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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

April 4, 2006

Mayor Mark D. Boughton
Members of the Common Council

Re: **Easement for Well at 30 Middle River Road**

The Common Council Committee appointed to review the request for an easement for a well at 30 Middle River Road met on March 27, 2006 at 7:00 P.M. In attendance were committee members Diggs, McMahon and Rotello. Also in attendance were Deputy Corporation Counsel Eric Gottschalk, Director of Public Works William Buckley and the petitioner, Mohammed R. Alam.

Ms. Diggs noted the positive recommendation from the Planning Commission. Mr. Buckley said this is the Magnet School property, formerly owned by the State of Connecticut. The well is located just slightly over the property line. The Public Works Department would recommend approval of the request providing that the Corporation Counsel puts wording in the easement to protect the City in case the well goes dry or becomes contaminated. If that should happen the City would want the well to be placed on the adjacent property.

Attorney Gottschalk stated that the well predates the existing residence and the way to deal with this is to grant an easement to last as long as the well does. It is a three-foot radius easement and although the easement language has been worked out, he would like to revisit the liability language after conferring with the Public Works Department.

Mrs. McMahon made a motion to recommend approval of the request for an easement for a well at 30 Middle River Road. Seconded by Mr. Rotello. Motion carried unanimously.

Respectfully submitted,

LOUISE MCMAHON

N. JANE DIGGS, Chairman

PAUL ROTELLO