

March 1, 2006

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

RE: Carl D. & Susan S. Johnson
Proposed Acquisition of a portion of Reservoir Road

Dear Mayor Boughton and Council Members:

By this letter I am hereby requesting that the City of Danbury convey a portion of its right of way in Reservoir Road to my clients, Carl and Susan Johnson. The area in question is shown on the enclosed map.

Mr. and Mrs. Johnson have applied to re-subdivide their property into two parcels. The new lot that they propose to create will be accessed from Reservoir Road. I have requested that the Planning Commission grant a waiver of the road requirements of the subdivision regulations which would necessitate the construction of a road built to City standards to access the new lot. Since one-half of the City's right of way in front of my clients' contains wetland soils, and since the road would serve no other properties in Danbury, the construction of such a road is neither desirable nor necessary. My clients would construct a driveway in the right of way to access their property.

William Buckley, City Engineer, has indicated that he will not object to the waiver request if my clients' acquire a portion of the City's right of way subsequent to the issuance of re-subdivision approval.

Kindly place this matter on the next agenda of the Common Council for consideration.

Very truly yours,



Robin A. Kahn

RAK/lr
enc:

cc: Carl and Susan Johnson



CITY OF DANBURY
OFFICE OF THE CORPORATION COUNSEL
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PLEASE REPLY TO:

March 28, 2006

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

Re: Carl D. and Susan S. Johnson – 22 Long Ridge Road
Proposed discontinuance of a portion of Reservoir Road

Dear Mayor and Council Members:

Following discussions with William J. Buckley, Jr., Director of Public Works, and counsel for the petitioner, Robin A. Kahn, regarding a proposed re-subdivision of the Johnson property on Long Ridge Road, it became evident that a portion of Reservoir Road is no longer used by the public and should be discontinued. At the same time any remaining interest that the city has in that portion of Reservoir Road could then be conveyed to the Johnson's for their use as a driveway, consistent with their letter to you of March 1, 2006, subject of course to the statutory or deeded rights of others to pass and repass.

The parcel in question is identified as Parcel "X" on the Johnson re-subdivision map entitled, "PROPERTY SURVEY SHOWING PROPOSED RE-SUBDIVISION OF PARCEL NO. 5 PREPARED FOR CARL D. & SUSAN S. JOHNSON 22 LONG RIDGE ROAD CITY OF DANBURY FAIRFIELD COUNTY, CT. JUNE 3, 2003 SCALE: 1" = 50'" as revised on September 16, 2004 and March 3, 2006, a copy of which is on file in the planning office.

Please bear in mind that in order to convey city property, it must first be declared surplus. In addition, any proposal to convey an interest in municipally owned property requires a two-thirds vote of all of the members of the Common Council (See §3-17 of the Danbury Municipal Charter).

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

Sincerely,

Eric L. Gottschalk
Deputy Corporation Counsel

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