



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

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PLEASE REPLY TO:

June 27, 2006

Honorable Mark D. Boughton, Mayor  
Honorable Members of the Common Council  
City of Danbury, Connecticut

Re: Sabrosura Restaurant - License  
June Common Council Agenda Item #31

Dear Mayor and Council Members:

Please accept this letter in response to your request for a report on the matter referred to above. Jose Contreras DBA, owner of the Sabrosura Restaurant, wishes to use a portion of the sidewalk in front of his restaurant, located at 278 Main Street, for tables between April and October.

Since Main Street is a state highway, maintained and controlled by the city under an agreement with the state, we cannot lease the sidewalk to Mr. Contreras. However, the city did grant a similar request years ago, to the owner of a café called Seattle Espresso. That arrangement was accomplished through the use of a revocable license agreement.

Of course, before deciding whether or not to grant this request, I would recommend that you obtain information about this specific location. In that regard, you have requested reports from the zoning enforcement officer and City Center. If any legal questions are raised in these reports, or if you require additional information, please contact me.

Sincerely,

Laszlo L. Pinter  
Assistant Corporation Counsel

cc: Dennis I. Elpern, Director of Planning  
William J. Buckley, Jr., Director of Public Works

Wayne  
Skelly/PLANNING/COD  
06/27/2006 12:18 PM

To Jimmetta Samaha/COMMCOUNCIL/COD@Danbury  
cc  
bcc  
Subject

Jimmetta: With regard to the letter from Jose Contreras requesting permission to create an outdoor dining area at 278 Main Street, I see no information as to where he is proposing the additional parking that is needed for such use. At this time I give it a negative response.

Wayne A. Skelly  
Z.E.O.



31 - June

# 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 12, 2006

Honorable Mark D. Boughton  
Common Council  
City of Danbury  
155 Deer Hill Avenue  
Danbury, CT 06810

Dear Mayor Boughton and Common Council Members:

Jose Contreras DBA - Sabrosura  
278 Main Street

At the June 6, 2006 Common Council meeting, the letter from Jose Contreras requesting permission to create an outdoor dining area at 278 Main Street from April to October of each year was referred to our department for a report within 30 days (reference item 31 of the meeting minutes).

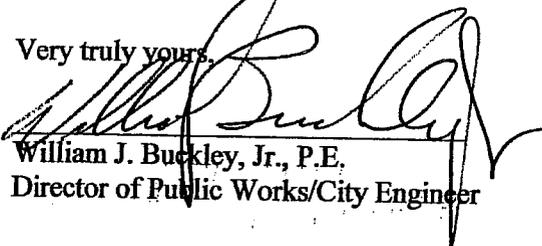
Although Main Street is a State road, the City of Danbury has an agreement with the State to maintain Main Street and is permitted to enter into agreements such as the one being requested.

Our office sees no problem with the Common Council granting the request, with conditions. The sidewalk in this area is wide enough to allow the proposed 6 foot dining area and still provide adequate room for pedestrian passage.

If the Common Council is of the opinion that this proposal is acceptable, a lease agreement (similar to the enclosed Ciao! Lease agreement) should be prepared. The lease agreement should contain an annual rent figure (Ciao! is \$10 per year), insurance requirements satisfactory to the City Risk Manager (for example, naming both the City of Danbury and State of Connecticut as additional insureds), and any other provisions deemed warranted by the Corporation Council's office.

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

Very truly yours,



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

Encl.

C: Eric L. Gottschalk, Esq., with encl.  
Dennis Elpern, with encl.  
Duke Hart, with encl.  
Dan Garrick, with encl.  
James Lapan, DOT, with encl.