



Town of Seymour
Department of Land Use & Code Compliance
Wetlands & Watercourses, Planning & Zoning,
Zoning Board of Appeals
20 Pine Street 2nd Floor
Seymour, CT 06483
(Subject to Revision)

COPY RECEIVED
DATE: 6/23/26
TIME: 10:31 AM
TOWN CLERK'S OFFICE

Zoning Board of Appeals
Public Hearing Continuance Minutes- June 11, 2026
Seymour Community Center, 20 Pine Street, Seymour, CT 06483

Attendees

Members Present: Chairman P. Wilhelmy, P. Chapla, P. Wetowitz, B. Lynch, S. Walsh, A. DeFelice (alternate)

Others Present: M. Marganski, CZEO; J. Baldwin, Dir. Land Use; K. Miller Chief Administrative Officer; Attorney J. Marini, Town Land Use Counsel; B. Nesteriak Town Engineer; Kim Warner (Applicant/Appellant) Owner of Red Clover Farm 174 S. Benham Rd.; Attorney Clifford Hoyle (Representing Kim Warner); Seymour First Selectwoman Annmarie Drugonis 111 Middle Benham Rd.; Attorney Stephen Bellis (Representing Alfred and Kristen Bruno); ±50 members of the public

Minutes

1. Call to Order

Chairman P. Wilhelmy opened the public hearing continuance at 5:49pm and led assembled with the Pledge of Allegiance.

2. Roll Call (Seat alternate as necessary)

Chairman Wilhlmey introduced the board, alternate was not needed.

3. Pledge of Allegiance

Chairman led assembled in pledge during call to order.

4. Application ZBA-26-2: 174 South Benham Road, Seymour, CT 06483

Chairman Wilhelmy read the legal notice into the record and reviewed the public hearing procedures.

Attorney Clifford Hoyle appeared on behalf of the applicant, Kim Warner, owner of Red Clover Farm. Attorney Hoyle stated that the applicant wished to work cooperatively with the Town regarding the development of zoning regulations addressing modern agricultural and agritourism activities.

Ms. Warner presented testimony in support of her appeal of the Zoning Enforcement Officer's cease and desist order. She referenced prior communications with Town staff, approvals issued by various Town departments, annual inspections, and the property's tax assessment records. Ms.

Public Hearing Continuance Minutes- Zoning Board of Appeals

Recording Secretary L. Rajvong

Date: June 11, 2026



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Department of Land Use & Code Compliance
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Warner maintained that activities conducted at Red Clover Farm were agricultural in nature, benefited the community, and were conducted in good faith. She requested that the Board overturn the cease and desist order.

Board members questioned the applicant regarding prior approvals, communications with Town staff, food service activities, assembly uses, compliance efforts, and actions taken following notices issued by the Fire Marshal and Naugatuck Valley Health District.

Zoning Enforcement Officer Michael Marganski reviewed Exhibits A through M and summarized the basis for the cease and desist order. Mr. Marganski referenced the applicable zoning regulations and reviewed the timeline of events leading to the enforcement action. He stated that certain activities occurring at the property are not permitted uses within the R-40 Residential Zone and reviewed prior correspondence regarding zoning compliance and the possibility of pursuing a zoning text amendment.

Board members discussed the relationship between tax assessment classifications and zoning regulations. Town Counsel advised that tax assessment records do not determine permitted zoning uses.

Ms. Warner responded that she had attempted to pursue a zoning text amendment and reiterated her belief that the activities conducted at Red Clover Farm are consistent with agricultural uses and beneficial to the community.

The Zoning Enforcement Officer requested that additional emails received in support of Red Clover Farm since the previous hearing be entered into the record.

Exhibits Entered Into the Record

- Exhibits A through M submitted by the Zoning Enforcement Officer.
- Assessor's field card submitted by the applicant.
- Petition submitted in support of Red Clover Farm.
- Emails and correspondence received by the Board.
- Joshua Warner written statement (Exhibit N).
- Additional correspondence accepted by the Board during the hearing.

The exhibits referenced herein are maintained in the official file of Application ZBA-26-2 and are incorporated into the record by reference.

Public Hearing Continuance Minutes- Zoning Board of Appeals
Recording Secretary L. Rajvong
Date: June 11, 2026

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Public Hearing Continuance ZBA
Meeting Date: June 11, 2026
Recording Secretary L. Rajvong

2



Town of Seymour
Department of Land Use & Code Compliance
Wetlands & Watercourses, Planning & Zoning,
Zoning Board of Appeals
20 Pine Street 2nd Floor
Seymour, CT 06483
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5. Public Comment

Joshua Warner, Monroe/Sandy Hook, CT, spoke in support of the appeal and read a prepared written statement into the record. The statement was submitted and entered into the record as Exhibit N.

