

APPLICATION TO THE ZONING BOARD OF APPEALS

Zoning Board of Appeals
Easton, Connecticut 06612

Appeal
Application Number Z-20-5388-01

Applicants:

Lisa Dortenzio
73 Tranquility Dr.
Easton, CT

Soloman Ogrodowski
45 Tranquility Dr.
Easton, CT

Daniel & Erin Travis
36 Tranquility Dr.
Easton, CT

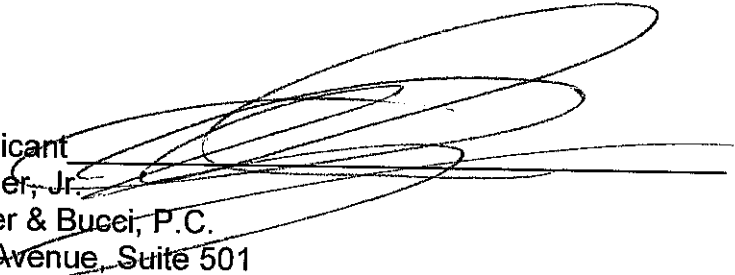
John M Allen, Jr. and Donna Checca Allen
68 Tranquility Dr.
Easton, CT

The applicants, Lisa Dortenzio, Solomon Ogrodowski, Daniel & Erin Travis, John M. Allen Jr. and Donna Checca Allen, all abutting property owners of 59 Tranquility Drive, Easton, CT hereby appeal to the Easton Zoning Board of Appeals the issuance of Zoning Permit NO. Z-20-5388 ("Permit") by Phillip A. Doremus, Zoning Enforcement Officer, to Sueide Sahla, dated April 30, 2020, concerning a 10' x 10' slaughterhouse with sink and separate septic concerning property located at 59 Tranquility Drive.

The issuance of the Permit violates Easton Zoning Regulations and Connecticut law. Although §3330 of the Easton Zoning Regulations allows the keeping of chickens as an accessory use to a residence, the raising of chickens must be incidental to a residential use, ie: for consumption by the homeowner, not for the establishment of a commercial poultry business.

In addition, Connecticut law, which supersedes the Easton Zoning Regulations, clearly limits accessory uses to uses that are subordinate and minor in significance to the principal use. In this case, the accessory use must have a reasonable relationship to a residence. A commercial poultry business is not a lawful accessory use.

The above applicants first discovered the issuance of the Permit on and after January 25, 2021.



Signature of Applicant
Charles J. Willinger, Jr.
Willinger, Willinger & Bucci, P.C.
1000 Bridgeport Avenue, Suite 501
Shelton, CT 06484
203-366-3939

Application and documents submitted: February 23, 2021

Lord, Diane

From: Lisa Dortenzio <lisad819@aol.com>
Sent: Thursday, February 11, 2021 12:31 PM
To: Lord, Diane
Subject: 59 Tranquility

To whom it may concern,

I, Lisa Dortenzio, own the property at 73 Tranquility Drive, Easton CT.

I give this firm permission to appeal the zoning permit of the chicken farm/slaughter house at 59 Tranquility Drive.

Lisa Dortenzio
203-650-2116

Lord, Diane

From: Daniel Travis <danieljamestravis@gmail.com>
Sent: Monday, February 22, 2021 2:19 PM
To: Lord, Diane
Subject: Appeal

Hi Diane,

Thanks for speaking with me today. I give your firm Willinger, Willinger & Bucci, P.C. authorization to include my wife and I, Daniel & Erin Travis on the appeal of the zoning permit for a slaughterhouse at 59 Tranquility Drive, Easton, CT.

Please let me know if you need anything else from me.

Regards,
Dan

Lord, Diane

From: Sam Ogrodowski <ogrodowsksam@sbcglobal.net>
Sent: Thursday, February 11, 2021 2:06 PM
To: Lord, Diane
Subject: Re: Appeal of zoning permit

Ms. Lord,,My name is Solomon Ogrodowski and i reside at 45 Tranquility Drive, Easton Connecticut.I have resided here since Sept. 1993.On January 25th of this year I was alerted to the fact that a chicken farm and slaughterhouse would be occupying the adjacent lot at 59 Tranquility Drive next to my home.At no time whatsoever did i receive any advanced notification as to the intended use of this property.I would like to request that you file an appeal to the zoning permit for the aforementioned property in my behalf regarding this matter. Sincerely, Solomon Sam Ogrodowski.

