DOCKET NO. FBT-CV21-6110742-S	:	SUPERIOR COURT
PETER METROPOULOS, TRUSTEE	:	J. D. OF FAIRFIELD
V.	:	AT BRIDGEPORT
INLAND WETLANDS COMMISSION, TOWN OF	:	
MONROE, ET. AL.	:	APRIL 27, 2023

DOCKET NO. FBT-CV22-6113219-S	:	SUPERIOR COURT
PETER METROPOULOS, TRUSTEE	:	J. D. OF FAIRFIELD
V.	:	AT BRIDGEPORT
PLANNING & ZONING COMMISSION, TOWN OF	:	
MONROE, ET. AL.	:	APRIL 27, 2023

MEMORANDUM OF DECISION

FACTS

These consolidated appeals involve two (2) abutting parcels of land located in the Town of Monroe, 64 Cambridge Drive and 4 Independence Drive.

64 Cambridge Drive consists of 52.93 acres, and is owned by Astro Land Holdings, LLC. Spacely Land Holdings, LLC owns the 18.97 acres comprising 4 Independence Drive. Both parcels are located in an Industrial District 2 (I-2) Zone. The combined parcels are bordered by industrial uses to the west, a wooded area to the east, Independence Drive to the north, and Cambridge Drive to the south.

Three (3) wetlands are contained within the parcels, on the west, southeast and northeast portions of the site. Three (3) vernal pools, which are part of a network of vernal pools, are also present.

Notice sent to all counsel
And RJD.
4/27/23 Asst. Clerk

The Cambridge Drive property is impacted by 17.17 acres of wetland, and 25.99 acres of upland review (buffer) area. 4 Independence Drive is home to 1.72 acres of designated wetlands, and 11.45 acres of upland review area.

Prior to 2006, the properties consisted of wooded areas. In that year, the Monroe Planning and Zoning Commission approved a Special Exception Permit requested by a predecessor in title. The application concerned a proposed resubdivision, road construction, and two (2) new industrial buildings.

However, it is stipulated that once development began on the site, the work performed far exceeded any approvals granted by agencies of the Town of Monroe. The activity involved work in the upland review areas which impacted wetlands and watercourses, unauthorized filling of wetland areas, quarrying operations and excavation. These activities, which occurred prior to the purchase of the properties by the current owners, involved the acceptance of off-site materials, including concrete, asphalt and construction demolition debris.

On November 13, 2019, following an administrative review, Monroe Inland Wetlands Agent and Coordinator Denise Halstead issued a Notice of Violation (NOV) to Astro Land Holdings, LLC. The NOV requested a representative of the property owner to appear at a December 11, 2019 meeting of Monroe's Inland Wetlands Commission.

The NOV identified a plethora of violations (ROR 1), including the failure of the prior owners to request permits to conduct regulated activities, the failure to complete road improvements, destruction of vernal pools, tree clearing, activities resulting in rock processing and the operation of a quarry site.

In response to the Notice of Violation (NOV), the property owners, in May of 2020, sought to alleviate the identified violations, while simultaneously seeking to develop the property. The construction of a 2,260 square foot building was contemplated, and it was estimated that one million three hundred four thousand eight hundred seventy (1,304,870) cubic yards of fill would be required, due to unpermitted quarrying activities conducted by the predecessor in title. This translated into fifty thousand (50,000) truck loads (ROR 29).

The public hearing revealed that in 2006, the initial approval for two (2) industrial buildings was requested, without input from the Monroe wetlands authority (ROR 18).

Peter Metropoulos, in his capacity as Successor Trustee of the Thomas C. and Stella Maganas 1988 Family Trust, prior to the public hearing in June of 2020, filed a Notification of Intervention pursuant to Section 22a-19 of the General Statutes. The statute reads, in relevant part:

> " (a) (1) In any administrative, licensing or other proceeding, and in any judicial review thereof made available by law, the Attorney General, any political subdivision of the state, any instrumentality or agency of the state or any political subdivision thereof, any person, partnership, corporation, association organization or other legal entity may intervene as a party on the filing of a verified pleading asserting that the proceeding or action for judicial review involves conduct which has, or which is reasonably likely to have, the effect of unreasonably polluting, impairing or destroying the public trust in the air, water or other natural resources of the state."

The Trust owns a 44.218 acre parcel known as 36 Timothy Hill Road (Ex. 1, Schedule A) which abuts the properties which are the subject of the Notice of Violation (NOV).

