

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Jennifer Holme and David Markatos,

Complainants

against

Docket #FIC 2019-0551

Director of Inland Wetlands & Watercourses,
Town of New Canaan; Planning & Zoning
Department, Town of New Canaan; Chairman,
Town Council, Town of New Canaan; and Town
Planner, Town of New Canaan,

Respondents

January 12, 2022

The above-captioned matter was heard as a contested case on March 4, 2021 and April 30, 2021, at which times the complainants and the respondents appeared, stipulated to certain facts and presented testimony, exhibits and argument on the complaint. Due to the COVID-19 pandemic and the state's response to it, the hearings were conducted remotely.¹ For purposes of hearing, the matter was consolidated with the Docket #FIC 2019-0671; Jennifer Holme and David Markatos v. Town Planner, Town of New Canaan; and Town of New Canaan.

After consideration of the entire record, the following facts are found and conclusions of law are reached:

1. The respondents are public agencies within the meaning of §1-200(1), G.S.

2. It is found that, by three separate letters each dated March 27, 2019, the complainants requested that Kathleen Holland, the Director of Inland Wetlands and Watercourses; John Engel, the Chairman of the Town Council; and Lynn Brooks Avni, the Town Planner; provide them with access to the following records:

¹ On March 14, 2020, the Governor issued Executive Order 7B, which suspended the requirement to conduct public meetings in person.

a. Request to Director Holland:

Please make available for my review and inspection the following public records of Chairman Daniel Stepanek:

All internal and external communications, including, but not limited to, printed (hardcopy) correspondence and electronic messages, including any attachments, sent to or from Daniel Stepanek (either directly or as a cc: or bcc: recipient) and any of the following individuals:

1. Sharon Prince;
2. Bob Prince;
3. Arnold Karp;
4. Michael Chen;
5. Krishna Patel;
6. Barbara Gould;
7. Gail Pflederer;
8. Cliffe Knechtle;
9. Jeb Walker;
10. Judy Neville;
11. Rob Mallozzi;
12. Kevin Moynihan;
13. Steve Kleppin;
14. Steve Palmer;
15. Keisha Fink;
16. Lynn Brooks Avni;
17. Lola Sweeney;
18. Mark DeWaele;
19. Laszlo Papp;
20. John Goodwin;
21. Kathleen Holland;
22. Angela Jameson;
23. George Blauvelt;
24. Casey Cordes;
25. Ted O'Hanlan;
26. Diane Neeves;
27. Edward Mellick;
28. Steve Finn;
29. Joseph Hammer;
30. Chris Jarboe; and
31. Ira Bloom;

that address, refer to, or reference any of the following:

1. Grace Farms;
2. Grace Farms Foundation;
3. Grace Community Church;
4. Grace Property Holdings;
5. Pacific Farms;
6. Windsome Farms;
7. Grace;
8. GFF; and
9. GCC;

during the following time periods:

1. January 1, 2007 through and including December 31, 2008;
2. January 1, 2012 through and including March 31, 2013; and
3. January 1, 2015 through and including March 15, 2019.

b. Request to Chairman Engel:

Please make available for my review and inspection the following public records of Mark DeWaele, a former Chairman of New Canaan's Town Council:

All internal and external communications, including, but not limited to, printed (hardcopy) correspondence and electronic messages, including any attachments, sent to or from Mark DeWaele (either directly or as a cc: or bcc: recipient) and any of the following individuals:

1. Sharon Prince;
2. Bob Prince;
3. Arnold Karp;
4. Tom Champion;
5. Michael Chen;
6. Cliffe Knechtle;
7. Jeb Walker;
8. Judy Neville;
9. Rob Mallozzi;
10. Laszlo Papp;
11. Steve Kleppin;
12. Daniel Stepanek;
13. Kathleen Holland;
14. Edward Mellick;
15. Steve Finn;
16. Joseph Hammer;
17. Chris Jarboe; and

