



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

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

October 7, 2004

To: Mayor Mark D. Boughton  
Members of Common Council

From: Dennis I. Elpern

Re: Request for Assessment Deferral  
Jay Earl Associates, 62-69 Kenosia Avenue

In August, this office received an application for a deferral of assessment increases from David Kaplan, agent for Jay Earl Associates at 62-69 Kenosia Avenue. The application was for new construction in the amount of \$ 1,400,000 for an 'office/gym/baseball-softball training' facility.

We recommended against the granting of the application for an assessment deferral because it appeared that the use of the facility did not fall within the list of eligible uses specified in §18-25 of the Code of Ordinances.

The applicant has recently filed a new application that is limited to only the office portion of the facility which, he states, is unrelated to the gym/baseball-softball training center. The 22,265 square foot office has an estimated cost of new construction subject to deferral of \$ 1,150,000. Offices are included in the list of eligible uses.

As such, we find that the application meets the eligibility criteria specified in §18-25 of the Code of Ordinances.

c: Laszlo L. Pinter, Corporation Counsel  
Richard Seman, Assessor's Office  
David Kaplan



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## APPLICATION

### DEFERRAL OF ASSESSMENT INCREASES ATTRIBUTABLE TO CONSTRUCTION OR IMPROVEMENTS WITHIN THE CITY OF DANBURY

Pursuant to Section 18-25 of the Code of Ordinances of the City of Danbury, this application must be completed and submitted to the Department of Planning and Zoning by all eligible applicants seeking to secure a deferral of assessment increases for completed construction or improvements on property located within the City of Danbury.

Location of Property: 62-69 KENOSIA AVENUE

Tax Assessor's Map Number: F 18002 Town Clerk Map and Lot Number: \_\_\_\_\_

Name, Address and Telephone Number of Owner:

JAY EARL ASSOCIATES C/O KAPLAN REALTY GROUP

1350 AVENUE OF THE AMERICAS SUITE 3100 NY, NY 10019

Name, Address and Telephone Number of Applicant/Agent/Lessee (if other than owner):

Description and Use of Construction or Improvement: 22,265 square feet of  
Office (Statistics, Jewish Federation, 2 vacant spaces)

Present Assessed Value of Property: \$ 966,000

Estimated Cost of New Construction or Improvements Subject to Deferment: \$ 1,150,000

Estimated Time Frame for Completion of Construction or Improvements: DECEMBER 2004

Length of Time and Percent of Assessment Increase Requested for Deferral, as permitted in Section 18-25(d)(2) for the cost of construction or improvements specified above:

100% of \$1,150,000 for a period of 2 years

Attach a site plan and other specifications drawn to scale indicating all existing and proposed construction and other improvements sufficient for the Tax Assessor to determine the assessment of the property after completion of all proposed construction or improvements for which this deferral is being requested.

*(To be supplied directly to assessor upon completion of all construction/improvements)*

The applicant is advised that approval by Common Council and receipt of all benefits available through this deferral requires the applicant to enter into a written agreement with the City fixing the assessment of the real property, air space and all construction and improvements which are the subject of the agreement. All such construction and improvements to be undertaken are subject to the eligibility criteria specified in Section 18-25 of the Code of Ordinances and must comply with all municipal land use regulations and building and health codes.

Applicant/Agent Signature: *David Kaplan* Date: 9/9/04

Applicant/Agent Name and Title: DAVID J KAPLAN MANAGING MEMBER

JIM EARL ASSOCIATE

**FOR DEPARTMENT USE ONLY**

The Common Council of the City of Danbury:

The Department of Planning and Zoning has reviewed this application for a deferral of assessment increases attributable to construction or improvements within the City of Danbury and has established that:

- Yes the real property or property subject to air rights is located within the City of Danbury;
- Yes the applicant proposes to use the construction or improvements to real property or property subject to air rights for uses eligible under Section 18-25;
- Yes the property or property subject to air rights is not delinquent in the payment of taxes owed to the City or taxes owed to the Downtown Special Services District at the time of application; and
- Yes the applicant proposes to enter into a written agreement with the City fixing the assessment of the real property, air space and all improvements thereon or therein and to be constructed thereon or therein, upon such terms and conditions as are provided herein and therein.

Accordingly, the Department of Planning and Zoning recommends that the application (does) ~~(does not)~~ <sup>XXXXXX</sup> meet the eligibility criteria in Section 18-25 of the Code of Ordinances for the following reasons:

Meets eligibility requirements.

Signed: *Benjamin S. Cohen* Date: October 7, 2004