

**APPROVED**  
JUL 11 2023



**RECEIVED**

6/6/23

**EASTON ZBA**

(2)

P&Z  ZBA

**ZONING BOARD OF APPEALS**

225 Center Road - Easton, Connecticut 06612

By: *[Signature]*

**APPEAL APPLICATION**  
(used for post-decision)

Application Number: ZBA-23-03

Applicant: Steven Montgomery Address: 25 Old Oak Rd., Easton, CT 06612

Owner: Marcel Huribal Address: 422 Sport Hill Road, Easton, CT 06612

~~\_\_\_\_\_ hereby appeal to the Zoning Board of Appeals (ZBA) from the denial by the Planning and Zoning Commission of my application for a permit to:~~

the decision of the Zoning Enforcement Officer, Mark DeLieta, to execute a Certificate of Zoning Compliance with respect to the structure and permit related to the riding arena located on the premises despite the fact that conditions of the permit were not met (removal of structures in setback) and the known use of the building violating restrictions on the permit and use (commercial use of riding arena). I learned of the execution of the certification and issuance of CofO <sup>on</sup> April, 18, 2023. See attached sheet for additional information

Signature of Applicant

*[Signature]*

917-647-9307

Telephone Number

Application and documents submitted: To:

*[Signature]*  
ZBA Agent

Date:

5/16/23

*public hearing 7/18/23  
submitted 5/17/23*

**LAND USE  
FILE COPY**

of time for this process (review, public hearing, and/or decision periods) shall not exceed sixty-five (65) days.

#### DECISION

1. A decision on the application must be made within sixty-five (65) days of the close of the public hearing. If an Inland Wetland Permit is required and a final decision by the Inland Wetland Agency has not been made, the decision period for the special permit application will be extended for up to thirty-five (35) days after the decision on the Inland Wetlands permit has been made so the ZBA can be given due consideration when making its decision.
2. The ZBA shall approve, disapprove, or approve with conditions the proposed variance and shall state upon its record the reason(s) for its decision.
3. As part of an approval, the Commission may require a performance guarantee (i.e. bond), based upon a cost estimate of improvements provided by the applicant, to ensure completion of site improvements other than buildings.

#### FOLLOWING APPROVAL

1. Within 15 days of approval of the special permit, the ZBA will send you a copy of the decision and publish such decision as required.
2. You are required to file on the Easton Land Records a certified copy of the variance granted with all attachments/enclosures provided therewith within one year from the date of approval or the variance will be null and void.
3. You are required to file on the Easton Land Records mylar prints of any final approved plan(s), complete with all modifications, signed/sealed by the appropriate professionals that created the plan(s), and endorsed by the Chairman of the ZBA within one year from the date of approval or the variance will be null and void.
4. You must provide two copies of all plan(s), complete with all modifications, signed/sealed by the appropriate professionals that created the plan(s), to be filed with the Building Official and Zoning Enforcement Officer.
5. If required, you must post a bond in accordance with the approval within one year from the date of approval or the special permit will expire. Posting and release of such bond shall be in accordance with Section 8870 of the Regulations.

#### APPEAL

1. The applicant or other aggrieved parties may appeal the decision to the Superior Court within Fifteen (15) days of publication of the decision.

381 0141



ZONING BOARD OF APPEALS

225 Center Road - Easton, Connecticut 06612

APPLICATION FOR VARIANCE TO ZONING REGULATIONS

Location of Property

Property Owner: Marcel Huribal Telephone: 203-257-9171
Address: 422 Sport Hill Road, Easton, CT 06612
Assessor's Map#/Block#/Lot#: Lot 2
Parcel No.: 422

Applicant: Steven Montgomery Telephone: 917-647-9307
Address: 25 Old Oak Road, Easton, CT 06612
Surveyor: N/A

Type of Sewage Disposal Unknown Type of Water Supply Unknown

Zoning District: R1 [checked] R3

Property is within 500 ft of a Town line: Yes [checked] No

Has an Inland Wetlands Determination been completed by the Inland Wetland Agency?
YES NO Unknown

Notice: If a wetland permit is required, this application will not be acted upon until the wetland permit is obtained. Please complete the attached Application for Determination of Wetland Impact.

Indicate each specific provision of the Zoning Regulations from which a variance is required.

Section/Subsection: No variance required

Describe fully the nature and extent of each variance applied for above.

No variance. Seeking review and reversal of determination of zoning enforcement office

Zoning Setback(s) Proposed: Unknown

Front (ft) Left (ft) Right (ft) Rear (ft)

**APPLICATION FOR VARIANCE TO ZONING REGULATIONS (CONTINUED)...**

State fully the reasons why:

- a. Strict application of the regulations would create exceptional difficulty or unusual hardship; and
- b. Such hardship is unique to the property.

(Financial hardship is not sufficient basis for granting of a variance).

No variance required. Seeking review and reversal of decision of zoning enforcement officer

Does the variance applied for constitute an alteration, conversion, extension, or expansion of an existing non-conforming condition?

NO  YES \_\_\_ if Yes, explain in detail

Has any previous application been made to ZBA for a variance relative to all or any part of said property?

NO  YES \_\_\_ if Yes, specify when and for what.

Is there a home occupation at the location or has a Special Permit been granted for the property?

NO  YES  if Yes, explain. Owner operating commercial business

Applicant hereby grants to ZBA Members the right to make physical on-site inspection of the property as may be necessary to acquaint themselves with actual conditions.

Applicant [Signature] Date 5/16/23  
Owner \_\_\_\_\_ Date \_\_\_\_\_

Access to my property 25 Old Oak Road granted but right to entry to 422 Sport Hill Road will need to be obtained from owner

Received by Zoning Board of Appeals: \_\_\_\_\_ Date \_\_\_\_\_  
Reviewed by Zoning Enforcement Officer \_\_\_\_\_ Date \_\_\_\_\_

To the Zoning Board of Appeals,

I hereby submit a request for review and reversal of the decision of the Zoning Enforcement Officer, Mark DeLieto, in his execution of a Certificate of Zoning Compliance as a prerequisite to the issuance of a Certificate of Occupancy for the riding arena located at 422 Sport Hill Road, Easton, CT. As you may know, a Certificate of Occupancy was recently issued for the riding arena constructed at 422 Sport Hill Road by Peter Howard on behalf of the Town of Easton Building Department. (A copy of the Certificate of Occupancy is attached here.) This Certificate of Occupancy was issued after Mr. DeLieto improperly certified that the construction and use of the property was in accordance with the permit documents issued and the Zoning Regulations for the Town of Easton. As Mr. DeLieto is well aware, the permit for construction of the arena was conditioned on the removal of a structure improperly placed in the setback on the Old Oak Road side of the property as well as the structure not being used for commercial purposes. Despite these conditions, the structure in the setback was never removed as agreed and the structure has been used for commercial purposes despite Mr. DeLieto's claims to the contrary. Despite these facts, Mr. DeLieto refused to take any action with respect to these violations and instead certified the property in compliance with respect to applicable permit requirements and zoning regulations.

