

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: ORDER OF THE BOARD OF ALDERS OF THE CITY OF NEW HAVEN TO ACCEPT FOR PERPETUAL MAINTENANCE THE STREETS, SIDEWALKS, DRAINAGE, STREET LIGHTING, AND TRAFFIC SIGNS ON AUGUSTINE STREET, BOSLEY STREET, JENNINGS WAY AND MILLER’S MEWS CONSTRUCTED UNDER THE RIBICOFF DEVELOPMENT PROJECT PER SECTION 27-154(b) OF THE NEW HAVEN CODE OF ORDINANCES
(Submitted by: Giovanni Zinn, City Engineer)

REPORT: 1608-12

ADVICE: Approve.

BACKGROUND

The New Haven Housing Authority received site plan approval from the City Plan Commission in 2015 (Report #1494-04). As part of the site plan approval, the applicant was required to construct streets in accordance with City standards. The intent was for the applicant to construct the road/street and the City would maintain the road/street upon completion of construction. This in accordance with Title I, Article IV, Section 5(A) of the Code of Ordinances which states, **“The Board of Alders shall have sole authority over all streets and highways, including sole authority to lay out, make or order new highways and streets, [accept road/street dedication] and to discontinue the same.”**

Currently, the Augustine Street, Bosley Street, Jennings Way and Miller’s Mews have been completed. Consequently, these streets are currently “unaccepted”.¹ Title III, Article VI, Chapter 27, Article IV, Section 17-153 of the Code of Ordinances states, **“All unaccepted streets will be accepted by the board of aldermen [alders] only as provided herein.”**

Title III, Article VI, Chapter 27, Article IV, Section 27-101 of the Code of Ordinances states, **“No street or street extension shall be accepted by the city unless said design of such street conforms to the city engineering standards, or to the satisfaction of the city engineer, and until the following minimum specifications concerning road construction, curbing and drainage are complied with to the satisfaction of the city engineer or his/her duly authorized representative(s). All work shall be under the supervision of the city engineer or his/her duly authorized representative(s):**

(1) City standards shall be published by the city engineer;

¹ Unaccepted street – In accordance Title III, Article VI, Chapter 27, Article IV, Section 27-151 of the Code of Ordinances, **“For the purposes of this chapter, an "unaccepted street" is a street, (right-of-way), that has been identified for public use where no or only partial improvements have been made, and where the city has not formally accepted the perpetual maintenance of the same.”**

- (2) Where city standards do not cover items of technical detail, state Department of Transportation, (DOT), standard specifications for road bridges and incidental construction shall apply;
- (3) All utilities, storm sewers, sanitary sewers and services intended to support such road improvements shall be approved by the respective utility or authority. Final approval of the location of such utilities shall be to the satisfaction of the city engineer;
- (4) A bond satisfactory to the city engineer and the corporation counsel to be furnished by the owner of said property for the faithful performance of the work in accordance with the specifications as outlined above; and
- (5) Monuments shall be set at street corners and other control points designated by the city engineer.”

“Upon completion of all public improvements [roads/streets] in accordance with the approved site plan, the city engineer shall petition the board of aldermen to accept the street for perpetual maintenance.” (Title III, Article VI, Chapter 27, Article IV, Section 27-154 of the Code of Ordinance). The applicant meets all the requirements listed in Title III, Article VI, Chapter 27, Article IV, Section 27-101 of the Code of Ordinances (previously mention). Accordingly, the City Engineer is petitioning the Board of Alders to accept the streets for perpetual maintenance.

PLANNING CONSIDERATIONS

In accordance with Title I, Article XIII, Section 2(A) of the New Haven Code of Ordinances states, **“Every Ordinance or Resolution of the Board of Alders relating to the location and use of any street, bridge, boulevard, esplanade, square, park, playground, playfield, aviation field, parking space, public building, [road/street dedication²], the facilities or terminals of any public utility, or the establishment or change in the boundaries of or regulations concerning zoning, shall be at once referred to the City Planning Commission and final action shall not be taken on any such Ordinance or Resolution until the commission shall have reported thereon, provided that the Board of Alders may establish by ordinance a period of not less than sixty (60) Days within which the commission shall file its report with the City Clerk and if no report is filed within such period the approval of the commission shall be presumed.”** Accordingly, the Board of Alders seeks guidance regarding the proposed amendment.

The Board of Alder seeks guidance as to:

- Whether the proposal is aligned with the City’s Comprehensive Plan.
- The City’s Comprehensive Plan states, as a goal, to **“Encourage the design of transportation facilities [streets] in accordance with existing community characteristics and nearby land uses.”**

² Road/Street Dedication – **“A dedication transfers title to the dedicated area from the private landowner to the public domain.”** – Source: A Planner’s Dictionary

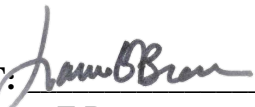
ADVICE

The proposal meets the requirements of Title III, Article VI, Chapter 27, Article IV, Section 27-101 of the Code of Ordinances as stated previously.

The proposal is aligned with the City's Comprehensive Plan for the following reasons:

- **“The design and placement of transportation facilities [transportation infrastructure] is an important factor in New Haven’s urban form.”** (The Comprehensive Plan of Development)
- **“Incorporation of urban street design standards should be among the highest transportation considerations.”** (The Comprehensive Plan of Development)

ADOPTED: May 18, 2022
Leslie Radcliffe
Chair

ATTEST: 

Laura E Brown
Executive Director, City Plan Department