The Monroe Wetlands Commission noticed a public hearing on the application, and received information from various sources. The Commission voted in February of 2021 (ROR

120) to deny the permit requested by the property owners. The Commission found that the proposed ten (10) year timetable was problematic, and questioned the amount of fill required to implement the proposal. Eleven (11) findings and reasons were provided in support of the Commission's action (ROR 120).

Among its unanimous findings based upon the record, the Inland Wetlands Commission determined:

> "Commission finds that the application as submitted should have been separated into two (2) separate submissions: one for the remediation and the other to address the proposed 2,260 sq. ft. building associated with 64 Cambridge Drive. Commission finds that the combination of a development plan and remediation plan in the same submission makes it difficult to review since each plan has different timelines and requirements. Commission has found that other combined applications such as this have resulted in ongoing issues after approval."

The applicant grasped the implications of the Commission's denial without prejudice, and on May 7, 2021, submitted an application for site remediation and restoration (ROR 121), designed to address the issues raised in the Notice of Violation (NOV).

The NOV, as issued by the Commission's agent, is specifically authorized pursuant to Section 22a-44 of the General Statutes. The statute reads:

> " (a) If the inland wetlands agency or its duly authorized agent finds that any person is conducting or maintaining any activity, facility or condition which is in violation of sections 22a-36 to 22a-45, inclusive, or of the regulations of the inland wetlands agency, the agency or its duly authorized agent may issue a written order, by certified mail, to such person conducting such activity or maintaining such facility or condition to cease immediately such activity, or to correct such facility or condition."

Subsection (b) of Section 22-44 permits a civil penalty of not more than one thousand dollars for each offense to be imposed by the Commission, and further provides that orders may issue directing that any violations be corrected or removed.

The May 2021 application did not seek the Commission's blessing for any development on the site, and the applicant represented that it was seeking to correct the violations, prior to seeking approval for development. The remediation plan called for the importing of four hundred ninety-three thousand two hundred fifty (493,250) cubic square feet of fill on to the site, along with the pumping of water out of a pond.

The Plaintiff, Peter Metropoulos, Trustee, again filed a petition, pursuant to Section 22a-19, seeking Intervenor status in the proceedings. The Commission, although not conducting a public hearing, held meetings throughout the summer and early fall of 2021, concerning the remediation proposal.

On September 23, 2021, after conducting a restoration review, the Commission voted, 5-1, to approve the proposed restoration plan, subject to numerous stringent conditions (ROR 157, 159, & 159).

The Inland Wetlands Commission found that the plan is "consistent with the Inland Wetlands and Watercourses Regulations of the Town of Monroe, and S. 22a-36 to 22a-45 of the General Statutes as amended..." The Commission further determined that the proposal as approved including exacting conditions, constitute what was "minimally required to resolve the NOV."

The successful applicant was required to post a seven hundred forty thousand ($740,000) dollar bond, which the Commission reserved the right to rescind or revoke if any

information supplied was found to be deceptive or misleading. By way or clarification, the Commission added "This approval is designed to resolve the NOV. It does not, in any way, impair or affect any present or future rights or powers of the Inland Wetlands Commission, or any board commission or agency of the Town of Monroe." (ROR 159)

From this approval of the remediation and restoration plan, the Plaintiff, Peter Metropoulos commenced a timely appeal.

The plan approved by the Monroe Inland Wetlands Commission necessitates bringing four hundred ninety thousand (490,000) cubic yards of fill on to the site. Therefore, it was necessary for the property owners to apply to the Monroe Planning and Zoning Commission for an excavation and filling permit, consistent with Section 6.4.1 of the Monroe Zoning Regulations. The provision reads:

> "An excavation/filling permit must be secured from the Commission before commencing the excavation or removal of gravel, topsoil, clay, sand stone, loam, or other earth material on or from any parcel of land…"

The Application, (ROR 1, a-k), detailed the remediation procedures, as well as off site fill which would be brought to the property. The Plaintiff again filed an Intervenor petition, pursuant to Section 22a-19 of the General Statutes (ROR 2).

As part of the proposed plan, the Applicant requested waivers of certain provisions of the Monroe Zoning Regulations contained in Section 6.4. Waivers were sought, pursuant to Section 6.4.23, which reads:

> "The Commission may waive the application and permit standards of this section on a case-by-case basis, based on a written request by an applicant, and provided

said waiver would be no less protective of the environment or inconsistent with the intent and purposes of the regulations pertaining to excavation and filling activities."

