



15-Sept  
20

# 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 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:

Plumtrees Road/Dells Auto Wrecking Fence

At the September 7, 2005 Common Council meeting, the August 26, 2005 letter from Councilman Thomas J. Saadi requesting that a committee be appointed to discuss options relative to the installation of a fence along Plumtrees Road in the vicinity of Dell's Auto Wrecking was referred to our department for a report within 30 days (reference item 15 of the meeting minutes).

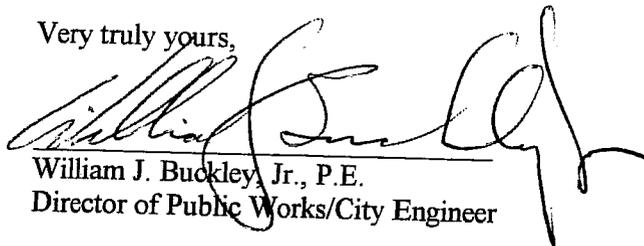
The Public Works Department/Engineering Department was not party to previous discussions between Ginsburg Development Corporation and Dells Auto Wrecking, therefore, we do not know what the exact issues were at that time.

Enclosed for your reference please find a copy of a section of the Tax Assessor's map for the Plumtrees Road area near Dells Auto wrecking. Although the Tax Assessor's map is not of survey detail, it does indicate that the existing fence may be located very close to the property line/road right of way line.

Questions relative to land use issues (fence required setback from property line, etc.) will need to be answered by the City Planning and Zoning Department.

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: Eric L. Gottschalk, Esq., with encl.
- Dennis Elpern, with encl.
- Wayne Skelly, with encl.

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

**Department of Planning & Zoning**

(203) 797-4525

(203) 797-4586 (FAX)

TO: Jimmetta Samaha, Office of the Common Council

FROM: Wayne Skelly, Zoning Enforcement Officer 

RE: Referrals – September 7, 2005

DATE: October 4, 2005

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Jimmetta:

Regarding the fence issue, the City of Danbury has no fence regulations. However, any new fence that is put up should be on private property, should be totally within the property line, and not on City property. A current survey map would be required to ensure the location of the property lines.

Thank you.

Wayne



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

October 26, 2005

To: Mayor Mark D. Boughton  
Members of Common Council

From: Dennis I. Elpern

Re: Dell's Auto Wrecking, Inc.

This is in response to inquiries into development at Dell's Auto Wrecking on Plumtrees Road.

Our records go back to 1976. On May 13, 1976, the Zoning Board of Appeals granted a variance for Dell's to construct a building in the front yard setback. The decision was effective May 19, 2005. The related site plan was subsequently approved by the Planning Commission July 7, 1976.

The plan submitted by the applicant and approved by both the ZBA and the Planning Commission shows the steel fence which runs along Plumtrees Road. I understand that the fence was in existence at the time of the application for the variance. About two-thirds of the fence is on Dell's property while the remainder is slightly within the City right-of-way.

A subsequent site plan was approved by the Planning Commission November 19, 1980 and included a small expansion of the building and grading changes. The fence was not affected.

The Zoning Regulations do not regulate fences. Consequently, fences are allowed within the setback. However, construction of a new fence within the right-of-way would require permission from the City.

Nevertheless, since only a small portion of the fence is within the right-of-way, the loss of space to Dell's for this portion to be pushed back onto their property would be minor if a new fence were constructed.

N

NOTE:

VARIANCE GRANTED RE: FRONTYARD  
SETBACK REQUIREMENTS BY DANBURY  
ZONING BOARD OF APPEALS —  
EFFECTIVE MAY 19, 1976 — NLY END  
OF PROPOSED ADDITION - 18'.  
Sly END OF PROPOSED ADDITION - 33'.