Lord, Diane

From: John Allan <jallanjr@yahoo.com>
Sent: Thursday, February 11, 2021 4:44 PM
To: Lord, Diane
Subject: 59 Tranquility Drive, Easton

Hi Diane:

Joe Calzone distributed a letter to everyone on our street informing us of the intentions of the new owner with respect to his proposed chicken operation on January 26, 2021. That is the day we found out.

My wife, Donna Checca (Allan) agree to have your firm represent us with respect to this matter.

Please let me know if you need anything else.

I have asked Joe to ask his contact at Aquarian whether they have received notice and/or are doing anything about this. I would think their involvement could be material.

Thank you.

John

Sent from my iPhone



EASTON PLANNING & ZONING COMMISSION
 225 CENTER ROAD
 EASTON, CT., 06612

CERTIFICATE OF ZONING COMPLIANCE

Property Owner (Applicant): Connecticut State Police Barracks Trust (formerly Sueide Salha)

Location (Premises covered by this certificate): 59 Tranquility Drive

Record Map # or subdivision: Assessor's Map # 3781, Block 44, Lot 17

Mailing Address:

To whom it may concern:

This is to affirm that a review of survey dated 1/27/21 and other available information shows that all

XXXX New Construction

 Addition

 Alteration

 Repair

applied for under: Zoning Permit # Z-20-5383 Issued: 4/09/2020

Building Permit # 16478 Issued:

has been completed and found to be in compliance with applicable Easton Planning and Zoning Commission Regulations.

Signed

Date 2-10-21

Zoning Enforcement Officer
 Easton Planning and Zoning Commission
 Phillip A. Doremus

Distribution

- Original * Addressee
- * P & Z File
- Copy: * Building Department

**** Please Note: This is not a "Certificate of Occupancy" which must be issued by the Easton Building Department**



January 27 2021

Town of Easton
Planning and Zoning Department

2-20-5388
Reviewed by
Planning & Zoning Commission
2.9.21

Hello Phil,

Per our conversation this morning, January 27, 2021, I Peter Olsen will personally guarantee that in the spring I will correct the grading on the driveway of 59 Tranquility Drive to comply with zoning requirements.

MAX 12%

I also give you the authority to hold the driveway opening bond until both the driveway apron and driveway grade compliance are met.

Thank you,

Peter Olsen
Olsen Built Homes, LLC
203-650-1019



NOTICE OF ZONING PERMIT EASTON, CONN.

PERMIT NO. Z-20-5383

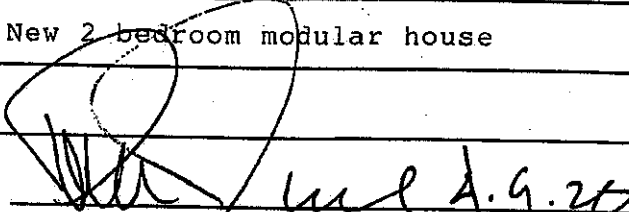
DATE April 2, 2020

GRANTED TO Sueide Salha

LOCATION 59 Tranquility Drive

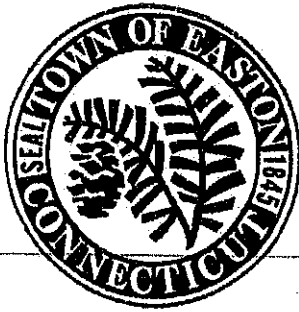
New 2 bedroom modular house

TO ERRECT OR BUILD
NOTICE
CERTIFIED PLOT PLAN REQUIRED
BEFORE CONSTRUCTION OF BUILDING
ON FOUNDATION.
ART. IX PAR. 9.2.4


Z.E.O. FOR PLANNING AND ZONING COMMISSION
Phillip A. Doremus

This permit is based on information submitted with your application. If any changes or alterations are to be made which are not covered in the initial application, then a new and additional permit should be obtained.

This Notice should be posted in a conspicuous place where it is readily visible to the enforcement authority during the entire time required to complete the work.