As you will note from the attached documents, the building permit documents for the riding arena structure specifically states that the arena is not to be used for commercial purposes. Despite this restriction, the arena is undoubtedly being used for commercial purposes and is open to the public. Attached are documents and photographs confirming the use of the structure for a Fairfield University Equestrian Team event and below are the links to the N&C Equestrian website and Facebook page also confirming the use for commercial purposes and its occupancy by the public for that purpose. In fact, a violation was issued by the Town previously, though the current administration refused to pursue the violation and has since removed the related documentation from the Building Department file. Attached is a copy of the document now missing from the Building Department file. The last time I checked, a copy of the violation and supporting documentation still remained part of the zoning file however. The known commercial use of the premises should be stopped immediately. There has not been proper life safety checks or inspections performed as the building has been classified as a Class U structure and not one open to the public. Until such time as the proper processes are completed the structure should not be used for public assembly.

Facebook: <https://www.facebook.com/NCEquestrianCT/>

Website: <https://www.nandcequestrian.com/>

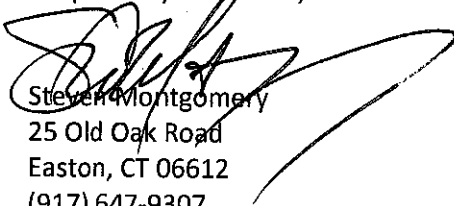
In addition, on numerous occasions going back to the summer of 2022 I advised Mr. DeLieto that there were multiple structures which violated zoning regulations in both their use and placement within setbacks. Mr. DeLieto stated on multiple occasions that he saw no violations and refused to take any action regarding same. However, in the attached documents you can see that in February of this year Mr. DeLieto confirmed that the structure at issue was in fact placed in violation of the zoning regulations but that since three years had passed he could take no action. I would note that Mr. DeLieto had been on the property multiple times since the summer of 2022 and was well aware of the presence of the structure and the fact that it violated zoning regulations. He simply waited until he thought he had a basis for his non-action to admit that the violation was present. However, the removal of the structure was made a condition of the permit issued and the owner agreed to move that as a condition

of the permit. The three year time period is not relevant. The issue should be addressed as agreed to by the owner as part of the permitting process.

All of the documents referenced above are part of the file maintained for 422 Sport Hill Road in the Planning and Zoning Office.

Please let me know if there are any questions regarding this appeal. Thank you.

Respectfully submitted,



Steven Montgomery  
25 Old Oak Road  
Easton, CT 06612  
(917) 647-9307

# VIOLATION NOTICE

PERMIT # 16467

PERMIT DESCRIPTION:

Riding Arena not intended for  
commercial use

ADDRESS 433 Spout Hill Rd

DATE OPENED: 8/25/2020

NAC Equestrian Website  
offers classes at the  
above address







## Zoning Board of Appeals

225 Center Road - Easton, Connecticut 06612

July 14, 2023

Steven Montgomery  
25 Old Oak Road  
Easton, CT 06612

Re: **ZBA-23-03: 422 Sport Hill Rd, submitted by S. Montgomery @ 25 Old Oak Rd - Appeal Application for issuance of Certificate of Zoning Compliance (CZC) on 02/17/2023 by Zoning Enforcement Officer based on conditions not met.**

Dear Mr. Montgomery:

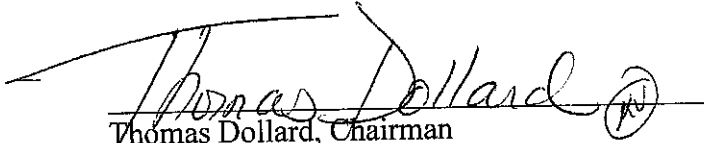
Please be advised that during a public hearing of the July 11, 2023 meeting of the Easton Zoning Board of Appeals, the Board made the motion to **APPROVE** your appeal application, ZBA-23-03, which subsequently revokes the Certificate of Zoning Compliance (issued 2/17/2023) granted to property owner Marsel Huribal for the indoor riding rink. The reason for this approval is due to erroneous issuance of the CZC as applicant was non-compliant with the condition stated on the Zoning Permit Z-20-5377 (dated 3/12/2020) which stated "this permit is conditioned on the relocation of the unpermitted building near Old Oak Road to a zoning compliant location".

The vote was 5 in favor, 0 opposed.

A legal notice will be published in the Fairfield Citizen on July 21, 2023.

If you have any further questions, please do not hesitate to contact us.


Very truly yours,  
ZONING BOARD OF APPEALS

  
Thomas Dollard, Chairman  
TD:kv

cc: Easton Planning and Zoning Commission  
Easton Town Clerk Land Records  
Peter Gelderman, Esquire, Berchem Moses P.C.  
Marcel Huribal, property owner 422 Sport Hill Rd

**LAND USE  
FILE COPY**

FILE COPY  
LAND USE

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p>
<p>1. Article Addressed to:</p> <p><i>Steven Montgomery 25 Old Oak Rd Easton CT 06612</i></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
 <p>9590 9402 6636 1028 9502 22</p>	<p>3. Service Type <input type="checkbox"/> Priority Mail Express®  <input type="checkbox"/> Adult Signature <input type="checkbox"/> Registered Mail™  <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail Restricted Delivery  <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Signature Confirmation™  <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery  <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery</p>
<p>2. Article Number (Transfer from service label)</p> <p>7020 0640 0001 5235 4360</p>	<p>Restricted Delivery</p>
<p>PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt</p>	

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE  
**CERTIFIED MAIL®**



7020 0640 0001 5235 4360  
7020 0640 0001 5235 4360

U.S. Postal Service™ <b>CERTIFIED MAIL® RECEIPT</b> Domestic Mail Only	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®	
<b>OFFICIAL USE</b>	
Certified Mail Fee \$ Extra Services & Fees (check box, add fee as appropriate) <input type="checkbox"/> Return Receipt (hardcopy) \$ _____ <input type="checkbox"/> Return Receipt (electronic) \$ _____ <input type="checkbox"/> Certified Mail Restricted Delivery \$ _____ <input type="checkbox"/> Adult Signature Required \$ _____ <input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	Postmark Here
Postage \$	
Total Postage and Fees \$	
Sent To <i>Steven Montgomery</i> Street and Apt. No., or PO Box No. <i>25 Old Oak Rd</i> City, State, ZIP+4® <i>Easton CT 06612</i>	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	



**Ad Content Proof**

Note: Ad size does not reflect actual ad

**LEGAL NOTICE EASTON CT**

The Easton Zoning Board of Appeals on Tuesday, July 11, 2023 at 5:30pm, acted on the following application: ZBA-23-03: 422 Sport Hill Rd, submitted by S. Montgomery @ 25 Old Oak Rd - The Board approved appeal application ZBA-23-03 subsequently revoking the Certificate of Zoning Compliance (issued 2/17/2023) due to erroneous issuance as applicant was non-compliant with the condition stated on Zoning Permit Z-20-5377. A copy of the appeal is on file in the Easton Town Clerk's Office.

