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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

August 27, 2007

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

Dear Mayor Boughton and Fellow Council Members:

I have received a letter from the Ann Drive Condominium Association with regards to Ann Drive. They are requesting that the City of Danbury take permanent ownership and accept responsibility for the maintenance of Ann Drive. I am writing to request that an Ad Hoc Committee of the Common Council be appointed to review this request.

Thank you in advance for your attention to matter.

Sincerely,

Joseph M. Cavo
3rd Ward Councilman
Common Council President

ANN DRIVE CONDOMINIUM
ASSOCIATION N^o. 5
5A Ann Drive
Danbury, CT 06810
email: 5anndrive@gmail.com
June 25, 2007

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JUN 28 2007

The Honorable Mark D. Boughton, Mayor
Office of the Mayor
Danbury City Hall
155 Deer Hill Avenue
Danbury CT 06810

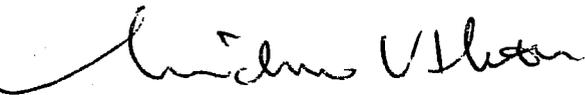
Dear Mayor Boughton:

The condition of the street known as Ann Drive has deteriorated after 27 years without a concerted maintenance effort by the City of Danbury to a point whereby its' utility as a street safe for use is being called into question by that street's residents and owners. Unless remedial action is taken -- and rather soon -- the street will further decay to a state whereby a very costly total re-grading will be necessary. The purpose of this correspondence is to communicate the wishes of the property owners of Ann Drive to both yourself and the Common Council in the interest of addressing that need.

In the petition that accompanies this letter we ask that the City of Danbury take permanent ownership and accept full responsibility for the maintenance of Ann Drive. As you are certainly aware, Section 17-34 (c) of the City's ordinances provides for the City of Danbury to assume responsibility for the upkeep of "private roads". It is this statute which we are asking the City of Danbury to honor in full. We believe that after many years of faithful and timely payment of our property taxes this street deserves more attention than it has been given to this date.

We are grateful for your attention to this matter and look forward to your cooperation in restoring our street to its' former condition. If you have any questions regarding this issue, please call or write us.

Sincerely,



Michael V. Hetes
President, Ann Drive Condominium Association N^o. 5
(Representing the collective property owners of Ann Drive)

cc: Mr. Joseph Cavo and the City of Danbury Common Council
Encl: 2 (1 four-page document, 1 letter)

cc: Ted Cutsunpas 7/2/07

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**ANN DRIVE CONDOMINIUM
ASSOCIATION N^o. 5**

**5A Ann Drive
Danbury, CT 06810
email: 5anndrive@gmail.com
June 25, 2007**

**The Honorable Joseph M. Cavo
President, City of Danbury Common Council
Danbury City Hall
155 Deer Hill Avenue
Danbury CT 06810**

Dear President Cavo and the Common Council:

**The condition of the street known as Ann Drive has deteriorated after 27 years without a concerted maintenance effort by the City of Danbury to a point where-
by its' utility as a street safe for use is being called into question by that street's
residents and owners. Unless remedial action is taken -- and rather soon -- the
street will further decay to a state whereby a very costly total re-grading will be
necessary. The purpose of this correspondence is to communicate the wishes of
the property owners of Ann Drive to both the Common Council and the Mayor in
the interest of addressing that need.**

**In the petition that accompanies this letter we ask that the City of Danbury take
permanent ownership and accept responsibility for the maintenance of Ann
Drive. As you are certainly aware, Section 17-34 (c) of the City's ordinances pro-
vides for the City of Danbury to assume responsibility for the upkeep of "private
roads". It is this statute which we are asking the City of Danbury to honor in full.
We believe that after many years of faithful and timely payment of our property
taxes this street deserves more attention than it has been given to this date. A
number of photographs of the areas in question are also included herewith.--**

**We are grateful for your attention to this matter and look forward to your coop-
eration in restoring our street to its' former condition. If you have any questions
regarding this issue, please call or write to the person named below.**

Sincerely,



**Michael V. Hetes
President, Ann Drive Condominium Association N^o. 5
(Representing the collective property owners of Ann Drive)**

**cc: Mayor Mark D. Boughton
Ms. Jane Diggs and Ms. Mary E. Teicholz, Councilpersons, 7th Ward
Encl: 9 (1 four-page document, 1 letter, 7 photographs)**

A Petition to the Common Council of the City of Danbury, Connecticut

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Whereas, the property owners/taxpayers of Ann Drive, do recognize and present as factual statements the following:

1. **Ann Drive is a dead end street opening to the east side of Rose Hill Avenue in Danbury, Connecticut. It measures approximately 28 feet in width by 320 feet in length. A bond of \$87,000 had been set aside for the completion of the road by the Planning Commission of the City of Danbury in December of 1973. The issuance of this is noted in the City of Danbury Land Records, volume 548, pages 371 - 372. However, that bond has long since expired, and the street was never properly admitted as a City road. Furthermore, Ann Drive has not been paved since its' initial construction in late 1979 to early 1980, and has suffered serious deterioration due to improper grading, inadequate drainage and normal wear through this part of 2007.**
2. **The standards of the City of Danbury's Highway Department were not followed by the developer of the street when it was graded. No attempt was made by the developer to comply with city regulations and correct this error. Said developer can no longer be reached in order to effect repairs.**
3. **This failure to follow said standards was neither known by nor presented to prospective purchasers/residents at the initial offering of units for sale or rent by the developer of those units nor in subsequent presentations by their agent(s). Therefore the property owners of Ann Drive bear no responsibility for any noncompliance by the street's developer. Any dispute as to the responsibility for the road's condition rests between the City of Danbury's Highway Department and said developer. The residents of Ann Drive have never been a party to that issue.**
4. **Twelve of the total of 23 units/apartments of Ann Drive are owner-occupied. These owners, having invested the bulk of their funds in their homes, collectively lack the financial means to underwrite the cost of a major street regrading. The City of Danbury is better positioned to finance any necessary storm drain replacements and/or asphalt application.**
5. **The City of Danbury has provided, over approximately 27 years of Ann Drive's existence, the following road maintenance services which the property owners recognize and for which they are grateful:**
 - A. **Street signage,**
 - B. **Snow plowing and sanding,**
 - C. **Sand removal,**
 - D. **Asphalt patchwork of potholes when crews are available, and**
 - E. **Special sidewalk corners for handicapped access.**

