

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: **ORDER OF THE BOARD OF ALDERS OF THE CITY OF NEW HAVEN**
approving the release of easements that encumber 18 Tower Lane and 1B Tower Lane.

Submitted by: The New Haven Jewish Community Council Housing Corporation

REPORT: 1678-08

ADVICE: Approve

BACKGROUND

The New Haven Jewish Community Council Housing Corporation requests from the Board of Alders approval of the release of easements that encumber their properties known as 18 Tower Lane and 1B Tower Lane. (the “Towers’ Properties”). This request is made in tandem with a recent zoning map amendment for the Towers’ Properties to change the existing Planned Development District 15 (PDD 15) to a BD-3 Zone.

Both this request for the release of easements and the related zoning map amendment are proposed to support the construction of a third residential tower on the Tower’s Properties that will be known as “Tower Three.” The proposed Tower Three will continue the model of the Towers’ existing properties (Tower One and Tower East) by providing independent living and assisted living services to elderly low- and moderate-income residents so that they may age in place within New Haven.

The request for release of three City-owned easements that encumber these properties is a necessary step in obtaining financing for the development of Tower Three as the release will establish clean title of the Towers’ Properties. The easements limit the extent of developable area for the project and maintain agreements with the City of New Haven on the use of these areas that were never realized or are no longer needed.

The easements were established through a Land Disposition Agreement, Quit Claim Deeds, and a Grant of Easement that resulted in three separate easements originally in service of the creation and access of open recreational space. The history of those easements is described below, following by a map depicting their current location:

Air Rights Easement (Blue Area)

March 13, 1969 – The City of New Haven, New Haven Redevelopment Agency (NHRA), and the New Haven Jewish Community Council Housing Corporation executed a Land Disposition Agreement for the reuse of land that was then known as “Parcel 1-A, Block K in the Church Street Redevelopment and Renewal Area” for the purposes of residential development. The land would later become known as 18 Tower Lane. The March 1969 Land Disposition Agreement was preceded by an authorization by the Board of Alders approving the execution of such agreement in October 1967 and a resolution by the NHRA for the same purpose in January 1969.

The Land Disposition Agreement and the Quit Claim Deed that was executed with it reserved an “easement for air rights.” This Air Rights Easement was established to provide the City of New Haven and the NHRA with the right to build a structure of usable open space at a height of 28.02 feet above sea level as well as the right to access the air rights easement area. Despite these intentions, the Air Rights Easement has never been utilized since the execution of the 1969 Land Disposition Agreement. Further, the City of New Haven and New Haven Redevelopment Agency have not presented plans to build a structure on this easement area.

Open Space and Recreation Easement (Green Area)

March 13, 1969 – As part of the March 1969 Land Disposition Agreement and Quit Claim Deed, an “easement for public open space and recreational use” was reserved southeast of the Air Rights Easement. This Open Space and Recreation Easement was established for the purposes of installing and maintaining plantings, site improvements, and physical additions for the purposes of perpetual open space and recreational use by the public. The easement explicitly stated that the recreational uses should not include a baseball diamond, basketball court, football field or soccer field.

July 21, 1972 – A Grant of Easement agreement was executed between the City of New Haven and the New Haven Jewish Community Council Housing Corporation to quit claim unto the City an easement that expanded the Open Space and Recreation Easement further to the north of the existing portion established in 1969.

May 31, 2001 – An Easement Modification Agreement was executed between the City of New Haven, the NHRA, and the New Haven Jewish Community Council Housing Corporation which obligated the release of the Open Space and Recreation Easement area to The Towers with reference to the playground and basketball court areas once the Church Street South Project was vacated.

