing non-wetlands soils be removed from a 1,010 SF area adjacent to the western property line which abuts the wetlands flagged area, and the soils replaced with 8” of relocated wetlands soils being excavated from the area where the utilities and driveway will be located. This area will be topped with a layer (4”) of topsoil and planted out with a wetland seed mix (“New England Wetmix”); the area may take on the characteristics of the adjacent wetlands soils, and mitigate any adverse effects the excavation and placement of utilities might conceivably cause. Additionally the area to the northwest of the proposed house will be regraded slightly to direct water to flow to the west of the house towards the mitigation area. A portion of the roof runoff will be directly via splash pad to this area as well.
Conclusion:
Although an area of 141 Ogden Street was identified as containing wetland soil, there is little evidence of the wetland today. The property at 123 Edgehill Road has taken advantage of the seeping water channeling it into a garden pond. Overflow from the pond goes into a yard drain on that property and flows out to the storm sewer in Ogden Street. While a minimal amount of water may flow to a manhole on this property, its outlet to the Ogden Street storm sewer has been plugged with concrete. As a result, the wetlands on the subject property provide minimal functional wetlands value. The value is further diminished by its small size, presence of shallow fill and isolated location within a densely developed residential neighborhood. It is a wetland which pre-existed the residential development uphill of the site between Reservoir Street and Edgehill Road, as well as downhill toward Whitney Avenue, including the site of the house at 123 Ogden Street. If the wetlands boundaries were extended to the east, one likely would find that 123 Ogden and the houses further to the east were constructed within the same wetland soils.

Once it becomes established, the wetland mitigation area could eventually develop the characteristics of wetlands soils and become a flagged wetland itself adding to the remaining wetlands soils on the site.

Application Evaluation Criteria: In reviewing a Class B or C Application, the Commission must consider the following environmental impact criteria in its evaluation, as stated in Sections 7.2 and 7.3 of the City's Inland Wetlands and Watercourses Regulations:

- The ability of the regulated area to continue to absorb, store or purify water or to prevent flooding.
- Increased erosion problems resulting from changes in grades, ground cover, or drainage features.
- The extent of additional siltation or leaching and its effect on water quality and aquatic life.
- Changes in the volume, temperature, or course of a waterway and their resulting effects on plant, animal and aquatic life.
- Natural, historic, or economic features that might be destroyed, rendered inaccessible or otherwise affected by the proposed activity.
- Changes in suitability of the area for recreational and aesthetic enjoyment.
- Existing encroachment lines, flood plain and stream belt zoning and requirements for dam construction.
- Any change in the water affecting aquatic organisms or other wildlife, water supply and quality, or recreational and aesthetic enjoyment.
- The existing and desired quality and use of the water in and near the affected area.
- Reports from other City agencies and commissions not limited to the Environmental Advisory Council, Building Official, and City Engineer.
- The importance of the regulated area as a potential surface or ground water supply, a recharge area or purifier or surface or ground waters, a part of the natural drainage system for the watershed, a natural wildlife feeding or breeding area, its existing and potential use for recreational purposes, existence of rare or unusual concentrations of botanical species, availability of other open spaces in the surrounding area, or its value for flood control.

The Commission must consider the following additional criteria:
- Any evidence and testimony presented at a public hearing, should one be held.
- Alternatives which might enhance environmental quality or have a less detrimental effect, without increasing basic project costs.
- Short versus long term impacts.
- Potential loss of irrevocable resources or property impairment.
- Suitability of action for area.
- Mitigation measures which may be imposed as conditions.
Required Findings for a Class B Application:

The Commission must make the following findings for a Class B Application:
1. There is no preferable location on the subject parcel or no other available location could reasonably be required;
2. No further technical improvements in the plan or safeguards for its implementation are possible, or taking into account the resources of the applicant, could reasonably be required; and
3. The activity and its conduct will result in little if any reduction of the natural capacity of the wetlands or watercourses to support desirable biological life, prevent flooding, supply water, facilitate drainage, and provide recreation and open space.