18. Ira Bloom;

that address, refer to, or reference any of the following:

1. Grace Farms;
2. Grace Farms Foundation;
3. Grace Community Church;
4. Grace Property Holdings;
5. Pacific Farms;
6. Windsome Farms;
7. Grace;
8. GFF; and
9. GCC;

during the following time periods:

1. January 1, 2007 through and including December 31, 2008; and
2. January 1, 2012 through and including March 31, 2013.

c. Request to Town Planner Brooks Avni:

Please make available for my review and inspection the following public records:

1. Request No. 1: Correspondence Files of Chairman John Goodwin:

All internal and external communications, including, but not limited to, printed (hardcopy) correspondence and electronic messages, including any attachments, sent to or from John Goodwin (either directly or as a cc: or bcc: recipient) and any of the following individuals:

1. Sharon Prince;
2. Bob Prince;
3. Michael Chen;
4. Rod Khattabi;
5. Gail Pfleederer;
6. Krishna Patel;
7. Barbara Gould;
8. Rob Mallozzi;
9. Kevin Moynihan;
10. Steve Kleppin;
11. Steve Palmer;
12. Keisha Fink;
13. Lynn Brooks Avni;

14. Lola Sweeney;
15. Daniel Stepanek;
16. Kathleen Holland;
17. Ted O'Hanlan
18. Diana Neeves;
19. Ira Bloom; and
20. Mark DeWaele;

that address, refer to, or reference any of the following:

1. Grace Farms;
2. Grace Farms Foundation;
3. Grace Community Church;
4. Grace;
5. GFF; and
6. GCC;

during the following time period:

June 1, 2015 through and including March 27, 2019;

2. Request No. 2: Correspondence Files of Former Chairman Laszlo Papp:

All internal and external communications, including, but not limited to, printed (hardcopy) correspondence and electronic messages, including any attachments, sent to or from Laszlo Papp (either directly or as a cc: or bcc: recipient) and any of the following individuals:

1. Sharon Prince;
2. Bob Prince;
3. Arnold Karp;
4. Tom Champion;
5. Michael Chen;
6. Cliffe Knechtle;
7. Jeb Walker;
8. Judy Neville;
9. Rob Mallozzi;
10. Steve Kleppin;
11. Lola Sweeney;
12. Daniel Stepanek;
13. Kathleen Holland;
14. Edward Mellick;
15. Steve Finn;
16. Joseph Hammer;

17. Chris Jarboe;
18. Ira Bloom; and
19. Mark DeWaele;

that address, refer to, or reference any of the following:

1. Grace Farms;
2. Grace Farms Foundation;
3. Grace Community Church;
4. Grace Property Holdings;
5. Pacific Farms;
6. Windsome Farms;
7. Grace;
8. GFF; and
9. GCC;

during the following time periods:

1. January 1, 2007 through and including December 31, 2008; and
2. January 1, 2012 through and including March 31, 2013.
3. Request No. 3: Correspondence Files of Secretary Jean Grzelecki:

All internal and external communications, including, but not limited to, printed (hardcopy) correspondence and electronic messages, including any attachments, sent to or from Jean Grzelecki (either directly or as a cc: or bcc: recipient) and any of the following individuals:

1. Jeb Walker;
2. Judy Neville;
3. Rob Mallozzi;
4. Kevin Moynihan;
5. Laszlo Papp;
6. John Goodwin;
7. Steve Kleppin;
8. Steve Palmer;
9. Keisha Fink;
10. Lynn Brooks Avni;
11. Daniel Stepanek;
12. Kathleen Holland;
13. Chris Jarboe;
14. Ira Bloom;
15. Mark DeWaele; and

16. Lola Sweeney;

that address, refer to, or reference any of the following:

1. Grace Farms;
2. Grace Farms Foundation;
3. Grace Community Church;
4. Grace Property Holdings;
5. Pacific Farms;
6. Windsome Farms;
7. Grace;
8. GFF; and
9. GCC;

during the following time periods:

1. January 1, 2007 through and including December 31, 2008;
2. January 1, 2012 through and including March 31, 2013; and
3. March 1, 2016 through and including March 27, 2019.

