

**EXHIBIT E**  
**RULES OF**  
**RIVER WOODS OF DANBURY ASSOCIATION, INC.**

Initial capitalized terms are defined in the Declaration.

The following Rules apply to all owners and occupants of Units.

**ARTICLE I**  
**Use of Units**

**Section 1.1 - Occupancy Restrictions.** Unit Owners and occupants shall not violate the restrictions on use, occupancy and alienation of Units set forth in Article 11 of the Declaration.

**Section 1.2 - No Commercial Use.** Except for those activities conducted as a part of the marketing and development program of the Declarant, each Unit shall be occupied only as a single family residence including home professional pursuits not requiring employees, regular visits from the public or unreasonable levels of mail, shipping, trash or storage. By amendment to these rules, the Association may provide additional restrictions and definitions of single family residences. No signs, window displays or advertising may be maintained on any part of the Common Elements or in any Unit so as to be visible from the exterior of the Unit, including, but not limited to, "for sale" signs, which are also prohibited from display on or in vehicles parked in the Common Elements.

**Section 1.3 - Access by Executive Board and Secured Space.** In the event of an emergency, the Executive Board, its agents and/ or employees, may enter any Unit where necessary to preserve the safety of persons or property.

**Section 1.4 - Electrical Devices or Fixtures.** No electrical device creating electrical overloading of standard circuits may be used in any Unit. Misuse or abuse of appliances or fixtures within a Unit which affects other Units or the Common Elements is prohibited. Any damage resulting from such misuse shall be the responsibility of the Unit Owner from whose Unit it shall have been caused.

**Section 1.5 - Trash.** No storage of trash will be permitted in any Unit in such manner as to permit the spread of fire or encouragement of vermin.

**Section 1.6 - Displays and Holiday Decorations; Window Treatments.** To the extent that this rule may be legally enforceable, occupants shall not cause or permit anything other than curtains and conventional draperies or blinds to be hung, displayed or exposed in the windows without the prior consent of the Executive Board or such committee then established having jurisdiction over such matters, if any. The portion of window treatments visible from the exterior of the Unit shall be of a solid color.

No signs, window displays or advertising may be maintained in any Unit so as to be visible from the exterior of the Unit, including, but not limited to, "for sale" signs.

American flags may be displayed with the prior consent of the Executive Board.

Holiday decorations may only be hung on the inside of windows or on exterior doors (excluding holiday lights, which may not be hung on exterior doors). All holiday decorations shall be removed within thirty (30) days of the holiday being celebrated.

**Section 1.7 - Cleanliness.** Each Unit Owner and occupant shall keep his or her Unit in a good state of preservation and cleanliness.

**Section 1.8 - Electrical Usage.** Total electrical usage in any Unit shall not exceed the capacity of the circuits as labeled on the circuit breaker boxes.

**Section 1.9 - Alteration of Exterior of Buildings.** Unit Owners and occupants shall not paint, stain, or otherwise alter the exterior portion of any building without the prior consent of the Executive Board or such committee then established having jurisdiction over such matters, if any.

**Section 1.10 - Storm Doors.** No storm doors shall be installed in any Unit without the prior consent of the Executive Board. The Executive Board shall specifically approve the color of any storm doors to maintain consistency throughout the Common Interest Community. The maintenance, repair and replacement of the approved storm doors shall be the responsibility of each Unit Owner, who must maintain his or her storm door in a good state of preservation and cleanliness.

**Section 1.11 Damage to Common Elements or Other Units.** In the event that any use of a Unit by a Unit Owner, his or her children, tenants agents or guests causes damage to the Common Elements or to one or more Units such Unit Owner shall be charged for the cost of repair of such damage. Every unit owner should obtain and maintain an individual insurance policy (H06) to cover the cost of such repairs.

## **ARTICLE II**

### **Use of Common Elements**

**Section 2.1 - Obstructions.** There shall be no obstruction of the Common Elements, nor shall anything be stored outside of the Units without the prior consent of the Executive Board except as hereinafter expressly provided.

**Section 2.2 - Storage.** Storage of materials in Common Elements or other areas designated by the Executive Board shall be at the risk of the person storing the materials.

**Section 2.3 - Proper Use.** Common Elements shall be used only for the purposes for which they are designed. No person shall commit waste on or in the Common Elements or interfere with their proper use by others, or commit any nuisances, vandalism, boisterous or improper behavior on the Common Elements which interferes with, or limits the enjoyment of the Common Elements by others.

**Section 2.4 - Alterations, Additions or Improvements to Common Elements.** There shall be no alterations, additions or improvements may be made to the Common Elements without the prior consent of the Executive Board or such committee established by the Executive Board having jurisdiction over such matters, if any. No clothes, sheets, blankets, laundry or any other kind of

articles other than holiday decorations on doors only, as limited herein, shall be hung out of a building or exposed or placed on the outside walls, doors of a building or on trees or clothes lines, and no sign, awning, canopy, shutter or antenna shall be affixed to or placed upon the exterior walls or doors, roof or any part thereof or exposed on or at any window.

### **ARTICLE III**

#### **Actions of Owners and Occupants**

**Section 3.1 - Annoyance or Nuisance.** No noxious, offensive, dangerous or unsafe activity shall be carried on in any Unit, or the Common Elements, nor shall anything be done therein either willfully or negligently, which may be or become an annoyance or nuisance to the other Unit Owners or occupants. No Unit Owner or occupant shall make or permit any disturbing noises by himself or herself, his or her family, servants, employees, agents, visitors and licensees, nor do or permit anything to be done by such persons that will interfere with the rights, comforts or convenience of other Unit Owners or occupants. No Unit Owner or occupant shall play, or suffer to be played, any musical instrument or operate or suffer to be operated a phonograph, television set or radio at such high volume or in such other manner that it shall cause unreasonable disturbances to other Unit Owners or occupants. Children shall be supervised by a responsible adult at all times while in the Common Elements.

**Section 3.2 - Compliance With Law.** No immoral, improper, offensive or unlawful use may be made of the Property and Unit Owners shall comply with and conform to all applicable laws and regulations of the United States and of the State of Connecticut, and all ordinances, rules and regulations of the City of Danbury. The violating Unit Owner shall hold the Association and other Unit Owners harmless from all fines, penalties, costs and prosecutions for the violation thereof or noncompliance therewith.

**Section 3.3 - Pets.** No animals, birds or reptiles of any kind will be raised, bred, or kept in the Common Elements, except for no more than two (2) dogs of gentle disposition and no more than two (2) cats, the usual domestic birds in cages and fish in tanks, or other household pets approved by the Executive Board or the manager as to compatibility with the community.

In no event will any dog whose breed is noted for its viciousness or ill-temper, in particular, the American Staffordshire Terrier, know as a "Pit Bull Terrier", be permitted on the premises, nor any animal of any kind that has venom or poisonous defense or capture mechanisms, or if let loose would constitute vermin, be allowed in the premises. Pets may not be kept, bred or maintained for any commercial purposes. Any pet causing or creating an unreasonable disturbance or noise will be permanently removed from the property within ten (10) days of the date of written notice from the Executive Board following Notice and Hearing.

No dog or cat will be permitted in any portion of the Common Elements unless carried or on a leash. No dogs or cats may be left unattended in the Common Elements. Any droppings in the Common Elements will be picked up and removed immediately to a trash disposal container. The owner will compensate any person hurt or bitten by any dog, and will hold the association harmless from any claim resulting from any action of his pet whatsoever.

**Section 3.4 - Indemnification for Actions of Others.** Unit Owners shall hold the Association and other Unit Owners and occupants harmless for the actions of their children, tenants, guests, pets, servants, employees, agents, invitees or licensees.

**Section 3.5 - Employees of Management.** No Unit owner shall send any employee of the manager out of the Property on any private business of the Unit Owner, nor shall any employee be used for the individual benefit of the Unit Owner, unless in the pursuit of the mutual benefit of all Unit Owners, or pursuant to the provision of special services for a fee to be paid to the Association.

**Section 3.6 - Lint Filters on Dryers; Grease Screens on Stove Hoods.** All dryers will have lint filters, which will remain installed and prevent lint from accumulating in the vent duct. All stove hoods will have grease screens, which will remain installed and prevent grease from accumulating in the vent duct. All such filters and screens will at all time be used and kept in clean, good order and repair by the Unit Owner.

#### **ARTICLE IV Insurance**

**Section 4.1 - Increase in Rating.** Nothing shall be done or kept which will increase the rate of insurance on any buildings, or contents thereof, without the prior consent of the Executive Board. No Unit Owner shall permit anything to be done, or kept on the Property which will result in the cancellation of insurance coverage on any of the buildings, or contents thereof, or which would be in violation of any law.

**Section 4.2 - Rules of Insurance.** Unit Owners and occupants shall comply with the Rules and Regulations of the New England Fire Rating Association and with the rules and regulations contained in any fire and liability insurance policy on the Property.

**Section 4.3 - Reports of Damage.** Damage by fire or accident affecting the Property, and persons injured by or responsible for any damage, fire or accident must be promptly reported to the manager or a Director by any person having knowledge thereof.

#### **ARTICLE V Trash Removal**

**Section 5.1 - Deposit of Trash.** No garbage cans or trash barrels will be kept or placed outside of Units except on trash collection days as designated by the Association. All such cans or barrels shall be returned to the interior of Units within twenty-four (24) hours of pick up by the trash hauler engaged by the Association.

#### **ARTICLE VI Motor Vehicles**

**Section 6.1 - Compliance with Law.** All persons will comply with Connecticut State Laws, Department of Motor Vehicle regulations, and applicable local ordinances, on the roads, drives and Property.

**Section 6.2 - Speed Limit.** The speed limit on roadways within the Community is 10 miles per hour.

**Section 6.3 - Snowmobiles, Off Road and Unlicensed or Immobile Vehicles.** Snowmobiles, off road vehicles including trail bikes, jeeps and other four-wheel drive vehicles not used in maintenance are prohibited, except where licensed and equipped for passage on public highways, and actually used by licensed drivers on the paved portions of the Property. Except for motor assisted wheel chairs as permitted by state law, all motor vehicles used or parked on the Property will be licensed and properly equipped and in operating condition for safe travel on the public highways of the state. Except for temporary repairs not involving immobility in the excess of ten (10) hours, motor vehicles will not be disassembled, repaired, rebuilt, painted or constructed outside of garages on the Property.

