

REPORT

September 20, 2006

Mayor Mark D. Boughton
Members of the Common Council

Re: **RESERVOIR RD. - ACQUISITION OF A PORTION**

The committee was called to order at 5:30 p.m. In attendance were committee members Seabury, Visconti and Perkins. Also in attendance were Deputy Corporation Counsel Eric Gottschalk, Director of Planning Dennis Elpern, Director of Public Works Antonio Iadarola, Robin Kahn Attorney from Cohen and Wolf and Carl Johnson, the petitioner and councilman Chianese (5:45).

Mr. Gottschalk overviewed what has taken place at this time. He stated that a portion of Reservoir Rd. beyond the paved portion is no longer used for traffic. Mr. Johnson, the Petitioner wants to develop his property and install a driveway running across the unpaved portion of Reservoir Rd. The problem is in order to create a driveway, we continue the paved portion of road so he can hook up. Mr. Gottschalk does not recommend this because it would be accessible to vehicular traffic, shows on maps as Reservoir Rd. and the city would have to maintain it. Mr. Gottschalk's solution was that the city formerly discontinue the portion of Reservoir Rd. in question and then by state law people would continue to have a right to pass and repass. This would allow the City of Danbury to quick claim whatever interest it now has to Mr. Johnson and he could then use it for construction of a driveway. Mr. Johnson would own a part in fee unencumbered by anything except the right of people who live beyond him.

Mr. Gottschalk recapped to discontinue relative portion of Reservoir Rd. Declare that area that's shows as parcel "X" as surplus and quick claim the city's interest in it to the petitioner.

Mr. Elpern stated that the subdivision was approved in April with the understanding that land was to be conveyed to Mr. & Mrs. Johnson. There is no way in and no way out and he doesn't see any value for the City of Danbury to keep this portion of the road.

Mr. Seabury made a motion to follow the recommendation of Mr. Gottschalk's suggestion to 1) discontinue 2) declare surplus and 3) quick claim the property on subdivision No. 05-01 as shown on the survey map.

Motion made by Mr. Visconti and seconded by Mr. Perkins.

Mr. Perkins had a problem giving away land for no monetary value.

Mr. Visconti does not see how we can put a monetary value on doing something like this and Mr. Seabury saw little use for this property. City has not used it in many years.

Mr. Perkins made a motion to make an amendment to discontinue land, convey that surplus and give a quick claim to Mr. Johnson with an add on of getting an appraisal based on its value.

Motion was not seconded and the amendment was defeated.

Motion stays as originally made and seconded. Motion passes unanimously.

Mr. Visconti made a motion to adjourn at 6:05 p.m. Seconded by Mr. Perkins

Respectfully submitted,

Gregg Seabury, Chairman