3. It is found that, by email dated March 29, 2019, the respondents acknowledged the requests.

4. By letter dated and filed September 6, 2019², the complainants appealed to this Commission, alleging that the respondents violated the FOI Act by failing to provide them with access to all of the requested records.

5. At the time of the request, §1-200(5), G.S., provided:

“[p]ublic records or files” means any recorded data or information relating to the conduct of the public’s business prepared, owned, used, received or retained by a public agency, or to which a public agency is entitled to receive a copy by law or contract under section 1-218, whether such data or information be handwritten, typed, tape-recorded, printed, photostated, photographed or recorded by any other method.³

² On March 25, 2020, the Governor issued Executive Order 7M, thereby suspending the provisions of Conn. Gen. Stat. §1-206(b)(1), which requires the Freedom of Information Commission to hear and decide an appeal within one year after the filing of such appeal. Executive Order 7M is applicable to any appeal pending with the Commission on the issuance date and to any appeal filed on or after such date, through June 30, 2021. Consequently, the Commission retains jurisdiction over this matter.

³ Section 147 of Public Act 21-2 (June Sp. Sess.) amended the definition of “public records or files” to also include data or information that is “videotaped.”

6. Section 1-210(a), G.S., provides in relevant part that:

[e]xcept as otherwise provided by any federal law or state statute, all records maintained or kept on file by any public agency, whether or not such records are required by any law or by any rule or regulation, shall be public records and every person shall have the right to (1) inspect such records promptly during regular office or business hours, (2) copy such records in accordance with subsection (g) of section 1-212, or (3) receive a copy of such records in accordance with section 1-212.

7. Section 1-212(a), G.S., provides in relevant part that “[a]ny person applying in writing shall receive, promptly upon request, a plain, facsimile, electronic or certified copy of any public record.”

8. It is found that the records requested by the complainants are public records within the meaning of §§1-200(5), 1-210(a), 1-212(a), G.S., and must be disclosed unless they are exempt from disclosure.

9. At the start of the first contested case hearing, the complainants indicated that they were withdrawing the complaint with regard to the request issued to Chairman Engel, set forth in paragraph 2.b, above.

10. In addition, the hearing officer raised the issue of the Commission’s jurisdiction with regard to the request issued to Director Holland, set forth in paragraph 2.a, above, and the request issued to Town Planner Brooks Avni, set forth in paragraph 2.c, above.

11. Section 1-206(b)(1), G.S., provides, in relevant part, as follows:

[a]ny person denied the right to inspect or copy records under section 1-210 or wrongfully denied the right to attend any meeting of a public agency or denied any other right conferred by the Freedom of Information Act may appeal therefrom to the Freedom of Information Commission, by filing a notice of appeal with said commission. A notice of appeal shall be filed not later than thirty days after such denial. . . .

12. With regard to the request issued to Director Holland, set forth in paragraph 2.a, above, it is found that the respondents disclosed responsive records to the complainants on April 11, 2019. It is found that, on or about July 24, 2019, the complainants followed up on their request and inquired whether all responsive records had been provided. It is found that the respondents conducted another search, and, by email dated July 2, 2019, Mary Margaret

Pitt, the town's Project Coordinator, informed the complainants that there were no additional responsive records with respect to the request issued to Director Holland.

13. It is found that, for purposes of §1-206(b)(1), G.S., the "denial" occurred on July 2, 2019, and thus the complainants were required to file their appeal with respect to the request issued to Director Holland within thirty days of the July 2, 2019 email (i.e., by August 1, 2019).

14. Because the complainants did not file their appeal with respect to this request until September 6, 2019, which is more than thirty days after the alleged violation, it is concluded that the Commission lacks jurisdiction to adjudicate the appeal with respect to such request.