These services, while appreciated, are not adequate to assure the future safe passage of vehicles in light of the deteriorating condition of the pavement. Furthermore, this continuing degradation presents a hazard to the resident children on the occasions they play or bicycle in the street's turning circle.

At this time Ann Drive's status remains uncertain. A recent call from one of the undersigned to the Highway Department confirmed that the City considers Ann Drive to be a private road. Yet from the facts noted above it should be clear that the street was never intended to be private, but rather a city-owned and maintained road. Therefore, were it not for the incompetent or perhaps illegal conduct on the part of the developer, such would this day be the case. All that Ann Drive now lacks is the full recognition and maintenance provided to a street accorded that official status.

With the above concerns in mind we, the undersigned property owners of Ann Drive in the City of Danbury, Connecticut do hereby respectfully petition the Common Council of the City of Danbury to exercise the authority granted to it under Section 17-34 (c) of the Statutes of the City of Danbury; that under said ordinance the Common Council proclaim and enact that the City of Danbury will hereafter assume permanent full ownership of and maintenance responsibility for the street known as Ann Drive.

Signature and Name Street Address Telephone (cell)

Alessandro DANIELS Ferrari (203) 791-81-30
Signature cell-(203) 770-90-85
Telephone number

ALESSANDRO DANIELS FERRARI 5 ANN DRIVE UNIT B
Print name and street address

[Signature] 203 948 5677
Signature Telephone number

Edgar E. Pacheco 2 Ann Dr. Danbury
Print name and street address

Svetlana Riccio 203-744-2741
Signature Telephone number

SVELLANA RICCIO 5C Ann Drive
Print name and street address

Signature Telephone number

Print name and street address

Signature and Name **Street Address** **Telephone (cell)**

Carl W. Johnson

(203) 790-8108

Signature

Telephone number

6A ANN DR DANBURY, CT. 06810

Print name and street address

Alcides Ferreira Filho

203 797 8375

Signature

Telephone number

Alcides Ferreira Filho 6 ANN DR UNIT B

203 797 8375

Print name and street address

Signature

Telephone number

~~6B ANN DRIVE DANBURY CT~~

Print name and street address

Alcides Ferreira Filho

(203) 797 8375

Signature

Telephone number

ALCIDES FERREIRA FILHO 6 ANN DR UNIT B - DANBURY CT

Print name and street address

Alcides

203-797-8375

Signature

Telephone number

LIDELMIRA FERREIRA 6 ANN DR UNIT B DANBURY - CT

Print name and street address

W. Asmar

203-744-5757

Signature

Telephone number

WILLIAM A. ASMAR 1 ANN DRIVE

Print name and street address

Robert P. Cesca

174 LAWSLOWNE LN. 203-744-5190

Signature

Telephone number

Robert P. Cesca Cheshire Ct. 06460

Print name and street address

Paulo Carita

(203) 746-6246

Signature

Telephone number

PAULO CARITA 4 POWERS HORN RIDGE Rd.

Print name and street address

Esam. Abdurrahman

837-6599 cell

Signature

Telephone number

Esam. Abdurrahman 4 ANN DRIVE 3RD FLOOR DANBURY 06810

Print name and street address

Signature and Name

Street Address

Telephone (cell)

Joan Schriver

Signature

790-4399

Telephone number

Joan Schriver 60 Ann Dr. Danbury CT

Print name and street address

Michael V. Hetes

Signature

203-778-6424

Telephone number

MICHAEL V. HETES 5A ANN DRIVE DANBURY CT 0688

Print name and street address

Aginaldo Bersani

Signature

(203) 797-0519

Telephone number

AGNALDO BERSANI 1A ANN DR DANBURY - CT 06810

Print name and street address

Ben Thi Doan

Signature

203-743-1413

Telephone number

BEN THI DOAN 3 ANN DRIVE DANBURY CT 06810

Print name and street address

Vanessa Constancio

Signature

203-730-1908

Telephone number

Vanessa Constancio 8 Ann Dr Apt C

Print name and street address

Evandro Constancio

Signature

203-730-1908

Telephone number

EVANDRO CONSTANCIO

Print name and street address

Christian Aillon

Signature

203-7302086

Telephone number

CHRISTIAN AILLON 7 ANN DR APT C

Print name and street address

Luis Roberto de Freitas

Signature

(203) 7919064

Telephone number

LUIZ ROBERTO DE FREITAS - 8 ANN DR. APT M

Print name and street address

Marlene Pinto de Freitas - 8 Ann Dr. Apto A

Signature

791-9064

Telephone number

Marlene Pinto de Freitas

Print name and street address