Dated this 14th day of July 2023 by Thomas Dollard, Chairman, Easton Zoning Board of Appeals

Customer Account

338094

Customer Information

PLANNING AND ZONING BOARD OF APPEALS  
225 Center Road  
EASTON CT 06612  
USA

Phone: 2032686291

Fax:

EMAIL: fdaly@eastonct.gov

Ad Order Number

0002786284

Sales Rep.

mhutchings

Order Taker

mhutchings

Ordered By

KAREN VELKY

Order Source

Phone

Ad Cost                      Payment Amt                      Amount Due

\$23.56                      \$0.00                      \$23.56

Blind Box                      Materials

Order Notes

Ad Number                      External Ad #                      Pick Up Number

0002786284-01

Ad Type                      Ad Size                      PO Number

BR Legal Liner                      2 X 9 li

Color                      Color Requests

\$0.00

Product and Zone                      # Inserts                      Placement

Fairfield Citizen Ne                      1                      BR Legal

Note: Retail Display Ads May Not End in Identified Placement

Run Dates

7/21/2023





**TOWN OF EASTON**  
**BUILDING DEPARTMENT**

225 CENTER ROAD, EASTON, CT 06612

PH. (203) 268-6291

---

Date: July 14, 2023

RE: Building Located at:  
422 Sport Hill Road  
Easton, CT 06612

Dear Dr. Huribal,

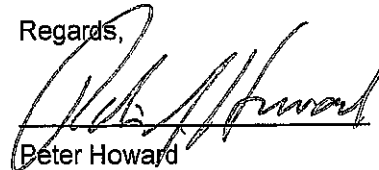
The Town of Easton, Building Department is writing to inform you that because the issued certificate of zoning compliance was rescinded by the Planning and Zoning Department, the certificate of occupancy issued on February 21, 2023 by the Easton Building Department is invalid.

According to Section 111.1 of the "2015 International Building Code portion of the 2018 Connecticut State Building Code," it is mandated that a building must not be occupied or utilized without the issuance of a certificate of occupancy by the building official. Therefore, until a valid certificate of occupancy is obtained, the building cannot be occupied or used.

Should you have any additional inquiries, I am available via phone or email.

**LAND USE  
COPY**

Regards,



Peter Howard

Town of Easton Building Official

203.268.6291 X111

phoward@eastonct.gov

32-1000  
Y400



TOWN OF EASTON

APPLICATION FOR BUILDING PERMIT

Date 2-25-2020

BUILDING DEPARTMENT

The Town of EASTON wants to be of service to you, the applicant. We will be better enabled to do so if you will complete this application by following the procedures set out in the INFORMATION SECTION on page 4. IN INK

House Number 422 Lot Number 2 Street SPORT Hill RD Zone A X 2
Owner (Print) MARCEL HNRIBAL Signature [Signature] Mobile 203 257-9171
Phone: Home Work City EASTON State CT Zip 06612
Canton Address 3 CANTERBURY IN Street City EASTON State CT Zip 06612

CERTIFIED PLOU PLAN OF FOUNDATION REQUIRED PRIOR TO FURTHER CONSTRUCTION

CONSTRUCTION: Use Group: One Family Residence, New, Addition, Remodel, Change of Use, Demolition, Other (INDOR RIDING RINK)
Description: 70' x 152' x 16' RIDING ARENA SITTING ON CONCRETE PLEES
NO PLUMBING OR WATER - NO COMMERCIAL USE =

Is there a building on this lot now? YES
If so, how occupied? HORSE BARNS
Size of structure: 70' x 152' x 16' Number of floors: 1 Size of Addition: 10,640 SQFT
Lot Size: 3,037 ACRES Is proposed construction in a year flood plain? NO

Applicant (print): JOHN'S ASPHALT INC.
Address: 88 Elm St MONROE CT 06468 Phone: 203 520-1989

I estimate the value of the work will be \$ 175,000
Applicant's signature: [Signature]

Building Officials estimate of value \$ 175,000

- ZONE FEE \$ 203
BUILDING FEE \$ 1420
CERT OF OCC \$ 50
SEPTIC FEE \$ 100
WELL FEE \$
ADMIN FEE \$ 53
TOTAL \$ 1880.00

FILE COPY

#16467

PERMIT NUMBER

DATE ISSUED 3/12/2020

NOT TO BE USED COMMERCIALLY

## Town of Easton

EASTON, CONNECTICUT  
BUILDING PERMIT

DOES NOT INCLUDE  
ANY SUB PERMITS

Permit No. 16467 Date 3/12/2020  
 Permission is hereby granted to Michael Michael owner of land / building

To erect 30' x 152' x 16' Riding Arena with 10' concrete floor, no plumbing or water

Lot No. \_\_\_\_\_ Located at No. 422 Sycamore Rd Street \_\_\_\_\_

Said building described in application and according to plans and specifications filed with the Building Department. This permit is granted on condition that all town ordinances and building regulations and state laws shall be complied with and is issued subject to the following conditions: 3018 Connecticut State Building Code

Construction value as estimated by Building Department: \$175,000

- Zoning Fee \$ 263
- Building Fee \$ 1420
- Occupancy Fee \$ 50
- Septic Fee \$ 1000
- Well Insp. Fee \$ \_\_\_\_\_
- Administrative Fee \$ 53

[Signature]  
Building Official

This permit expires six months from date if work is not commenced, which means that a reasonable amount of the structural work must be done of which the Building Officer shall be the sole judge.

TOTAL \$ 1880.00 Certificate of Occupancy must be issued before use is allowed.

Description 30' x 152' x 16' RIDING ARENA  
NO PLUMBING OR WATER  
NO COMMERCIAL USE

Is there a building on this lot now? YES If so, how occupied? HORSE BARN

Size of structure 30' x 152' x 16' Number of floors 1 Size of Addition 10,640 SQFT

Lot Size 3.037 ACRES Is proposed construction in a year flood plain? NO

Applicant (print) JOHN'S ASPHALT INC.

Address 88 Elm St Monroe CT 06468 Phone 203 520 1989

Estimated value of the work will be \$ 175,000

Applicant's signature [Signature]