15. With regard to the request issued to Town Planner Brooks Avni, set forth in paragraph 2.c, above, it is found that the respondents made a final disclosure of records to the complainants on August 30, 2019.

16. It is found that the complainants filed their complaint with respect to the request described in paragraph 2.c, above, within thirty days of August 30, 2019. Accordingly, it is concluded that the Commission has jurisdiction to adjudicate the appeal with respect to such request.

17. The complainants contended that there should be more records responsive to the request issued to Ms. Brooks Avni. The complainants also contended that the records that they did receive were not provided to them in a prompt manner.

18. In response, the respondents contended that they had conducted a thorough search for records in response to a series of complicated requests and had disclosed all responsive records without redactions to the complainants, including records that were originally claimed to be attorney-client privileged.

19. Ms. Pitt appeared and testified for the respondents at both contested case hearings.

20. With respect to the search conducted for Mr. Papp's records, it is found that Ms. Pitt and Ms. Brooks Avni had Mr. Papp bring his laptop to the town hall (multiple times) and provide them his email address and his password so that they could search his laptop for responsive records.

21. It is found that, after running searches in accordance with the terms and the timeframes set forth in the request, the respondents made copies of all responsive emails retrieved from Mr. Papp's personal laptop. It is found that, on August 30, 2019, Complainant Holme reviewed the records at the office of the respondents. It is found that, at Complainant Holme's request, Mr. Pitt copied fifty pages of records and provided them to Complainant Holme.

22. It is found that, sometime following the August 30th disclosure of the records retrieved from Mr. Papp's personal laptop, the complainants requested that the respondents

again conduct a search of Mr. Papp's personal emails from January 1, 2007 through December 31, 2008, to ensure that all responsive records had been disclosed. It is found that the respondents complied with such request, and, by email dated October 18, 2019, the respondents informed the complainants that no additional responsive emails had been discovered.

23. It is therefore found that, by August 30, 2019, the complainants had received all of Mr. Papp's responsive records from Ms. Brooks Avni.

24. With respect to the search conducted for Ms. Grzelecki's records, it is found that the town searched Ms. Grzelecki's town email account in accordance with the terms and the timeframes set forth in the request. It is found that all responsive records were fully disclosed to the complainants by June 18, 2019. It is found that Ms. Grzelecki searched her own personal accounts and printed out several hundred pages of responsive records. It is found that, on or about July 26, 2019, Ms. Grzelecki provided those records to Ms. Pitt. It is found that, on August 9, 2019, Complainant Markatos came to the town hall to review Ms. Grzelecki's records, and, at his request, Ms. Pitt made him copies of approximately twenty pages of such records.

25. It is therefore found that, by August 9, 2019, the complainants had received all of Ms. Grzelecki's responsive records from Ms. Brooks Avni.

26. With respect to the search conducted for Mr. Goodwin's records, it is found that the town searched Mr. Goodwin's town email account in accordance with the terms and the timeframes set forth in the request. It is found that all responsive records were fully disclosed to the complainants by July 2, 2019.

27. It is found that Mr. Goodwin searched both of his personal email accounts and found no records responsive to the request.

28. It found, however, that Mr. Goodwin is a financial advisor at Morgan Stanley Smith Barney LLC ("Morgan Stanley") and that he had used business email accounts to send and receive communications relating to his role as the Chairman of the Planning and Zoning Commission.

