

City of Derby
Board of Aldermen

Resolution concerning the Route 34 Design Project

WHEREAS, the Naugatuck Valley Council of Governments (the “NVCOG”), the Connecticut Department of Transportation (the “DOT”) and the City of Derby (the “City”) are working on designing improvements to Route 34, which roadway is also known as Main Street in the City, from the vicinity of Ausonio Drive to Bridge Street, a distance of approximately 3,300 feet (the “Project”).

WHEREAS, the Project is designated as State Project No. 0036-0184 and NVCOG is administering the design of the Project and has contracted with DeCarlo & Doll, Inc. to prepare the design plans and project specifications.

WHEREAS, in August 2011, following the completion of the preliminary design plans, a public hearing was held on the plans.

WHEREAS, the Federal Highway Administration (the “FHWA”) and the DOT reviewed the preliminary design plans and in October 2014, the FHWA authorized the final design of the plans.

WHEREAS, as the result of the passage of time, on December 4, 2014, a new public informational meeting was held to present the revisions to the preliminary design plans to the public.

WHEREAS, in 2016, the City completed a comprehensive planning process focused on the revitalization and redevelopment of the area south of Main Street, which included requests to modify the roadway plans.

WHEREAS, the semi-final and final design tasks have been on hold since November 2016. In order to restart the project design and advance the Project, NVCOG requires confirmation, by way of resolution of the City’s Board of Aldermen, that the City approves the eight (8) design elements and project conditions detailed in that certain memorandum dated November 28, 2017 from the NVCOG with a heading “Memorandum: Route 34 Design Project.”

NOW THEREFORE, BE IT RESOLVED that, the City, acting by and through its Board of Alderman, hereby approves the design elements and project conditions, and through this Resolution, binds the City in accordance with the terms contained herein.

BE IT FURTHER RESOLVED that the City covenants and agrees that it will construct a multi-use path within the redevelopment district south of Main Street, either as part of the redevelopment project, funded by the developer, or as a stand-alone project to cause direct connection with the Derby Greenway and extend to Factory Street.

BE IT FURTHER RESOLVED that the City covenants and agrees that it will work with The Home Depot to modify the permanent easement and restrictive covenant recorded in City land records, volume 2097, at page 719, to allow modification of the buffer area to include the new bicycle path and relocation of the monument to the northeast corner of Main Street and Ausonio Drive.

BE IT FURTHER RESOLVED that the City covenants and agrees that it will be responsible for maintaining the parking spaces, including snow removal, along the south-side of Main Street from about Elizabeth Street to Factory Street, following the completion of the Project.

BE IT FURTHER RESOLVED that the City covenants and agrees to modify the current traffic circulation on Elizabeth Street and Minerva Street to one-way circulation and agrees that these streets remain in the Project.

BE IT FURTHER RESOLVED that the City covenants and agrees to support the creation of a new National Historic District based on the historic survey completed by DeCarlo & Doll on buildings located on the north side of Main Street (the "Subject Area") and, providing that any change in designation of the Subject Area does not impair, limit or otherwise impact the redevelopment of the Subject Area, will file an application for creation of a new National Historic District.

BE IT FURTHER RESOLVED that the City understands and agrees that the design of the sanitary sewer improvements will be completed by the Route 34 project design engineer, and agrees and understands that to the extent that the cost of this design work is a non-participating expense, the expense will be the responsibility of the City. The City further agrees and understands that the cost of the construction of the sanitary sewer improvements will be incorporated into the road project but to the extent that such cost is not eligible for reimbursement from the federal aid project, it will be the sole responsibility of the City. The City covenants and agrees that it will provide a demand deposit, if required, to the State of Connecticut to meet any and all financial obligations for non-participating activities related to the sanitary sewer improvements.

BE IT FURTHER RESOLVED that the City supports and endorses the construction of a parking lot on the southeast corner of Main Street and Bridge Street to provide spaces for visitors to the businesses along Main Street between Elizabeth Street and Olivia Street / Bridge Street and covenants and agrees that it will be responsible for maintaining the lot, including snow removal, following the completion of the Project after ownership has been conveyed to the City.



November 28, 2017

MEMORANDUM: ROUTE 34 DESIGN PROJECT

The Naugatuck Valley Council of Governments (NVCOG), the Connecticut Department of Transportation (CTDOT) and the City of Derby are working on designing improvements to Route 34 (Main Street) in the city of Derby from the vicinity of Ausonio Drive to Bridge Street, a distance of about 3,300 feet. The NVCOG is administering the design of the project and has contracted with DeCarlo & Doll, Inc. to prepare the design plans and project specifications. It is designated as State Project No. 0036-0184.

Preliminary Design (PD) plans have been prepared and a Public Hearing was held on these plans in August, 2011. The Federal Highway Administration (FHWA) and CTDOT reviewed the PD plans and FHWA authorized Final Design (FD) in October 2014. Because of the time delay between the completion of the PD plans and authorization to proceed to FD, a new Public Information meeting to present revisions to the original PD plans was held on December 4, 2014. DeCarlo & Doll proceeded with Semi-Final design based on the PD plans. Several roadway elements were added to the project and included in the Semi-Final design phase. The City, in 2016, completed a comprehensive planning process focused on the revitalization and redevelopment of the area south of Main Street. The planning process consisted of a robust public engagement effort to build consensus on the preferred redevelopment approach for the area. From this planning effort, modifications to the roadway plans were requested and have been under evaluation.