Several members of the public spoke regarding the appeal. Comments generally focused on the preservation of agriculture, community benefits provided by the farm, educational opportunities, support for agritourism activities, property rights, and concerns regarding the timing and enforcement of the cease and desist order.

Members of the public also commented on zoning regulations, property rights, municipal enforcement actions, and the need to modernize regulations governing agricultural uses within the Town of Seymour.

6. Disposition of Public Hearing:

- a. Public Hearing shall close June 11, 2026

Motion made to close the Public Hearing

Made by Wetowitz, seconded by Chapla

Vote: Aye: Wilhelmy, Chapla, Wetowitz, Lynch, Walsh

Nay-None

Abstain- None

Motion passed unanimously.

Public hearing closed at 8:34pm

Respectfully Submitted,

L. Rajvong

Recording Secretary, Zoning Board of Appeals

Public Hearing Continuance Minutes- Zoning Board of Appeals
Recording Secretary L. Rajvong
Date: June 11, 2026

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Public Hearing Continuance ZBA
Meeting Date: June 11, 2026
Recording Secretary L. Rajvong

3

Review of Timeline Evidence and Exhibits Supporting Zoning Cease and Desist

The submitted exhibits outline a progression of applications, permits, inspections, and official communications that collectively establish the basis for enforcing a zoning cease and desist order.

- **Initial Building Activities (Exhibits A, A-1, B, B-1, C):**

Beginning on 4/2/2018, Exhibit A shows a building permit application for barn renovations, which was approved. Supporting this, Exhibit A-1 provides the building inspection report, confirming compliance. Subsequent permits (Exhibit B on 11/26/2018 and B-1 on 3/19/2019) reflect approval for a deck addition, followed by Exhibit C's 9/23/2026 electrical permit for a utility building service upgrade. These early actions appear consistent with permitted uses and proper procedural adherence.

- **Zoning Denials and Non-Compliance (Exhibits D, E):**

On 4/21/2020, the site plans prepared by Huestis/Tucker Architects (Exhibit D) were denied building permit approval by zoning authorities due to non-compliance with zoning regulations. Exhibit E, a letter dated 7/22/2020 from M. Marganski, references permitted uses under zoning law and explicitly cites the denial as a result of zoning restrictions. This marks the first formal indication of zoning conflicts.

- **Communications on Zoning Changes and Assistance (Exhibits F, G, H):**

Exhibits F, G, and H (dated between 2022) contain letters from zoning officials outlining changes in zoning guidelines, specifically incorporating Connecticut Agricultural Guidelines and clarifying permitted versus non-permitted uses. These documents highlight ongoing efforts to review and possibly amend zoning text and clarify permitted accessory buildings and farm stands. The official channels underscore that any changes require zoning enforcement review and reflect oversight sensitivity.

- **Farm Market Operations and Compliance Review (Exhibits I, J):**

Exhibit I shows the Naugatuck Valley Health Department's farm market application on 9/30/2022, approved by the zoning officer and building official. However, Exhibit J's inspection report dated 10/18/2022 notes removal of all assembly seating, affirming occupancy was limited to a farm market without assembly use. This reveals attempts to comply with use restrictions, yet also draws attention to limitations.

- **Cease and Desist Actions (Exhibits K, L):**

The critical enforcement evidence includes Exhibit K, a letter from 8/26/2024 by the Naugatuck Valley Health Department, serving as a cease and desist order on food service and preparation activities, signed by the director. Additionally, Exhibit L documents a Fire Marshal review and abatement order, highlighting safety and regulatory violations triggering further enforcement.

Summary

The timeline and exhibits chronicle a clear narrative of building and operational activities initially approved under zoning permits, followed by recognized non-compliance, zoning

denials, clarifications of permitted uses, and official enforcement actions. The documented correspondence and inspection reports provide a well-substantiated foundation for issuing a zoning cease and desist order, underscoring both procedural adherence and regulatory enforcement aimed at protecting zoning integrity.