Building Official's estimate of value \$ 175,000

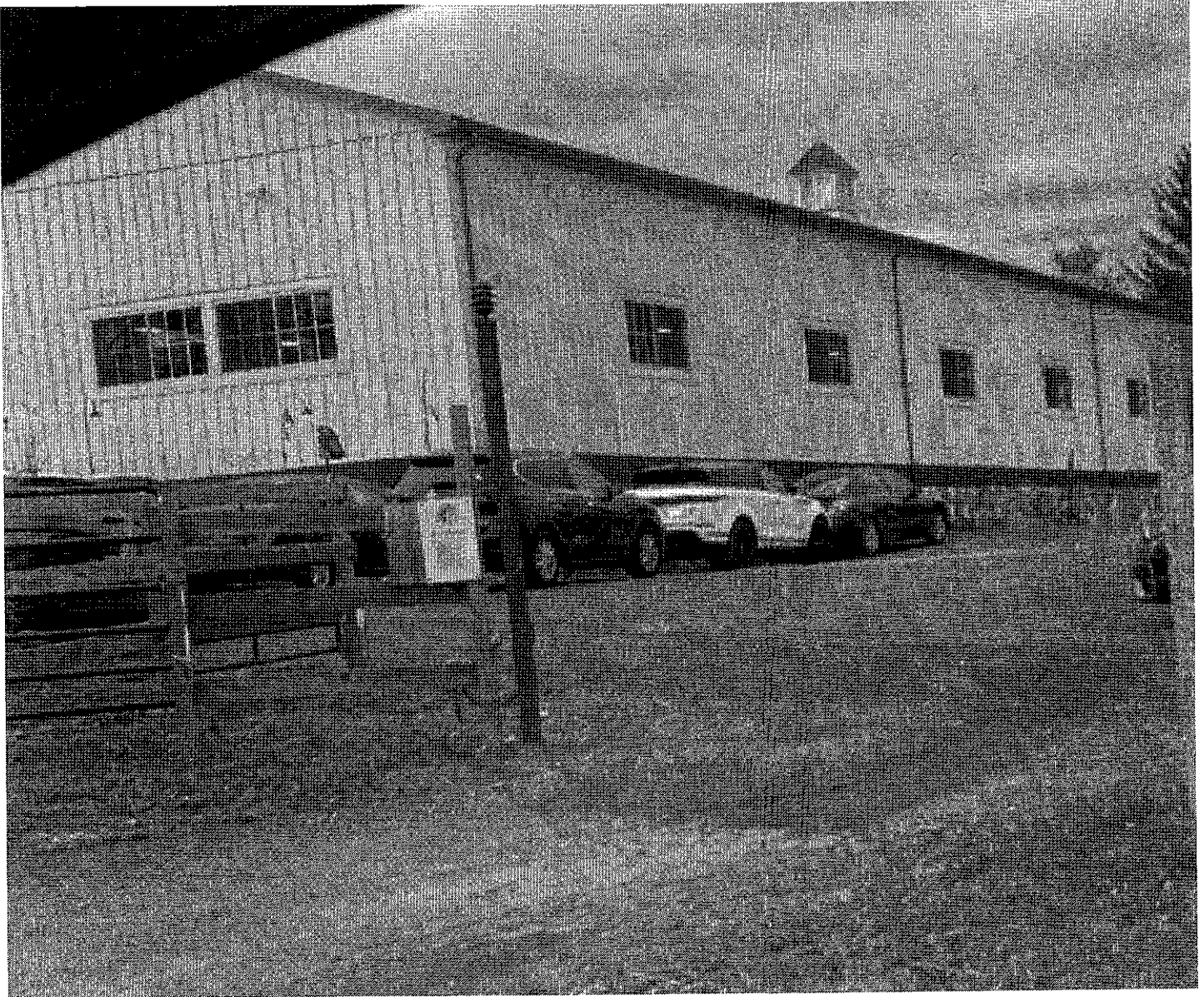
- ZONE FEE \$ 263
- BUILDING FEE \$ 1420
- CERT OF OCC \$ 50
- SEPTIC FEE \$ 1000
- WELL FEE \$ \_\_\_\_\_
- ADMIN FEE \$ 53
- TOTAL \$ 1880.00

**FILE COPY**  
 PERMIT NUMBER **#16467**  
 DATE ISSUED 3/12/2020

## Montgomery, Steven

---

**From:** Montgomery, Steven  
**Sent:** Wednesday, April 26, 2023 11:13 AM  
**To:** Montgomery, Steven





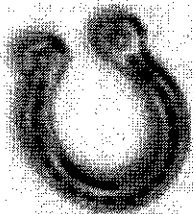
11:08



November 12, 2022

11:45 AM

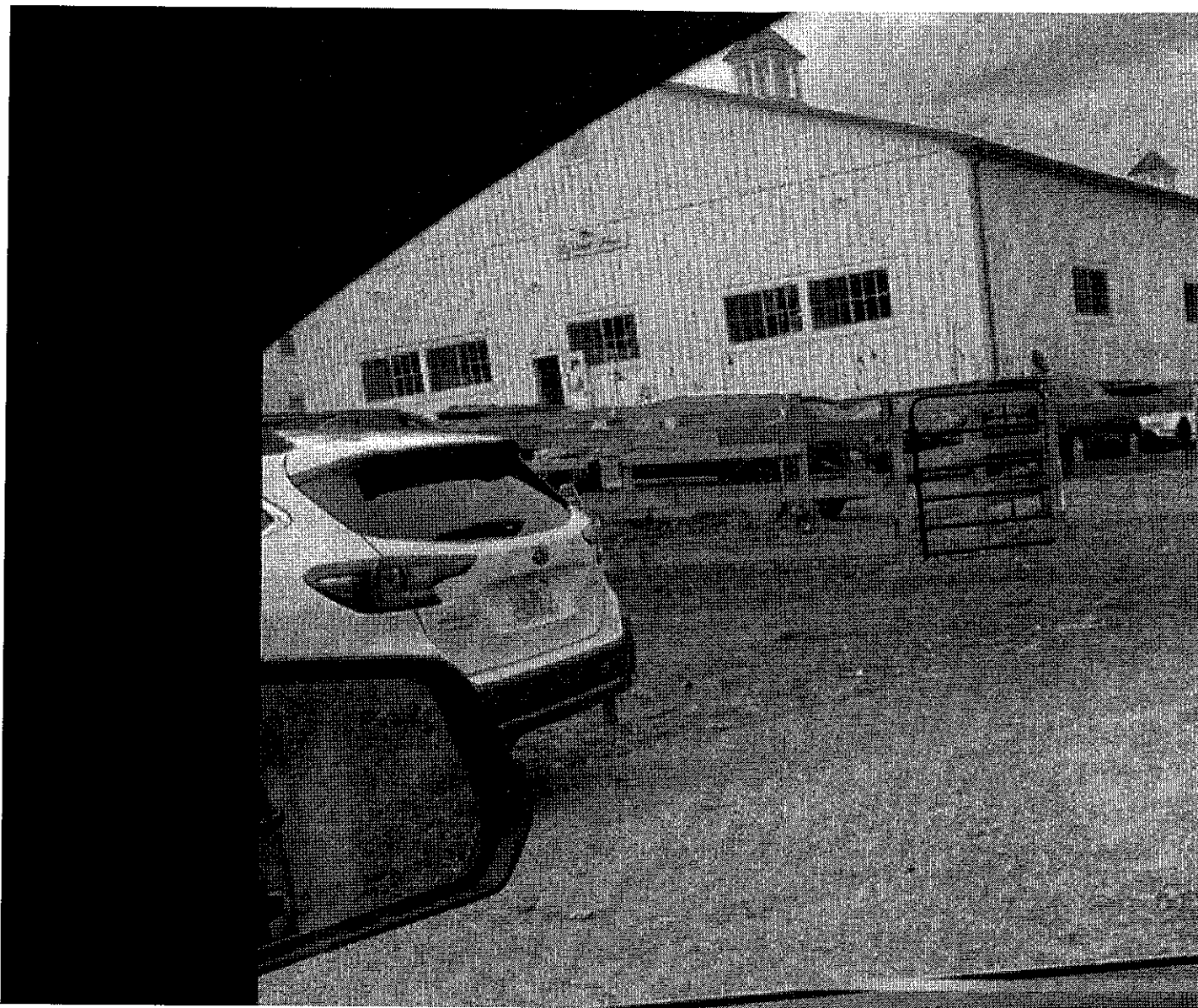
Edit



## Fall 2022 Show Schedule for Zone 1, Region 5:

- ┌ Sunday, October 16 Sacred Heart University (Host) at Silvermine Farm, Norwalk, CT 10:00AM ENGLISH ONLY
- ┌ Sunday, October 23 University of Connecticut (Host) on campus at Horsebarn Hill Arena, Storrs, CT 10:00AM ENGLISH ONLY
- ┌ Sunday, November 6 Trinity College (Host) at Folly Farm, Simsbury, CT 10:00AM ENGLISH ONLY
- ┌ Saturday, November 12 Fairfield University (Host) at N & C Equestrian, Easton, CT 9:00AM ENGLISH ONLY
- ┌ Saturday, November 19 University of Connecticut (Host) on campus at Horsebarn Hill Arena, Storrs, CT Time TBA ENGLISH ONLY

