

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: 1 LINCOLN STREET, Permanent Utility Easement and Construction Easements for Renovation of Little Theatre (McCarter & English, LLP in behalf of Area Cooperative Educational Services).

REPORT: 1434-07

ADVICE: Approval as noted

BACKGROUND

Area Cooperative Educational Services (ACES) has petitioned the Board of Aldermen for an easement agreement to allow utilities to be installed under City-owned property adjacent to 1 Lincoln Street, the historic Little Theatre. ACES is proposing a major renovation of the building including upgrading of utilities. Specifically ACES requests an easement for Connecticut Natural Gas and United Illuminating Company to install underground gas and electrical distribution facilities beneath Lincoln Way, a City-owned walkway constructed as part of the Arts Center Planned Development District. Lincoln Way runs from the south end of Lincoln Street and connects with Audubon Street. Further, ACES seeks an easement to install, maintain, repair or replace footings below ground level within Lincoln Way. Finally, they seek a non-exclusive easement for storage of construction materials and equipment, the use of construction equipment and the erection of construction devices on Lincoln Way and in Lincoln Street, but not to interfere with through pedestrian access from Audubon Street to Lincoln Street.

PLANNING CONSIDERATIONS

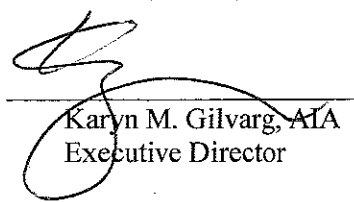
The Little Theatre is located at the south end of Lincoln Street on what is known as State Street Parcel A-2-B, a tight site not much larger than the footprint of the building and therefore easements are required from public and private entities to perform the work. The gas line will be installed from the rear of the Theatre building, coming westward into Lincoln Way approximately midway between Audubon and Lincoln Streets, turn south and run to Audubon Street along Audubon Court Condominiums. The electrical conduit will exit the building further north and will follow the same path southward and connect with an existing electrical bank adjacent to Audubon Court Condominiums, on the east side of Lincoln Way to the east. The 7-9' wide construction easement for building footings follows the building line and will be delineated with a construction fence. The temporary construction easement encompasses the entirety of Lincoln Way. Private footing and access easements are being sought with the owners of 388, 396 and 400 Orange Street.

The work within the easement areas must be performed to the satisfaction of the City Engineer, Fire Marshall, Director of Public Works and Director of Transportation, Traffic and Parking. ACES shall furnish the City with a satisfactory public liability insurance policy specifically protecting the City against loss, cost and damages in an aggregate amount of \$5,000,000. The policy shall be held by the City Clerk prior to initiation of any work within the easement areas. The brick walkway with concrete panels on Lincoln Way must be restored to better than existing condition, as shown on approved Detailed Plans. If the utility companies must access their underground lines in the future, they will be held to the same standard of restoration.

ADVICE

The Commission recommends approval of the easements with the concurrence of the City's Corporation Counsel.

ADOPTED: November 18, 2009
Edward Mattison
Chair

ATTEST: 
Karyn M. Gilvarg, AIA
Executive Director