29. It is found that Attorney Ira Bloom contacted Morgan Stanley and requested that that company conduct a search of Mr. Goodwin's business email in accordance with the terms and timeframes set forth in the request. It is found that Morgan Stanley agreed to perform the search.⁴

30. It is found that, by email dated September 4, 2019, a Morgan Stanley representative contacted Attorney Bloom and the complainants' counsel to inform them that Morgan Stanley had performed the search and located over 1,000 emails on Morgan Stanley's

⁴ The Commission notes that Mr. Goodwin has more than one email account with Morgan Stanley and Morgan Stanley agreed that the search for responsive records would include a search of all of Mr. Goodwin's business email accounts.

email server responsive to the request. It is found, however, that the representative further stated that Morgan Stanley had run the search for responsive records limited to the period September 1, 2016 through January 31, 2018 (as opposed to the timeframe set forth in the request issued to Ms. Brooks Avni with respect to Mr. Goodwin's records, which was June 1, 2015 through and including March 27, 2019) (the "first search"). In accordance with a request made by the complainants' counsel, the representative stated that Morgan Stanley would re-run the search for the time periods June 1, 2015 through August 31, 2016 and February 1, 2018 through June 30, 2019.

31. It is found that, on September 5, 2019, the Morgan Stanley representative contacted Ms. Pitt and provided her with access to a secure website to download the responsive records retrieved in the first search.⁵

32. It is found that Morgan Stanley ran the additional search with the broader timeframe on or about September 12, 2019 and provided Ms. Pitt with access to the responsive records in the same way it had on September 5, 2019 (the "second search").

33. It is found that, in total, Morgan Stanley provided Ms. Pitt with 1,308 emails.

34. It is found that the respondents reviewed the 1,308 emails and determined that 100 of those emails contained privileged attorney-client communications and that 34 emails were non-responsive.

35. With the exception of the 100 emails for which the attorney-client privilege was initially claimed, the 34 emails that were claimed to be non-responsive, and 19 emails that could not be opened or otherwise transferred onto a flash drive⁶, it is found that, on September 18, 2019, Ms. Pitt notified the complainants that the emails had been placed on a flash drive, which the complainants could retrieve from the town hall.

36. Subsequently, it is found that, on or about January 10, 2020, when the litigation to which the 100 emails pertained was resolved, the respondents waived their claim of privilege and disclosed the 100 emails to the complainants. It is found that, at or around this same time, and at the request of the complainants, the respondents also disclosed the 34 non-responsive emails to the complainants.

37. It is found that, after receiving of all of the Morgan Stanley emails (with the exception of the 19 emails), the complainants informed the respondents that they believed there should be more responsive records.

38. It is found that, in December 2020, Attorney Bloom again contacted Morgan Stanley, provided Morgan Stanley with a copy of the March 27, 2019 request issued to Ms.

⁵ It is worth noting that Mr. Goodwin had no role in the search of his Morgan Stanley email accounts for responsive records.

⁶ It is found that Ms. Pitt contacted the respondents' IT professional to assist her with transferring the 19 emails onto a flash drive. The IT professional was also not able to open, read, print, or transfer these 19 emails onto a flash drive.

Brooks Avni, and requested that Morgan Stanley conduct another search of Mr. Goodwin's Morgan Stanley email accounts. It is found that Morgan Stanley complied with such request (the "third search").

39. It is found that, by letter dated February 5, 2021, a Morgan Stanley representative informed Ms. Pitt that he had performed the third search of Mr. Goodwin's email and provided Ms. Pitt with access to a secure website to download the responsive records. It is found that this search also resulted in 1,308 responsive emails. See ¶ 33, above. It is found that, on this occasion, the respondents were able to transfer all 1308 emails onto a flash drive. It is found that, on February 16, 2021, the respondents notified the complainants that they could pick up the flash drive at town hall. It is found that, on February 25, 2021, Complainant Markatos picked up the flash drive.

40. Finally, with regard to hardcopy records responsive to the Ms. Brooks Avni request, in their March 29, 2019 acknowledgment, the respondents informed the complainants that there was a file in the office of the Planning and Zoning Commission and that they could review the file by contacting the commission's administrative assistant.