The University of Connecticut competes in Zone 1, Region 3 Western shows. Please visit the Zone 1, Region 3 page for western information on these schools. Show



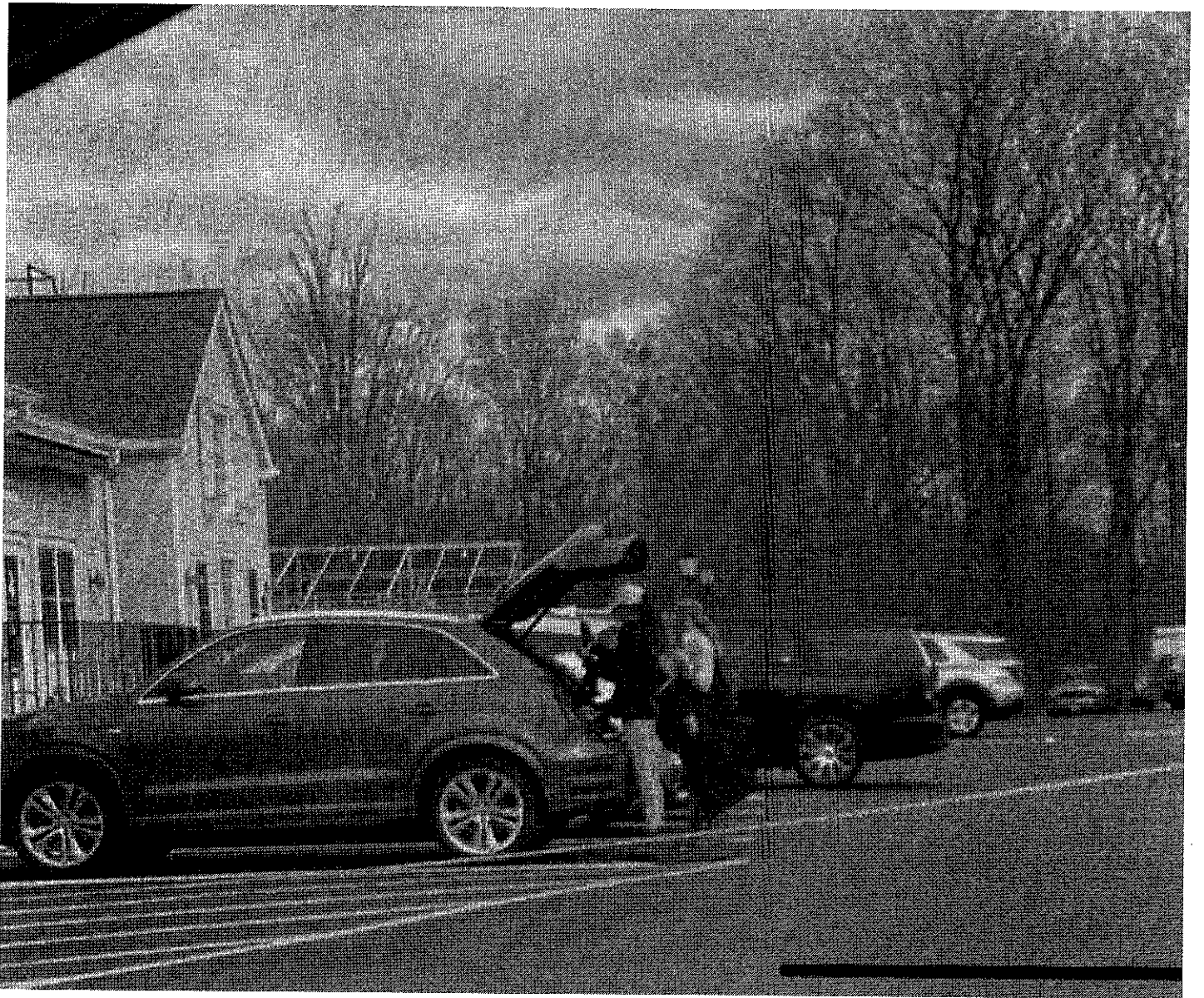
**Steven R. Montgomery**  
**Partner**  
New York  
212.232.1396 or x2121396

**Montgomery, Steven**

---

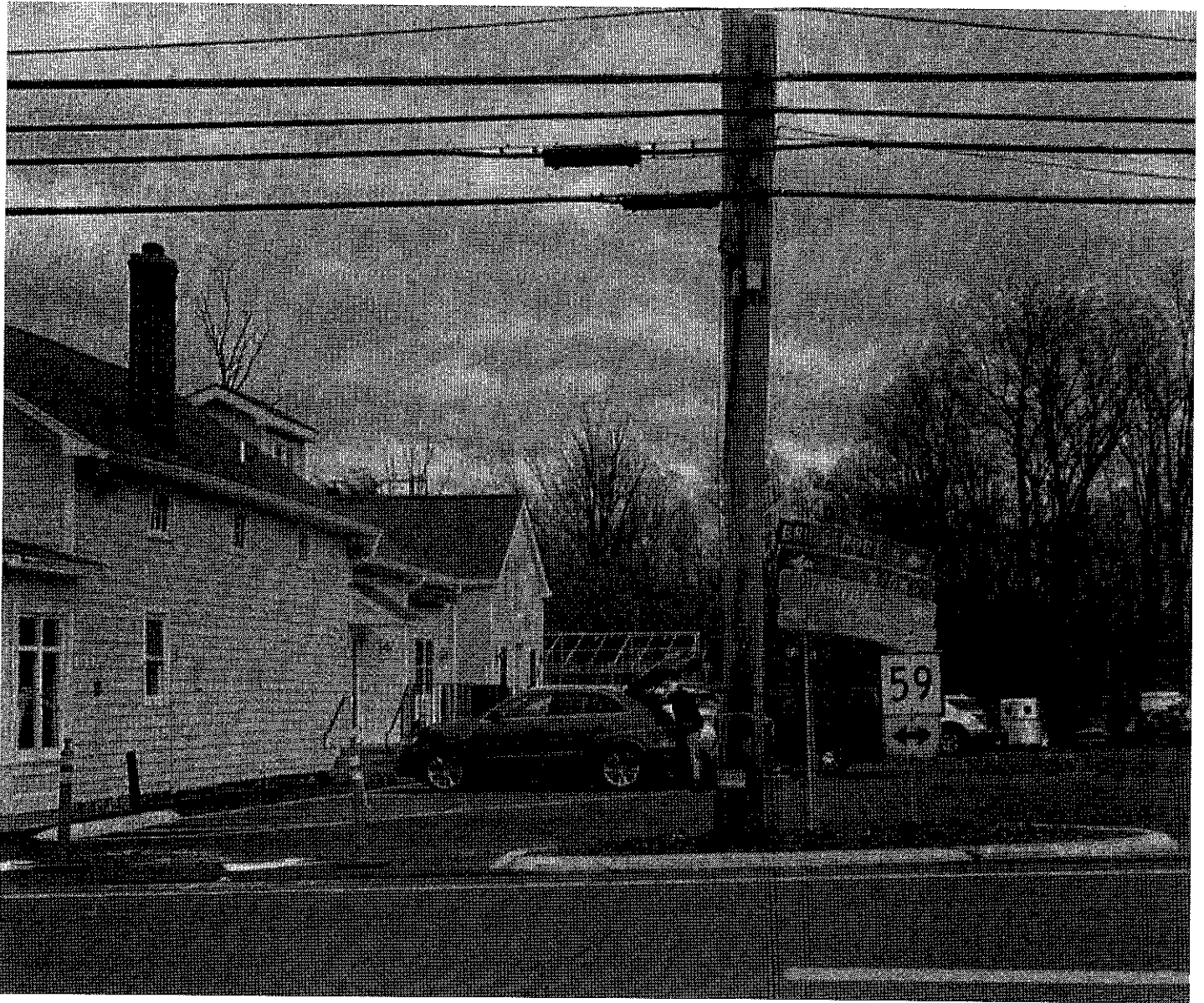
**From:** Montgomery, Steven  
**Sent:** Wednesday, April 26, 2023 11:13 AM  
**To:** Montgomery, Steven