The Semi-Final and Final Design tasks have been on hold since November 2016. To restart the project design, NVCOG requires confirmation on the following aspects of the project, and the City of Derby approves and conveys the following design elements and project conditions:

1. Relocate the Proposed Cycle-Track from the South Side of Main Street. The intent of the cycle-track was to provide a more direct connection to the Derby-Shelton rail station via the Route 34 corridor. The City endorses the relocation of the proposed cycle-track from the south side of Main Street through the redevelopment district located to south of Main Street on an alignment to be determined. By removing this section of the cycle-track from the project, the City covenants and agrees that it will construct a road-separated, multi-use path within the redevelopment district south of Main Street, either as part of the redevelopment project, funded by the developer, or a stand-alone project. The new facility will directly connect with the Derby Greenway and extend to Factory Street.

2. Construct a Road Separate Bicycle Path within the Buffer Area of The Home Depot. The City endorses the construction of 10-foot wide bicycle path along the north side of Main Street within the buffer behind The Home Depot between Water Street and Ausonio Drive. The Home Depot, by deed restriction, is responsible for maintaining the monument, berm, sidewalk and street lighting along Main Street and Water Street. The easement specifically states "Foot Passage." The City covenant and agrees that it will work with The Home Depot to modify the permanent easement and restrictive covenant recorded in City land records, Volume 2097, Page 0719, to allow modification of the buffer area to include the new bicycle path and relocation of the monument to the northeast corner of Main Street and Ausonio Drive.
3. Designate On-street Parking Spaces along the South of Main Street. With the relocation of the cycle-track to the redevelopment district, on-street parking will be designated along the south side of Main Street from about Elizabeth Street to Factory Street. The parking spaces will be defined by curb extensions (bump-outs) at the intersections. The City of Derby covenant and agrees that it will be responsible for maintaining these spaces, including snow removal.
4. Convert Elizabeth Street and Minerva Street to One-way Circulation: The Preliminary Design plans include the conversion of Elizabeth Street from Main Street to 3rd Street from two-way traffic flow to a one-way movement in the southbound direction and Minerva Street from two-way traffic flow to a one-way movement in the northbound direction. On-street parking spaces will be designated along both streets. The type and style of on-street spaces, either parallel parking spaces or angled parking spaces, will be determined during the Semi-Final Design phase. The City of Derby supports and endorses the conversion of Elizabeth Street and Minerva Street to one-way circulation and agrees that these sections remain in the project.
5. File Application to Create a New National Historic District North of Main Street. As part of the Memorandum of Agreement between the Federal Highway Administration, the State Historic Preservation Office and the Connecticut Department of Transportation, DeCarlo & Doll was requested to prepare a National Register of Historic Places nomination form for the remaining historic buildings along the north side of Main Street, which collectively constitute a historic district located between Elizabeth Street and Factory Street and submit that form to CT SHPO for review. The City of Derby supports and endorses the creation of a new National Historic District based on the historic survey completed by DeCarlo & Doll on buildings located on the north side of Main Street and will file an application for creation of a new National Historic District.
6. Accommodate Sanitary Sewer Improvements within the Project Limits. The City of Derby will work with the WPCA to determine the sanitary sewer improvements that will be constructed within the project area. It is understood that this is a critical path item, as the roadway design will not be able to proceed beyond the Semi-Final phase until the specific sanitary sewer improvements are determined and incorporated into the design plans. The City understands and agrees that the design of the sanitary sewer

improvements will be completed by the Route 34 project design engineer, and further agrees and understands that the cost of this design work is a non-participating expense and is the responsibility of the City of Derby. Furthermore, the construction of the sanitary sewer improvements will be incorporated into the road project; and, the City agrees and understands that the cost of these improvements **are not** eligible for reimbursement from the federal aid project and are also the sole responsible of the City of Derby. The City of Derby covenant and agrees that it will provide a demand deposit to the State of Connecticut to meet any and all financial obligations for non-participating activities related to the sanitary sewer improvements.

7. South Redevelopment District "U" Street Concept. The planning effort for the South Redevelopment District resulted in a concept to construct a new road through the area, intersecting Main Street opposite Elizabeth Street, creating a four-legged intersection, and extending to Factory Street. While the addition of this leg will alter the geometry and operation of the intersection, federal regulations do not allow the Route 34 design project to include or consider the design of this potential fourth leg until the City is granted a traffic certification from the Office of State Traffic Administration (OSTA). The City of Derby understands that the "U" street concept is a future project and its design cannot be accommodated or included in the design of Route 34 reconstruction project, unless a permit for a curb cut has been obtained from and granted by the State of Connecticut by the time of commencement of the Semi-Final design.
8. Construct Parking Lot at the Intersection of Main Street and Bridge Street. The Preliminary Design plans included the construction of parking lot on the southeast corner of Main Street and Bridge Street. It will provide a one-way entrance driveway from Main Street near Bridge Street with access only in the eastbound direction. The exit driveway will be located opposite Elizabeth Street and provide movement only in the eastbound direction. The parking lot will provide spaces for visitors to the businesses along Main Street between Elizabeth Street and Olivia Street / Bridge Street and is intended to make-up for the loss of on-street parking spaces in this section. The City of Derby supports and endorses the construction of the parking lot and covenant and agrees that it will be responsible for maintaining the lot, including snow removal.