41. At the second contested case hearing, the complainants contended that the third search performed by Morgan Stanley may not have captured all of Mr. Goodwin's responsive emails from his Morgan Stanley email accounts. In support of this contention, the complainants relied on a February 5, 2021 letter from a Morgan Stanley representative to Attorney Ira Bloom, in which the representative confirms that a third search of Mr. Goodwin's email accounts at Morgan Stanley had been conducted in accordance with the following parameters:

Morgan Stanley custodian: All emails sent to or received by any Morgan Stanley email address used by John Goodwin (which includes, inter alia, John.Goodwin@morganstanleypwm.com and jgood@ms.com);

Time period: June 1, 2015 through March 27, 2019;

Email to/from the following addresses: sprince@gracefarmsfoundation.org OR michael@chen-associates.com OR rkhattabi@gracefarmsfoundation.org OR kpatel@gracefarmsfoundation.org OR Robert.mallozzi@newcanaanct.gov OR kevin.j.moynihan@gmail.com OR steven.kleppin@newcanaanct.gov OR steve.palmer@newcanaanct.gov OR keisha.fink@newcanaanct.gov OR lola.sweeney@newcanaanct.gov OR tohanlan@rc.com OR ibloom@bmdlaw.com OR stecomm@optimum.net OR gpflederer@gracefarmsfoundation.org OR bgould@gracefarmsfoundation.org OR lynn.brooksavni@newcanaanct.gov OR daniel.stepanek@newcanaanct.gov OR Kathleen.holland@newcanaanct.gov OR DNeeves@rc.com OR dewaele2@aol.com; and

Search terms: "Grace Farms" OR "Grace Farms Foundation" OR "Grace Community Church" OR "Grace" or "GFF" or "GCC".

42. Specifically, the complainants contended that the "Email to/from the following addresses" section may have limited the search because it did not include all of the email addresses (that is, both business and personal) for each individual listed in the request. See FOI Request issued to Lynn Brooks Avni, ¶ 2.c.

43. Based on a review of the records produced to the complainants as a result of Morgan Stanley's second search, see ¶¶ 32-33, above, it is found that the "Email to/from the following addresses" criteria referenced in paragraph 41, above, did not limit the results of the third search.⁷ For example, it is found that the responsive records produced to the complainants as a result of the second search contained emails sent to and from two distinct email addresses for Attorney Bloom (that is, the email address for Attorney Bloom listed in paragraph 41, above, as well as a distinct email address not listed in said paragraph). It is further found that the responsive records produced to the complainants as a result of the second search contained emails sent to and from two distinct email addresses for Mr. Mazzolli (that is, the email address for Mr. Mazzolli listed in paragraph 41, above, as well as a distinct email address not listed in said paragraph). It is also found that responsive records were produced as a result of the second search containing email addresses that were not listed in paragraph 41, above. Finally, it is found that, because the results of the second and third Morgan Stanley searches yielded the exact same number of responsive records (that is, 1308 emails, see ¶¶ 34, 39), the second and third searches performed by the Morgan Stanley representative were thorough and complete searches.

44. It is found that the third search included all email addresses used by Mr. Goodwin. Accordingly, it is found that all responsive records related to Mr. Goodwin have been provided to the complainants.

45. Based on all of the evidence in this case, it is found that the respondents conducted multiple, complicated searches for responsive records and that all responsive records were disclosed to the complainants.

46. Finally, with regard to whether the respondents have disclosed the responsive records promptly, this Commission has previously opined that the word "promptly" in §1-210, G.S., means "quickly and without undue delay, taking into account all of the factors presented by a particular request . . . [including] the volume of records requested; the amount of personnel time necessary to comply with the request; the time by which the requester needs the information contained in the records; the time constraints under which the agency must complete its other work; the importance of the records to the requester, if ascertainable; and the importance to the public of completing the other agency business without loss of the personnel time involved in complying with the request." See FOI Commission Advisory Opinion #51 (Jan. 11, 1982). The Commission also recommended in Advisory Opinion #51 that, if immediate compliance is not possible, the agency should explain the circumstances to the requester.