Town of Easton

225 Center Road
Easton, Connecticut 06612
(203)268-6291

PLANNING AND ZONING COMMISSION APPLICATION - ZONING PERMIT

(Please type or print in ink) Sue de Salha Date of Application 3-15-20
owner Application Number 2-20-5383

Name of Owner Andrew Blum Mailing Address 12 Valley View Trumbull

Location 59 Traverity Record Map No./Subdivision 3781 144 17

Construction Applied for: New Alteration _____ Addition _____ Repair _____

Description: Construct a foundation and install a two bedroom modular home

Type of Occupancy: Residence Garage _____ Accessory Bldg. _____ Pool _____
Other _____

Zone: A _____ (1 acre) B (3 acre) SQ. Feet or Lot Size acres 3.12 Lot Footage 270

Total Wetland Area (as determined by soil classification) None

Activity in 100 Yr. Flood Plan? Yes _____ No

Building(s) Setback Existing: Front 10 Side Yards: Left 129 Right 200 Rear 115
from boundary line. Proposed: Front _____ Side Yards: Left _____ Right _____ Rear _____

Size of Basement (Living Space)

Existing		Proposed		Existing		Proposed	
Basement	_____ sq. ft.	_____ sq. ft.	_____ sq. ft.	Garage	_____	<u>No</u>	
1 st Floor	_____ sq. ft.	<u>1223</u> sq. ft.	_____ sq. ft.	Accessory Building	_____	<u>1223</u>	
2 nd Floor	_____ sq. ft.	_____ sq. ft.	_____ sq. ft.	Porch	_____	<u>No</u>	
Driveway: Length _____ ft. Width _____ ft.				Pool	_____	<u>No</u>	
				Other	_____	_____	

Max. Height of proposed building (Section 3540) 13'

Please Leave This Space Blank

ZONING PERMIT GRANTED
BY
EASTON PLANNING & ZONING COMMISSION

[Signature]
4.9.20

The undersigned applicant hereby consents to necessary and proper inspection of the subject premises by representative of the Planning and Zoning Commission, at reasonable times, both before and after any permit applied for has been granted by the agency. I hereby certify that the above answers are correct and true and that I shall conform to the requirements for the Zoning Regulation of the Town Of Easton, CT and I certify that I am the authorized owner/agent.

Signed [Signature] #16478
Owner agent
Address R. Hunters Ridge
Phone 203-650-1019

COPY



NOTICE OF ZONING PERMIT EASTON, CONN.

PERMIT NO. Z-20-5388

DATE April 30, 2020

GRANTED TO Sueide Salha

LOCATION 59 Tranquility Drive

TO ERECT OR BUILD 10' x 10' slaughter house with sink and separate septic.

NOTICE
CERTIFIED PLOT PLAN REQUIRED
BEFORE CONSTRUCTION OF BUILDING
ON FOUNDATION.
ART. IX PAR. 9.2.4

Certification of Zoning Compliance for this structure is contingent on approvals by Building and Health Departments and approval by Ct Dept. of Agriculture Small Poultry Processor Inspection Program.

Z.E.O. FOR PLANNING AND ZONING COMMISSION

Phillip A. Doremus

This permit is based on information submitted with your application. If any changes or alterations are to be made which are not covered in the initial application, then a new and additional permit should be obtained.

This Notice should be posted in a conspicuous place where it is readily visible to the enforcement authority during the entire time required to complete the work.



Town of Easton

225 Center Road
Easton, Connecticut 06612
(203)268-6291

RECEIVED

APR 09 2020

EASTON PLANNING &
ZONING COMMISSION

PLANNING AND ZONING COMMISSION APPLICATION - ZONING PERMIT

(Please type or print in ink)

Date of Application 3-15-20
Application Number 2-20-5388

Name of Owner Suele Salha Andrew Blym Councilor Mailing Address 12 Valley View Trumbull

Location 59 Tranquility Dr Record Map No./Subdivision _____

Construction Applied for: New Alteration _____ Addition _____ Repair _____

Description: Install 1 10'x10' prefab shed (A) tool shed
2 Chicken Coops (1 slaughter house with sink
and separate 1500 poly ethylene tent 10'x10' Slaughter House)

Type of Occupancy: Residence _____ Garage _____ Accessory Bldg. Pool _____
Other _____

Zone: A _____ (1 acre) B (3 acre) SQ. Feet or Lot Size acres 3.12 Lot Footage 270