**Section 6.4 - Parking.** Insofar as exterior parking spaces are for visitors' vehicles only, and insofar as there is not sufficient space behind garage doors for the parking of vehicles, Unit Owners and their tenants or occupants must park their vehicles inside their garages. Garage doors must be kept completely closed. No Unit Owner or tenant or occupant of a Unit may permanently park more than a total of two (2) vehicles anywhere within the Common Interest Community.

No unlicensed vehicle, whether inside or outside of an enclosed garage, may be placed or stored in the Common Interest Community at any time, either temporarily or permanently. Vehicles may not be parked in such a manner as to block access to driveways, fire hydrants, sidewalks, pedestrian crossing areas, designated fire lanes, or clear two lane passage by vehicles on roads and drives.

Vehicles in violation of this rule may be towed at the expense of the owner of such vehicle after reasonable warnings have been placed on the vehicle. In addition, a fine may be levied against the person, Unit Owner or occupant to whom the vehicle is registered, following Notice and Hearing, for the period that the vehicle violates these rules, unless at such hearing good and valid reasons are given for such violation.

**Section 6.5 - Trucks and Commercial Vehicles.** Trucks and commercial vehicles are prohibited in the parking areas and driveways, except for temporary loading and unloading, or commercial vehicles that are parked in garages with their doors fully closed.

## **ARTICLE VII**

### **Rights of Declarant**

The Declarant may make such use of the unsold Units and Common Elements as may facilitate completion and sale of the Units in the Common Interest Community including, but not limited to, maintenance of a sales office, the showing of the Common Elements and unsold Units, the display of signs, the use of vehicles, and the storage of materials. Interference with workmen or with buildings under construction is prohibited. Residents may not enter construction areas or the Declarant's restricted areas unless accompanied by representatives of the Declarant.

## **ARTICLE VIII**

### **General Administrative Rules**

**Section 8.1 - Consent in Writing.** Any consent or approval required by these Rules must be obtained in writing prior to undertaking the action to which it refers.

**Section 8.2 - Complaint.** Any formal complaint regarding the management of the Property or regarding actions of other Unit Owners or residents shall be made in writing to the Executive Board or a committee designated for such purpose by the Executive Board.

## **ARTICLE IX General Recreation Rules**

**Section 9.1 - Common Elements.** The use of the Common Elements is limited to Unit Owners, their tenants and invited guests, at the risk and responsibility of the user, and the user shall hold the Association harmless from damage or claims by virtue of such use.

**Section 9.2 - Boisterous Behavior Prohibited.** Boisterous, rough or dangerous activities or behavior, which unreasonably interferes with the use of the Common Elements by others, is prohibited.

**Certified to be the initial Rules  
adopted by the Executive Board on its  
date of organization.**

River Woods of Danbury Association, Inc.

By \_\_\_\_\_  
Christian DaCunha, President

EXHIBIT F

**Riverwoods Condominium Association Inc**  
**12 month budget**  
**34 units**

**INCOME:**

Income from Member Fees \$79,560.00

**TOTAL INCOME:** **\$79,560.00**

**EXPENSES:**

Insurance - Property	\$19,700.00	Prop/Liab-\$15,000; Umbrella \$1,500, D/O \$1,200, Flood \$2,000
Legal	\$500.00	
Accounting	\$730.00	
Management Fees	\$10,200.00	\$30/unit/month
Corporate Taxes	\$100.00	
Bank Services Charges	\$210.00	.45/trans x 37/mo=\$17/mo
Misc Administrative & Postage	\$200.00	
Electricity	\$2,880.00	12 lamp poles at \$20/mo
Sewer & Water	\$7,140.00	\$210/unit/yr
Landscape/Snow Removal	\$14,500.00	Based on little landscaping mostly snowplowing and cleanups
Repairs & Maintenance	\$4,500.00	See notes below
A/C Unit Maintenance Exterior	\$1,000.00	See notes below
Trash & Recycling	\$11,100.00	\$27/unit/month-Door to door - 96 gallon and recycling
Capital Reserves	\$6,800.00	\$200/unit/year

**TOTAL EXPENSES:** **\$79,560.00**

Per unit per month-34 units \$ 195.00

**Assume:**

**Insurance:** 34 Units - 16 in one building and 18 in another. 1,500 square feet per unit.

Cost to rebuild for insurance valuation \$125/sq ft. Total insurable value of 34 x 1,500 x \$125 = \$6,375,000 - .

Complex in the C flood zone and only part of one building involved

Prop/Liab estimated - \$15,000, Umbrella @ \$1 million limit - \$1,500; Directors @ 1 million - \$1,200

Flood insurance \$2,000 -

**General Maintenance:**

Exterminating(500), gutter cleaning and roof inspections 2x yr (1500), vortex clean-out (500 first year), inspect below bldg (500 yr) and 1500 miscellaneous

A/C Unit Maintenance: A/C unit maintenance (1,000 yr - minimal first year),



## CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

## ENVIRONMENTAL IMPACT COMMISSION

(203) 797-4525

(203) 797-4586 (FAX)

September 5, 2001

Michael Mazzucco, PE  
50 Ta'Agan Point Road  
Danbury, CT 06811

Re: Construction Consultants, LLC - Lot 12 - Oil Mill Road (Assessor Lot No. H15066) - Regulated Activity - No. 389

Dear Mr. Mazzucco:

The Environmental Impact Commission, at its meeting August 22, 2001, accepted as complete and approved the application of Construction Consultants, LLC, for a regulated activity at, Lot 12 Oil Mill Road (Assessor Lot No. H15066), and granted a Plenary Ruling having found that the criteria in Sections 9.1 and 9.2 of the Inland Wetlands and Watercourses Regulations of the City of Danbury have been met. The application was approved based on the Health Department Reports and with the following conditions.

1. The five conditions as outlined in correspondence to the Commission from the Engineer dated July 5, 2001.
  - 1) Installation of a 10' wide x 100' ± long grass lined/planted channel to catch the runoff from Crofut Street
  - 2) An additional 5000 square feet value assigned for the donated 5± acres of open space.
  - 3) One hundred linear feet of stream bank enhancement.
  - 4) Approximate 3000 square feet of invasive species removed and replaced with native upland plantings such as American Cranberry, High Bush Blueberry and Viburnum.
2. The applicant shall execute and complete donation of the open space areas to an acceptable land trust or similar entity.
3. A written maintenance plan should be provided for all elements of the storm water management system. The plan is subject to approval by the Commission. The property owner and all subsequent owners shall be responsible for implementation of the plan. A maintenance covenant shall be established to require periodic and necessary maintenance of the detention basin and other stormwater structures and practices.
4. All environmental restrictions specified herein shall be recorded on the land record prior to issuance of the Certificate of Occupancy.
5. A Grading Permit shall be obtained from the Danbury Health Department.
6. This permit does not authorize any additional clearing, grading or other construction activities. Any developmental activities other than that shown on the approved site plan is subject to further review and approval by the Danbury Environmental Impact Commission.





7. The applicant shall assess the effectiveness of storm water Best Management Practices by sampling storm water runoff in a manner as detailed in the General Permit for the Discharge of Storm water Associated with Industrial Activity (CT DEP 1997), once per year for the parameters detailed within the permit.
8. If the above testing demonstrates that the storm water management system is not removing pollutants as designed, the applicant shall provide supplemental methods of improving pollutant removal efficiencies.
9. Grading and removal of vegetation within the 100 foot regulated area will be limited to that necessary for installation and maintenance of the storm water management system. The purpose is to keep intact as much native existing vegetation, including trees, as possible.
10. The engineer must directly supervise the installation of the water quality swale and all of its components paying particular attention to the final elevations of all inverts and outlets, and the final design of the outlet control structure. He must also provide an "as built" plan of the drainage system when the project is complete, certifying that the basin meets the proposed water quality design standards.
11. The owner/developer shall field locate all wetlands boundaries and buffers prior to the initiation of any site work, and mark them with permanent monuments.
12. The environmental consultant shall design and implement a specific planting plan for the water quality swale and all mitigation and compensation areas.
13. You are obligated to comply with all applicable local, state and federal regulations and permits that may pertain to this site. If you do not comply with all applicable regulations, your permit may be subject to further review and revocation.

Maps for approval:

A-2 Survey Map Sheet 1 & 2 #875 875SV1 dated July 9 1997.

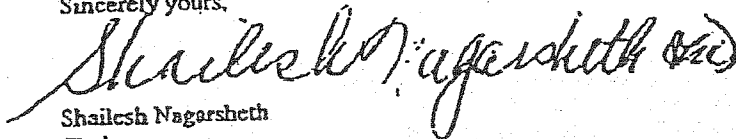
Site plan 98034R1 dated 10/05/00 revised 2/01/01

Site Utilities Plan & Erosion and Sedimentation Control Plan dated 10/05/00-revised 3/22/01

Erosion and Sedimentation Control Details and Notes 98034E 7/31/98

Construction Details and Notes 98034-C 7/31/98 revised 3/22/01

Sincerely yours,



Shailesh Nagarsheth  
Chairperson

SN/jlc

Via certified mail



## CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

## PLANNING &amp; ZONING DEPARTMENT

(203) 797-4525

(203) 797-4586 (FAX)

February 28, 2002

Mr. Michael Mazzucco, P.E.  
50 Ta'Agan Point Road  
Danbury, Connecticut 06811

RE: Site Plan #99-06  
Burton's Bridge Condominiums  
12 Oil Mill Road  
Tax Assessor Lot # H15066

Dear Mr. Mazzucco:

Your application for Approval of a Site Plan #99-06, for a condominium Project and associated improvements (as shown on plans titled Burton's Bridge Condominiums Lot 12-Oil Mill Rd., Danbury, Connecticut; prepared by Michael J. Mazzucco, P.E.; dated 7/31/98 or as noted) for property located on Oil Mill Road, Danbury, CT in the RMF-4 & R-3 zones is approved with the following modifications and administrative requirements:

