

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: 142 RIVER STREET, Authorization for Access, Restricted Area and Footings Agreement on property of the City of New Haven at 142 River Street with the Sophie Group, LLC for construction of a new facility at 100 River Street in the River Street Municipal Development Project Area (Economic Development Administrator).

REPORT: 1453-06

ADVICE: Approval

BACKGROUND

Before the Board of Aldermen is an Agreement between the City and the Sophie Group to facilitate construction of a new headquarters for Colony Hardware Supply Company, Inc. at 100 River Street. The City has previously entered into a Ground Lease and Land Disposition Agreement in 2008 with Sophie to lease the property on River Street east of Lloyd Street with an obligation to purchase (CPC 1415/08, 4/23/08) and the City Plan Commission approved Site Plans (CPC 1417-10, 6/18/08) for the new headquarters. As the building plans were further developed, it was determined that the footings for the western wall of the structure at 100 River Street needed to extend beyond the west property line onto the site of 142 River Street, a parcel also owned by the City. In addition, the State fire code requires that a 65 foot restricted access area must be maintained around the building.

While it intends to purchase 142 River Street, Sophie has not initiated the process and in order to spur on the development of 100 River Street, the City has initiated the Agreement as the best avenue to address the code issues.

PLANNING CONSIDERATIONS

Under the Agreement, the City grants a permanent right to Sophie for excavation, construction, installation, placement, support, maintenance, and placement of geo-piers/building footings on, under and across 142 River Street. The City in turn reserves the right to continue to use the footings area for any use and purposes while not interfering with the area improvements. The City agrees not to construct a building within the footings area or carry on any operations that will endanger the area. The area is to remain unimproved except for any environmental remediation measures the City may need to carry out. Sophie agrees to develop a controlled Materials Management Plan for the area, and must maintain a general liability insurance policy with an aggregate limit of not less than \$2 million.

ADVICE

The Commission believes the Agreement protects the best interests of the City and recommends approval.

ADOPTED: June 15, 2011
Roy Smith, Jr.
Vice Chair

ATTEST: 
Karyn M. Gilvarg, AIA
Executive Director