**Steven R. Montgomery**  
**Partner**  
New York  
212.232.1396 or x2121396



PLANNING AND ZONING COMMISSION

225 Center Road - Easton, Connecticut 06612

CERTIFICATE OF ZONING COMPLIANCE

Property Owner (Applicant): Marsel Huribal

Location (Premises covered by this certificate): 422 Sport Hill Road

Record Map # or subdivision: Assessor's Map # 5502A, Block 34, Lot 1

This is to affirm that a review of the survey on 02/17/2023 and other available information shows that the:

X New Construction – 70' x 152' indoor riding rink

\_\_\_\_\_ Addition

\_\_\_\_\_ Alteration

\_\_\_\_\_ Other

applied for under: Zoning Permit # Z-20-5377 Issued: 03/12/2020

Building Permit # 16467 Issued:

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

Signed Mark DeLieto Date 02/17/23  
Mark DeLieto  
Zoning Enforcement Officer  
Easton Planning and Zoning Commission

Copy: \* Addressee, Building Department, Electronic File

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

 COPY





# NOTICE OF ZONING PERMIT EASTON, CONN.

PERMIT NO. Z-20-5377 DATE March 12, 2020

GRANTED TO Highland Place, LLC

LOCATION 422 Sport Hill Road

TO ERRECT OR BUILD New 70' x 152' indoor riding rink.

## NOTICE

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

Zoning compliance for this permit is conditioned on the relocation of the unpermitted building near Old Oak Road to a zoning compliant location.

*[Signature]*  
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.

7/88

*See attached memo  
from ZEO Marie Delieto  
dated 02/15/23. M.D.*

*Buddy [Signature]*



# Memo

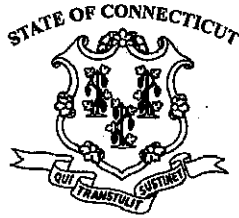
**To:** Peter Howard-Building Inspector  
**From:** Mark DeLieto-ZEO *M.D.*  
**cc:** File  
**Date:** 02/15/23  
**Re:** 422 Sport Hill Rd.

---

The Zoning Permit, Z-20-5377, for the 70' X 152' indoor riding rink at 422 Sport Hill Rd., issued on March 12, 2020, included language that stated "zoning compliance for this permit is conditioned on the relocation of the unpermitted building near Old Oak Rd. to a zoning compliant location". One corner of the shed is 36.9' from the side property line, and as a result, was in violation of the Easton Zoning Regulation #3530 regarding the minimum front yard setback, which is 50'. However, there is an abundance of documentation, including a zoning location survey dated Jan. 20, 2020, done by Ochman Associates, Inc., that shows the shed to have been at that location since at least January, 2020 (more than 3 years). Subsequently, and in compliance with Section 8-13a of the Conn. General Statutes, because that structure has been situated at that location for more than 3 years without the institution of legal action, it is deemed (by statute) to be a non-conforming structure. As a result, I have issued a Certificate of Zoning Compliance for the 70' X 152' Riding Rink.







**Substitute House Bill No. 6481**

**Public Act No. 13-9**

**AN ACT CONCERNING ENFORCEMENT PROTECTION FOR  
NONCONFORMING STRUCTURES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (a) of section 8-13a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) (1) When a building or other structure is so situated on a lot that it violates a zoning regulation of a municipality [which] that prescribes the location of such a building or structure in relation to the boundaries of the lot or when a building or structure is situated on a lot that violates a zoning regulation of a municipality [which] that prescribes the minimum area of the lot, and when such building or structure has been so situated for three years without the institution of an action to enforce such regulation, such building or structure shall be deemed a nonconforming building or structure in relation to such boundaries or to the area of such lot, as the case may be. For purposes of this section, "structure" has the same meaning as in the zoning regulations for the municipality in which the structure is located or, if undefined by such regulations, "structure" means any combination of materials, other than a building, that is affixed to the land, including, without limitation, signs, fences, walls, pools, patios, tennis courts and



**Substitute House Bill No. 6481**

decks.

(2) A property owner shall bear the burden of proving that a structure qualifies as a nonconforming structure pursuant to subdivision (1) of this subsection.

Approved May 20, 2013



STEVEN R MONTGOMERY  
25 OLD OAK RD  
EASTON, CT 06612-1707

7944

1-2/210

DATE 5/18/23

PAY TO THE  
ORDER OF

Town of Easton

\$ 160.00

One hundred and sixty

00  
120 DOLLARS

**CHASE**

JPMorgan Chase Bank, N.A.  
www.Chase.com

MEMO ZBA

*[Signature]*

⑆021000021⑆

675009380⑈7944

**RECEIPT**

DATE 5/18/23 NO. 778453

RECEIVED FROM S. Monty man

ADDRESS re: 422 Spruce Hill Rd

\$ 160.00

FOR ZBA Appeal

ACCOUNT	
AMT OF ACCOUNT	
AMT PAID	<u>160</u>
BALANCE DUE	

CASH

CHECK

MONEY ORDER

ZBA 23.03

BY [Signature]

©2007 REDIFORM® 81829

**LAND USE  
FILE COPY**

FILE COPY

Certificate No. 63 WP 25-066  
 Over the Nature Habitat  
 Assessor, Map 258 Parcels No. 4B  
 Location of proposed activity (address), 197 Westport  
 Street, Westport, Connecticut  
 Type of activity Construction of an addition and deck  
 on the rear of the property.

ANY PERSONS SEEKING THE APPROVAL OF  
 ANY SUBMITTALS WITHIN AND A REVISION TO  
 ANY AGENCY WITHIN FIFTEEN BUSINESS DAYS OF THE  
 DATE OF THE REVIEW OF THE SUBMITTALS.  
 THE INLAND WETLANDS  
 FAIRFIELD CONSERVATION COMMISSION ACTING  
 AS THE INLAND WETLANDS AND WATER COURSE  
 SUPERVISOR HAS REVIEWED THE SUBMITTALS  
 AND HAS DETERMINED THAT THE PROPOSED  
 CONSTRUCTION OF AN ADDITION AND DECK  
 ON THE REAR OF THE PROPERTY IS  
 CONSISTENT WITH THE PURPOSES OF THE  
 INLAND WETLANDS ACT.