Waivers of the following four (4) provisions of the Regulations were requested:

1. Section6.4.9C – No change in contour shall be made within twenty-five (25) feet of any property line.
2. Section 6.4.9D – No artificial slope greater than fourteen degrees to the horizontal (or maximum four feet horizontal to one foot vertical) shall be created within fifty feet of any property line.
3. Section 6.4.9E – No artificial slope greater than fourteen degrees shall be created within fifty feet of any street line.
4. Section 6.4.9P – All permitted such activities regardless of permitted location shall not include, permit or involve material from offsite locations.

The Planning and Zoning Commission approved the request for a permit, 4-1, along with the waivers, on January 20, 2022. The approval was subject to ten (10) specific conditions (ROR 34; ROR 35).

The Plaintiff, Peter Metropoulos, Trustee, brought a timely appeal from the decision of the Monroe Planning and Zoning Commission.

Both appeals were consolidated for trial.

AGGRIEVEMENT

The Plaintiff in each of these consolidated appeals, Peter Metropoulos, Successor Trustee of the Thomas C. and Stella Maganas Trust, is the owner of 36 Timothy Hill Road (Ex.

1; Ex. 2). The property abuts the parcels which were the subject of the Monroe Inland Wetlands Commission and the Monroe Planning and Zoning Commission decisions, which are the subject of these consolidated appeals.

The Plaintiff also claims Intervenor status pursuant to Section 22a-19 of the General Statutes.

Concerning the approval of the proposed remediation plan by the Inland Wetlands Commission, Section 22a-43(a) of the General Statutes is the statute applicable to appeals from a municipal wetlands agency. The statute reads:

> "... any person owning or occupying land which abuts or is within a radius of ninety feet of the wetland or watercourse involved in any regulation, order, decision or action... may, within the time specified in subsection (b) of Section 8-8, from the publication of such regulation, order, decision or action, appeal to the superior court for the judicial district where the land is located..."

Concerning the appeal from the action of the Monroe Planning and Zoning Commission, Section 8-8 (1) of the General Statutes defines "Aggrieved person" to include:

> "... any person owning land which abuts, or is within a radius of one hundred feet from any portion of the land involved in the decision of the board..."

Pleading and proof of aggrievement are prerequisites to a trial court's jurisdiction over the subject matter of an appeal. *Stauton v. Planning & Zoning Commission*, 271 Con. 153, 157 (2004); *Jolly, Inc. v. Zoning Board of Appeals*, 237 Conn. 184, 192 (1996). The question of aggrievement is one of fact, to be determined by the trial court. *Primerica v. Planning & Zoning Commission*, 211 Conn. 85, 93 (1989). One claiming to be aggrieved must sustain his interest

in the property throughout the course of an appeal. *Craig v. Maher*, 174 Conn. 8, 9 (1977). The burden of proving aggrievement rests with the party claiming to be aggrieved. *London v. Zoning Commission*, 149 Conn. 282, 284 (1962).

Aggrievement falls into two basic categories – statutory aggrievement and classical aggrievement.

To be statutorily aggrieved, one claiming aggrievement must show that a particular statute grants standing to appeal, without the necessity of proving actual injury, based on the particular facts at hand. *Pond View, LLC v. Planning & Zoning Commission*, 288 Conn. 143, 156 (2008); *Moutinho v. Planning & Zoning Commission*, 278 Conn. 660, 665 (2006). Statutory aggrievement represents a legislative determination by the General Assembly that a class of landowners are presumptively aggrieved by the decision of the land use body, and may maintain an appeal without the necessity of proving that the test for classical aggrievement has been satisfied. *Caltabiano v. Planning & Zoning Commission*, 211 Conn. 662, 668-69 (1989).

Classical aggrievement, on the other hand, requires a party claiming to be aggrieved to satisfy a well established two-fold test: 1) the party claiming aggrievement must demonstrate a personal and legal interest in the decision appealed from, as distinct from a general interest such as concern of all members of the community as a whole, and 2) the party must prove that the specific personal and legal decision has been specifically and injuriously affected by the decision which generated the appeal. *Cannovo Enterprises v. Burns*, 194 Conn. 43, 47 (1984); *Hall v. Planning Commission*, 181 Conn. 442, 444 (1980).

