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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

May 3, 2005

Mayor Mark D. Boughton  
Members of the Common Council

Re: **Conveyance of Private Property for Access at 57-59 Bear Mountain Road**

The Common Council Committee appointed to review the request for conveyance of property for access at 57-59 Bear Mountain Road met on April 7, 2005 at 7:30 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Steinerd and Basso. Also in attendance were Director of Public Works William Buckley, Deputy Corporation Counsel Eric Gottschalk, Director of Planning Dennis Elpern, the petitioner Neuzat Murtishi and his attorney, Camille DeGallan and Council Members Cavo and Trombetta, ex-officio.

Mr. Steinerd stated that the petitioner acquired two parcels of land just off Bear Mountain Road and the only way to cross over his property is over a paper road owned by the City. He would have to establish a public road according to zoning regulations. This would be financially prohibitive so he requested that City land be conveyed to him. Mr. Elpern said the City could allow the petitioner to construct the road over City property or turn the property over to him and we would retain rights of passage. Mr. Buckley said he does not support selling park property. There would be no problem with granting an easement, but ownership rights to this land should not be relinquished.

After further discussion regarding rights to pass, building restrictions, taxes and an assessed value of the strip of land, Attorney Gottschalk said that he would recommend conveyance of a strip of land 20 feet wide running from Bear Mountain Road to a point 100 feet beyond the dividing lot line of property owned by the petitioner and the owners to the north or to such other point as is necessary, consistent with safe access in fee simple subject to the retention of rights by the City for utility, passage and other municipal purposes.

Attorney Gottschalk asked the petitioner if he is prepared to make an offer. Mr. Murtishi said he already has quite a bit of money invested, but is prepared to

offer the City \$1,500.00 which he feels is reasonable. Mr. Trombetta said it would only be fair to get an estimate of the value.

Mrs. Basso made a motion to recommend that the Common Council recommend a conveyance of a strip of land 20 feet wide, running from Bear Mountain Road to a point of 100 feet beyond the dividing lot line of property owned by the petitioner and the owners to the north, or to such point as it necessary, consistent with safe access in fee simple subject to the retention of rights by the City for utility, passage and other municipal purposes, contingent upon agreement by the petitioner to a sum to be determined by negotiation based on information provided by the Tax Assessor. Seconded by Mr. Steinerd. Motion carried unanimously.

Respectfully submitted,

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MICHAEL STEINERD, Chairman

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PAULINE BASSO

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JOHN ESPOSITO