**Office of Building Compliance
Town of Seymour, Connecticut
Application for Permit**

B.O. # 1

B

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174 South Benham Rd _____ 04/02/2018
Property Location Street Address Lot # Date

Edward J. Dulka
Owner's Name (As it appears in Land Records)

174 South Benham Rd Seymour CT 06483
Owner's Street Address Town/City State ZIP Code

203-305-0898 edede@yahoo.com _____
Contact Phone # E-Mail Fax #

Edward J. Dulka _____
Applicant's Name Applicant's Business Name or LLC Name

174 South Benham Rd Seymour CT 06483
Applicant's Street Address Town/City State ZIP Code

174 South Benham Rd edede@yahoo.com _____
Contact Phone # E-Mail Fax #

HCSnoelmer HCSnoelmer
Signature of Contractor / General Contractor CT Trade License #

- Project Type:
- | | | |
|--|---|---|
| <input type="checkbox"/> New Construction | <input type="checkbox"/> Fuel/Gas | <input type="checkbox"/> Solar PV System |
| <input type="checkbox"/> Addition | <input type="checkbox"/> Deck | <input type="checkbox"/> Demolition |
| <input checked="" type="checkbox"/> Alteration | <input type="checkbox"/> Tenant Fit Out | <input type="checkbox"/> Accessory Building |
| <input type="checkbox"/> Repair/Replacement | <input type="checkbox"/> Generator | <input type="checkbox"/> Swimming Pool |
- Project or structure within 100' of wetlands? Yes No Work to be conducted in Town right-of-way? Yes No

★ **Description of Work:** Renovations on existing barn
new roof siding windows + floors

Permit Type:
 Building Permit Permit # 18411377 Estimated Cost \$29,000 Fee \$339
 New Home Residential Addition
 Commercial Structure Commercial Addition

Electrical Permit Permit # _____ Estimated Cost _____ Fee _____
CRS#: _____
 HVAC Permit Permit # _____ Estimated Cost _____ Fee _____
 Plumbing Permit Permit # _____ Estimated Cost _____ Fee _____
 Demolition Permit Permit # _____ Estimated Cost _____ Fee _____
 Other Permit # _____ Estimated Cost _____ Fee _____
TOTAL \$ _____

Remarks: EX "A"

Initial Bldg. Activities (A, A-1, B, B-1, C)

C
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M
P
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E
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L
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N
F
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R
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N

Construction Type: Residential ^W Commercial Industrial

Use and Occupancy Group: _____ Mixed Use: _____ Separated Yes No

Height of Building: _____

Total Sq. Ft. of Building: 1944 S.F.

List below the gross square footage of each story, above and below grade:

Story	Area in Sq. Ft.	Story	Area in Sq. Ft.	Story	Area in Sq. Ft.
					TOTAL SQ. FT. <u>1944</u>

Architect's Information: (Attach as applicable) License # _____

Engineer's Information: (Attach as applicable) License # _____

Documents Submitted/Attached:

- Zoning Reports
- Building Plans
- Site Plans
- Building Sections
- Building Elevations
- Health Dept. Threshold Review
- Calculations
- License
- Dept. Approvals
- Insurance Certificate
- Details
- Authorization of Applicant Other than Owner
- Manufacturer's Literature
- Statement of Special Inspections
- Other (describe) _____

Total Estimated Cost of Construction: \$ 29,000⁰⁰
(Value of Labor & Materials)

★ **Certification:**
 I hereby certify that: I am the owner of record of the named property or that the proposed work is authorized by the owner of record and/or I have been authorized to make this application as an authorized agent and we agree to conform to all applicable laws, regulations and ordinances. All information contained within is true and accurate to the best of my knowledge and belief. I further grant authorization to a representative of the Town of Seymour to enter the property on this application to conduct the required inspections per CT State Building code and that there are no environmental issues or hazards in the proposed work.

★ [Signature]
 Signature of Owner/Authorized Agent

For Building Official's Use Only

Municipal Fee:	<u>\$ 314</u>	Permit #:	<u>18411 BTRP</u>
State of CT:	<u>\$ 15</u>	Permit Use:	<u>Barn Renovation</u>
Certificate of Occupancy Fee:	<u>-</u>	Permit Fee:	<u>\$ 339</u>
Seymour Administration Fee:	<u>\$10.00</u>	Review Date:	<u>4/2/18</u>
Total Fee:	<u>\$ 339</u>		

Check #: 3109 Cash
[Signature]
 Received by

[Signature]
 Signature of Building Official
 BUILDING OFFICIAL **"A" X 3**

mutually
10/22/18
12-2pm

TOWN OF SEYMOUR
BUILDING DEPARTMENT
Field Inspection Report

(1)

Date OCT 2018

Location of Property 174 S Benham Rd.