It is found, that the plaintiff, Peter Metropoulos, Trustee has satisfied the test for statutory aggrievement in both appeals, and that the court has jurisdiction to hear these matters.

Although the finding of statutory aggrievement renders any consideration of classical aggrievement unnecessary, it is also found that the Plaintiff has established standing, pursuant to Section 22a-19 of the general statutes.

STANDARD OF REVIEW

When hearing an appeal from a decision of a municipal wetlands authority, or a municipal planning and zoning commission, a reviewing court is charged with determining whether the challenged action was arbitrary, unreasonable or illegal. *Red Hill Coalition, Inc. v. Conservation Commission*, 212 Conn. 710, 718 (1989); *Schwartz v. Planning & Zoning Commission*, 208 Conn. 146, 152 (1988). The zoning authority is endowed with liberal discretion, and conclusions reached by the agency must be upheld, if they are supported by substantial evidence in the record. The substantial evidence standard is highly deferential, and permits less judicial scrutiny than a clearly erroneous or weight of the evidence standard. *Sams v. Department of Environmental Protection*, 308 Conn. 359, 374 (2013).

Substantial evidence is enough evidence to justify, if the trial were to a jury, the refusal to direct a verdict where the conclusion to be drawn is one of fact. *Huck v. Inland Wetlands & Watercourses Commission*, 203 Conn. 525, 541 (1987). The possibility of drawing two inconsistent conclusions does not prevent a decision from being supported by substantial evidence. *Sampieri v. Inland Wetlands Agency*, 226 Conn. 579, 588 (1993).

Questions concerning the credibility of witnesses and the determination of issues of fact, are matters within the province of the land use agency. *Property Group, Inc. v. Planning & Zoning Commission*, 226 Conn. 684, 697 (1993). The question is not whether another decision maker, such as the trial court, would have reached a different conclusion, but whether the record

before the agency supports the decision reached. *Calandro v. Zoning Commission*, 179 Conn. 439, 440 (1979). The burden of demonstrating that an agency's decision should be overturned by a reviewing court is on the party seeking to overturn the decision. *Verney v. Zoning Board of Appeals*, 151 Conn. 578, 580 (1964).

Although a reviewing court must defer to an agency when faced with an issue of fact, the interpretation of a zoning regulation represents a question of law, and review is plenary. *Graff v. Zoning Board of Appeals*, 277 Conn. 645, 652 (2006); *Vivian v. Zoning Board of Appeals*, 77 Conn. App. 340, 344 (2003).

APPROVAL OF REMEDIATION AND RESTORATION PLAN SUPPORTED BY SUBSTANTIAL EVIDENCE AND AUTHORIZED BY LAW

The Plaintiff claims that in order to correct violations of Monroe's Regulations identified in the Notice of Violation (NOV), the property owner was required to obtain a permit to conduct a regulated activity from the Monroe Inland Wetlands Commission. He claims that the Commission's decision was arbitrary and illegal because it approved a regulated activity without observing the formalities of a permit application, and the procedural requirements mandated by Section 22a-42a(c) (1) of the General Statutes.

The Commission and the property owners maintain that Section 22a-42a(c) (1) applies to new construction and related activities, and does not apply in situations involving enforcement of a Notice of Violation (NOV). They further argue that Section 22a-44 (a) authorizes a municipal wetlands authority to order a property owner to correct existing violations, without obtaining a permit.

Based upon the facts presented in this appeal, the court agrees with the Monroe Wetlands Commission and the property owners.

Section 22a-42a(c)(1) of the General Statutes concerns regulated activities within a wetland or watercourse or in the upland review area. It reads:

> "„ no regulated activity shall be conducted upon any inland wetland or watercourse without a permit. Any person proposing to conduct or cause to be conducted a regulated activity upon an inland wetland or watercourse shall file an application with the inland wetland agency of the town or towns wherein the wetland or watercourse in question is located."

Section 22a-38 (13) of the General Statutes defines a "regulated activity" to mean:

> "... any operation within or use of a wetland or watercourse involving the removal or disposition of material, or any obstruction, construction, alteration or pollution of such wetlands or watercourses..."

Monroe Regulations found in Section 2.1 and 6.1 of the Wetlands Regulations are in accord with the provisions of the General Statutes.

