

12

**CITY COUNCIL COMMITTEE, AD HOC COMMITTEE,  
EASEMENT EXTENSION—PLUMTREES PLAZA  
WEDNESDAY, OCTOBER, 20, 2010 6:15 PM**

The City Council Ad Hoc Committee met in the 3rd Floor Caucus Room of City Hall on Wednesday, October, 21, 2010. Chair, Robert Arconti called the meeting to order at 6:20 pm.

**PRESENT**

**Committee Members:** Robert Arconti, Chair, Donald Taylor, and Peter Nero

**Also in attendance:**

- Robin Edwards, Assistant Corporation Counsel and Antonio Iadarola, P.E., Director of Public Works
- Everie "Bud" Hawley, Petitioner; Francis Collins, Attorney for the Petitioner; and Benjamin Doto, Engineer for the Petitioner.

Chair Arconti began the meeting with introductions and stating the call of the meeting. He then asked the Petitioner and those at the meeting on his behalf to present their request to the committee. Mr. Collins explained that the petitioner currently holds an easement on his property located at 53A Newtown Road in Danbury. Mr. Hawley then discussed a potential tenant that he has for the property that would receive deliveries by larger trucks than the current tenants. He stated that the new tenant was a Connecticut grocery store company. He further stated that he anticipates vacancies in the property and is excited to bring in this new tenant to Danbury.

Antonio Iadarola arrived at 6:20pm.

Mr. Hawley continued that the trucks would make deliveries approximately twice per week and need to be able to turn around behind the building rather than backing out. Mr. Hawley stated that he would improve the property by grading and paving. A discussion ensued regarding the proposed easement, and members referred to drawings presented by the petitioner.

Mr. Collins presented the committee with copies of an appraisal for the land. The appraisal was prepared by O'Neill, Duffy & Co. LLC, and it was obtained earlier that day. The value was appraised at \$23,700. Mr. Collins indicated that the petitioner would be willing to pay that amount for the easement. Chairman Arconti indicated that he would like more time to evaluate the appraisal and have it reviewed by the Director of Finance and the Assessor. Councilman Taylor stated that he has experience with the Appraiser and he is comfortable with their work. Further discussion regarding the appraisal took place.

Chair Arconti stated that he is very familiar with the petitioner and is eager to assist the petitioner in bringing a business into Danbury that could offer many employment opportunities. He asked Mr. Hawley to comment about his timeframe. Mr. Hawley stated that he was hoping that the committee and Common Council could move quickly as the potential tenant will not sign a lease until the easement is granted.

Further discussion took place regarding the request, the current easement, current tenants, and the traffic on Newtown Road. Mr. Iadarola stated that he has met with the petitioner three times. He stated that granting the easement would have no impact on the adjacent storage facility. He has drafted the grading permit

and discussed the conditions with Mr. Doto. Mr. Doto stated that the grading improvements would take water on to the petitioner's property not the City property.

Chairman Arconti asked Corporate Counsel, Ms. Edwards, if there were any other issues the committee should consider. Ms. Edwards stated that her office had not seen the appraisal yet and it would need to be evaluated and the petitioner would need to perform a title search to ensure that there are no other easements or claims on the property. Additionally, Ms. Edwards stated a Public Hearing may be required under statue 7-163(e). Further discussion of the steps needed to grant the easement took place.

Chair Arconti re-stated that granting this easement has the potential to bring jobs to Danbury; Mr. Hawley has the reputation of being a good businessman in Danbury. He believes that committee is satisfied.

**A motion was made by Councilman Taylor to recommend that the City Council grant the easement to the Petitioner upon payment of the value stated in the appraisal, provided said appraisal amount is approved by the Assessor and the Director of Finance, and subject to approval of the form of the easement documentation by the Office of Corporate Counsel, subject to the Petitioner providing all required improvement and construction plans and subject to the public hearing and posting requirements set forth in C. G. S. section 7-163(e). The motion was seconded by Councilman Nero. Vote, all in favor, motion unanimously approved.**

Chairman Arconti and Ms. Edwards clarified the process to the petitioner. Further discussion ensued about reviewing of the statute regarding the Public Hearing and the time frame.

As there was no further business before the Committee, Councilman Nero made a motion which was seconded by Councilman Taylor to adjourn the meeting at 6:58pm. Vote, all in favor, motion unanimously approved.

Respectfully Submitted,

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Robert Arconti, Chairman

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Peter Nero

\_\_\_\_\_  
Donald Taylor



12-2

**CITY OF DANBURY**  
**155 DEER HILL AVENUE**  
**DANBURY, CONNECTICUT 06810**

**OFFICE OF ASSESSOR**  
**(203) 797-4556**

**COLLEEN M. LAHOOD**  
**ASSESSOR**

October 26, 2010

Hon. Mayor Mark D. Boughton  
Hon. Members of the City Council  
155 Deer Hill Ave  
Danbury, CT 06810

Re: Plumtrees Appraisal Review

Dear Mayor and Council:

At the request of the subcommittee, I reviewed the appraisal for the easement for 53A Newtown Road and find the fair market value acceptable. I trust this satisfies the committee's request.

If you need any additional information, please don't hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Colleen M. LaHood", with a large, stylized flourish at the end.

Colleen M. LaHood  
Assessor

Cc David St. Hilaire, Director of Finance  
Laszlo Pinter, Corporation Counsel  
Antonio Iadarola, Director of Public Works  
Francis J. Collins, Atty at Law

12-3



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

**DAVID W. ST. HILAIRE**  
DIRECTOR OF FINANCE

(203) 797-4652  
FAX: (203) 796-1526

October 27, 2010

Hon. Mayor Mark D. Boughton  
Hon. Members of the City Council  
155 Deer Hill Avenue  
Danbury, CT 06810

Re: Plumtrees Appraisal Review

Dear Mayor and Council:

As requested, I have reviewed the appraisal for the easement for 53A Newtown Road and have determined the fair market values acceptable.

Please do not hesitate to contact me should you have any additional questions.

Sincerely,

David W. St. Hilaire  
Director of Finance

DWS/jgb

Cc: Colleen LaHood, Assessor  
Laszlo Pinter, Corporation Counsel  
Antonio Iadarola, Director of Public Works  
Francis J. Collins, Atty at Law

124



**CITY OF DANBURY**  
155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

PLANNING COMMISSION  
(203) 797-4525  
(203) 797-4586 (FAX)

October 25, 2010

To: Mayor Mark Boughton  
Members of City Council

From: Planning Commission

Re: 8-24 Referral/September 2010 Council Agenda Item #10: Request for Easement Extension/Plumtrees Plaza LLC, Intersection of Newtown & Plumtrees Rds.

The Planning Commission has received a request from the City Council for a report pursuant to CT General Statutes/Sec 8-24, regarding the above referenced items.

At the October 6, 2010 meeting, the Planning Commission made a motion to give this a positive recommendation subject to the Dept. of Public Utilities approval of said lease and associated required improvement and construction plans, specifically grading plans. Easement documents and maps should be approved by Corporation Counsel's office prior to acceptance and filing.

Arnold E. Finaldi Jr.  
Chairman

AEF/jr

Attachment

c: Engineering Dept.  
Corporation Counsel