

STEVENS, CARROLL & CARVETH

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September 24, 2007

Mr. Joseph M. Cavo
President, Common Council
City of Danbury
c/o City Attorney
155 Deer Hill Avenue
Danbury, CT 06810

Via Overnight Courier

Re: 50 Beaver Brook Road

Dear Mr. Cavo:

Please be advised that I represent JBD Properties, LLC, owner of 50 Beaver Brook Road. The owner received Site Plan Approval and subsequently approval of a revised (minor) Site Plan for the construction of a warehouse, office and the storage of construction equipment at the aforementioned site. Although neither approval specifically requires the owner/applicant to grant an easement to the City of Danbury for the purposes of constructing, laying and maintaining a fire hydrant with the necessary appurtenances, it is our understanding this easement has been requested by the appropriate town agencies. Copies of the approval and the proposed easement are attached to this letter. The Department of Engineering and Corporation Counsel are in the process of reviewing the proposed easement document.

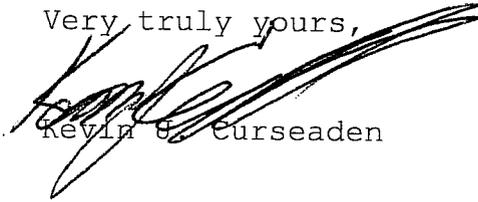
Please accept the proposed easement. Please advise of any committee meetings.

Thank you.

Mr. Cavo, September 24, 2007

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Very truly yours,

A handwritten signature in black ink, appearing to read "Kevin S. Curseaden", written over the typed name below.

Kevin S. Curseaden

Cc: City Attorney
City Engineering
EIC

Attachments

FIRE HYDRANT EASEMENT AGREEMENT

GRANTOR: JBD Properties, LLC
REAL PROPERTY: 50 Beaver Brook Road, Danbury

KNOW ALL MEN BY THESE PRESENTS,

That JBD Properties, LLC, a Connecticut limited liability company having an address of 50 Beaver Brook Road, Danbury, Connecticut 06811 (hereinafter the "Grantor") for the consideration of One Dollar (\$1.00) and other valuable consideration, received to its full satisfaction of the CITY OF DANBURY, a municipal corporation located in the County of Fairfield and organized and existing under and by virtue of the laws of the State of Connecticut, does give, grant, bargain, sell and confirm unto the said CITY OF DANBURY (hereinafter the "Grantee"), its successors and assigns, the right, privilege, authority and easement to lay, construct, alter, repair, replace and maintain a fire hydrant, together with the necessary appurtenances therefore, in, through, under and over a certain strip or parcel of land constituting a portion of the land described in the attached Schedule A. Said strip or parcel is further described as follows:

All that certain strip or parcel of land consisting of 3,081.40 sq. ft. (0.071 acres) located within boundaries shown and delineated as the hatchmarked area labeled "Waterline Easement" on a certain map entitled "Waterline Easement To Be Granted To The City Of Danbury From The Property of JBD Properties, LLC, 50 Beaver Brook Road, Danbury, Connecticut" dated May 17, 2006 Scale: 1" = 30'" Prepared By Robert J. Ivancso Land Surveying, LLC, CT REG. NO. 70221, which map was recorded in the Office of the Town Clerk of the City of Danbury, Connecticut on August 8, 2006 as Map No. 12281.

TOGETHER WITH all right, title and interest of the Grantor in said fire hydrant and other items appurtenant or affixed to said fire hydrant and other items as lay in, through, under or over the above described certain strip or parcel of land, together also with the right to pass and repass over the easement area as well as over the site's driveway and parking areas in order to access the easement area, for the purpose of maintaining said fire hydrant and appurtenances thereto.

IT IS HEREBY AGREED that the Grantee, its successors and assigns, shall, subsequent to any repair, replacement or maintenance, restore the bituminous paved surfaces or any unpaved surfaces overlying said land to substantially the same condition as existing immediately prior to any such work, provided,

however, that said restoration shall not include any structures (retaining walls, etc.), other improvements (except for said bituminous surfaces), or plantings (except ground sod) made by the Grantor, its successors, heirs or assigns.

