



17- August

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

21

(203) 797-4518
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PLEASE REPLY TO:

September 19, 2005

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

RE: August Agenda Item #17
206 Osborne Street – Storm Water Drainage
Lila Joan Shaker

Dear Mayor and Council Members:

The following is in response to your request for a report in connection with the above referenced request. At the August Common Council meeting you referred the matter to the public works department and this office for reports. I have reviewed the report from public works, which reaches a number of conclusions. Among other things, the report explains that the drainage pipe crossing 206 Osborne was recently repaired and that the repair should "alleviate a significant portion of the problem."

The report also notes that in the absence of piping, water would drain and pond in the location of the house at 206 Osborne Street. As you know quite well, the topography in Danbury creates natural challenges to the construction and maintenance of homes in many locations. Mrs. Shaker observes that, "you cannot pour 5 gallons of water into a one gallon bottle." Many other truths come to mind, including, "water seeks its own level." Another truth is that drainage problems are so prevalent and the cost of engineering solutions so extreme that no administration can afford to deal with them comprehensively on a citywide basis.

Once the effect of this repair is known, public works will surely advise you further if additional work is necessary. The Council will then have the opportunity to review available choices.

Sincerely,

Eric L. Gottschalk
Deputy Corporation Counsel

cc: William J. Buckley, Jr., Director of Public Works



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

ENGINEERING DEPARTMENT
(203) 797-4641
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WILLIAM J. BUCKLEY, JR., P.E.
DIRECTOR OF PUBLIC WORKS / CITY ENGINEER

September 15, 2005

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

Dear Mayor Boughton and Common Council Members:

206 Osborne Street – Storm Water Drainage
Lila Joan Shaker

At the August 2, 2005 Common Council meeting, the July 21, 2005 letter from Lila Joan Shaker to the Common Council relative to the drainage problems at her property was forwarded to our office for a report within 30 days (reference item 17 of the Common Council meeting minutes). On August 19, 2005 I wrote to you, copy attached, and asked for a 30-day extension of time for preparing that report, since vacation schedules and department workloads conflicted with our ability to research the issue in time for the September meeting of the Common Council. We have now researched our files and visited the site and can report to you.

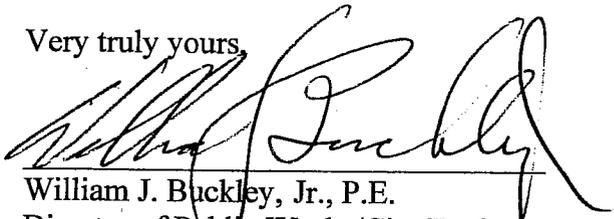
First of all, I thought you would be interested in a February 22, 1977 article from the Danbury News-Times, which certainly predates my tenure with the City and points to the fact that this is not a new or simple problem to solve. I personally visited the site on a number of occasions, with the previous Highway Superintendent, Mr. Frank Cavagna, and have recently inspected and evaluated the site with Mr. Duke Hart. 206 Osborne Street is located in a basin. If there were no storm drainage pipes at all, the water would drain and pond in the location of the house. The drains from the house all discharge in and around the backyard area, which in itself is very flat. Water is piped through the site and because of the flatness of the land and the pipe through the site, under very low flow conditions, sediment can build up in the pipe. Mr. Hart, and Mr. Cavagna before him, have taken steps to clean the catch basins in that area of the City on a more regular basis. Last month Mr. Hart and his crew inspected the pipeline in the backyard of 206 Osborne

Street and found it to be defective. Mr. Hart reports to me that he made a repair to the pipe and he feels that that repair will alleviate a significant portion of the problem.

With that having been said, however, the sizes of the pipes in this area were not designed to take high intensity rainstorm flows. Fortunately, this summer we haven't had many of those, but over the past years we have. This is no different elsewhere in the City, and we find that when we do a hydraulic analysis from an engineering standpoint, most of the inter-City pipelines are designed for a less than two-year storm event. That means that it is likely that a rainfall event will occur during a two-year period that the pipes will not handle. By contrast, when we design new pipelines today, we do so based on a design criteria of a 25-year storm event. In fact, with larger trunk storm lines, such as the East Ditch, we design them for a 100-year storm.