INLAND WETLAND FINDING

The Commission has reviewed the application in context with the evaluation criteria and Class B required findings and believes that there is no preferable location of the proposed activity on the site, nor are there further technical improvements required in the plans. The applicant has made numerous technical changes to the site plan which have improved drainage, facilitated water absorption, and which may actually increase the size of the inland wetlands on site. Construction of a residential structure in the location where it is proposed on the lot will not interfere with the wetlands soils on the site. The addition of a curtain drain along the east property line should assist in reducing seepage of water through the site and runoff from the additional roof and impervious surface area should be fully captured by the proposed drainage system and remediation area. The wetlands restoration plan of creating a slight depression adjacent to the west property line and adding wetlands soil and seed mix may create additional storage area for overland runoff. The project should result in little if any reduction in the natural capacity of the wetland, such as it is, to support desirable biological life, prevent flooding, supply water, facilitate drainage, and provide recreation and open space.

The Commission believes that the required findings for a Class B application have been satisfied. The Inland Wetland application is hereby approved, in accord with the submitted plans and the Conditions as stated on page 1.

Conditions of approval have been added at the applicant’s request; however the Commission will not be responsible for any other agreements between the applicant and other parties.

The City Plan Commission approves the submitted Site Plans for Inland Wetlands review subject to these standards and to the standard conditions on Page 1.

ADOPTED: March 19, 2014
Edward Mattison
Chair

ATTEST: Karyn M. Gilvarg, AIA
Executive Director
DECLARATION OF CONSERVATION RESTRICTION

THIS DECLARATION OF CONSERVATION RESTRICTION is made the ____ day of __________, 2014, by Edith Houghton Chapman of 1014 W. Saint George’s Road, in the City of Baltimore, State of Maryland (“Owner”).

WITNESSETH:

WHEREAS, Owner owns certain unimproved real property situated in the city of New Haven located at 141 Ogden Street (the “Subject Property”); and

WHEREAS, Owner has applied to the New Haven City Plan Commission in its capacity as the inland wetlands and watercourses agency of the City of New Haven (“CPC”) for a permit to conduct a regulated activity in connection with development of a single family house on the Subject Property; and

WHEREAS, storm water drainage from the adjoining area and from the Subject Property moves in the direction of the adjacent property located at 123 Ogden Street which is down-gradient; and

WHEREAS, Owner, for herself and for her successors and assigns, agrees to create approximately 1,010 square feet of new inland wetlands on the Subject Property as mitigation, which area is shown as “proposed wetlands mitigation area (1010 SF)” on the “Site Development Plan 141 Ogden Street, New Haven, Connecticut” Drawing No. C-1 dated 6-17-10, last revised 2-25-14, prepared by JPGA, Bethany, CT (the “Map”) to be filed in the Office of the New Haven Town Clerk; and

WHEREAS, Owner, for herself and for her successors and assigns, agrees to place a conservation restriction over the proposed wetlands mitigation area (“WMA”) and a portion of the existing inland wetlands on the Subject Property (the “Easement Area”) as more particularly bounded and described in the table on the Map labeled “Wetland Easement” and in Schedule A attached hereto and made a part hereof.

WHEREAS, those portions of the Subject Premises which are outside of the Easement Area as depicted and described on the Map are not subject to the provisions of this Declaration of Conservation Restriction but remain subject to applicable law and regulation; and
WHEREAS, the creation of the WMA, the execution and recording of the Declaration of Conservation Restriction and the placement of markers by a licensed land surveyor to indicate the physical extent of the Easement Area on the Subject Property shall be conditions of approval for Owner's 2014 Application to Conduct a Regulated Activity and Site Plan Review for the construction of a single family house; and

WHEREAS, it is Owner’s intention that enforcement authority for this Declaration of Conservation Restriction shall vest in the CPC.

NOW, THEREFORE, for and in consideration of the foregoing premises and of the covenants, terms, conditions and restrictions herein contained, Owner does hereby declare a perpetual conservation restriction over the Easement Area as more particularly described by metes and bounds on the Map.

1. **Purpose.** The purpose of this Declaration of Conservation Restriction is to ensure that the Easement Area remains unimproved and to prevent the use or development of the Easement Area in a manner that is inconsistent with any Regulated Activity Approval from the New Haven City Plan Commission, a copy of which is attached hereto as Schedule B (the “Approval”).

