



Legislation Text

File #: LM-2024-0327, **Version:** 1

ORDER OF THE NEW HAVEN BOARD OF ALDERS GRANTING A TEMPORARY EASEMENT OF APPROXIMATELY 11,290 SQUARE FEET FOR CONSTRUCTION ACTIVITIES IN CONNECTION WITH THE ED/HVC PROJECT AND TEMPORARY AMBULANCE AREA OVER PROPERTY OWNED BY THE CITY OF NEW HAVEN AND COMMONLY KNOWN AS A PORTION OF THE SOUTHBOUND LANE OF ORCHARD STREET BETWEEN CHAPEL STREET AND GEORGE STREET AND ACCEPTING \$150,000 AS COMPENSATION.

WHEREAS, the Hospital is the owner of various properties comprised of the block generally bounded by Chapel Street, George Street, Sherman Avenue and Orchard Street, in the City of New Haven (collectively the “SRC Property”) and additional properties located along Orchard Street (collectively the “Orchard Street Property”); and

WHEREAS, the Hospital intends to renovate and expand the Emergency Department/Heart Vascular and Cardiac Center (“ED/HVC”) upon a portion of the SRC Property known as 1450 Chapel Street in order to increase available patient beds and improve patient care (the “ED/HVC Project”); and

WHEREAS, the existing emergency department located at the SRC Property (“Emergency Department”) will continue to operate during the preparation, construction, and completion of the ED/HVC Project; and

WHEREAS, in order to continue to receive and treat patients arriving to the Emergency Department via ambulance during construction of the ED/HVC Project, it will be necessary for the Hospital to construct a temporary ambulance waiting and triage area (“Temporary Ambulance Area”); and

WHEREAS, due to existing site constraints and applicable statutory and regulatory requirements for ambulance waiting and triage areas, it will be necessary for the Hospital to locate the Temporary Ambulance Area and related structures over, under, and across certain portions of Orchard Street; and

WHEREAS, the construction of the Temporary Ambulance Area, as well as the preparation of the site and the construction of the ED/HVC Project, will require the grant of certain temporary rights over, under and across portions of Orchard Street, including the right to the temporary closure of certain lanes of Orchard Street; and

WHEREAS, the Board of Alders of the City of New Haven on January 7, 2020, approved an Order of the New Haven Board of Alders authorizing the Mayor of the City of New Haven to execute two Grants of Licenses and Easements on behalf of the City of New Haven with Yale New Haven Hospital, Inc., with respect to two overhead pedestrian bridges over Orchard Street and to execute a Grant of Licenses and Easements on behalf of the City of New Haven and with Yale New Haven Hospital, Inc. with respect to Chapel Street, George Street, Sherman Avenue, and Orchard Street

(the “Order”); and

WHEREAS, pursuant to the “Grant of Licenses and Easements with respect to Chapel Street, George Street, Sherman Avenue, and Orchard Street,” as referenced in the Order, the City granted to the Hospital the right to close certain lanes of Orchard Street “in locations and for such periods as approved by the Director of Traffic and Parking, the Director of City Plan Commission, the Director of Public Works, the Building Inspector, and the Fire Marshal, as applicable;” and

WHEREAS, the Easement for the closure of Orchard Street in connection with the ED/HVC Project and Temporary Ambulance Area, as set forth in the “Grant of Easement By And Between The City Of New Haven and Yale-New Haven Hospital, Inc.,” attached hereto as Exhibit A, has been reviewed and approved by the Director of Traffic and Parking, the Director of City Plan Commission, the Director of Public Works, the Building Inspector, and the Fire Marshal; and

WHEREAS, the Hospital has offered compensation to the city for the requested Easement in the total amount of ONE-HUNDRED AND FIFTY THOUSAND DOLLARS (\$150,000), which will be paid in two (2) installments of SEVENTY-FIVE THOUSAND DOLLARS (\$75,000), the first installment being paid prior to the January 2025 easement Start Date, and the second installment to be paid on or about October 2025 (the “Compensation”); and

WHEREAS, the City desires to grant to the Hospital such temporary rights and easements as are reasonably required for construction of the ED/HVC Project and Temporary Ambulance Area in order to ensure the safe and efficient completion of the ED/HVC Project and accept the Compensation from the Hospital.

NOW, THEREFORE, BE IT ORDERED by the Board of Alders that the Easement is hereby approved in substantially the same form as Exhibit A and the Compensation is accepted.

BE IT FURTHER ORDERED that the Mayor of the City of New Haven is authorized to enter into and executed the “Grant of Easement by and between the City of New Haven and Yale-New Haven Hospital, Inc.” on behalf of the City, and to accept and receive the Compensation on behalf of the City; and the Mayor is further authorized to prepare, submit, and enter into and execute such other documents or instruments as may be necessary or expedient to carry out the purposes and intent of this Order.