There is no question, based upon the facts presented, that in order to correct existing violations cited in the Notice of Violation (NOV) through implementation of the approved plan, activity occurring in the upland review area will likely impact wetlands or watercourses, and is therefore under the jurisdiction of the municipal wetlands authority. *River Bend Associates v. Conservation & Inland Wetlands Commission*, 269 Conn. 57, 74 (2004); *Cornacchia v. Environmental Protection Commission*, 109 Conn. App. 354, 365 (2007).

The Plaintiff maintains that a property owner should not be permitted to bypass the permit process and the scrutiny provided by a public hearing, under the pretense of correcting existing violations. While this skepticism may be justified in some circumstances, the record compiled in this appeal presents a different reality.

The Monroe Wetlands Commission unambiguously recognized the distinction between a regulated activity leading to the development of property and rectifying existing violations. It denied the owner's combined application, and required that a remediation plan be implemented before a permit allowing development would be issued.

The Inland Wetlands Commission was well aware of the possibility that a property owner, under the guise of correcting violations, might prepare a property for development without obtaining a permit to conduct a regulated activity. After denying the combined application, the Commission in its approval made clear that compliance with the Notice of Violation (NOV) does not eliminate the need for a regulated activity permit in a subsequent development proposal.

The order approving the remediation plan specifically stated that the action "does not impair or affect any present or future rights or powers of the Inland Wetlands Commission or any other board, commission or agency of the Town of Monroe." The Commission's order, coupled with its rejection of the first application, ensures that any corrective action is not transformed into a Trojan Horse fashioned to prevent future scrutiny.

Reading the Commission's authority to correct violations, contained in Section 22a-44(a), in conjunction with Section 22a-42a (c)(1), it is found that approval of the remediation plan is valid, and constitutes a proper exercise of the Commission's jurisdiction.

The Plaintiff's reading of Section 22a-42a(c)(1) in isolation, and without reference to Section 22a-44 (a), could lead to absurd and unworkable situations.

Presumably, the wetland authority which issued the Notice of Violation (NOV) could deny any request for a regulated activity permit, which was sought as a prerequisite to correcting the cited violations. In that event, the property owner would be powerless to avoid any civil penalty imposed pursuant to Section 22a-44(b), which provides that each violation is a "separate and distinct offense," and establishes penalties on a per diem basis.

The Commission's decision which is the subject of this appeal, avoids the possibility of any such absurd result. The statutory scheme does not envision substantial violations such as those identified here, to remain unaddressed, based upon the possibility that a regulated activity permit would not be issued.

Therefore, the Plaintiff's appeal from the decision of the Monroe Inland Wetlands Commission, must be dismissed.

WAIVERS ISSUED AS PART OF EXCAVATION AND FILLING PERMIT, NOT VALID

In his appeal from the approval of the Excavation/Filling Permit by the Monroe Planning and Zoning Commission, the Plaintiff challenges the Commission's decision to waive four (4) specific provisions of Subsection 6.4 of the Monroe Zoning Regulations.

He argues that the Commission has no authority pursuant to the General Statutes, to waive standards contained in the Regulations on a case-by-case basis. Waivers approved consistent with Section 6.4.23 of the Monroe Zoning Regulations, he maintains, are invalid,

and violate the uniformity provision found in General Statutes Section 8-2. *MacKenzie v. Planning & Zoning Commission*, 146 Conn. App. 406, 432 (2013).

The Plaintiff insists that Section 6.4.23, the provision in the Monroe Zoning Regulations which allows for the waivers, contains no definite standards, and represents an improper exercise of authority by the Monroe Planning and Zoning Commission.

Municipalities, because they are creatures of the state, have no inherent powers. *Simons v. Canty*, 195 Conn. 524, 529 (1985); *Connelly v. Bridgeport*, 104 Conn. 238, 252 (1926). A municipality, whether acting itself or though its planning and zoning commission, possesses only those powers as have been expressly granted to it by the state. *Buttermilk Farms, LLC v. Planning & Zoning Commission*, 292 Conn. 317, 326 (2009); *Blue Sky Bar, Inc. v. Stratford*, 203 Conn. 14, 19 (1987). The question is not whether a state law prohibits a municipality from acting, but rather whether there is statutory authority for the municipal zoning regulation. *Avonside v. Zoning & Planning Commission*, 153 Conn. 232, 236 (1965). An enumeration of powers in a statute is uniformly held to forbid those things which are not enumerated. *State Ex rel Barnard v. Ambrogio*, 162 Conn. 491, 498 (1972).