2. **Prohibited Uses.** Provided nothing herein shall interfere with the reasonable exercise of the rights reserved in Paragraph 3, below, Owner, for herself and her successors and assigns, agrees to:

   a) refrain from excavating, filling or otherwise altering the topography of the Easement Area and from the dumping of any debris, trash, ash or other waste or discarded materials in the Easement Area; and

   b) refrain from placing or erecting any permanent buildings, structures or improvements on, under or within the Easement Area including, without limitation, paving and;

   c) refrain from the removal or disturbance of any boundary markers identifying the Easement Area; and

   d) refrain from the removal or destruction of trees, shrubs and other vegetation within the Easement Area; and

   e) refrain from the placement or use of any motor vehicle within the Easement Area.
3. **Owner's Reserved Rights.** Subject to the provisions of applicable law, the Owner, for herself and her successors and assigns, reserves the right to use the Easement Area for normal household recreational and leisure purposes, including, without limitation, the following:

a) the right to conduct any activity required to comply with the Approval, including, without limitation, the right (i) to construct the WMA and to thereafter maintain it in a safe and attractive condition, and (ii) to construct, repair, maintain and reconstruct utility connections and storm water facilities as shown on the Map; and

b) the right to maintain, repair and replace the existing improvements (both on and below the surface) within the Easement Area as shown on the Map; and

c) the right to plant trees, bushes, shrubs and other indigenous vegetation appropriate for the inland wetlands on the Subject Property, and to maintain same in a safe and attractive condition, including activity reasonably designed and intended to avoid, control or eliminate hazards to health or safety, including, without limitation, removal of invasive species and of all or portions of dead or diseased trees, bushes or other vegetation; and

d) all rights accruing from the ownership of the Premises which are not inconsistent with, and which do not harm, the purposes of this Declaration of Conservation Restriction, including, without limitation, the right to convey fee simple interest in and to the Subject Property.

e) the right to periodically mow all or portions of the Easement Area but only if (i) a written plan or set of instructions prepared by Grantor’s professional wetland scientist (PWS), certified professional soil scientist (CPSS) or professional member of the Soil Scientists of Southern New England (SSSNE) permits mowing; (ii) a copy of such plan or set of instructions (together with any updates) has been delivered to CPC; and (iii) such mowing is done in substantial accordance with the provisions of any such plan or set of instructions.
4. **Enforcement Rights.**

   (a) To accomplish the purposes of this Declaration of Conservation Restriction, the CPC shall have the right to:

   i. enter the Subject Property at all reasonable times to inspect the Easement Area to determine if Owner (or her successors and assigns) is complying with the covenants and purposes of this Declaration of Conservation Restriction and for enforcing the terms of this instrument;

   ii. the right to prevent any activity on or use of the Easement Area that is inconsistent with the provisions of this Declaration of Conservation Restriction or of the Approval and to require the restoration of such area or features of the Easement Area that may be damaged or altered by any prohibited activity or use of Owner, her successors and assigns.

   (b) For the purpose of implementing the provisions of Paragraph 4(a)(ii), above, such restoration may include (i) replanting with trees, shrubs, or other vegetation acceptable to the CPC; (ii) removal of debris, trash, ash, or other waste or discarded materials placed within the Easement Area; (iii) removal of buildings, and other structures placed within the Easement Area, (iv) emplacement and maintenance of erosion and sediment controls, as required; and (v) replacement by a land surveyor of boundary identification markers.

5. **Enforcement Remedies.** In the event the CPC becomes aware of a violation of the terms of this Declaration of Conservation Restriction by Owner, or her successors and assigns, the CPC shall give notice of such violation via certified mail, return receipt requested to the Owner or to the then owner of the Premises, and request corrective action sufficient to abate such violation and restore the Easement Area to its previous condition. Failure by the Owner or the then owner of the Premises to take appropriate corrective action within thirty (30) days after receipt of such notice shall entitle the CPC to petition a court of competent jurisdiction to enforce the terms of this Declaration of Conservation Restriction; including, without limitation, issuance of temporary or permanent injunctive relief. If such court determines that Owner or the then owner of the Premises has failed to comply with this Declaration of Conservation Restriction, such court may order such person to reimburse the CPC for any reasonable costs of enforcement,
including court costs and reasonable attorney’s fees, in addition to any other payments ordered by such court. The City may place a lien against the Premises to secure any such payments.

6. **Parties Subject to Easement.** The covenants agreed to and the terms, conditions and restrictions imposed by this Declaration of Conservation Restriction shall be permanent and shall run with the land in perpetuity and shall be binding upon and inure to the benefit of both the CPC and its agents, successors and assigns and the Owner and her successors and assigns. The parties acknowledge that the Owner intends to convey the Subject Property to a subsequent owner who shall be bound by and be subject to the provisions of this conservation restriction, and that the Owner, after having conveyed all her right, title and interest in and to the Subject Property to such subsequent owner, shall no longer have any obligations or liability hereunder. All covenants contained herein shall run with the land and bind the owners of the Subject Property and inure to the benefit of the CPC, its successors and assigns.

