

PLEASE REPLY TO Danbury

HERBERT L. COHEN
(1928-1983)

September 13, 2005

AUSTIN K. WOLF
RICHARD L. ALBRECHT
JONATHAN S. BOWMAN
IRVING J. KERN
MARTIN J. ALBERT
STEWART I. EDELSTEIN
NEIL R. MARCUS
G. KENNETH BERNHARD
DAVID L. GROGINS
GRETA E. SOLOMON
ROBIN A. KAHN
RICHARD SLAVIN
DANIEL S. NAGEL

The Honorable Vincent Nolan
President, Danbury Common Council
155 Deer Hill Avenue
Danbury, Connecticut 06810

**RE: Westville Commons Condominiums
Scuppo Road, Danbury, CT**

RICHARD J. DI MARCO
DAVID B. ZABEL
MARK A. KIRSCH
DAVID M. LEVINE
JOSEPH G. WALSH
DAVID A. BALL
JOCELYN B. HURWITZ
STUART M. KATZ
MONTE E. FRANK
PATRICIA C. SULLIVAN
VINCENT M. MARINO
BARBARA M. SCHELLENBERG
KAREN WACKERMAN MYERS
ARI J. HOFFMAN
AMY SOBOTKIN GARE
COURTNEY A. GEORGE
CARRIE L. LARSON
ALISON KAPLAN CLARK
BARBARA ELLIS
ADAM J. BLANK
PERRY R. GOODMAN
RACHEL A. LIEBERFARB

Dear Mr. Nolan:

This office represents Westville Commons Associates, the developer of Westville Commons Condominiums.

By this letter I am requesting that the Common Council modify the terms of its sewer and water extension approval so as to permit the developer to convey the sewer and water improvements in the condominium to the City of Danbury in phases. The phases would consist of such portions of the improvements as are acceptable to the Engineering and Public Works Departments. This would enable the developer to obtain certificates of occupancy for units located within the areas in which the water and sewer improvements have been accepted by and conveyed to the City of Danbury. Construction of these units has been completed and my client, as well as the buyers of the completed units, are anxious to be in a position to close as soon as possible

We would anticipate that the Council's modification of the approval would be conditioned upon the submission of documents that are satisfactory to the Engineering and Public Works Departments and to the Corporation Counsel.

Insofar as the Engineering and Public Works Departments have agreed to this request, I would ask that the Common Council act on the request at its October meeting without referring the matter to a subcommittee. Patricia Ellsworth has informed me she will be sending a letter to the Council, which will indicate the Departments' consent to the request, as well as their concurrence with the request that the matter be acted upon at the October meeting of the Council without referral to a subcommittee.

OF COUNSEL
PETER A. ARTURI
JULIE D. KOHLER
JACK E. MCGREGOR
MARTIN F. WOLF

September 13, 2005

Page 2

Thank you in advance for your kind consideration of this request.

Very truly yours,



Robin A. Kahn

RAK/lr

enc:

cc: Westville Commons Associates, LLC
Patricia A. Ellsworth, P.E.
Eric Gottchalk, Esq.



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

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

WILLIAM J. BUCKLEY, JR., P.E.
DIRECTOR OF PUBLIC WORKS / CITY ENGINEER

September 14, 2005

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

Dear Mayor Boughton and Common Council Members:

Westville Commons Condominiums
Scuppo Road
Utilities Phasing

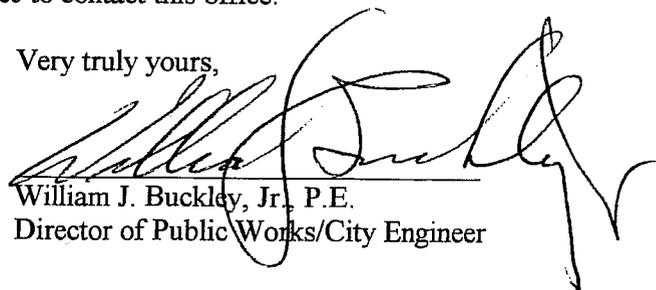
We are in receipt of a copy of the September 13, 2005 letter sent to the Common Council by Attorney Robin A. Kahn requesting that the Common Council's previous approval of the request to extend sanitary sewer and water mains to the above noted project be modified to allow the acceptance of these utilities in phases acceptable to the Engineering Department.

The Engineering Department has no objection to this request being acted upon on the consent calendar of the October Common Council meeting without referral to a subcommittee.

If the request is approved, we will work with the developer and the Corporation Counsel's office to insure that each phase is properly completed and transferred to the City.

If you have any questions, please feel free to contact this office.

Very truly yours,



William J. Buckley, Jr., P.E.
Director of Public Works/City Engineer

Encl.

C: Robin A. Kahn, Esq.