⁷ At the request of the hearing officer, the respondents submitted to the Commission the responsive emails gathered by Morgan Stanley as a result of its second search and such records were marked as respondents' Post-Hearing Ex. 11.

47. It is found that the request issued to Ms. Brooks Avni was quite complicated, in that it sought records from Ms. Brooks Avni concerning records that were sent to or received from John Goodman, the Chairman of the Planning and Zoning Commission; Laszlo Papp, the former Chairman of the Planning and Zoning Commission; and Jean Grzelecki, the Secretary of the Planning and Zoning Commission. It is found that the request was further complicated in that the requested timeframes of the records sought for each individual were different. Finally, it is found that Mr. Goodwin and Ms. Grzelecki had both town email addresses and personal email addresses, while Mr. Papp only had a personal email address, which meant that, to fulfill the request, multiple email accounts had to be searched.

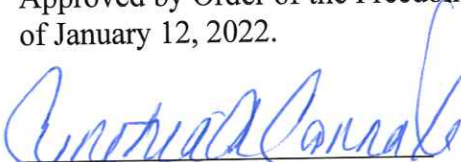
48. It is further found that, at the time the respondents received the three requests referenced in paragraph 2, above, they had at least five pending FOI requests. It is found that some of the pending FOI requests were quite large. Moreover, it is found that requests at issue in this case were extremely broad, complicated, and difficult to process. Finally, it is found that, after having issued the three requests for records at issue in this case, the complainants submitted an additional request for records to the respondents on August 9, 2019. It is found that, when the respondents inquired as to which request should be given priority in processing, the complainants informed the respondents that they would like them to process the August 9 request before processing their three March 29 requests. The Commission believes that the respondents have worked diligently in this case and in accordance with the promptness criteria set forth in Advisory Opinion #51.

49. Accordingly, it is concluded that the respondents did not violate the provisions of §§1-210(a) and 1-212(a), G.S., as alleged in the complaint.

The following order by the Commission is hereby recommended on the basis of the record concerning the above-captioned complaint:

1. The complaint is dismissed.

Approved by Order of the Freedom of Information Commission at its regular meeting of January 12, 2022.



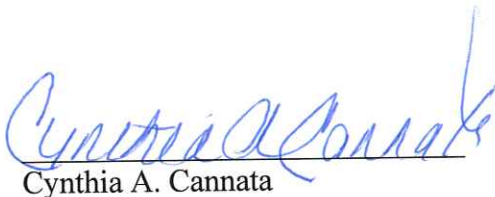
Cynthia A. Cannata
Acting Clerk of the Commission

PURSUANT TO SECTION 4-180(c), G.S., THE FOLLOWING ARE THE NAMES OF EACH PARTY AND THE MOST RECENT MAILING ADDRESS, PROVIDED TO THE FREEDOM OF INFORMATION COMMISSION, OF THE PARTIES OR THEIR AUTHORIZED REPRESENTATIVE.

THE PARTIES TO THIS CONTESTED CASE ARE:

JENNIFER HOLME, AND DAVID MARKATOS, c/o Attorney Amy E. Souchuns, Hurwitz, Sagarin, Slossberg & Knuff, LLC, 147 North Broad Street, Milford, CT 06460

DIRECTOR OF INLAND WETLANDS & WATERCOURSES, TOWN OF NEW CANAAN; **PLANNING & ZONING DEPARTMENT, TOWN OF NEW CANAAN;** **CHAIRMAN, TOWN COUNCIL, TOWN OF NEW CANAAN;** **AND TOWN PLANNER, TOWN OF NEW CANAAN** c/o Attorney Ira W. Bloom, Berchem Moses PC, 1221 Post Road East, Westport, CT 06880 and Attorney Nicholas R. Bamonte, Berchem Moses PC, 1221 Post Road East, Westport, CT 06880



Cynthia A. Cannata
Acting Clerk of the Commission