7. **Subsequent Transfers.** Owner, for herself and her successors and assigns, agrees to refer to this Declaration of Conservation Restriction in any subsequent deed or other legal instrument by which she or they divest her or their interest in and to the Subject Premises.

8. **Modification.** The provisions of this Declaration of Conservation Restriction may only be modified, amended or released upon the formal written agreement of (i) the City, and (ii) the then record owner of the Subject Property, which formal agreement shall be recorded on the New Haven Land Records. The parties agree that written notice of any proposed modification, amendment or release of this instrument shall be given to the then owner of 123 Ogden Street, New Haven, CT at least 45 days prior to such proposed action. The owner of 123 Ogden Street shall have an opportunity to be heard by the CPC regarding whether or not and why the CPC should, or should not, agree to any such proposed modification, amendment or release.

9. **Title.** Owner represents (i) that she is the sole owner of the Subject Property in fee simple and has the right to declare this conservation restriction and to enter into this instrument, and (ii) that the Subject Property is free and clear of all liens and encumbrances, except as otherwise set forth on Exhibit B attached hereto, including, but not limited to, any mortgages not subordinated to the Conservation Restriction.
OWNER ACKNOWLEDGES HAVING READ AND UNDERSTOOD ALL OF THE TERMS AND CONDITIONS CONTAINED IN THIS DECLARATION OF CONSERVATION RESTRICTION AND FURTHER UNDERSTANDS THAT THE CPC WILL VIGOROUSLY ENFORCE THE CONDITIONS ESTABLISHED HEREIN.

IN WITNESS WHEREOF, the Owner has hereunto set her hand and seal the day and year first mentioned above.

Signed, Sealed and Delivered
In the Presence of: OWNER

________________________________________

Edith Houghton Chapman
Hydrograph Report

Hydraflow Hydrographs by InteliSolve v9.2

Hyd. No. 1

TRIB_1

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hydrograph type</td>
<td>SCS Runoff</td>
</tr>
<tr>
<td>Storm frequency</td>
<td>100 yrs</td>
</tr>
<tr>
<td>Time interval</td>
<td>3 min</td>
</tr>
<tr>
<td>Drainage area</td>
<td>0.290 ac</td>
</tr>
<tr>
<td>Basin Slope</td>
<td>0.0 %</td>
</tr>
<tr>
<td>Tc method</td>
<td>USER</td>
</tr>
<tr>
<td>Total precip.</td>
<td>5.00 in</td>
</tr>
<tr>
<td>Storm duration</td>
<td>6.00 hrs</td>
</tr>
<tr>
<td>Peak discharge</td>
<td>0.415 cfs</td>
</tr>
<tr>
<td>Time to peak</td>
<td>147 min</td>
</tr>
<tr>
<td>Hyd. volume</td>
<td>1,779 cuft</td>
</tr>
<tr>
<td>Curve number</td>
<td>67*</td>
</tr>
<tr>
<td>Hydraulic length</td>
<td>0 ft</td>
</tr>
<tr>
<td>Time of conc. (Tc)</td>
<td>5.00 min</td>
</tr>
<tr>
<td>Distribution</td>
<td>SCS 6-Hr</td>
</tr>
<tr>
<td>Shape factor</td>
<td>484</td>
</tr>
</tbody>
</table>

* Composite (Area/CN) = [(0.050 x 98) + (0.240 x 61)] / 0.290

---

**TRIB_1**

Hyd. No. 1 - 100 Year

![Hydrograph Chart](image)
Sewer Design
Curtain Drain (Site Including Driveway)

Flow Rate (CFS): 0.42 (100 year storm)
Pipe Diameter (in): 6.00
Manning's n: 0.009
Length (ft): 100.00
Slope (ft/ft): 0.0050
Travel Time (min): 0.52
Flow Depth (in): 3.81
Velocity (fps): 3.20
Hydrograph Report

Hydraflow Hydrographs by IntelliSolve v9.2

Hyd. No. 2 (House & Garage only)