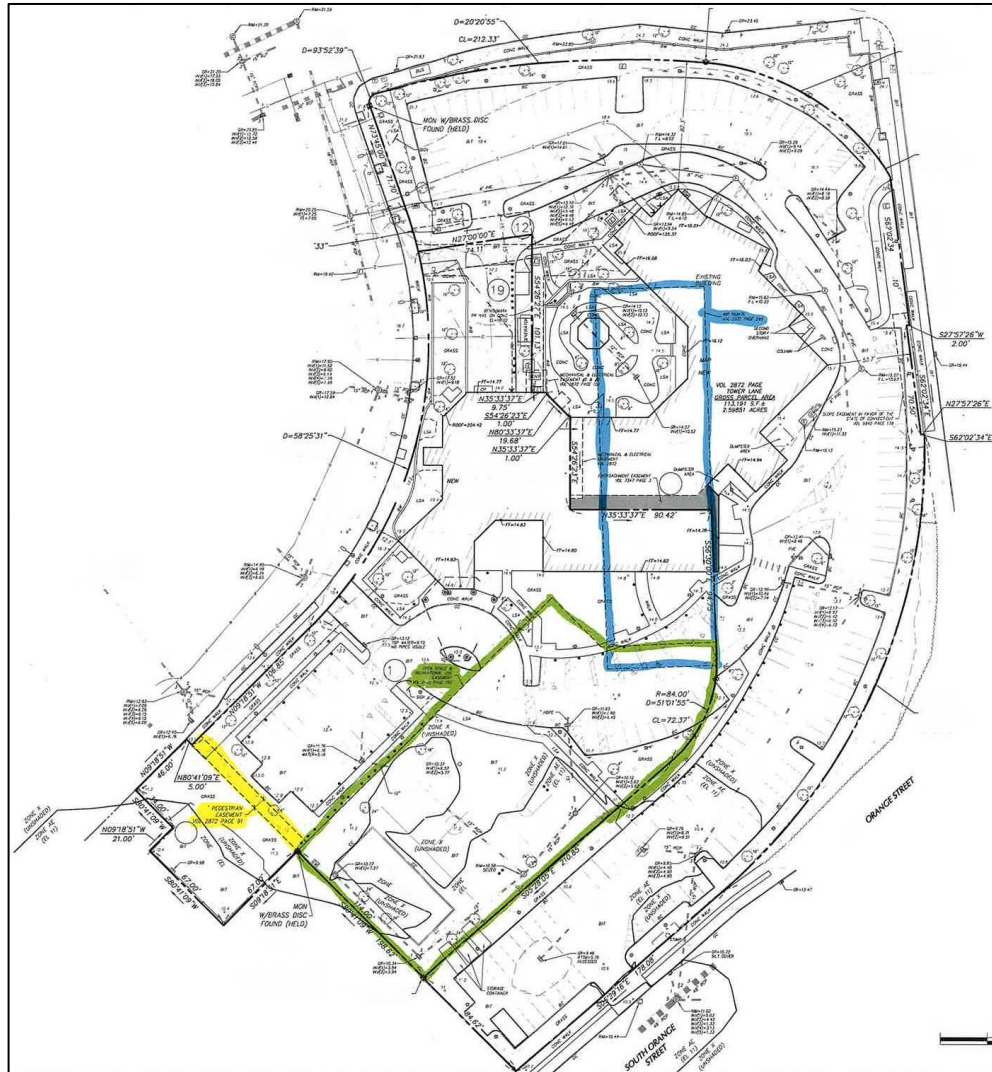
2020 – The City of New Haven released the basketball court portion of the Open Space and Recreation Easement area to the New Haven Jewish Community Council Housing Corporation because the Church Street South Project had been demolished and the court would no longer be needed for its intended use. However, this was a partial release of easement, so the applicant now requests a full release of the easement to attain clean title of the whole easement area.

Pedestrian Easement (Yellow Area)

September 29, 1980 – The City of New Haven quit claimed to the New Haven Jewish Federation Housing Corporation two pieces of land known as “Reuse Parcel K-2” and “Reuse Parcel K-6.” Part of this Quit Claim Deed was an “8-foot pedestrian easement” reserved for the City of New Haven meant to provide pedestrian access between Tower Lane and the basketball court located in the Open Space and Recreation Easement area. Due to the basketball court and larger Open Space and Recreation Easement area no longer being in use, this Pedestrian Easement is no longer needed.

These easements together constitute an encumbrance on the Towers’ Properties by way of preventing clean title of the property due to outdated land use provisions that are no longer of use to the City of New Haven and the NHRA.

Due to the Air Rights Easement and the Open Space and Recreation Easement established as part of agreements with the NHRA as a third party, the applicant is simultaneously pursuing a separate approval process for release of easements with the NHRA.



PLANNING CONSIDERATIONS

The proposed Tower Three residential project and the release of easements requested to support the project strongly align with the City of New Haven's Plan of Conservation and Development (Vision 2034 – adopted 2025).

NEW HAVEN COMPREHENSIVE PLAN: SUBMISSION MEETS REQUIREMENTS

The City of New Haven's Vision 2034 Comprehensive plan emphasizes the need for greater housing development city-wide. The proposed release of easements for the purpose of supporting the development of Tower Three aligns with several goals found in the Great Places to Live focus area, which are noted below.

New Haven Vision 2034, Goals addressed by this project include:

Great Places to Live

Goal 1: Increase the number of deeply affordable housing units.

Goal 2: Increase housing supply.

- **Strategy 2.6:** Support collaboration and partnerships between organizations that provide housing and neighborhood resources.

Goal 5: Support place-based programs, policies, and improvements that align with the unique assets and goals of each neighborhood and residents' quality of life.

Goal 7: Improve access to housing resources and support for tenants and current and prospective homeowners.

- **Strategy 7.6:** Encourage or prioritize projects that combine affordable housing with long-term care services, such as a Program for All-Inclusive Care for the Elderly (PACE) or state-assisted living programs to enable older residents to age in place while receiving coordinated care and services.

Additionally, the demolition of the Church Street South Project and the adjacent development planning activity for residential and mixed-use development at Union Station and the former Church Street South site indicate an increased priority of housing development on vacant and underutilized parcels of land.

Overall, the added capacity for senior assisted living allows more New Haven residents to age in place and in immediate proximity to much needed care, services, and social relationships. Staff find the proposed amendment to be consistent with the goals of the Vision 2034 comprehensive plan.

FINDINGS AND ADVICE

Release of these easements aligns with the goals of the City of New Haven's Comprehensive Plan (Vision 2034) and is recommended for **Approval**.

ADOPTED: February 25, 2026
Ernest Pagan
Chair

ATTEST: _____
Laura E Brown
Executive Director, City Plan Department