- 1.) The Revised Plan for approval consists of the following: Maps and Plans and documents:  
The following Maps and Plans under the general title "Burton's Bridge Condominiums Oil Mill Road, Danbury, CT"; prepared by Michael J. Mazzucco, P. E.; dated 7/31/98 or as noted and revised as noted:
  1. Area Maps - dated 7/31/98
  2. Site Plan - dated 10/5/00 and revised through 1/15/02
  3. Site Utilities Plan & Erosion Sediment Control Plan - dated 10/5/00 and revised through 1/15/02
  4. Sanitary Sewer Extension Plan & Profile - dated 1/2/01 and revised through 1/15/02
  5. Erosion Sediment Control Details and Notes - revised through 1/15/02
  6. Construction Details and Notes - revised through 1/15/02
  7. Utilities Extension & Road Improvement Plan - revised through 10/12/01
  8. Road Improvement Plan - dated 8/2/01 and revised through 1/15/02

The following two (2) maps under the general title "Map Prepared For Consultants Management, Inc. Danbury, Connecticut"; prepared by New England Land Surveying, P. C. ; dated July 9, 1997

1. Sheet 1 of 2
2. Sheet 2 of 2

A document titled "Drainage Calculations Prepared For Burton's Bridge Condominiums Oil Mill Road Danbury, CT 06810"; prepared by Michael J. Mazzucco, P.E.; dated March 1999 and revised October 24, 2000

A photo copied map hand titled "Burton's Bridge Condominiums Oil Mill Rd Watershed Map"; date stamped received Feb 21 2002

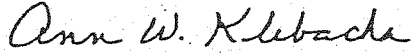
3. The applicant must make all required revisions to the site plan drawings, as indicated below in the approval of the Site Plan Application, to the satisfaction of the Planning Department;
4. The applicant shall prepare and file a Declaration of Homeowner's Association, which shall be responsible for the ownership, periodic maintenance, major repairs, periodic inspections and shall contain provision for expenses associated with same and shall include responsibility for repair and maintenance of the bridge and the suspended sanitary sewer pipe and further said Declaration of Homeowner's Association form and content shall have been reviewed and approved by the City of Danbury Corporation Council, prior to filing;

5. The site shall be developed in conformance with the approval issued by the City of Danbury Environmental Impact Commission on July 11, 2001;
6. All work with in the City road right-of-way shall be approved and performed to the satisfaction of the Highway Department;
7. Prior to issuance of a Zoning Permit for site development, by the Zoning Enforcement Officer:
  - a. The applicant's engineer shall submit to the Planning Office three (3) copies of the revised plans addressing comments made by the City of Danbury Engineering Department in correspondence dated February 11, 2002 for review and approval by the Engineering Department. Any modifications to the approved Site Plan caused by compliance with the requirements of the Engineering Department shall required submission and approval of a revised Site Plan application if said modifications alter the Site Plan;
  - b. Submit all necessary or required deeds, easements, dedications, releases, covenants, restrictions, descriptions, etc. associated with the condominium development in a form(s) acceptable to the City Corporation Council and shall specifically include:
    - 1.) An easement for the sanitary sewer in favor of the City of Danbury;
    - 2.) An easement for the water main to be granted to the City of Danbury;
  - c. A deed for the area of the cul-de-sac that the applicant proposes to offer to the City Of Danbury as shown on the Site Plan Map;
  - d. The applicant's engineer shall submit evidence (as referred to in his letter to Mr. Elpern, dated January 15, 2002) that the Board of Education and the Laid Law Bus Company have agreed that a bus would not be required to travel on Oil Mill Road to pick up and/or drop off students who might live in the proposed condominiums. Said evidence shall include but not be limited to the City having no responsibility now or in the future, to pick up students including but not limited to: kindergarten children, handicapped and/or special education students, from this complex by use of Oil Mill Road;
  - e. The applicant's engineer shall submit plans complying with the requirements of the City of Danbury Building Department as noted in correspondence dated Feb. 27, 2002 any modification to the Site Plan which alters the layout of the Site Plan as approved shall require a revised Site Plan application;
  - f. An erosion Control and Sedimentation Permit shall be obtained from the Health Department prior to the commencement of any on-site work;
  - g. The applicant shall comply with all reasonable requirements of the Highway Department as noted in correspondence dated Nov. 5, 2001 and Dec 13, 2001;
  - h. The applicant shall submit evidence that the condominium association and each individual unit owner in building #2 has been and/or will be informed that they will be required to purchase flood insurance as a condition of a mortgage due to the building's location in the floodplain;
  - i. The applicant's engineer shall submit verification that there is adequate flow and pressure available for fire protection for the site.
  - j. The applicant's engineer shall provide evidence that drainage from Crofut is being handled to the satisfaction of the City of Danbury Engineering Department and the Danbury EIC;
  - k. The applicant shall obtain all rights required to construct and maintain the off-site diversion swale that outfalls just north of the railroad tracks;
  - l. The applicant's engineer shall provide evidence to be reviewed and approved by the City of Danbury Engineering Department that the proposed detention system is adequate to detain on-site drainage during the design storm;
  - m. The City of Danbury Building Department shall verify the proposed slab elevations of Building #1 and #2 with respect to the stipulation outlined in the State of Connecticut Department of Environmental Protection floodplain determination letter dated January 10, 2001
8. Prior to issuance of a Certificate of Zoning Compliance by the Zoning Enforcement Officer:
  - a. The on-site detention basin shall be installed under the supervision of an engineer licensed by the state of Connecticut, who shall certify in writing to the City that the system, after completion was installed in accordance with the approved plan;
  - b. A plan and program for maintenance of the detention basin, acceptable to the Zoning Enforcement Officer, shall be submitted for the file;
  - c. The Applicant's engineer shall certify that the concrete retaining walls designed by him were installed under his supervision and were installed to his specification and satisfaction;
  - d. Site lighting as installed shall comply with the requirements of Section 8.C.7 of the Zoning Regulations;
  - e. The development shall comply with the requirements of the Traffic Engineer as noted in correspondence dated October 5, 2001;
  - f. The easements required above shall be offered to the City of Danbury
  - g. The area of the cul-de-sac shown on the Site Plan Map to be deeded to the City of Danbury shall be offered to the City of Danbury;
9. The site plans shall be consistent with the plans listed above or as revised by this approval;
10. The proposed bridge shall be designed to service the heaviest vehicle expected to travel on said bridge including but not limited to moving trucks and fire apparatus. Said bridge design shall be approved by the City of Danbury Building Department;
11. No portion of the bridge shall be located on City property or on land to be dedicated to the City of Danbury;
12. The applicant shall comply with the requirements of the EIC in their approval of this application;
13. No work in the Flood Plain shall be commenced until a Flood Plain Permit has been reviewed by the DEP and approved by the Danbury Planning Commission;
14. No signs were applied for pursuant to this application (a sign location has been shown on the plans but is not approved by this resolution) and none are approved. The applicant may apply under separate application for signs;
15. If any trees within the City right-of-way are affected by the clearing and grading to obtain minimum sight lines and/or for the road improvements the applicant shall obtain approval from the City Parks and Recreation Department;
16. All work with in the City road right-of-way must be approved and performed to the satisfaction of the Highway Department;
17. All existing driveways along the improved section of Oil Mill Road shall be reworked to the satisfaction of the City of Danbury Highway Department;

18. Approval of this Site Plan does not preclude the requirements for additional approvals or permits that may be required from other City, State or Federal Departments or Agencies.

The applicant should contact the Zoning Enforcement Officer regarding the process of obtaining a zoning permit. If you should have any questions regarding this approval, please do not hesitate to contact the Planning Office.

Sincerely,



Ann W. Klebacha  
Assistant Planning Director

cc: Wayne Skelly, Zoning Enforcement Officer  
Engineering Department  
Building Department  
Corporation Counsel



REPLY TO  
ATTENTION OF

EXHIBIT I

DEPARTMENT OF THE ARMY  
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS  
696 VIRGINIA ROAD  
CONCORD, MASSACHUSETTS 01742-2751

May 28, 2003

Regulatory Division  
CENAE-R.

Permit Number: 199901145

Tony DaCunha  
Construction Consultants LLC  
P.O. Box 2030 3 SHADOWLAND ROAD  
Danbury, Connecticut 06813 SHERMAN, CT 06784

Dear Mr. DaCunha:

This is to inform you that we have reviewed your application to place fill in approximately 10,454 sf (0.24 ac) of waters and/or wetlands in order to install a con-span bridge over the Still River and to construct a 34-unit condominium complex at the site of the former Mill Pond, adjacent to Still River in Danbury, Connecticut.

Based on our review of the information provided to us as shown on the plans, entitled, "BURTON'S BRIDGE CONDOMINIUMS", in 11 sheets, dated, "December 26, 2002 and "October 5, 2000," revised "April 11, 2003," we have determined that your project will have minor individual or cumulative impacts on waters and/or wetlands. **Therefore, this work is authorized under the attached Federal permit, Connecticut Programmatic General Permit (CT PGP, Permit No. 41)** when performed in compliance with all the terms and conditions of the attached CT PGP. Please review these documents carefully to thoroughly familiarize yourself with their contents. You may wish to discuss the attached conditions with your contractor to ensure that the work can be accomplished in a manner that conforms to all requirements. The time limit for completion of this work is five years from the date of this letter.

The CTDEP has issued a Water Quality Certification (WQC) for this project based on their review at our Federal/State Screening Meeting. Therefore, a separate application to the CTDEP for WQC is not required.

If you change the plans or construction methods for work within our jurisdiction, please contact us immediately to discuss modification of this authorization. This office must approve any changes before you undertake them.

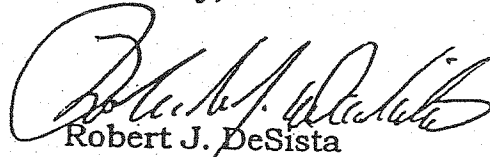
Also, this permit requires you to notify us before beginning work and allow us to inspect the project. Hence, you must complete and return the attached Work Start Notification Form to this office no later than two weeks

before the anticipated starting date.

