



26 June

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CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

ENGINEERING DEPARTMENT
(203) 797-4641
FAX (203) 796-1586

WILLIAM J. BUCKLEY, JR., P.E.
DIRECTOR OF PUBLIC WORKS / CITY ENGINEER

June 9, 2005

Honorable Mark D. Boughton
Common Council ✓
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06896

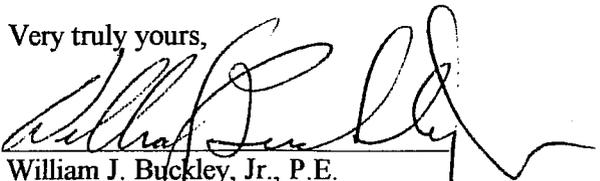
Dear Mayor Boughton and Common Council Members:

Norma Smigowski – 4 Hylo Drive
Easement

At the June 7, 2005 Common Council meeting, the May 19, 2005 request from Attorney A. Peter Damia that the City grant his client an encroachment easement for private improvements that are presently located within the Hylo Drive right of way was forwarded to our office for a report within 30 days (reference item 26 of the June 7, 2005 Common Council minutes).

Our office supports the granting of this easement. We have worked with Attorney Damia and the Corporation Counsel's office to insure that language was inserted into the easement document to protect the City and to insure that future private improvements take place on the property owner's own land.

If you have any questions, please feel free to contact me.

Very truly yours,

William J. Buckley, Jr., P.E.
Director of Public Works/City Engineer

C: Eric L. Gottschalk, Esq.
Dennis Elpern





CITY OF DANBURY
OFFICE OF THE CORPORATION COUNSEL
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

(203) 797-4518
(203) 796-8043 FAX

PLEASE REPLY TO:

June 28, 2005

Honorable Mark D. Boughton, Mayor
Honorable Members of the Common Council
155 Deer Hill Avenue
Danbury, Connecticut 06810

Re: Norma Smigowski
4 Hylo Drive
Easement

Dear Mayor and Council Members:

Please accept this in response to your request for a report concerning item 26 on the June 2005 agenda. This matter came to you by way of a letter from attorney A. Peter Damia, who represents Norma Smigowski, the owner of 4 Hylo Drive. In his letter Mr. Damia describes porch, roof overhang and septic tank encroachments within the right of way of Hylo Drive. On behalf of his client, Mr. Damia is seeking an easement to allow these encroachments to remain in place until such time as the city seeks to make improvements to Hylo Drive or until Mrs. Smigowski abandons the encroachments.

By letter dated June 9, 2005, William Buckley indicated to you that he supports the request. This office has had several conversations with Mr. Damia as well as with members of the engineering department and we are prepared to arrange for the execution of an easement that gives appropriate rights to Mrs. Smigowski while preserving necessary safeguards for the city. If you have any questions, please feel free to contact me.

Sincerely,

Eric L. Gottschalk
Deputy Corporation Counsel



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

PLANNING COMMISSION
(203) 797-4525
(203) 797-4586 (FAX)

July 15, 2005

To: Mayor Mark Boughton
Members of Common Council

From: Planning Commission

Re: 8-24 Referral/June 7th CC Agenda Item 26: - Request for Easement on Hyllo Drive.

The Planning Commission has received a request from the Common Council for a report pursuant to CT General Statutes/Sec 8-24, regarding the above referenced item.

At the June 15, 2005 meeting, the Planning Commission made a motion to give this a positive recommendation provided the language of the easement ensures that future private improvements (including new septic systems) will have to take place on the property owner's land.

Arnold E. Finaldi, Jr.
Chairman

AEF/jr

Attachment

c: Engineering Dept.
Corporation Counsel