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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

September 7, 2005

Mayor Mark D. Boughton
Members of the Common Council

Re: **Easement at 4 Hylo Drive**

The Common Council Committee appointed to review an easement at 4 Hylo Drive met on August 17, 2005 at 7:00 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Calandrino, Cavo and Visconti. Also in attendance were Director of Public Works William Buckley, Assistant Corporation Counsel Les Pinter, Attorney Peter Damia representing the petitioner and Council Members McMahon and Teicholz, ex-officio.

Mr. Buckley stated that an easement has been worked out that meets with his satisfaction. The existing house at 4 Hylo Drive encroaches on a City road. He showed the easement area and the encroachment on a map dated February 11, 2005. The house encroaches on a right-of-way and the septic tank and fields are located there as well. This easement allows the petitioner to keep the septic system where it is. However, it provides protection for the City in a number of ways outlined in the easement. If the septic fails, it would need to be relocated on the grantee's property.

Mr. Visconti asked if the system had to be moved would the current area be dug up and removed? Mr. Buckley said it would be abandoned and filled with sand. The State has a procedure for abandonment of wells. Mr. Buckley also pointed out that the easement states if the encroachments are abandoned, they can never be located there again. If the City wants to widen Hylo Drive, it requires that the septic system be relocated. Mr. Buckley said this instrument provides the City with much more protection than it currently has.

Mr. Visconti made a motion to recommend approval of the easement at 4 Hylo Drive subject to the encroachment conditions as prepared by the Corporation Counsel and the Director of Public Works. Seconded by Mr. Cavo. Motion carried unanimously.

Respectfully submitted,

MICHAEL CALANDRINO, Chairman

JOSEPH CAVO

FRED VISCONTI