PUBLIC NOTICE OF  
 FAIRFIELD WETLANDS CONFO  
 FAIRFIELD, CONNECTICUT  
 PURSUANT TO SECTION 26 OF THE INLAND WETLANDS  
 ACT, THE INLAND WETLANDS AND WATER COURSE  
 SUPERVISOR HAS REVIEWED THE SUBMITTALS  
 AND HAS DETERMINED THAT THE PROPOSED  
 CONSTRUCTION OF AN ADDITION AND DECK  
 ON THE REAR OF THE PROPERTY IS  
 CONSISTENT WITH THE PURPOSES OF THE  
 INLAND WETLANDS ACT.

PUBLIC NOTICE OF  
 FAIRFIELD WETLANDS CONFO  
 FAIRFIELD, CONNECTICUT  
 PURSUANT TO SECTION 26 OF THE INLAND WETLANDS  
 ACT, THE INLAND WETLANDS AND WATER COURSE  
 SUPERVISOR HAS REVIEWED THE SUBMITTALS  
 AND HAS DETERMINED THAT THE PROPOSED  
 CONSTRUCTION OF AN ADDITION AND DECK  
 ON THE REAR OF THE PROPERTY IS  
 CONSISTENT WITH THE PURPOSES OF THE  
 INLAND WETLANDS ACT.

PUBLIC NOTICE OF  
 FAIRFIELD WETLANDS CONFO  
 FAIRFIELD, CONNECTICUT  
 PURSUANT TO SECTION 26 OF THE INLAND WETLANDS  
 ACT, THE INLAND WETLANDS AND WATER COURSE  
 SUPERVISOR HAS REVIEWED THE SUBMITTALS  
 AND HAS DETERMINED THAT THE PROPOSED  
 CONSTRUCTION OF AN ADDITION AND DECK  
 ON THE REAR OF THE PROPERTY IS  
 CONSISTENT WITH THE PURPOSES OF THE  
 INLAND WETLANDS ACT.

PUBLIC NOTICE OF  
 FAIRFIELD WETLANDS CONFO  
 FAIRFIELD, CONNECTICUT  
 PURSUANT TO SECTION 26 OF THE INLAND WETLANDS  
 ACT, THE INLAND WETLANDS AND WATER COURSE  
 SUPERVISOR HAS REVIEWED THE SUBMITTALS  
 AND HAS DETERMINED THAT THE PROPOSED  
 CONSTRUCTION OF AN ADDITION AND DECK  
 ON THE REAR OF THE PROPERTY IS  
 CONSISTENT WITH THE PURPOSES OF THE  
 INLAND WETLANDS ACT.

PUBLIC NOTICE OF  
 FAIRFIELD WETLANDS CONFO  
 FAIRFIELD, CONNECTICUT  
 PURSUANT TO SECTION 26 OF THE INLAND WETLANDS  
 ACT, THE INLAND WETLANDS AND WATER COURSE  
 SUPERVISOR HAS REVIEWED THE SUBMITTALS  
 AND HAS DETERMINED THAT THE PROPOSED  
 CONSTRUCTION OF AN ADDITION AND DECK  
 ON THE REAR OF THE PROPERTY IS  
 CONSISTENT WITH THE PURPOSES OF THE  
 INLAND WETLANDS ACT.

PUBLIC NOTICE OF  
 FAIRFIELD WETLANDS CONFO  
 FAIRFIELD, CONNECTICUT  
 PURSUANT TO SECTION 26 OF THE INLAND WETLANDS  
 ACT, THE INLAND WETLANDS AND WATER COURSE  
 SUPERVISOR HAS REVIEWED THE SUBMITTALS  
 AND HAS DETERMINED THAT THE PROPOSED  
 CONSTRUCTION OF AN ADDITION AND DECK  
 ON THE REAR OF THE PROPERTY IS  
 CONSISTENT WITH THE PURPOSES OF THE  
 INLAND WETLANDS ACT.

PUBLIC NOTICE OF  
 FAIRFIELD WETLANDS CONFO  
 FAIRFIELD, CONNECTICUT  
 PURSUANT TO SECTION 26 OF THE INLAND WETLANDS  
 ACT, THE INLAND WETLANDS AND WATER COURSE  
 SUPERVISOR HAS REVIEWED THE SUBMITTALS  
 AND HAS DETERMINED THAT THE PROPOSED  
 CONSTRUCTION OF AN ADDITION AND DECK  
 ON THE REAR OF THE PROPERTY IS  
 CONSISTENT WITH THE PURPOSES OF THE  
 INLAND WETLANDS ACT.

PUBLIC NOTICE OF  
 FAIRFIELD WETLANDS CONFO  
 FAIRFIELD, CONNECTICUT  
 PURSUANT TO SECTION 26 OF THE INLAND WETLANDS  
 ACT, THE INLAND WETLANDS AND WATER COURSE  
 SUPERVISOR HAS REVIEWED THE SUBMITTALS  
 AND HAS DETERMINED THAT THE PROPOSED  
 CONSTRUCTION OF AN ADDITION AND DECK  
 ON THE REAR OF THE PROPERTY IS  
 CONSISTENT WITH THE PURPOSES OF THE  
 INLAND WETLANDS ACT.

PUBLIC NOTICE OF  
 FAIRFIELD WETLANDS CONFO  
 FAIRFIELD, CONNECTICUT  
 PURSUANT TO SECTION 26 OF THE INLAND WETLANDS  
 ACT, THE INLAND WETLANDS AND WATER COURSE  
 SUPERVISOR HAS REVIEWED THE SUBMITTALS  
 AND HAS DETERMINED THAT THE PROPOSED  
 CONSTRUCTION OF AN ADDITION AND DECK  
 ON THE REAR OF THE PROPERTY IS  
 CONSISTENT WITH THE PURPOSES OF THE  
 INLAND WETLANDS ACT.

PUBLIC NOTICE OF  
 FAIRFIELD WETLANDS CONFO  
 FAIRFIELD, CONNECTICUT  
 PURSUANT TO SECTION 26 OF THE INLAND WETLANDS  
 ACT, THE INLAND WETLANDS AND WATER COURSE  
 SUPERVISOR HAS REVIEWED THE SUBMITTALS  
 AND HAS DETERMINED THAT THE PROPOSED  
 CONSTRUCTION OF AN ADDITION AND DECK  
 ON THE REAR OF THE PROPERTY IS  
 CONSISTENT WITH THE PURPOSES OF THE  
 INLAND WETLANDS ACT.

PUBLIC NOTICE OF  
 FAIRFIELD WETLANDS CONFO  
 FAIRFIELD, CONNECTICUT  
 PURSUANT TO SECTION 26 OF THE INLAND WETLANDS  
 ACT, THE INLAND WETLANDS AND WATER COURSE  
 SUPERVISOR HAS REVIEWED THE SUBMITTALS  
 AND HAS DETERMINED THAT THE PROPOSED  
 CONSTRUCTION OF AN ADDITION AND DECK  
 ON THE REAR OF THE PROPERTY IS  
 CONSISTENT WITH THE PURPOSES OF THE  
 INLAND WETLANDS ACT.