Also note that this determination does not constitute an authorization to proceed until all other applicable federal, state and local permits are obtained. Performing work not specifically authorized by this permit, starting work without obtaining other required approvals, or failing to comply with the permit conditions may subject you to the enforcement provisions of our regulations.

If you have any questions, please contact Ms. Cori M. Rose, of my staff at 978-318-8306.

Sincerely,



Robert J. DeSista  
Chief, Permits & Enforcement Branch  
Regulatory Division

Enclosure

Copy furnished:  
CT DEP, IWRD  
Attn: Bob Gilmore  
79 Elm Street  
Hartford, CT 06106

Michael J. Mazzucco  
50 Ta'agan Point Road  
Danbury, Connecticut 06811

**Permit No: GP-41**

**Effective Date: May 15, 2001**

**Expiration Date: May 15, 2006**

**Applicant: General Public - State of Connecticut & lands located within the exterior boundaries of an Indian Reservation.**

**DEPARTMENT OF THE ARMY  
PROGRAMMATIC GENERAL PERMIT  
STATE OF CONNECTICUT**

**&  
Lands Located Within the Exterior  
Boundaries of an Indian Reservation<sup>1</sup>**

The New England District of the U.S. Army Corps of Engineers hereby issues a programmatic general permit (PGP) to expedite review of minimal impact work in coastal and inland waters and wetlands within the State of Connecticut and lands located within the exterior boundaries of an Indian reservation. Activities with minimal impacts are specified by the terms and conditions of this PGP and the attached **DEFINITION OF CATEGORIES** sheets. Minimal impact activities either meet Category I (eligible without screening, non-reporting), or Category II (may be eligible, determination of eligibility made during a screening meeting by the Corps, representatives of the Federal resource agencies, and the Connecticut Department of Environmental Protection.) In both cases, the PGP is valid only after the applicant receives all of the necessary state and local approvals listed under the **Procedures** section below. The Corps individual permit review process, and activities exempt from Corps jurisdiction are not affected by this PGP.

**ACTIVITIES COVERED:**

Work and structures identified in the attached **DEFINITION OF CATEGORIES** sheets that are located in, or that affect, navigable waters of the United States (regulated by the Corps under Section 10 of the Rivers and Harbors Act of 1899), and the discharge of dredged or fill material into waters of the United States, including wetlands (regulated by the Corps under Section 404 of the Clean Water Act) are eligible for consideration under

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<sup>1</sup> Indian reservation lands are considered a sovereign nation, and are therefore acknowledge separately from the State of Connecticut for purposes of this PGP.

this PGP. For clarification, the term "discharge of dredge or fill material" also includes certain discharges resulting from excavation (pursuant to 33 CFR PART 323.2 (iii), as revised January 17, 2001; the term "discharge of dredged material" means any addition of dredged material into & including any redeposit of dredged material within the waters of the United States, except discharges that meet the definition of "incidental fallback").

## **PROCEDURES:**

### **A. State and Local Approvals:**

When any of the following state or local approvals are required for activities eligible under this PGP, such approvals must be obtained in order for this PGP authorization to be valid. (Refer also to PGP Condition No. 1)

(1) Inland Wetlands and Watercourses Permit under the Inland Wetlands and Watercourses Act (Connecticut General Statutes (CGS) Sections 22a-36 to 22a-45(a), inclusive),

(2) Water Diversion Permit under the Connecticut Water Diversion Policy Act (CGS Sections 22a-365 to 22a-378(a), inclusive),

(3) Stream Channel Encroachment Lines Permit (CGS Sections 22a-342 to 22a-349(a), inclusive),

(4) Dam Safety Construction Permit (CGS Sections 22a-401 to 22a-411, inclusive),

(5) Structures, Dredging and Filling Permit (CGS Sections 22a-359 to 22a-363f, inclusive),

(6) Tidal Wetlands Permit under the Tidal Wetlands Act (CGS Sections 22a-28 to 22a-35a inclusive),

(7) Certificate of Permission (CGS Section 22a-363b),

(8) Long Island Sound General Permits (CGS Sections 22a-28 to 22a-35 and Sections 22a-359 to 22a-363f inclusive),

(9) Approvals for marine based aquaculture activities required by Connecticut General Statutes Section 22-11h implemented by the CT Department of Agriculture (DOA) including individual in-water structures used for aquaculture, including, but not limited to, racks, cages, or bags, as well as buoys marking such structures.



## **B. State Administered Federal Laws:**

(10) Water Quality Certification (WQC) under Section 401 of the Federal Clean Water Act (33 U.S.C. Sec. 1341). Section 401(a)(1) of the Clean Water Act requires that applicants obtain a water quality certification or waiver from the state water pollution control agency (CT DEP or EPA for Indian reservation lands) to discharge dredged or fill materials into waters of the United States.

On May 15, 2001, CT DEP:

- (1) Conditionally granted WQC for Category I activities in inland waters.
- (2) Denied WQC for bank stabilization projects with a length of greater than 200 linear feet.
- (3) Denied WQC Category I for activities that involve the construction, modification, or alteration of dams or dikes and for other projects regulated as water diversions under the Connecticut Water Diversion Policy Act. (These projects must be screened under the provisions of Category II.)
- (4) Denied WQC for new fill/excavation discharges under Category I for projects with impacts to special wetlands (See item (5) under Definitions in the Definitions of Categories attachment to the PGP), and for projects with impacts to threatened or endangered species, species of special concern, or significant natural communities (See item (6) under Definitions in the Definitions of Categories attachment to the PGP), and
- (5) Conditionally granted WQC for Category II activities provided that the CT DEP finds that the activity is consistent with Connecticut's water quality standards and is reasonably likely to have no more than minimal impact on water quality individually or cumulatively.

In order for the CT DEP WQC to be valid, the applicant must obtain the required state and local authorizations listed under PGP Section A Items (1-4).

On May 15, 2001, EPA issued WQC for Category I and II activities that are located on Indian reservation lands and authorized under this PGP.

For Category I and II activities in tidal, coastal and navigable waters, the PGP is not valid until and unless CT DEP Office of Long Island Sound Programs (OLISP) authorization is granted. CT DEP authorizations for individual activities in tidal, coastal and navigable waters include a substantive evaluation by OLISP regarding consistency with state water quality standards. As a result, a WQC is inherent in the OLISP permit process under Section A approvals numbers (5), (6), (7) and (8) and a separate WQC application is not required for these activities.

**(11) Coastal Zone Management Consistency (CZM) Concurrence under Section 307 of the Federal Coastal Zone Management Act of 1972, as amended.**

Section 307(c) of the Coastal Zone Management Act of 1972, as amended, requires applicants to obtain a certification or waiver from CT DEP that the activity complies with the state's coastal zone management program for activities affecting a state's coastal area.<sup>2</sup>

CT DEP authorizations for individual activities in the state's coastal area include a substantive evaluation by the Office of Long Island Sound Programs (OLISP) regarding consistency concurrence with the coastal zone management program. As a result, CZM consistency concurrence is inherent in the OLISP permit process under Section A (5), (6), (7) and (8) of this PGP, and a separate application to the Corps of Engineers is not required for these activities. This is not the case, however, for Section A (9) activities, (marine based aquaculture projects) which are subject to the permitting authority of the CT DOA Bureau of Aquaculture. For these activities, DOA will forward the application to the Corps of Engineers and the CT DEP for individual Coastal Zone Management Consistency determination (see also page 7).

**C. Corps Authorizations:**

PGP authorizations consist of both Category I and II type activities. Eligibility, application and screening procedures described below for these Categories are contingent on State programs and procedures currently in place, as well as agreements with Indian tribes for projects on lands located within the exterior boundaries of an Indian reservation. If there are changes in any of these programs that may affect the terms and conditions of the PGP (prior to its expiration date), then modifications to this PGP may be necessary.

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<sup>2</sup> The state's Coastal Area is statutorily defined as: all lands and waters within the municipalities of Greenwich, Stamford, Darien, Norwalk, Westport, Fairfield, Bridgeport, Stratford, Shelton, Milford, Borough of Woodmont, Orange, West Haven, New Haven, Hamden, North Haven, East Haven, Branford, Guilford, Madison, Clinton, Westbrook, Deep River, Chester, Essex, Borough of Fenwick, Old Saybrook, Lyme, Old Lyme, East Lyme, Waterford, New London, Montville, Norwich, Preston, Ledyard, Groton (city, Town and Long Point Borough) and Stonington (Town and Borough) [Section 22a-94(a) CGS].

**CATEGORY I**  
**(Non-reporting/Minimal Impacts)**

**Eligibility** - Activities in Connecticut and lands located within the exterior boundaries of an Indian reservation that are subject to Corps jurisdiction and meet the definition of Category I on the attached **DEFINITION OF CATEGORIES** sheets, as well as all of the other conditions of this PGP, do not require separate application to the Corps.

*Category I is non-reporting for activities located on lands within the exterior boundaries of an Indian reservation<sup>3</sup> or activities that are regulated by the CT DEP (Office of Long Island Sound Programs/Inland Water Resources Division) or the Connecticut municipal inland wetlands agencies. Activities not regulated by either of these agencies, as well as activities located on lands within the exterior boundaries of an Indian reservation that are regulated by the Corps, will be subject to the Category II screening requirements of this PGP.*

Note that the review thresholds under Category I apply to single and complete projects only (see condition 5). Also note that Category I does not apply to projects occurring in a component of, or within 0.25 mile up or downstream of the main stem or tributaries of a river segment of the National Wild and Scenic River System. The 14-mile segment of the West Branch and main stem of the FARMINGTON RIVER extending from immediately below the Goodwin Dam and Hydroelectric Project in Hartland, CT, to the downstream end of the New Hartford-Canton, CT, town line is designated a National Wild/Scenic River (see condition 10). There are also restrictions on other national lands as well as concerns which must be met in order for projects to be eligible under this PGP. Refer to special conditions 6 through 13 under Section C below. Category I does not apply to projects with impacts to special wetlands, threatened or endangered species, species of special concern, or significant natural communities identified by the CT Natural Diversity Database (see (5) and (6) in the Definitions of Categories Table.) Also, Category I does not apply to dams, dikes, or other projects regulated under the CT Water Diversion Policy Act.