TO HAVE AND TO HOLD the above granted rights, privilege, authority and easement unto the said Grantee, its successors and assigns, forever, to its and their own proper use and behoof.

IN WITNESS WHEREOF, the undersigned have set their hands and seals this ____ day of September ____, 2007.

Signed, Sealed and Delivered in the presence of:

GRANTOR: JBD Properties, LLC

By: James W. D'Entremont
Its: Member, Duly Authorized

GRANTEE: City of Danbury

By: _____
Is: _____, Duly Authorized

State of Connecticut)
County of Fairfield)

ss: Danbury September __, 2007

Personally appeared, James W. D'Entremont, who acknowledged himself to be a Member of JBD Properties, LLC, a Connecticut limited liability company and that he as such Member, being so authorized, executed the foregoing instrument as his free act and deed and the free act and deed of said limited liability company for the purposes therein contained, by signing the name of the limited liability company by himself as its Member.

In Witness whereof, I hereunto set my hand and official seal.

Commissioner of Superior Court/
Notary Public

State of Connecticut)
County of Fairfield)

ss: Danbury September __, 2007

Personally appeared, _____, who acknowledged _____ to be _____ of the City of Danbury, a Connecticut municipal corporation, and that _____ as such _____, being so authorized, executed the foregoing instrument for the purposes therein contained, by signing the name of the City of Danbury by _____ as its _____.

In Witness whereof, I hereunto set my hand and official seal.

Commissioner of Superior Court/
Notary Public



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

11-5

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

May 9, 2007

Ben Doto, III, P.E.
248 Main Street, Suite 3A
Danbury, Connecticut 06810

Re: Site Plan Approval for Jim & Beth D'Entremont, 50 Beaver Brook Road, 2nd Revision—SP 05-11
(Assessor's Lot #K12274)

Dear Mr. Doto:

The Department of Planning and Zoning received a revised site plan application on March 20, 2007 for several small revisions to a previously approval Site Plan located at 50 Beaver Brook Road. The revisions to the Site Plan reflect a change to the parking table that includes more detailed information concerning the breakdown of tenant spaces by office and warehouse space and the allocation of an employee count per unit. There are no changes proposed to the site.

Approval of the Site Plan Application for said revision is granted, subject to the following administrative requirements:

1. The Site Plan Application for approval shall be consistent with the map listed below, except as modified by this approval:
 - A. Map title "Jim & Beth D'Entremont, 50 Beaver Brook Road, Danbury, Connecticut", Subtitled 'Proposed Site Plan (Alt. E)', prepared by Benjamin V. Doto, III, P.E., LLC, dated November 2, 2004-revised through 3/19/07.
2. The applicant shall comply with all requirements of the Danbury Environmental Impact Commission as specified in their approval dated April 27, 2005.
3. The application shall comply with all previous approvals granted by the Department of Planning and Zoning, except as modified by this approval.
4. The total number of employees for the warehouse uses shall not exceed 20 employees. Any changes resulting in additional employees or an increase in office space shall require a revised Site Plan Application.
5. Prior to the issuance of a Certificate of Zoning Compliance by the Zoning Enforcement Officer:
 - A. The proposed 5 ft. wide concrete sidewalk, concrete driveway apron and curbing shall be constructed to City of Danbury Highway Department standards.
 - B. All work within the City road right-of-way shall be approved by and completed to the satisfaction of the City of Danbury Highway Department.

- C. All lighting shall comply with Section 8.C.7 of the City of Danbury Zoning Regulations.
6. Approval of this Site Plan application does not waive any other requirements for additional approvals or permits that may be required from other City, State or Federal departments or agencies, including that required for site signage.

The Permit Center should be contacted regarding the process of obtaining a zoning permit. Please contact the Planning and Zoning Department if you have any questions.