Total Wetland Area (as determined by soil classification) None

Activity in 100 Yr. Flood Plan? Yes _____ No

Building(s) Setback Existing: Front _____ Side Yards: Left _____ Right _____ Rear _____
from boundary line. Proposed: Front 60' Side Yards: Left 60' Right 60' Rear 60'

Size of Basement (Living Space)		Garage		Accessory Building		Porch		Pool		Other	
Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed
Basement _____ sq. ft.	_____ sq. ft.	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
1 st Floor _____ sq. ft.	_____ sq. ft.	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
2 nd Floor _____ sq. ft.	_____ sq. ft.	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Driveway: Length _____ ft. Width _____ ft.											
Max. Height of proposed building (Section 3540) _____											

Please Leave This Space Blank

ZONING PERMIT GRANTED
BY
EASTON PLANNING & ZONING COMMISSION
[Signature]
4.30.20

The undersigned applicant hereby consents to necessary and proper inspection of the subject premises by representative of the Planning and Zoning Commission, at reasonable times, both before and after any permit applied for has been granted by the agency. I hereby certify that the above answers are correct and true and that I shall conform to the requirements for the Zoning Regulation of the Town Of Easton, CT and I certify that I am the authorized owner/agent.

Signed [Signature]
Owner agent
Address 17 Hunters Ridge Woodbury
Phone 203-650-1019

#16479
COPY



WILLINGER, WILLINGER & BUCCI, P.C.

1000 BRIDGEPORT AVE., STE. 501, SHELTON, CT 06484
(203) 366 - 3939 (475) 269-2907 (FAX)

CHARLES J. WILLINGER, JR.*
THOMAS W. BUCCI
ANN MARIE WILLINGER
BRADD S. ROBBINS ♦
TONI-MARIE GELINEAU
ATHAN S. MIHALAKOS**
DIANE M. LORD
JAMES A. LENES*
HEIDI C. MCGEE
MARK H. MIDDLEN ♦
CHRISTOPHER M. CERAMI
ROBERT B. BELLITTO, JR.

* ALSO MEMBER OF FL BAR
♦ ALSO MEMBER OF MA BAR
** ALSO MEMBER OF PA BAR
ALSO MEMBER OF NY BAR

Via email pdoremus@eastonct.gov
February 2, 2021

Phillip Doremus
Zoning Enforcement Officer
Town of Easton
225 Center Road
Easton, CT 06612

RE: 59 Tranquility Drive

Dear Mr. Doremus:

This office represents numerous Tranquility Drive neighborhood homeowners. Our clients strongly oppose the proposed use of the property known as 59 Tranquility Drive (the "Property") for a commercial poultry business together with chicken coops and a slaughterhouse.

As you are aware, the Property is located in a residential zoning district and the owner, Connecticut State Police Barracks Trust, ("Trust"), has applied for and received a certificate of zoning compliance to construct a residence thereon. Upon information and belief, the Trust is requesting a certificate of zoning compliance for the construction of a prefabricated dwelling unit, sheds, a tool shed, chicken coops and a slaughterhouse in order to conduct a commercial poultry business on the Property.

This proposed use will negatively affect property values and will adversely affect the health and safety of the neighborhood residents due to excessive noise, odors, the potential for the spread of poultry diseases, the attraction of rodents, the creation of increased traffic and the probable negative impact on ground water, wells, ponds and inland wetlands.

The overriding goal, indeed the very purpose of the Easton zoning regulations ("Regulations") is to protect the public health, safety, convenience and property values. This goal is clearly stated in §1210 of the Regulations and is based on the State enabling act, Connecticut General Statute, §8-2, which underscores the fact that a municipality must protect the public health, safety, convenience and property values. The Trust's proposed use of the Property clearly violates the Connecticut General Statutes and the Regulations.

Although §3330 of the Regulations allows the keeping of chickens as an accessory use to a residence, the clear intent is the raising of chickens and eggs

incidental to a residential use, ie: for consumption by the homeowner, not for the establishment of a commercial poultry business.