Although Category I projects are non-reporting, the Corps reserves the right to require either screening under Category II or an individual permit review if there are concerns for the aquatic environment or any other factor of the public interest that may come to our attention (See condition 4 on Discretionary Authority.)

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<sup>3</sup> A tribes wetlands rules and regulations must be acknowledged by the Corps as adequate to ensure minimal impacts to the aquatic resources. Category II screening is required otherwise.

## **CATEGORY II** **(Reporting/Minimal Impacts)**

**Eligibility** - Activities in Connecticut and lands located within the exterior boundaries of an Indian reservation that are subject to Corps jurisdiction and appear to meet the definition of Category II on the Definition of Categories sheets (attached), will be reviewed at Federal/state joint screening meetings to determine whether such activities may be eligible under this PGP. To be eligible, an activity must meet all the terms and conditions of the PGP, and result in minimal impacts to the aquatic environment. Note that review thresholds under Category II apply to single and complete projects only (see condition 5.)

In order to satisfy Section 106 of the Historic Preservation Act, applicants with projects eligible for Category II must coordinate with the State Historic Preservation Officer (SHPO) and when necessary the Tribal Historic Preservation Officer (THPO) of both the Mashantucket Pequot Tribe and the Mohegan Tribe.

Applicants shall submit a copy of their application materials to the State Historic Preservation Officer (SHPO), to be reviewed for the presence of historic/archaeological resources in the permit area that may be affected by the proposed work. The Corps will then be notified by the SHPO if there are State concerns that the proposed work will have an effect on historic resources. The applicant should include with their application, either a copy of their cover letter, a statement of having sent their application materials to the SHPO, or a letter from the SHPO (See Page 17 for the address of the SHPO.)

For projects located east of the Thames River to the Rhode Island border and inland to Montville and Ledyard, applicants must submit copies of their application materials to the Tribal Historic Preservation Officer (THPO) of both the Mashantucket Pequot Tribe and the Mohegan Tribe. The applicant should include with their application a copy of their cover letter or a statement of having sent their application materials to the THPOs. (See Page 17 for the addresses of the THPOs)

**Category II Application and Screening Procedures for activities regulated under the CT DEP's Office of Long Island Sound Programs (OLISP).** (Work affecting tidal wetlands and tidal, coastal or navigable waters pursuant to the authorities listed under numbers 5, 6, 7, 8, 10 and 11 of Section A of this PGP.)

The CT DEP, OLISP will forward copies of application packages and OLISP approvals to the Corps of Engineers on a weekly basis. If a project meets Category I, no further action is required.

For projects involving dredging with open water disposal, applicants must send the required information listed on the attached list of additional information to the CT DEP, OLISP and the Corps. This information is necessary for determining the suitability of the

material to be dredged with respect to the requested disposal site and will also be reviewed at the screening meeting.

State application packages, COPs and tentative determinations for these activities will be screened by the Corps, the Federal resource agencies, and CT DEP during the PGP screening meetings. The Federal resource agencies include the U.S. Fish and Wildlife Service (FWS), the U.S. Environmental Protection Agency (EPA) and the National Marine Fisheries Service (NMFS). CT DEP will comment on lands located within the exterior boundaries of an Indian reservation only when they have jurisdiction under federal law. The screening meetings are held on a monthly basis and will most always occur during the state's tentative determination public notice period or during their Certificate of Permission review period.

**Category II Application and Screening Procedures for aquaculture activities regulated by the Department of Agriculture** (Marine and land based aquaculture activities, including associated structures regulated by the Department of Agriculture, Connecticut General Statutes Section 22-11h.)

Applicants should apply directly to the Department of Agriculture, Bureau of Aquaculture (DOA BA) using the attached Department of Army Application for Aquaculture form. DOA BA will forward a copy of the aquaculture application package to the Army Corps of Engineers, the State of Connecticut Department of Environmental Protection's (CT DEP) Boating Division, Marine Fisheries Division and Office of Long Island Sound Programs (OLISP).

These application packages will be screened by the Corps, the Federal resource agencies, and the CT DEP, OLISP with input from the CT DEP Boating and Marine Fisheries Divisions. Screening meetings will be held monthly. Screening will initiate review of the application by the CT DEP OLISP for Coastal Zone Management consistency concurrence. The CT DEP OLISP will make a determination on the completeness of the application for CZM consistency review within 30 days from the date of the screening meeting.

**Category II Application and Screening Procedures for activities regulated by the CT DEP Inland Water Resources Division as well as activities NOT regulated under the Office of Long Island Sound Programs.** (Work affecting inland waters/waterways and wetlands, waters of the United States, as well as activities exempt from state review such as Metro North rail, or activities located on lands within the exterior boundaries of an Indian reservation within a coastal area.)

A separate Corps application form (ENG Form 4345) is required for these activities. Applicants must submit 4 copies of the application and the CT DEP addendum (attached) to the Corps of Engineers, New England District, Regulatory Division, 696 Virginia Road, Concord, MA 01742-2751, telephone number 1-978-318-8335, or toll free from Connecticut at 1-800-343-4789. To expedite the review process, the Corps will then send three copies of the application package to CT DEP, Bureau of Water Management, Inland

Water Resources Division and to CT DEP, OLISP for state exempt and Indian land activities in a coastal area. **NOTE:** It is very important that applicants supplement the ENG 4345 Application Form with appropriate and adequate drawings that accurately illustrate the work described.

All drawings should be submitted on 8-1/2 x 11-inch white paper and include a vicinity map, plan view, and elevation/cross section views of the activity. Since drawings must be reproduced, heavy dark lines should be used with no color shading. All jurisdictional boundaries must be clearly delineated. Refer to the Corps New England District's "Guide for Permit Applicants" publication for a complete description of sample drawing requirements. Failure to submit the appropriate information could result in processing delays and/or administrative closure of the file. The CT DEP, Inland Water Resources Division has 60 days from receipt of a complete application to make a determination on their water quality certification.

Applicants must also ensure that the following supplemental information required by the Corps is submitted with the application: (1) documentation of federal wetland delineation, (2) documentation of coordination with the Connecticut Historical Commission and Tribal Historic Preservation Officers, when appropriate.

CT DEP, Inland Water Resources Division will review the activity for compliance with state water quality standards, and CZM consistency with the state's coastal program (coastal area projects) that are not already being reviewed by OLISP under the authorities listed in Section A (5, 6, 7, 8, 10 and 11) of this PGP. The joint screening meetings will occur for all Category II activities. Screening meetings will be held regularly either at the Corps or CT DOT offices. Representatives from the CT DEP, the Corps, the EPA, the FWS, and the NMFS will have an opportunity to attend and comment.

#### Coordination Procedures for ALL Category II Projects:

At the screening meeting, the Corps, the CT DEP and the federal resource agencies, will determine if Category II applications: (1) require additional information; (2) are eligible under the PGP as proposed; (3) are ineligible under the terms and/or conditions of this PGP; (4) will require project modification, mitigation or other special conditions to minimize impacts and protect the aquatic environment to be eligible for this PGP; or 5) require individual permit review irrespective of whether the terms and conditions of this PGP are met, based on concerns for the aquatic environment or any other public interest factor (see Condition 4 on Discretionary Authority).

The comments from the Federal resource agencies to the Corps may be verbal initially, and must be made within 10 working days of the screening meeting. These comments must then be confirmed in writing, by the Branch Chief or Field Supervisor, within 10 calendar days of the verbal response if the Federal Resource Agency (ies) expresses a concern whereby the Corps will require an individual permit. Federal resource agency comments must be clearly identified and reflect a concern related to the aquatic environment within their area of expertise; state the species or resources that could be

impacted by the activities, and describe the impacts that either individually or cumulatively will be more than minimal. The Corps will coordinate these comments with the applicant in a timely manner.

If any one of the agencies expresses and identifies a concern related to the aquatic environment within their area of expertise within the specified time frame, the Corps will contact the applicant to discuss the concerns raised. If the applicant is unable to resolve the concerns, the Corps, independently or at the request of either the CT DEP or one of the Federal Resource Agencies, will require an individual permit for the activities. The applicant will be notified of this in writing, and provided information about submitting the necessary application materials.

If the activity is eligible for the PGP as determined by the Federal/state screening meeting, then a Corps PGP authorization will be sent directly to the applicant. If the activity is not eligible, then the Corps will contact the applicant to discuss the concerns raised. In either case, the Corps will notify the applicant, in writing, within 45 days of the Federal/state screening meeting.

*Category II projects may not proceed until written notification is received from the Corps. This written approval will be in the form of a Corps PGP authorization letter sent directly to the applicant.*

#### **INDIVIDUAL PERMIT**

Work that is in the INDIVIDUAL PERMIT category as listed the attached DEFINITION OF CATEGORIES sheets, or that does not meet the terms and conditions of either Category I or Category II of this PGP, will require an application for an individual permit to the Corps of Engineers (see 33 CFR Part 325.1). The screening procedures outlined above will only serve to delay individual permit review in such cases. The applicant should submit the appropriate application materials (including the Corps application form) at the earliest possible date. General information and application forms can be obtained by calling the Corps New England District at 1-800-343-4789 (outside Massachusetts) and 1-800-362-4367 (within Massachusetts). Individual WQC and/or CZM consistency concurrence will be required from the CT DEP.

