

EXHIBIT

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Town of Fairfield

Office of the First Selectwoman

Brenda L. Kupchick
First Selectwoman
203-256-3030
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725 Old Post Road
Fairfield, CT 06824
bkupchick@fairfieldct.org
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February 13, 2020

Ms. Victoria Veltri, JD, LLM
Executive Director
State of Connecticut Office of Health Strategy
P.O. Box 340308
450 Capitol Avenue, MS#51OHS
Hartford CT 06134-0308

Re: Docket Number: 19-32305-CON

Dear Ms. Veltri,

My office has been advised by our State Delegation that the hearing for the above-referenced matter has been scheduled for March 4, 2020 at 1 pm at Fairfield University. Thank you for accommodating a local venue so that our community can adequately participate in the hearing

This letter serves as a subsequent update to the zoning status of the properties in question for the proposed MHRLC sites as a result of the Certificate of Need application by Monroe LLC, on behalf of Newport Academy.

As we reported back in October, an appeal was filed in Bridgeport Superior Court by residents in Fairfield challenging the zoning classification of the applicant properties: 2495 Redding Road, Fairfield, Connecticut and 3236 Congress Street, Fairfield, Connecticut. As of the date of this letter, the appeal is pending, and the litigation still has not concluded.

The Town of Fairfield believes it would be inappropriate to issue any Certificate of Occupancy at the two properties before the conclusion of the pending zoning appeal. I have therefore directed the Town's building department not to issue any approvals on these properties until there is a final judgment or court order in the litigation.

It is my hope that the Town of Fairfield will obtain the much needed clarification through this legal process on the definition of the Group Home classification for residential use, compared to the MHRLC model for commercial use, so that our Town can properly identify the different applications for zoning compliance, and further protect the rights of the individuals applying for zoning compliance.

It is the Town of Fairfield's intention to continue protecting the rights of disabled individuals in compliance with Federal and State Law, but we must be able to identify the delineation of those applications from corporations applying for commercial utilization of residential properties which may not be afforded those same protections.

If you have any questions or would like to discuss this, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "B. Kupchick", with a stylized, cursive script.

Brenda L. Kupchick
First Selectwoman

Attachments

Addendum to Fairfield First Selectwoman's Letter Re: Docket Number 19-32305-CON

Ms. Victoria Veltri, JD, LLM
Executive Director
State of Connecticut Office of Health Strategy
P.O. Box 340308
450 Capitol Avenue, MS#51OHS
Hartford CT 06134-0308
Re: Docket Number: 19-32305-CON

Dear Ms. Veltri,

As a member of the Town of Fairfield's Board of Selectmen, I support the First Selectwoman's letter and position regarding the above referenced matter wholeheartedly.

I believe it would be inappropriate to issue any Certificate of Occupancy at the two properties before the conclusion of the pending zoning appeal

It is my hope that the Town of Fairfield will obtain the much needed clarification through this legal process on the definition of the Group Home classification for residential use, compared to the MHRCLC model for commercial use, so that our Town can properly identify the different applications for zoning compliance, and further protect the rights of the individuals applying for zoning compliance.

It is my intention to continue protecting the rights of disabled individuals in compliance with Federal and State Law, but we must be able to identify the delineation of those applications from corporations applying for commercial utilization of residential properties which may not be afforded those same protections.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas M. Flynn", followed by a horizontal line extending to the right.

Thomas M. Flynn
Selectman, Town of Fairfield

Addendum to Fairfield First Selectwoman's Letter
Re: Docket Number 19-32305-CON

Ms. Victoria Veltri, JD, LLM
Executive Director
State of Connecticut Office of Health Strategy
P.O. Box 340308
450 Capitol Avenue, MS#51OHS
Hartford CT 06134-0308

Re: Docket Number: 19-32305-CON

Dear Ms. Veltri,

With regard to the above listed docket number, this letter is to serve as support for the First Selectwoman's appeal to you to delay the issuance of a COO for the two properties in question until the conclusion of the entirety of the zoning appeals process.

I have read the letter First Selectwoman Kupchick wrote to you dated February 13, 2020 and I am in agreement with the contents of it.

Please do not hesitate to reach me at the number below if you would like additional clarification of my position.

Very sincerely,
Nancy Lefkowitz
Selectwoman, Town of Fairfield

C: 646-825-1167