PUBLIC NOTICE OF  
 FAIRFIELD WETLANDS CONFO  
 FAIRFIELD, CONNECTICUT  
 PURSUANT TO SECTION 26 OF THE INLAND WETLANDS  
 ACT, THE INLAND WETLANDS AND WATER COURSE  
 SUPERVISOR HAS REVIEWED THE SUBMITTALS  
 AND HAS DETERMINED THAT THE PROPOSED  
 CONSTRUCTION OF AN ADDITION AND DECK  
 ON THE REAR OF THE PROPERTY IS  
 CONSISTENT WITH THE PURPOSES OF THE  
 INLAND WETLANDS ACT.

PUBLIC NOTICE OF  
 FAIRFIELD WETLANDS CONFO  
 FAIRFIELD, CONNECTICUT  
 PURSUANT TO SECTION 26 OF THE INLAND WETLANDS  
 ACT, THE INLAND WETLANDS AND WATER COURSE  
 SUPERVISOR HAS REVIEWED THE SUBMITTALS  
 AND HAS DETERMINED THAT THE PROPOSED  
 CONSTRUCTION OF AN ADDITION AND DECK  
 ON THE REAR OF THE PROPERTY IS  
 CONSISTENT WITH THE PURPOSES OF THE  
 INLAND WETLANDS ACT.

PUBLIC NOTICE OF  
 FAIRFIELD WETLANDS CONFO  
 FAIRFIELD, CONNECTICUT  
 PURSUANT TO SECTION 26 OF THE INLAND WETLANDS  
 ACT, THE INLAND WETLANDS AND WATER COURSE  
 SUPERVISOR HAS REVIEWED THE SUBMITTALS  
 AND HAS DETERMINED THAT THE PROPOSED  
 CONSTRUCTION OF AN ADDITION AND DECK  
 ON THE REAR OF THE PROPERTY IS  
 CONSISTENT WITH THE PURPOSES OF THE  
 INLAND WETLANDS ACT.

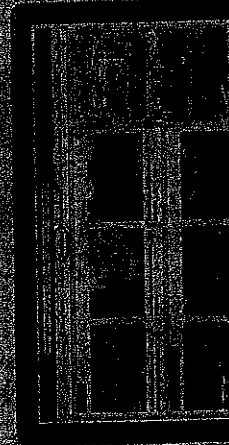
PUBLIC NOTICE OF  
 FAIRFIELD WETLANDS CONFO  
 FAIRFIELD, CONNECTICUT  
 PURSUANT TO SECTION 26 OF THE INLAND WETLANDS  
 ACT, THE INLAND WETLANDS AND WATER COURSE  
 SUPERVISOR HAS REVIEWED THE SUBMITTALS  
 AND HAS DETERMINED THAT THE PROPOSED  
 CONSTRUCTION OF AN ADDITION AND DECK  
 ON THE REAR OF THE PROPERTY IS  
 CONSISTENT WITH THE PURPOSES OF THE  
 INLAND WETLANDS ACT.

PUBLIC NOTICE OF  
 FAIRFIELD WETLANDS CONFO  
 FAIRFIELD, CONNECTICUT  
 PURSUANT TO SECTION 26 OF THE INLAND WETLANDS  
 ACT, THE INLAND WETLANDS AND WATER COURSE  
 SUPERVISOR HAS REVIEWED THE SUBMITTALS  
 AND HAS DETERMINED THAT THE PROPOSED  
 CONSTRUCTION OF AN ADDITION AND DECK  
 ON THE REAR OF THE PROPERTY IS  
 CONSISTENT WITH THE PURPOSES OF THE  
 INLAND WETLANDS ACT.

PUBLIC NOTICE OF  
 FAIRFIELD WETLANDS CONFO  
 FAIRFIELD, CONNECTICUT  
 PURSUANT TO SECTION 26 OF THE INLAND WETLANDS  
 ACT, THE INLAND WETLANDS AND WATER COURSE  
 SUPERVISOR HAS REVIEWED THE SUBMITTALS  
 AND HAS DETERMINED THAT THE PROPOSED  
 CONSTRUCTION OF AN ADDITION AND DECK  
 ON THE REAR OF THE PROPERTY IS  
 CONSISTENT WITH THE PURPOSES OF THE  
 INLAND WETLANDS ACT.

PUBLIC NOTICE OF  
 FAIRFIELD WETLANDS CONFO  
 FAIRFIELD, CONNECTICUT  
 PURSUANT TO SECTION 26 OF THE INLAND WETLANDS  
 ACT, THE INLAND WETLANDS AND WATER COURSE  
 SUPERVISOR HAS REVIEWED THE SUBMITTALS  
 AND HAS DETERMINED THAT THE PROPOSED  
 CONSTRUCTION OF AN ADDITION AND DECK  
 ON THE REAR OF THE PROPERTY IS  
 CONSISTENT WITH THE PURPOSES OF THE  
 INLAND WETLANDS ACT.

Looking for a new home?  
 Let us be your resource



From a greenwood estate  
 in a historic town, this home is a  
 website of choice for real estate  
 comprehensive listing of properties from  
 across the state, along with informative

6/17/23







CONNECTICUT POST | THE NEWS-TIMES | THE ADVOCATE | The Hour | GREENWICH TIME  
 Darien News | Fairfield Citizen | New Canaan News | The Spectrum | Westport News | Wilton Villager

## Order Confirmation

<u>Ad Order Number</u> 0002781843	<u>Customer Account</u> 338094
<u>Sales Rep.</u> tross	<u>Customer Information</u> PLANNING AND ZONING BOARD OF APPEALS 225 Center Road EASTON CT 06612 USA
<u>Order Taker</u> tross	<u>Phone:</u> 2032686291
<u>Ordered By</u> Karen Veiky	<u>Fax:</u>
<u>Order Source</u> Phone	<u>Email:</u> fdaly@eastonct.gov

**Ad Content Proof**  
 Note: Ad size does not reflect actual ad

**LEGAL NOTICE**  
**EASTON, CT**

The Easton Zoning Board of Appeals has scheduled an in-person public hearing on July 11, 2023 at 5:30PM in Conference Room A at Easton Town Hall, 225 Center Road, Easton, CT for ZBA-23-03: 422 Sport Hill Rd, submitted by S. Montgomery @ 25 Old Oak Rd - Appeal application for issuance of Certificate of Zoning Compliance (CZC) on 02/17/2023 by Zoning Enforcement Officer based on conditions not met. Copies of the corresponding documents available on www.eastonct.gov website. Dated this 20th day of June, 2023 by Thomas Dolland, Chairman, Zoning Board of Appeals.

Ad Cost \$49.60      Payment Amt \$0.00      Amount Due \$49.60

Blind Box      Materials

Order Notes

Ad Number 0002781843-01      External Ad #      Pick Up Number

Ad Type BR Legal Liner      Ad Size 2 X 10 li      PO Number

Color \$0.00      Color Requests

Product and Zone Fairfield Citizen Me      # Inserts 2      Placement BR Legal

Note: Retail Display Ads May Not End in Identified Placement

Run Dates  
6/30/2023 - 7/7/2023