#### **D. Programmatic General Permit Conditions:**

The following conditions apply to activities authorized under this PGP, including all Category I (non-reporting) and Category II (screening) activities:

## **GENERAL REQUIREMENTS:**

- 1. Other Permits.** Authorization under this general permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
- 2. Applicability of this general permit shall be evaluated with reference to Federal jurisdictional boundaries.** Applicants are responsible for ensuring that the boundaries used satisfy the federal criteria defined at Title 33 CFR 328-329.
- 3. Minimal Effects.** Projects authorized by this general permit shall have minimal individual and cumulative adverse environmental impacts as determined by the Corps.
- 4. Discretionary Authority.** Notwithstanding compliance with the terms and conditions of this permit, the Corps of Engineers retains discretionary authority to require an application for an individual permit for any project based on concerns for the aquatic environment or for any other factor of the public interest. This authority is invoked on a case-by-case basis whenever the Corps determines that the potential consequences of the proposed activity warrant individual review based on the concerns stated above. This authority may be invoked for projects with cumulative environmental impacts that are more than minimal, or if there is a special resource or concern associated with a particular project, that is not already covered by the remaining conditions of the PGP, that warrants greater review. Whenever the Corps notifies an applicant that an individual permit may be required, authorization under this general permit is void, and no work may be conducted until the individual Corps' permit is obtained, or until the Corps notifies the applicant that further review has demonstrated that the work may proceed under this general permit.
- 5. Single and Complete Projects.** This general permit shall not be used for piecemeal work and shall be applied to single and complete projects. All components of a single project shall be treated together as constituting one single and complete project. All planned phases of multi-phased projects shall be treated together as constituting one single and complete project. This general permit shall not be used for any activity that is part of an overall project for which an individual permit is required. Note that modifications to State permits do not constitute a separate project.

## **NATIONAL CONCERNS:**

- 6. Historic Properties.** Any activity authorized by this general permit shall comply with Section 106 of the National Historic Preservation Act. Information on the location and existence of historic resources can be obtained from the Connecticut Historical Commission and the National Register of Historic Places. If the permittee, during construction of work authorized herein, encounters a previously unidentified archaeological or other cultural resource within the area subject to Corps jurisdiction that might be eligible for listing in the National Register of Historic Places, he/she shall immediately notify the District Engineer.



**7. National Lands.** Activities authorized by this general permit shall not impinge upon the value of any National Wildlife Refuge, National Forest, or any other area administered by the U.S. Fish and Wildlife Service, U.S. Forest Service, or National Park Service.

**8. Endangered Species.** Any activity that may affect a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA); or which is likely to destroy or adversely modify the critical habitat of such species; or which would result in a "take" of any threatened or endangered species of fish or wildlife, or which would result in any other violation of Section 9 of the ESA protecting threatened or endangered species of plants IS not eligible under Category I, but must be reviewed for eligibility under Category II. Applicants shall notify the Corps if any listed species or critical habitat is in the vicinity of the project and shall not begin work until notified by the District Engineer that the requirements of the Endangered Species Act have been satisfied and that the activity is authorized. Information on the location of threatened and endangered species and their critical habitat can be obtained from the U.S. Fish and Wildlife Service and National Marine Fisheries Service (addresses attached, page 17).

**9. Essential Fish Habitat.** As part of the PGP screening process, the Corps will coordinate with the National Marine Fisheries Service (NMFS) in accordance with the 1996 amendments to the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) to protect and conserve the habitat of marine, estuarine and anadromous finfish, mollusks, and crustaceans. This habitat is termed "essential fish habitat (EFH)," and is broadly defined to include "those waters and substrate necessary to fish for spawning, breeding, feeding and growth to maturity." All species managed under the MSFCMA have had EFH designations. There are 56 species with EFH in the coastal waters of southern New England. Applicants may be required to describe and identify potential impacts to EFH. For instance, in Connecticut, Atlantic salmon (*Salmo salar*) habitat is protected by this act. Any work in the mainstem or tributary streams of the Connecticut River watershed that are being managed for Atlantic salmon may not be authorized under Category I of the CT PGP and must be screened for potential impacts to EFH. Conservation recommendations made by NMFS will normally be included as a permit required by the Corps. Information on the location of EFH can be obtained from NMFS. An internet web site has been established by NMFS at [www.nero.nmfs.gov/RO/DOC/appguide1.html](http://www.nero.nmfs.gov/RO/DOC/appguide1.html)

**10. Wild and Scenic Rivers.** Any activity that occurs in a component of, or within 0.25 miles up or downstream of the main stem or tributaries of a river segment of the National Wild and Scenic River System, must be reviewed by the Corps under the procedures of Category II of this PGP regardless if it meets the Category I size of impact thresholds. This condition applies to both designated wild and scenic rivers and rivers designated by Congress as study rivers for possible inclusion while such rivers are in an official study status. The Corps will consult with the National Park Service (NPS) with regard to potential impacts of the proposed activity on the resource values of the wild and scenic

river. The culmination of this coordination will be a determination by the NPS and the Corps that the work: (1) may proceed as proposed; (2) may proceed with recommended conditions; or (3) could pose a direct and adverse effect on the resource values of the river, and an individual permit is required. If preapplication consultation between the applicant and the NPS has occurred whereby the NPS has made a determination that the proposed activity is appropriate for authorization under the PGP (with respect to wild and scenic river issues), this determination should be furnished to the Corps with submission of the application. The address of the NPS can be found on Page 17 of this permit.

**11. Federal Navigation Project.** Any structure or work that extends closer to the horizontal limits of any Corps navigation project than a distance of three times the project's authorized depth shall be subject to removal at the owner's expense prior to any future Corps dredging or the performance of periodic hydrographic surveys.

**12. Navigation.** There shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein, and no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized herein.

If future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

**13. Federal Liability.** In issuing this permit, the Federal Government does not assume any liability for the following: (a) damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes; (b) damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest; (c) damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this general permit; (d) design or construction deficiencies associated with the permitted work; (e) damage claims associated with any future modification, suspension, or revocation of this permit.

#### **MINIMIZATION OF ENVIRONMENTAL IMPACTS:**

**14. Minimization.** Discharges of dredged or fill material into waters of the United States shall be avoided and/or minimized to the maximum extent practicable.

**15. Work in Wetlands.** Heavy equipment working in wetlands shall be avoided and if required shall be placed on mats to minimize soil/vegetation disturbance. Disturbed areas in wetlands shall be restored to preconstruction contours upon completion of the work.

**16. Temporary Fill.** Temporary fill in waters and wetlands authorized by this general permit (e.g. access roads; cofferdams) shall be properly stabilized during use to prevent erosion. Temporary fill in tidal, navigable or inland waters of the United States shall consist of a material that minimizes impacts to water quality (e.g. sandbags or clean, gravel and/or stone). Temporary fill in wetlands shall be placed on geotextile fabric that is laid on the existing wetland grade. Temporary fills shall be disposed of at an upland site and suitably contained to prevent erosion and/or transport to a waterway or wetland. Temporary fill areas shall be restored to their original elevations. No temporary fill shall be placed in waters and/or wetlands unless specifically authorized by the Corps.

**17. Sedimentation and Erosion Control.** Adequate sedimentation and erosion control management measures, practices and devices, such as phased construction, vegetated filter strips, geotextile silt fences or other devices, shall be installed and properly maintained to reduce erosion and retain sediment on-site during and after construction. These devices shall be capable of preventing erosion, of collecting sediment, suspended and floating materials, and of filtering fine sediment. These devices shall be removed upon completion of work, and the disturbed areas shall be stabilized. The sediment collected by these devices shall be removed and placed at an upland location, in a manner that will prevent its later erosion into a waterway or wetland. All exposed soil and other fills shall be permanently stabilized at the earliest practicable date.

**18. Waterway Crossings.** (a) All temporary and permanent crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed to withstand and to prevent the restriction of high flows, and to maintain existing low flows, and so as not to obstruct the movement of aquatic life indigenous to the waterbody beyond the actual duration of construction. (b) No open trench excavation shall be allowed in flowing waters unless a special condition is added that allows this as a result of a Category II screening meeting. (c) Temporary bridges, culverts, or cofferdams shall be used for equipment access across streams (Note: areas of fill and/or cofferdams must be included in total waterway/wetlands impacts to determine applicability of this general permit). (d) For projects that otherwise meet the terms of Category I, in stream construction work shall be conducted during the low flow period July 1 – September 30 in any year; projects that are not to be conducted during that time period are ineligible for Category I and shall be screened pursuant to Category II, regardless of the waterway and wetland fill and/or impact area.

**19. Discharge of Pollutants.** All activities involving any discharge of pollutants into waters of the United States authorized under this general permit shall be consistent with applicable water quality standards, effluent limitations, standards of performance, prohibitions, and pretreatment standards and management practices established pursuant to the Clean Water Act (33 U.S.C. 1251), and applicable state and local laws. If applicable water quality standards, limitations, etc., are revised or modified during the term of this permit, the authorized work shall be modified to conform with these standards within 6 months of the effective date of such revision or modification, or within a longer period of time deemed reasonable by the District Engineer in consultation with

the Regional Administrator of the Environmental Protection Agency. Applicants may presume that state water quality standards are met with issuance of the Section 401 Water Quality Certification (Applicable only to the Section 404 activity).

**20. Spawning Areas.** Discharges into known: a) fish and shellfish spawning or nursery areas; and b) amphibian and waterfowl breeding areas, during spawning or breeding seasons shall be avoided, and impacts to these areas shall be minimized to the maximum extent practicable during all other times of the year.

**21. Storage of Seasonal Structures.** Coastal structures such as pier sections, floats, etc., that are removed from the waterway for a portion of the year shall be stored in an upland location, located above mean high water and not in a vegetated wetland.

**22. Environmental Values.** The permittee shall make every reasonable effort to carry out the construction or operation of the work authorized herein in a manner so as to maintain as much as is practicable, and to minimize any adverse impacts on, existing fish, and wildlife; and natural environmental values and to discourage the establishment or spread of plant species identified as non-native invasive species by any federal or state agency.

#### **PROCEDURAL CONDITIONS:**

**23. Inspections.** The permittee shall permit the District Engineer or his authorized representative(s) to make periodic inspections at any time deemed necessary in order to ensure that the work is being performed in accordance with the terms and conditions of this permit. The District Engineer may also require post-construction engineering drawings for completed work, and post-dredging survey drawings for any dredging work. To facilitate these inspections, the attached work notification form shall be filled out and returned to the Corps for all Category II projects.

**24. Maintenance.** The permittee shall maintain the work or structures authorized herein in good condition, including maintenance to ensure public safety. Note that this does not include maintenance of dredging projects. Maintenance dredging is subject to the review thresholds described on the attached DEFINITION OF CATEGORIES sheets and/or any conditions included in a written Corps authorization.