Section 8-2 of the General Statutes authorizes a municipal planning and zoning commission to enact regulations, with the proviso that "all such regulations shall be uniform for each class or kind of building, structure, or uses of land throughout each district." The purpose of the uniformity requirement in Section 8-2 is to ensure all property owners that there will be no improper discrimination, and that all owners of the same class, in the same district, shall be treated alike. *Kaufman v. Zoning Commission*, 232 Conn. 122, 143 (1995).

At one time, an attack on the validity of a land use regulation could only be instituted through the filing of a declaratory judgement action. *Cioffoletti v. Planning & Zoning Commission*, 209 Conn. 544, 563 (1989). The *Cioffoletti Rule* was expressly abandoned by the Connecticut Supreme Court in *Stafford Higgins Industries, Inc. v. Norwalk*, 245 Conn. 551, 582 (1998), where a tax appeal was combined with claims seeking declaratory relief. Since *Stafford Higgins*, the Appellate Court has made clear that one found to be aggrieved may attack the validity of a municipal regulation of general application, without resorting to a declaratory judgement. *Warner v. Planning & Zoning Commission*, 120 Conn. App. 50, 56 (2010); *Berlin Batting Cages, Inc. v. Planning & Zoning Commission*, 76 Conn. App. 199, 214 (2003); *Lewis v. Planning & Zoning Commission*, 62 Conn. App. 284, 297 (2001).

Any challenge to the validity of Section 6.4.23 of the Monroe Zoning Regulations is therefore properly raised in this appeal.

In *MacKenzie v. Planning & Zoning Commission, Supra*, a Monroe case involving setback and landscape buffer requirements, the Appellate Court observed that no provision of the General Statutes permits a zoning commission to vary the terms of its regulations on a case-by-case basis within a given district. The court further noted that the power to provide for elasticity in the zoning regulations is given by statute to a municipal zoning board of appeals. *MacKenzie v. Planning & Zoning Commission, Supra*, 426-28. (See also *Langer v. Planning & Zoning Commission*, 163 Conn. 453, 458 (1972).

Similar to the Monroe Regulation in *MacKenzie*, Section 6.4.23 provides, by its express terms, for a "case-by-case" analysis. The only criteria contained in the Regulation, is a finding that the result is "no less protective of the environment," or is not "inconsistent with the intent and purposes of the regulations."

As in *MacKenzie*, this broad language, coupled with the absence of any specific criteria, permits disparate results and inconsistent conclusions, unencumbered by definite standards which must be met prior to the granting of a waiver. Overly elastic regulations fail to inform applicants of what must be submitted and fail to ensure equal treatment for all who are similarly situated. *Smith Bros. Woodland Management, LLC v. Planning & Zoning Commission*, 88 Conn. App. 79, 83-84 (2005).

The Applicants reliance upon *Santarsiero v. Planning & Zoning Commission*, 165 Conn. App. 761 (2016), which concerned the same Monroe property as *MacKenzie*, is unavailing.

In that case, the Regulation provided that a landscape buffer requirement could be waived, in two specific situations: 1) where natural vegetation formed an effective buffer, or 2) the buffer area is an inland wetland. In those instances, three rows of evergreen trees planted fifteen (15) feet apart, would not be mandated. *Santarsiero v. Planning & Zoning Commission, Supra*, 771-72.

No such limitations or prerequisites limit the granting of waivers pursuant to Section 6.4.23 of the Regulations.

Therefore, the Plaintiff's appeal of the granting of the Excavation/Filling Permit must be sustained.

Because the appeal is sustained, it is not necessary to consider the remaining issues raised by the Plaintiff.

However, it must be observed that the record is sparce, concerning any claims regarding Public Health Code violations.

Furthermore, the proposed lot line revision is not a subdivision or a resubdivision of property, in that no new lot is created as a result. *Cady v. Zoning Board of Appeals*, 330 Conn. 502, 515 (2018).

CONCLUSION

The appeal from the decision of the Monroe Inland Wetlands Commission (Docket No. CV21-6110742-S) is DISMISSED.

The appeal from the decision of the Monroe Planning and Zoning Commission (Docket No. CV22-6113219-S) is SUSTAINED.

Radcliffe, J.T.R.

RADCLIFFE, JTR