

**DARIEN PLANNING AND ZONING COMMISSION
C.G.S. SECTION 8-24 MANDATORY REFERRAL REPORT
KNOBEL HILL, LLC, 40 LOCUST HILL ROAD
JANUARY 20, 2015**

Mandatory Referral #1-2015, Knobel Hill, LLC, 40 Locust Hill Road.

Request for an adjustment of the boundary of Locust Hill Road and the right-of-way along the northerly boundary of the 40 Locust Hill Road property, the property at the corner of Settler's Trail.

The subject request consists of two parts:

- 1) Dedication to the Town of Darien of 1,089+/- square feet of right-of-way adjacent to Locust Hill Road.
- 2) Town discontinuation of 417+/- square feet of right-of-way on Locust Hill Road.

Materials submitted in support of this request include: a December 26, 2014 letter from Maslan Associates revised January 12, 2015; a "Right of Way Survey Depicting Land to be Conveyed to and From Knobel Hill, LLC 40 Locust Hill Road and the Town of Darien" by William W. Seymour & Associates, dated September 26, 2014; Site Plan Knobel Brothers LLC, 8-1/2" x 11", by DiVesta Civil Engineering Associates Inc., Drawing No D-2; and Section B-B Knobel Brothers LLC, 11" x 17", by DiVesta 01/09/15, Civil Engineering Associates Inc., Drawing No D-1. A number of photographs of the vicinity and related excerpts from the Town Plan of Conservation & Development were also submitted in support of the request.

While the dedication to the Town and discontinuation of right-of-way are related issues, they are addressed separately herein.

1) **Dedication to the Town of 1,089+/- square feet of right-of-way adjacent to Locust Hill Road.**

The 1,089+/- square feet to be received by the Town of Darien is shown on Parcel 'Y' on the submitted Right of Way Survey. It is located generally parallel to Locust Hill Road, for about 89 feet. This area now contains a stone wall, which, based upon the photographs submitted, impedes sight lines looking from Settler's Trail west along Locust Hill Road. In this vicinity, the right-of-way of Locust Hill Road is less than the usual fifty feet wide. As part of a December 1971 subdivision approval (Subdivision Application #472), the Commission required this area as "Reserved for future road widening purposes". This was specifically noted on Map #3651 in the Darien Land Records. The formal acquisition of this land by the Town of Darien will allow the Town to then have a fifty foot wide right-of-way in this vicinity. The applicant has also assured the Commission that prior to deeding the land to the Town, that the existing stone wall along Locust Hill Road and part of Settler's Trail near the intersection would be removed, and the land in the area of the corner of Settler's Trail and Locust Hill Road will be regraded to improve the sight lines. The submitted Site Plan and Section B-B show how the wall can be removed and the area regraded. Thus, the benefit to the Town of Darien of this acquisition is two-fold: to allow the Town to have a more regular sized right-of-way along Locust Hill Road, and a safety improvement in terms of the intersection of Settler's Trail and Locust Hill Road (removal of the stone wall and associated regrading). It is noted that due to the amount and location of the proposed regrading, a formal application to the Planning and Zoning Commission and their review and approval will be required prior to implementation.

2) **Town discontinuation of 417+/- square feet of right-of-way on Locust Hill Road.**

The second part of the referral is for the Town to formally discontinue part of the Locust Hill Road right-of-way (shown as Parcel 'X' on the submitted Right of Way Survey). This is a 417+/- area between an existing stone wall on the subject property and the paved area of Locust Hill Road. In this area, the Locust Hill Road right-of-way is greater than fifty feet in size. Town public road right-of-ways are usually fifty feet wide. The result of this release/discontinuation, along with the associated formal dedication noted above, is a consistent fifty foot right-of-way of Locust Hill Road in this vicinity.

Summary

After reviewing the submitted information, the Commission hereby finds that both the Dedication of 1,089 square feet of right-of-way adjacent to Locust Hill Road, and the Town discontinuation of 417+/- square feet of right-of-way on Locust Hill Road are consistent with the Town Plan of Conservation & Development, as amended.