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

November 26, 2012

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

Re: Danbury Hospital Expansion Project
Conveyance of a land for widening of Hospital Avenue
Together with sidewalk easements and Conveyance of a Sewer Main Extension
November City Council Agenda Item #3

Dear Mayor and Council Members:

Please accept this letter in response to your request for a report concerning the above referenced item. The request by Danbury Hospital seeks the acceptance of a road widening parcel and sidewalk easements as well as the transfer of ownership of a newly completed sewer extension, all intended to serve the ongoing Danbury Hospital Expansion Project. As a general matter, state and local law allow the City Council to act on such petitions after referral to the Planning Commission for a report.

We note that in addition to referring this request to our office and to the Planning Commission, you have also referred this request to the City Engineer and the Director of Planning for reports. If you are inclined to grant this request once you have received these reports, please do so subject to the submission of all necessary documentation in a form acceptable to this office.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

Eric L. Gottschalk
Assistant Corporation Counsel

cc: Dennis I. Elpern, Director of Planning
Farid Khouri, P.E., City Engineer
Brian R. Smith, Esq.

Robert J. Yamin
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15-1

CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

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

December 10, 2012

To: Mayor Mark Boughton
Members of City Council

From: Planning Commission

Re: 8-24 Referral/November 2012 City Council Agenda Item #3: Conveyance of
land & sidewalk easements for Danbury Hospital

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 item.

At the December 5, 2012 meeting, the Planning Commission voted to give a positive recommendation for the road widening parcel and sidewalk easements subject to submission of all plans and documents in form and content acceptable to Engineering and Corporation Council prior to recording. The Commission suggested that since a zoning variance is required before the roadway can be conveyed, that portion of this request should be tabled.

Arnold E. Finaldi Jr.
Chairman

AEF/jr
Attachment

c: Engineering Dept.
Corporation Counsel

15-2



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

ENGINEERING DIVISION
(203) 797-4641
FAX (203) 796-1586

FARID L. KHOURI, P.E.
CITY ENGINEER

February 20, 2013

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

**Request for Conveyance of Land - Parcel to City along Hospital Avenue
Request for Acceptance of City Road Widening, Sidewalk Easements and Drainage Structure**

Dear Mayor Boughton and City Council Members

The City Council referred to our office the request to accept the City Road widening and drainage structure for the above noted property. (Reference item 3 of the weekly minutes). Please refer to a copy of the road as-built filed with the Legislative Assistant's office.

The proposed road widening, sidewalk easements and drainage structure installed are acceptable to the Engineering and Highway Divisions of the Public Works Department.

We recommend that the widening of Hospital Avenue, sidewalk easements and related drainage be accepted by the City subject to the legal documents acceptable to the Corporation Counsel's office.

If you have any questions, please feel free to give me a call.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Farid L. Khouri".

Farid L. Khouri, P.E.
City Engineer

cc: Antonio Iadarola, P.E.
Duke Hart
Dennis Elpern
Laszlo Pinter, Esq.



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

PLANNING & ZONING DEPARTMENT
(203) 797-4525
(203) 797-4586 (FAX)

To: City of Danbury Planning Commission
From: Sharon B. Calitro, AICP, Deputy Planning Director
Date: November 28, 2012
Re: Referral from November City Council Meeting – Items 2, 3, 4
Additional Items from October and December 2012

The following items from meetings of the City Council were referred to the Planning Commission in accordance with Section 8-24 of the Connecticut General Statutes.

#3. Conveyance of Land – Danbury Hospital

City Council received a request to accept a road conveyance and two sidewalk easements associated with construction projects at Danbury Hospital. The conveyance and sidewalk easements affect land on Hospital Avenue along the site’s frontage. The final roadway improvements had not been detailed at the time of the Commission’s approval and therefore specific provisions were not shown on approved plans. However, the final approval resolution required that such details were to be determined by, and to the satisfaction of, the Director of Public Works and Traffic Engineer.

The site is currently under construction and road and sidewalk improvements have been constructed. As a result of required roadway widening on Hospital Avenue, a small portion of the road should be conveyed to the City and become part of the public right-of-way. The remaining area, within which the new sidewalk is located, is proposed to be noted within an easement with rights to pass and repass given to the general public. The road conveyance and two easement areas are shown on a survey map presented to Council.

Staff has no objection to the acceptance of the roadway widening parcel or the sidewalk easements subject to submission of all plans and documents in form and content acceptable to the Engineering Department and Office of Corporation Council prior to recording. It should be noted however that by virtue of conveying a portion of the road to the City, the existing Hospital building becomes non-conforming as to the required front yard setback. The required setback is 20 feet and the proposed setback is 18.5 feet. Therefore, a 1.5 foot variance is required. While there are no objections to the conveyance, due to the necessity for a variance Staff also recommends that City Council table final action on acceptance of the roadway conveyance until such time as a decision on the variance is issued. The sidewalk easements are acceptable at this time.



15-4

Fwd: Hospital Ave - Staff Report and PC Report

1 message

Dennis Elpern <d.elpern@danbury-ct.gov>

Tue, Feb 26, 2013 at 4:42 PM

To: Joe Cavo <j.cavo@danbury-ct.gov>

Cc: Jean Natale <j.natale@danbury-ct.gov>, Mark Boughton <m.boughton@danbury-ct.gov>

I referred this matter to staff to prepare a report for the Planning Commission. Apparently, a copy of the staff report (attached) was not forwarded to City Council.

The Planning Commission gave a positive recommendation at their December 5, 2012 meeting, pending approval by the ZBA for the requested variance.

I endorse the staff report.

----- Forwarded message -----

From: Sharon Calitro <s.calitro@danbury-ct.gov>

Date: Tue, Feb 26, 2013 at 4:32 PM

Subject: Hospital Ave - Staff Report and PC Report

To: Dennis Elpern <d.elpern@danbury-ct.gov>

As requested.

Variance granted by ZBA 12/13/2012 !!

—
Sharon B. Calitro, AICP, Deputy Planning Director
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810
Telephone (203) 797-4525
Fax (203) 797-4586



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