To summarize, we feel that the problem at 206 Osborne Street has been resolved for the short term, however, we will continue to monitor the situation and, should problems persist, will have to come up with a detailed engineering design and cost estimate, which we will place in future budgets for your consideration.

Very truly yours,



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

Encl.

cc: Duke Hart
Patricia Ellsworth, P.E.



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

August 19, 2005

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

Dear Mayor Boughton and Common Council Members:

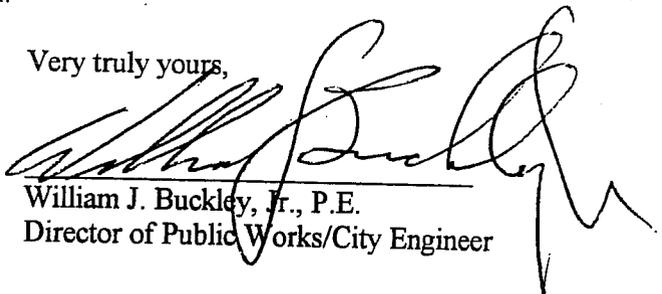
206 Osborne Street – Storm Drainage
Lila Joan Shaker

At the August 2, 2005 Common Council meeting, the July 21, 2005 letter from Lila Joan Shaker to the Common Council relative to drainage problems at her property was forwarded to our office for a report within 30 days (reference item 17 of the Common Council meeting minutes).

Because of vacation schedules and department workloads, I am unable to properly research this issue in time for the September 2005 Common council meeting. I respectfully request a 30 day time extension for my report. I will have a report ready for submittal to the Common Council for the October 2005 meeting.

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

Very truly yours,



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

Promised city help missing as homeowner dreads runoff

By Michele Derus
News-Times staff

DANBURY — Spring is coming and Lila Shaker's thoughts are turning to sewage.

The Osborne Street resident would just as soon forget the topic, but she says it will soon be at her door — literally.

Sewage from nearby buildings and debris from Osborne Street stream into her backyard and through the basement door every spring. Miss Shaker feels it's not her responsibility to keep mopping it up.

Her house is located below the road which in turn cuts a swath through a steep hillside.

During spring runoff or in any heavy rainstorm, water pours down the hillside into the road and down to the Shaker house, bringing twigs, cans and assorted garbage.

Miss Shaker admits the location always got more than its fair share of water, but says the situation was worsened with construction of the firehouse and indoor tennis courts next door. Both are uphill of the Shaker home.

She blames the city for underestimating flow when installing pipes to divert water from her home a few years ago. The pipes subsequently burst and have never been replaced.

Just over a year ago, Miss Shaker wrote the governor and The News-Times asking for help. She said city officials had ignored her problem, even though they admitted culpability.

As a result, Connecticut's Department of Environmental Protection (DEP) surveyed the area, took dye tests and concluded Miss Shaker is right. DEP told the city to correct the situation, which DEP considered a pollution problem.

At the time, City Sanitarian Nicholas

Juisto said orders would be issued to Miss Shaker's neighbors, whose dry well was reportedly overflowing. He predicted that fixing the ditch wouldn't be a major project.

A tour of Miss Shaker's property yesterday shows little has changed. The ditch is soggy with the liquid from two large pipes which flow into a narrow channel and even narrower pipe a few hundred feet away.

The neighbors chose to use the laundromat rather than repair the dry well, she reported. The city has done nothing, she said.

"They did come out here last fall and said it was my fault I built a house in a swamp," she said. "So I threw them off my property."

Miss Shaker said people remember reading about her dilemma "and they say, 'Hey Lila, what ever happened with the city. I say, 'Nothing. Not one damn thing.'"

Ernest Pizzuto of DEP, who handled the Shaker case, could not be reached for comment this morning. Juisto and Public Works Supt. Edward Fusek verified that nothing has been done.

"I don't know whether anything can be done," Juisto said. "She's always going to have a runoff problem in that location."

Fusek said he was at the firehouse a few months ago "and I saw her with a backhoe. I thought she corrected the problem privately."



Store robber takes \$400

DANBURY — Police are looking for a young man who held up the Dress Barn on Federal Road last night and walked off with more than \$400.

Police said the young man walked into the store shortly before 8:22 p.m. and when one of the two clerks asked

Bill
Thought this
was interesting
Rich