**25. Property Rights.** This permit does not convey any property rights, either in real estate or material, or any exclusive privileges, nor does it authorize any injury to property or invasion of rights or any infringement of federal, state, or local laws or regulations.

**26. Modification, Suspension, and Revocation.** This permit may either be modified, suspended, or revoked in whole or in part pursuant to the policies and procedures of 33 CFR 325.7; and any such action shall not be the basis for any claim for damages against the United States.

- 27. Restoration.** The permittee, upon receipt of a notice of revocation of authorization under this permit, shall restore the wetland or waterway to its former conditions, without expense to the United States and as directed by the Secretary of the Army or his authorized representative. If the permittee fails to comply with such a directive, the Secretary or his designee may restore the wetland or waterway to its former condition, by contract or otherwise, and recover the cost from the permittee.
- 28. Special Conditions.** The Corps may impose other special conditions on a project authorized pursuant to this general permit that are determined necessary to minimize adverse environmental effects or based on any other factor of the public interest. These may be based on concerns from CT DEP or Federal resource agency. Failure to comply with all conditions of the authorization, including special conditions, will constitute a permit violation and may subject the permittee to criminal, civil, or administrative penalties or restoration.
- 29. False or Incomplete Information.** If the Corps makes a determination regarding the eligibility of a project under this permit, and subsequently discovers that it has relied on false, incomplete, or inaccurate information provided by the permittee, the permit shall not be valid, and the U.S. government may institute appropriate legal proceedings.
- 30. Abandonment.** If the permittee decides to abandon the activity authorized under this general permit, unless such abandonment is merely the transfer of property to a third party, he/she may be required to restore the area to the satisfaction of the District Engineer.
- 31. Enforcement cases.** This general permit does not apply to any existing or proposed activity in Corps jurisdiction associated with a Corps of Engineers or EPA enforcement action, until such time as the enforcement action is resolved or the Corps determines that the activity may proceed independently without compromising the enforcement action.

#### **DURATION OF AUTHORIZATION/GRANDFATHERING:**

- 32. Duration of Authorization.** Activities authorized under Category I of this general permit that have commenced (i.e., are under construction) or are under contract to commence in reliance upon this authorization will remain authorized provided the activity is completed within twelve months of the date of this general permit's expiration, modification, or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with 33 CFR 325.2(e)(2). Activities authorized under Category II of this PGP that are not fully completed prior to the expiration date of this PGP, will remain authorized in accordance with the project specific date provided in writing by the Corps of Engineers to the permittee. Activities completed under the authorization of this PGP will continue to be authorized after this PGP expires.

**33. Previously Authorized Activities:**

a) Projects that have received written authorization from the Corps prior to issuance of this general permit, under the previous Connecticut PGP, shall remain authorized as specified in each authorization.

b) Non-reporting Category I permit activities, based on the previous CT PGP, which have commenced (i.e. are under construction or are under contract to commence), prior to the issuance date of this general permit remain authorized provided the activity is completed within twelve months of the date of issuance of this PGP. These activities are still subject to discretionary authority on a case-by-case basis in accordance with Condition 4. The applicant must be able to document to the Corps' satisfaction that the project was under construction or contract by the appropriate date.

c) Activities authorized pursuant to 33 CFR Part 330.3 (activities occurring before certain dates) are not affected by this general permit.

*for* Christine Godfrey  
DISTRICT ENGINEER

5/15/01  
DATE

STATE OF CONNECTICUT  
DEPARTMENT OF CONSUMER PROTECTION

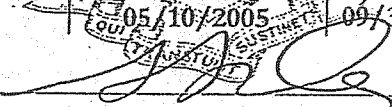
165 Capitol Avenue ♦ Hartford Connecticut 06106

Attached is your New Home Construction Registration.

This registration is not transferable.

Visit our web site at [www.ct.gov/dcp](http://www.ct.gov/dcp)

BURTON'S BRIDGE LLC  
3 SHADOWLAND RD  
SHERMAN, CT 06784

STATE OF CONNECTICUT DEPARTMENT OF CONSUMER PROTECTION		
NEW HOME CONSTRUCTION CONTRACTOR		
BURTON'S BRIDGE LLC 3 SHADOWLAND RD SHERMAN, CT 06784		
LIC. / REG NO. 9621	EFFECTIVE 05/10/2005	EXPIRES 09/30/2005
SIGNED 		

STATE OF CONNECTICUT ♦ DEPARTMENT OF CONSUMER PROTECTION

Be it Known

BURTON'S BRIDGE LLC

3 SHADOWLAND RD  
SHERMAN, CT 06784

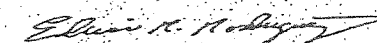
Is certified by the Department of Consumer Protection as a registered

NEW HOME CONSTRUCTION CONTRACTOR

Registration # 9621  


Effective: 05/10/2005

Expiration: 09/30/2005

  
Edwin R. Rodriguez, Commissioner

BY:.....

HERBERT L. COHEN  
(1928-1983)

AUSTIN K. WOLF  
RICHARD L. ALBRECHT  
JONATHAN S. BOWMAN  
IRVING J. KERN  
MARTIN J. ALBERT  
STEWART I. EDELSTEIN  
NEIL R. MARCUS  
G. KENNETH BERNHARD  
DAVID L. GROGINS  
GRETA E. SOLOMON  
ROBIN A. KAHN  
RICHARD SLAVIN  
DANIEL S. NAGEL  
RICHARD J. DI MARCO  
DAVID B. ZABEL  
MARK A. KIRSCH  
DAVID M. LEVINE  
JOSEPH G. WALSH  
DAVID A. BALL  
JOCelyn B. HURWITZ  
STUART M. KATZ  
MONTE E. FRANK  
PATRICIA C. SULLIVAN  
VINCENT M. MARINO  
ARI J. HOFFMAN  
AMY SOROTEN GARE  
COURTNEY A. GEORGE  
CARRIE L. LARSON  
ALISON KAPLAN CLARK  
ADAM J. BLANK  
PERRY R. GOODMAN  
RACHEL A. LILDBERGH  
JASON A. BUCHSBAUM

OF COUNSEL  
PETER A. ARTURI  
JULIE D. KOHLER  
JACK E. MCGREGOR  
KAREN WACKERMAN MYERS  
BARBARA M. SCHELLENBERG  
MARTIN F. WOLF

PLEASE REPLY TO Danbury

June 19, 2006

Andrea Scalzo  
Scalzo Property Management, Inc.  
2 Stony Hill Road, Suite 201  
Bethel, CT 06801

Re: River Woods of Danbury

Dear Andrea:

I wanted to point out to you that the Declaration of River Woods of Danbury has two restraints on alienation which should be noted in any resale certificates issued by Scalzo Property Management. First, the Declarant, Burton's Bridge, LLC, has reserved a right of first refusal. Second, unit owners must obtain the Declarant's written consent to a resale within six months after they purchase a unit from the Declarant.

I have enclosed a copy of page 17 of the Declaration and would direct your attention to subparagraphs (r) and (s) on that page.

Please call me if you have any questions concerning this matter.

Very truly yours,

  
Robin A. Kahn

RAK/pln  
Enclosure

cc: Burton's Bridge, LLC



No dogs or cats will be permitted in any portion of the Common Elements unless carried or on a leash and except in special areas designated by the Executive Board. No dogs or cats may be left unattended in the Common Elements or Limited Common Elements. Any droppings in the Common Elements shall be picked up and removed immediately to a trash disposal container. The owner of any animal will compensate any person hurt or bitten by such animal, and will hold the Association harmless from any claim resulting from any action of his animal whatsoever.

(p) The use of Units and Common Elements is subject to the By-Laws and Rules of the Association. The Association shall have the power to make such further Rules as it deems necessary. The Association shall further have the right to set and levy fines for violations of these restrictions and the Rules. For each day that a violation continues after notice it shall be considered a separate violation. Any fine so levied is to be considered as a Common Expense to be levied against the particular Unit Owner involved, and collection may be enforced by the Association in the same manner as it is entitled to enforce collection of Common Expenses.

(q) The Association may adopt rules and regulations that affect use and occupancy of Units only to: (i) prevent a use of any Unit which violates the Declaration; or (ii) regulate any occupancy of a Unit which violates or adversely affects the use and enjoyment of other Units or the Common Elements. Provided, however, that no such restriction affecting the use or occupancy of Units may be effective unless it has been recorded on the Danbury Land Records in the name of the Association as grantor and grantee.

(r) In the event that a Unit Owner desires to sell his or her Unit and shall have received a bona fide Offer to Purchase the same any time before the Declarant has sold all of the Units that may be created in River Woods of Danbury, said Unit shall first be offered to the Declarant for purchase at the same terms and conditions as contained in said bona fide offer. The Declarant shall have ten (10) days after the giving of such notice to mail or otherwise give the Unit Owner written notice that it elects to purchase the Unit in accordance with said offer. In the event that the Declarant shall not give such notice of election to purchase within said ten (10) day period or shall, after giving such notice, fail to complete such purchase, then the Unit Owner shall be free thereafter to sell and convey the Unit.

(s) No Unit Owner may sell a Unit purchased from the Declarant for a period of six (6) months after purchase of such Unit from the Declarant without the Declarant's written consent, which consent may be withheld by the Declarant in its sole discretion. This restriction shall automatically terminate when the Declarant has sold all of the Units that may be created in the Condominium, or upon termination of Development Rights, whichever is sooner.