Sincerely,



Jennifer L. Emminger, AICP
Associate Planner

cc: Sean Hearty, Zoning Enforcement Officer
George Gleason, Permit Center
Farid Khouri, P.E., Engineering Department

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CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

PLANNING & ZONING DEPARTMENT

(203) 797-4525
(203) 797-4586 (FAX)

September 12, 2005

Ben Doto, III, P.E.
131 Deer Hill Avenue
Danbury, Connecticut 06810

Re: Site Plan Approval for Jim & Beth D'Entremont, 50 Beaver Brook Road —SP 05-11 (Assessor's Lot #K12274)

Dear Mr. Doto:

The Planning Department received a site plan application on May 5, 2005 for the approval of a proposal for a warehouse, office, and the storage of construction equipment at 50 Beaver Brook Road. Improvements proposed include construction of a building in two phases, parking and a gravel storage area. Per the plan, the site is zoned IG-80.

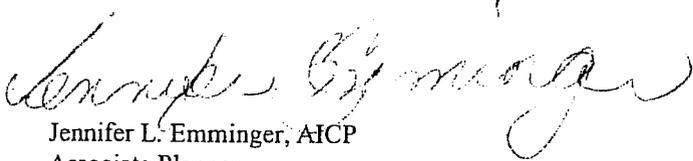
Approval of the Site Plan Application for said site improvements is granted, subject to the following modifications and administrative requirements:

1. The Site Plan Application for approval shall be consistent with the maps listed below, except as modified by this approval:
 - A. Maps under the general title "Jim & Beth D'Entremont, 50 Beaver Brook Road, Danbury, Connecticut", prepared by Benjamin V. Doto, III, P.E., LLC:
 - i. Subtitled 'Proposed Site Plan (Alt. E)', dated November 2, 2004-revised through 08/07/05;
 - ii. Subtitled 'Grading and Utility Plan (Alt. E)', dated November 2, 2004-revised through 08/07/05 and
 - iii. Subtitled 'Detail Sheet', dated November 2, 2004-revised through 09/08/05.
 - B. Map titled "Property Survey Prepared for Jim & Beth D'Entremont, 50 Beaver Brook Road, City of Danbury, Fairfield County, CT" prepared by Paul A. Hiro, P.C. and dated October 15, 2004.
2. The applicant shall comply with all requirements of the Danbury Environmental Impact Commission as specified in their approval dated April 27, 2005.
3. Prior to the issuance of a Zoning Permit by the Zoning Enforcement Officer:
 - A. The applicant shall obtain a Soil Erosion Control Permit and Grading Permit from the Health Department before any work commences.
4. Prior to the issuance of a Certificate of Zoning Compliance by the Zoning Enforcement Officer:
 - A. The proposed 5 ft. wide concrete sidewalk, concrete driveway apron and curbing shall be constructed to City of Danbury Highway Department standards.
 - B. All work within the City road right-of-way shall be approved by and completed to the satisfaction of the City of Danbury Highway Department.
 - C. All lighting shall comply with Section 8.C.7 of the City of Danbury Zoning Regulations.
5. Approval of this Site Plan application does not waive any other requirements for additional approvals or permits that may be required from other City, State or Federal departments or agencies, including that required for site signage.

The Zoning Enforcement Officer should be contacted regarding the process of obtaining a zoning permit. Please contact the Planning and Zoning Department if you have any questions.

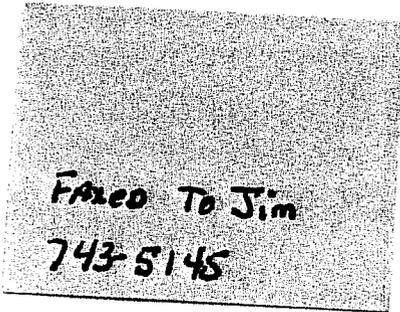
Sincerely,

11-8



Jennifer L. Emminger, AICP
Associate Planner

- cc: Wayne Skelly, Zoning Enforcement Officer
- Permit Center
- Engineering Department
- Building Department
- Fire Marshal
- Highway Department, Fran Lollie



Faxed To Jim
743-5145