

EXHIBIT

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Town of Fairfield

James T. Baldwin
Town Attorney

November 5, 2020

Via Email: thollister@goodwin.com

Timothy S. Hollister, Esq.
Shipman & Goodwin
One Constitution Plaza
Hartford, CT 06103-1919

Re: Certificates of Occupancy for Newport Institute's Group Homes
at 2495 Redding Road and 3236 Congress Street

Dear Attorney Hollister,

I am in receipt of your October 30, 2020 request for the issuance of a Certificate of Occupancy for the "Group Homes" at 2495 Redding Road and 3236 Congress Street. Please be advised that CO's will not be issued on the following basis: The building permit authorized by the Planning Director and upheld on appeal by the Fairfield ZBA was for a group home as defined in G.G.S. § 8-3e. The Certificate of Need issued by the state OHS was not issued for a Group Home under this statute but rather a mental health care facility pursuant to state regulation § 19a-495-551(b)(2)(A)(i). Furthermore, it does not qualify as a protected Group Home under the Fair Housing Act. Accordingly, the use falls outside the provisions of both § 8-3e and the FHA.

Newport Academy will therefore need to submit an application for a Special Exception pursuant to town zoning regulations in order to be in compliance with Fairfield zoning regulations and receive CO's for these facilities.

Very Truly Yours,

/S/ James T. Baldwin

James T. Baldwin, Esq.

JTB/dw

Cc: Jim Wendt