TRIB_2

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hydrograph type</td>
<td>SCS Runoff</td>
</tr>
<tr>
<td>Storm frequency</td>
<td>100 yrs</td>
</tr>
<tr>
<td>Time interval</td>
<td>3 min</td>
</tr>
<tr>
<td>Drainage area</td>
<td>0.043 ac</td>
</tr>
<tr>
<td>Basin Slope</td>
<td>0.0 %</td>
</tr>
<tr>
<td>Tc method</td>
<td>USER</td>
</tr>
<tr>
<td>Total precip.</td>
<td>5.00 in</td>
</tr>
<tr>
<td>Storm duration</td>
<td>6.00 hrs</td>
</tr>
<tr>
<td>Peak discharge</td>
<td>0.156 cfs</td>
</tr>
<tr>
<td>Time to peak</td>
<td>144 min</td>
</tr>
<tr>
<td>Hyd. volume</td>
<td>697 cuft</td>
</tr>
<tr>
<td>Curve number</td>
<td>98</td>
</tr>
<tr>
<td>Hydraulic length</td>
<td>0 ft</td>
</tr>
<tr>
<td>Time of conc. (Tc)</td>
<td>5.00 min</td>
</tr>
<tr>
<td>Distribution</td>
<td>SCS 6-Hr</td>
</tr>
<tr>
<td>Shape factor</td>
<td>484</td>
</tr>
</tbody>
</table>

![Graph of TRIB_2 Hydrograph for Hyd. No. 2]
Sewer Design
Roof Leaders (House and Garage) and Footing Drains

Flow Rate (CFS): 0.16 (100 year storm)
Pipe Diameter (in): 6.00
Manning's n: 0.009
Length (ft): 100.00
Slope (ft/ft): 0.0050
Travel Time (min): 0.66
Flow Depth (in): 2.16
Velocity (fps): 2.51
Tributary Drainage Area
1" = 30'

N/F
Martha O. Alexander

Trib_1
0.33 Acres

Ogden Street

Existing 16" RCP Storm Sewer
SCHPERO MARK J & LYNNE J  
193 EAST ROCK RD  
NEW HAVEN, CT 06511

ADELSON KERIN B & GRODBE...  
77 EDGEHILL RD  
NEW HAVEN, CT 06511

TIERNAN CHE  
433 DERBY AVE  
ORANGE, CT 06477

FFRENCH JOHN P & PASSERI I...  
80 CLIFF ST  
NEW HAVEN, CT 06511

MUSTO JEANNE B  
120 OGDEN ST  
NEW HAVEN, CT 06511

BERRY STEVEN T & PINZKA LA...  
50 CLIFF ST  
NEW HAVEN, CT 06511

DELVECCHIO CHARLES & MER...  
181 EAST ROCK RD  
NEW HAVEN, CT 06511

MEARES TRACEY L  
107 OGDEN ST  
NEW HAVEN, CT 06511

ALEXANDER MARTHA O  
123 EDGEHILL RD  
NEW HAVEN, CT 06511

PARRILLO NICHOLAS R & CHO...  
104 OGDEN ST  
NEW HAVEN, CT 06511

ADELSON KERIN B & GRODBE...  
77 EDGEHILL RD  
NEW HAVEN, CT 06511

CECCHINI VANNESA MARTINEZ...  
70 CLIFF ST  
NEW HAVEN, CT 06511

FFRENCH JOHN P & PASSERI I...  
80 CLIFF ST  
NEW HAVEN, CT 06511

SALOVEY PETER & MORET MA...  
43 HILLHOUSE AVE  
NEW HAVEN, CT 06511

DENNETT NANCY & NEGARO C...  
189 EAST ROCK RD  
NEW HAVEN, CT 06511

PARKER NICHOLAS & SOCCI A...  
90 OGDEN ST  
NEW HAVEN, CT 06511

KOH HAROLD H & FISHER MAR...  
87 OGDEN STREET  
NEW HAVEN, CT 06511

GERKEN HEATHER & SIMON D...  
131 EDGEHILL RD  
NEW HAVEN, CT 06511

PARRILLO NICHOLAS R & CHO...  
104 OGDEN ST  
NEW HAVEN, CT 06511
141 OGDEN ST.
NEW HAVEN, CT
PERMIT SET - JANUARY 05, 2022

GROSS LIVING AREA:
BASEMENT FLOOR: UNFINISHED
FIRST FLOOR: 1,775 SF
SECOND FLOOR: 1,775 SF

NOTE: GROSS AREA IS MEASURED FROM OUTSIDE FACE OF EXTERIOR WALL.
BUILDING ELEVATIONS - RIGHT & LEFT SIDE