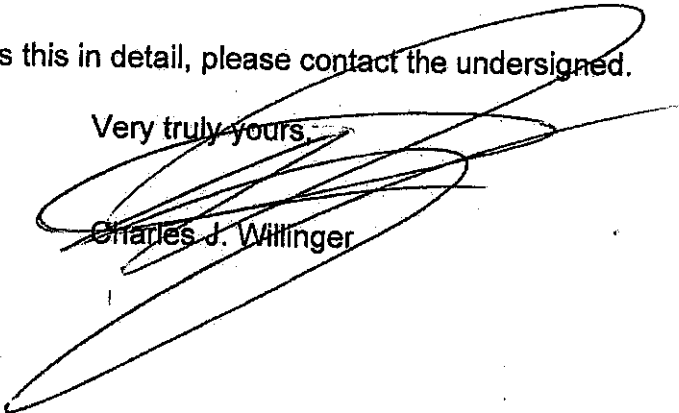
In any event, Connecticut law supersedes the Regulations and clearly limits accessory uses to uses that are subordinate and minor in significance and, in this case, to uses that have a reasonable relationship to a residence. A commercial poultry business is not a lawful accessory use.

Based on the foregoing, we respectfully request that you advise the Trust that its proposed use violates the Regulations, and, for that reason, a certificate of zoning compliance will not be issued.

I am enclosing herewith copies of some of the petitions signed by neighbors in opposition to the proposed use.

If you care to discuss this in detail, please contact the undersigned.

Very truly yours,


Charles J. Willinger

CJW:dlp
Encl.

TOWN OF EASTON
PETITION REGARDING 59 TRANQUILITY DRIVE

We, the undersigned Tranquility Drive and Easton neighborhood residents, wish to express our grave concerns and opposition to permitting a commercial poultry business with attendant chicken coops and a slaughterhouse at the 59 Tranquility Drive residence.

The proposed nonresidential use is not consistent with the residential character of the neighborhood, will negatively affect our property values, will adversely affect our health and safety due to excessive noise, odors, the potential for the spread of poultry diseases, the attraction of rodents, the creation of increased traffic and the probable negative impact on ground water, wells, ponds and inland wetlands. As such, the commercial poultry business violates both zoning regulations and Connecticut law.

We respectfully request that the Easton Zoning Enforcement Officer take the foregoing into consideration and refuse to issue a certificate of zoning compliance and/or reject all requests for other than residential use at 59 Tranquility Drive.

NAME	ADDRESS	DATE
Janine Hiden	71 Sweetbrier Trail	1/31/21
Kay Jung	71 Sweetbrier Trail	1/31/21
Tom Jung	71 Sweetbrier Trail	1/31/21
Anna Mc Gowan	51 Sweetbrier trail	1/31/21
MARK MCGOWAN	54 SWEETBRIER TRAIL	1/31/21
MARK KAUFMAN	85 Tranquility Dr	1/31/21
Brigitte Shkrelj	74 Tranquility D-	1/31/21
NICK SHKRELI	74 TRANQUILITY DR	1/31/21
Bailey Sertich	89 Tranquility	1/31/21

TOWN OF EASTON
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NAME	ADDRESS	DATE
Erin Travis <i>ET</i>	36 Tranquility Dr. Easton, CT 06612	1/27/21
Dan Travis <i>Dan Tr</i>	36 Tranquility Dr. Easton, CT 06612	1/27/21
JOE P. BOHE	29 TRANQUILITY DR EASTON	1/29/21
Bob Pennell	29 Tranquility Dr Easton	1/29/21
<i>John C. D.</i>	94 Tranquility Drive, Easton, CT	1/29/21
Charles E. Heller	82 Tranquility Drive Easton, CT	1/30/21
Mary Welch	82 Tranquility Dr Easton CT	1/30/21
Andrew Noyes <i>AN</i>	93 TRANQUILITY DR EASTON CT 06612	1/30/21
Lindsay Noyes	93 Tranquility Dr. Easton, CT 06612	

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We respectfully request that the Easton Zoning Enforcement Officer take the foregoing into consideration and refuse to issue a certificate of zoning compliance and/or reject all requests for other than residential use at 59 Tranquility Drive.

