



Connecticut State University System

Developing a State of Minds

BR#04-05



RESOLUTION

concerning


AN EASEMENT  
TO THE  
CITY OF DANBURY  
ON THE  
WESTSIDE CAMPUS  
OF

WESTERN CONNECTICUT STATE UNIVERSITY

January 30, 2004

- WHEREAS, The City of Danbury must commence construction of their new school and accommodate its stormwater runoff no later than June 30, 2004, and
- WHEREAS, The City of Danbury is willing to construct a new detention/wet pond basin to accommodate the stormwater runoff of their new magnet school on university property, and
- WHEREAS, The City of Danbury will construct the new detention/wet pond basin in full compliance with the Connecticut Department of Environmental Protection's rules and regulations, and
- WHEREAS, The City has requested a permanent easement in order to construct the new basin and provide maintenance and upkeep, and
- WHEREAS, The City will hold the State of Connecticut harmless with respect to any liability relative to its construction and maintenance, and
- WHEREAS, The City of Danbury will permit Western to drain road and other drainage from the University Boulevard Extension project and the surrounding area into the basin and utilize the basin for educational purposes, therefore be it
- RESOLVED, That the Board of Trustees for the Connecticut State University System grant an easement to the City of Danbury for a detention/wet pond basin at the Westside Campus of Western Connecticut State University.

A Certified True Copy:

  
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 William J. Cibes, Jr., Chancellor

**ITEM**

An easement to the City of Danbury on the Westside Campus of Western Connecticut State University.

**BACKGROUND**

In May 2003, the City of Danbury (City) and the State of Connecticut executed a land deed giving the City a parcel of land at the Westside Campus for the development of a new Regional Magnet School. The Connecticut State University's Board of Trustees authorized this transfer in January, 2002 (BR#02-05).

**ANALYSIS**

The City is ready to commence construction on their new Regional Magnet School that will be located on property formerly under the custody of Western Connecticut State University (WestConn). WestConn has developed a new road project that will connect University Boulevard with the new Magnet School and Middle River Road. However, the road project is still undergoing permit review at the Connecticut Department of Environmental Protection (DEP) and the review is not anticipated to be complete until late summer or early fall 2004.

The new magnet school is completely funded by the State of Connecticut through a grant issued by the Department of Education which will expire on June 30, 2004. The City has already received construction bids for their new school project. In order for the City to commence development of their new magnet school, a detention basin large enough to accommodate storm water generated by the new school project must be started no later than June 30, 2004. In order to expedite the development of the detention/wet pond basin, the City proposes to develop the basin on WestConn property within the allowable size and permit limits of DEP's rules and regulations. This new basin will accommodate the needs of the new magnet school and eventually the new road.

The City will construct the new detention basin in accordance with all DEP rules and regulations. The City further agrees to allow the State to drain its road and other drainage from University Boulevard Extension and the surrounding area into the new detention/wet pond basin. WestConn retains the right to utilize the area for educational purposes without adverse impact on the new basin. The City further agrees to hold the State of Connecticut harmless with respect to any liability arising from the construction or maintenance of the new detention/wet pond basin.

The City will be responsible for the maintenance and upkeep of the detention/wet pond basin. However, in order to provide legal access for maintenance and upkeep to the pond, it is necessary for the Board of Trustees to grant a property easement to the City of Danbury.

**CHANCELLOR'S RECOMMENDATION**

Approve granting a permanent easement to the City of Danbury for a detention/wet pond basin on the Westside Campus of Western Connecticut State University.