# Bartons' Bridge

Danbury, CT Town Clerk  
Lori A Kaback Town Clerk  
155 Deer Hill Avenue  
Danbury, CT 06810  
Phone Number: (203)797-4531

Official Receipt: 2006-00018023  
Printed on 08/23/2006 at 01:03:52 PM  
By: SS on COOKLTCCSC

COHEN & WOLF DZ  
Date Recorded: 08/23/2006

Instrument ID	Recorded Time	Amount
MAP	01:01:57 PM	\$10.00
MAP # 12291		
Bk 1876 Pg 99	01:02:33 PM	\$68.00
DECLARATION		
RIVER WOODS OF DANBURY		
TI:-----		
MAP # 12291		

Itemized Check Listing

Check # 10014	\$78.00
---------------	---------

Total Due:	\$78.00
Paid By Check:	\$78.00
Change Tendered:	\$0.00

VISIT OUR WEBSITE @ WWW.DANBURY-CT.GOV

Recorded - August 23, 2006

Vol 1876 e B 99

**RIVER WOODS OF DANBURY**

**First Amendment  
to  
Declaration**

**August 21, 2006**

**EXERCISING DEVELOPMENT RIGHTS**

Burton's Bridge, LLC, a Connecticut limited liability company with an office in Sherman, Connecticut, "Declarant" under a certain Declaration of River Woods of Danbury, dated January 31, 2006, and recorded in the Danbury Land Records on January 31, 2006 in Volume 1827 at Page 991 (the "Declaration") as amended of record, pursuant to Section 47-229 of the Common Interest Ownership Act, and pursuant to Development Rights reserved in the Declaration, does hereby further amend the Declaration as follows:

**ARTICLE I.**

1. Subsection (c) of Article 5 of the Declaration is hereby deleted, in its entirety, and the following new subsection (c) is substituted therefor:

"(c) The Common Interest Community presently contains thirty four (34) Units. No additional Units may be created

**ARTICLE II.**

1. The Survey annexed to the Declaration as **Schedule C** is deleted in its entirety, and the **Schedule C** annexed hereto is substituted therefor.

2. **Schedule D** to the Declaration is deleted, in its entirety, and the **Schedule D** annexed hereto is substituted therefor.

3. **Schedule E**, being the Surveyor's Certificate of Substantial Completion, is annexed hereto and made a part hereof.

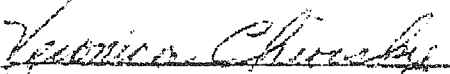
IN WITNESS WHEREOF, the Declarant has caused this Amendment to the Declaration to be executed this 21st day of August, 2006.

In the Presence of:

BURTON'S BRIDGE, LLC

  
Robin A. Kahn

By   
Christian DaCunha, Manager

  
Veronica Chioesky

STATE OF CONNECTICUT )

ss: Danbury

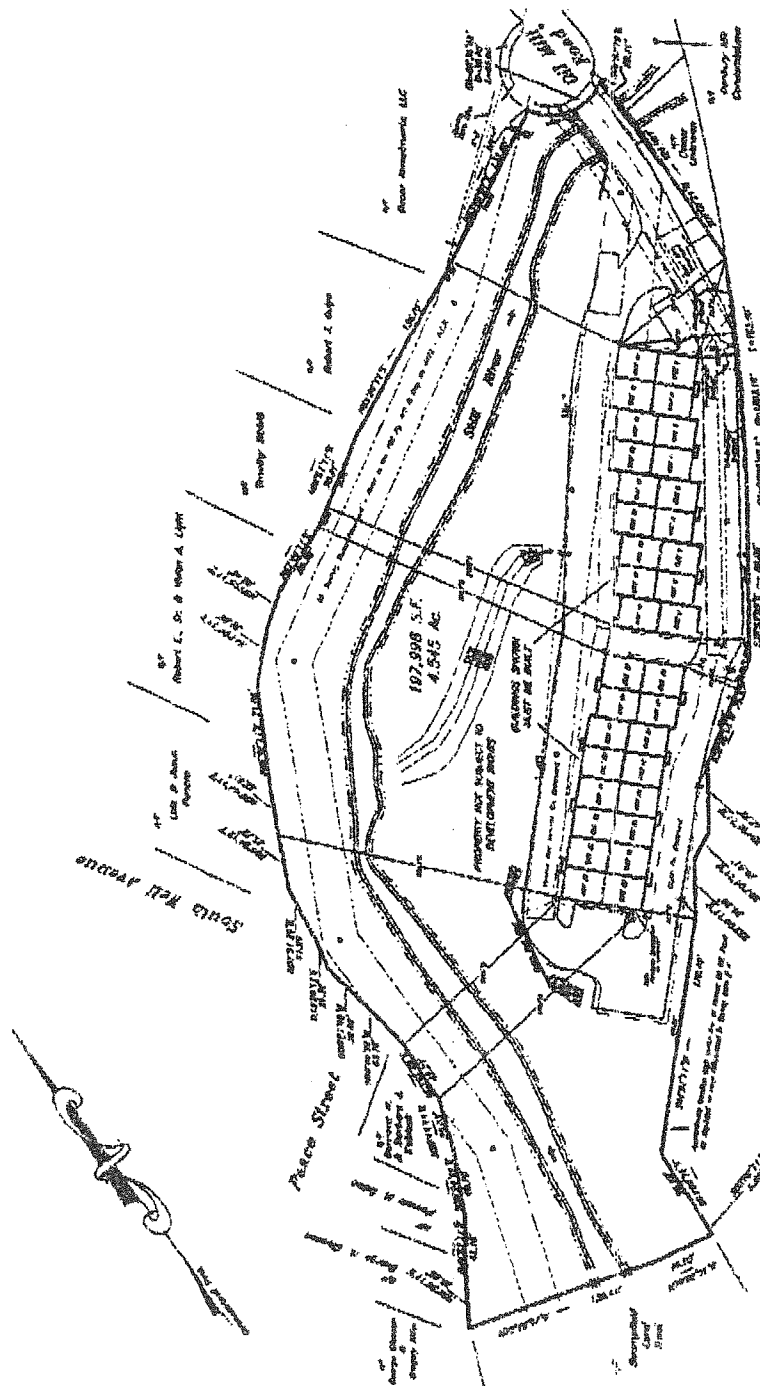
COUNTY OF FAIRFIELD )

The foregoing instrument was acknowledged, before me, this 21st day of August, 2006 by Christian DaCunha Manager of BURTON'S BRIDGE, LLC, as his free act and deed, and the free act and deed of said limited liability company.

  
Robin A. Kahn  
Commissioner of Superior Court

1. We used the results of Federal Agency Learning Survey based on a survey that was prepared by researchers with other A-100 participants.

- [illegible]



**SECRET**

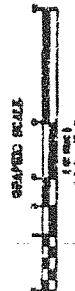
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Year	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100
1997	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100

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*[Signature]*



*Schedule C to Declaration  
Showing Overall Plan of  
River Woods of Denbury  
Prepared for  
Burton & Bridge, Ltd.  
Denbury, Connecticut*

[illegible]

Page 51 MEMPHIS IN JUNE 1968

SCHEDULE D

RIVER WOODS OF DANBURY  
ALLOCATED INTERESTS  
IN COMMON ELEMENTS AND COMMON EXPENSES  
VOTES ALLOCATED TO UNIT

UNIT NO.	ALLOCATED INTEREST	VOTE
1	2.94%	1
2	2.94%	1
3	2.94%	1
4	2.94%	1
5	2.94%	1
6	2.94%	1
7	2.94%	1
8	2.94%	1
9	2.94%	1
10	2.94%	1
11	2.94%	1
12	2.94%	1
13	2.94%	1
14	2.94%	1
15	2.94%	1
16	2.94%	1
17	2.94%	1
18	2.94%	1
19	2.94%	1

UNIT NO.	ALLOCATED INTEREST	VOTE
20	2.94%	1
21	2.94%	1
22	2.94%	1
23	2.94%	1
24	2.94%	1
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26	2.94%	1
27	2.94%	1
28	2.94%	1
29	2.94%	1
30	2.94%	1
31	2.94%	1
32	2.94%	1
33	2.94%	1
34	2.94%	1

SURVEYOR'S CERTIFICATE

Units 19-34, River Woods of Danbury

Re: River Woods of Danbury, situated in the City of Danbury, County of Fairfield and State of Connecticut, which premises are more particularly shown on a survey entitled:

"Schedule C to Declaration Showing Overall Plan of River Woods of Danbury Prepared for Burton's Bridge, LLC Danbury, Connecticut Scale: 1" = 40' Area: 4.545 Ac. Zone: RMF-4 Date: Dec. 16, 2005 revised Aug. 4, 2006", prepared by New England Land Surveying, P.C. Robin Commons, 18 Coal Pit Hill Rd. Danbury, Connecticut and certified as a property resurvey based upon a resurvey conforming to the horizontal accuracy Class A-2 Survey by Robert M. Bennison, L.S.#12964, which map is to be filed in the Office of the Town Clerk of said City of Danbury simultaneously herewith.

This Certificate is given with respect to the Declaration of River Woods at Danbury recorded contemporaneously herewith in the Land Records of the City of Danbury.

I hereby certify that:

1. I am a Surveyor and am registered by the State of Connecticut under Registration No. 12964.

2. To the best of my knowledge, information and belief, all structural components of the above building, containing the above units, are substantially completed in accordance with the above survey, which is attached to the Declaration as Schedule B, and in accordance with the Plans filed with and attached to the Declaration as Schedule C with respect to dimensions and layout.

3. This certificate is made pursuant to the provisions of Section 47-220 of the Common Interest Ownership Act of the Connecticut General Statutes.

4. Pursuant to the Common Interest Ownership Act, I hereby state that I have no legal or equitable ownership interest in the Condominium.

5. This certificate is an expression of my professional opinion as a surveyor, and, as such, constitutes neither a guarantee nor a warranty, expressed or implied.

Dated: August 23, 2006

By:   
Robert M. Bennison, L.S. #12964



**PUBLIC OFFERING STATEMENT**

**RIVER WOODS OF DANBURY**

**SUPPLEMENT NO. 1**

This Supplement is an amendment to the Public Offering Statement of River Woods of Danbury issued by Burton's Bridge, LLC (the "Declarant") and shall be an addendum thereto.

1. Upon recording and filing of Amendment No. 1 to the Declaration of River Woods of Danbury, the Declarant will have created thirty four (34) Units.


This Supplement to the Public Offering Statement amends the statistics and all references to the number of Units accordingly where inconsistent.

2. Exhibit A of the Public Offering Statement is amended by the addition of the First Amendment to the Declaration annexed hereto and made a part hereof.

The remaining portions of the Public Offering Statement of River Woods of Danbury not inconsistent with this supplement remain in effect.

Dated this 21<sup>st</sup> day of August, 2006.

Burton's Bridge, LLC

By:   
Christian DaCunha, Manager