NAME	ADDRESS	DATE
Robert Thibe	458 Purdy Hill Rd	1/30/21
Dr Michael W. Pomara	22 Sweetbrier Trail	1/30/21
Carole Pomara	22 Sweetbrier Trail	1/30/21
Janet Reid	40 Sweetbrier Trail	1/30/21
Kim Hiram	55 Sweetbrier Trail	1/30/21
Jay	5 "	"
[Signature]	55 Sweetbrier Tr.	1/30/21
[Signature]	10 Sweetbrier Tr	1/30/21
DR. H. THOMAS CALZONE	39 TRANQUILITY DR	1/31/21
Edwin San Ogradowski	45 Tranquility Dr.	1/31/21

TOWN OF EASTON
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NAME	ADDRESS	DATE
Jill Mencil JILL MENCIL	156 EVERETT RD	1/31/2021
Joy Mencil	156 Everett Rd.	1/31/2021
Thomas D. Olsavsky THOMAS D. OLSAVSKY	270 EVERETT RD.	1/31/2021
Carol A. Olsavsky CAROL A. OLSAVSKY	270 EVERETT RD	1/31/2021
Monica Chioffi	30 Grace View Dr	1/31/2021
Quinn Ciri	20 Grace View Dr.	1/31/2021
Quinn Ciri	20 Grace View Dr	1/31/2021
Mark Chioffi MARK CHIOFFI	20 Grace View Dr	1/31/21
D. J. ...	65 WOOD END DR	1/31/21
Rud Olsavsky	65 Wood End Dr	1/13/21

TOWN OF EASTON
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NAME	ADDRESS	DATE
Michael Biros JR	73 Tranquility DR	1-31-21
Lisa Dortenzio	73 Tranquility Dr	1-31-21
Phyllis Biros	73 Tranquility Dr	1-31-21
James P. Dortenzio	73 Tranquility Dr	1-31-21
Michael J. Biros SR	73 Tranquility DR	1/31/21
William Thomas	55 Wood End Dr	1/31/21
Janne Stone	149 Everett Rd	1/31/21
John Stone	149 EVERETT Rd	1/31/21
Mike Stone	174 Everett Rd	1/31/2021
J. M. Lian	55 Wood End Dr	1/31/2021

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NAME	ADDRESS	DATE
Joseph F CALZONE	200 LUANIVE RD	
John M. Allan Jr	68 Tranquility Drive,	1/31/2021
Donna Checca	68 TRANQUILITY DR	1/31/2021
Amanda Allan	68 TRANQUILITY DRIVE	1/31/2021
Robert Heston	10 TRANQUILITY DR	1/31/2021
Sophora Heston	10 TRANQUILITY DR	1/31/2021
Colinne Spina	89 Tranquility Dr.	1/31/2021
Lucas Bohone	89 Tranquility DR	1/31/21

**TOWN OF EASTON
PETITION REGARDING 59 TRANQUILITY DRIVE**

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We respectfully request that the Easton Zoning Enforcement Officer take the foregoing into consideration and refuse to issue a certificate of zoning compliance and/or reject all requests for other than residential use at 59 Tranquility Drive.

<u>NAME</u>	<u>DATE</u>	<u>ADDRESS</u>
Mark A. Pompa	June of 30, 2021	
<i>[Signature]</i>		78 Tranquility Drive

TOWN OF EASTON
PETITION REGARDING 59 TRANQUILITY DRIVE

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We respectfully request that the Easton Zoning Enforcement Officer take the foregoing into consideration and refuse to issue a certificate of zoning compliance and/or reject all requests for other than residential use at 59 Tranquility Drive.

NAME	ADDRESS	DATE
<i>GEORGE KALAS</i>	<i>22 BALLWALL RD, EASTON, CT 06612</i>	<i>1-31-21</i>
<i>[Signature]</i>		
<i>Dea. Stotter</i>	<i>22 Ballwall rd.</i>	<i>01-31-21</i>
<i>[Signature]</i>		

TOWN OF EASTON
PETITION REGARDING 59 TRANQUILITY DRIVE

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We respectfully request that the Easton Zoning Enforcement Officer take the foregoing into consideration and refuse to issue a certificate of zoning compliance and/or reject all requests for other than residential use at 59 Tranquility Drive.

NAME	ADDRESS	DATE
<i>Tim Mc Dowan</i>	<i>59 Tranquility Drive</i>	<i>February 2, 2011</i>
<i>of the</i>		
<i>Tim Mc Dowan</i>	<i>59 Tranquility Drive</i>	<i>February 2, 2011</i>
<i>of the</i>		
<i>Owner of</i>	<i>59 Tranquility Drive</i>	