Owner Edward Duika

Contractor Homeowner

Phone # 203-305-0878

Building Plumbing Heating Electrical

Description of Inspection

Barn Renovations - Siding

PERMIT # 18411BAP

Approved Disapproved Violation

Analysis

PARTIAL
FRAME

NEED FLOOR
SUPPORT

Date 10/22/18 Inspector [Signature]

White - Building Department File. Canary - Contractor Notice

EX "A1"

Initial Bldg Activities (A, A+, B, B-1, C)



Office of Building Compliance
BUILDING
Application for Permit

(D)
(D)

174 S Bennham Rd 3/19/19 **TURN OVER & FINISH**
Property Location Street Address Date

Edward DUKA
Owner's Name (As it appears on Land Records)

Sumner _____
Owner's Street Address Town/City State ZIP Code

_____ _____
Contact Phone # E-Mail Fax

Homeowner H/C
Applicant's Business Name or LLC Name Applicant's Name / Homeowner's Name

Sumner _____
Applicant's Street Address Town/City State ZIP Code

_____ _____
Contact Phone # E-Mail Fax

[Signature] Edward Duka
Signature of General Contractor / Homeowner CT Dec's License #

- Project Type:
- New Construction
 - Addition
 - Alteration
 - Repair/Replacement
 - Fuel/Gas
 - Deck
 - Tenant Fit Out
 - Generator
 - Solar PV System
 - Demolition
 - Accessory Building
 - Swimming Pool
- Project or structure within 100' of wetlands? Yes No Work to be conducted in Town right-of-way? Yes No

★ **Description of Work:** 16K22

PT Deck Deck on north addition

Permit Type:
 Building Permit Permit # 19-331-BMARC Estimated Cost \$17,600 Fee \$224
 New Home Residential Addition
 Commercial Structure Commercial Addition

Electrical Permit Permit # _____ Estimated Cost _____ Fee _____
CRS# _____

HVAC Permit Permit # _____ Estimated Cost _____ Fee _____

Plumbing Permit Permit # _____ Estimated Cost _____ Fee _____

Demolition Permit Permit # _____ Estimated Cost _____ Fee _____

Other Permit # _____ Estimated Cost _____ Fee _____

TOTAL \$ _____

Remarks: EX "B" **** TURN OVER AND FINISH**

Continuing ZB Bldg Activities (A, B, B-b, C)

FORM 1-18-11

Town of Seymour Department Approvals
Application for Building Permit

1. **Owner's Name:** Edward J. Dulka **Date:** 10/18/18
Property Address: 174 South Benham Rd
Contact Number: 203-305-0828
Description of Project: Basin Renovation

2. **Assessor's Office** (203) 881-5013 **List #:** 009580
Property Location: 174 South Benham Rd
Owner of Record: Edward Dulka
Assessor's Map: H-0 2 / 1 **Assessor's Signature:** [Signature]

3. **Tax Collector's Dept.** (203) 888-0517
Confirmation of NO delinquent taxes due on the above property
Tax Collector: Sheela K. Pinc **Date:** 10/18/18

4. **Inland Wet Lands Dept.** (203) 881-5007
Based upon the review of the Inland Wet Lands Maps, Record Subdivision Map, Site Plan or other data the above project is in compliance with Wetlands Regulations.
Inland Wet Lands - APPROVED no impact DISAPPROVED

5. **Planning & Zoning Dept.** (203) 881-5007
Project approval granted by Administrative Review: YES _____ NO _____
Project approval granted by P&Z Commission Review: YES _____ NO _____
Project approval granted by Zoning Board of Appeals: YES _____ NO _____
Planning & Zoning Agent: [Signature] **Date:** 10-18-18

6. **Water Pollution Control Authority / Naugatuck Valley Health District -** (203) 735-8087 + (203) 888-3830
Municipal Sanitary Sewer Connection Approval
WPCA Agent: _____ **Date:** _____
NVHD Approval of onsite Septic Designed System and water Well Location
NVHD Agent: [Signature] **Date:** 12/10/18

7. **Public Works Dept.** (203) 735-5838
Project Approval for Driveway Permit Permit # _____
Project Approval for Road Opening Permit Permit # _____
Public Works Agent _____ **Date:** _____

8. **Fire Marshals Office** (203) 888-0510
Approval based on submitted plans and review - CT Review Code _____
Fire Marshal Signature _____ **Date:** _____

9. **Building Dept.** (203) 888-3545 --- **Project Compliance Per Plans and Review per the CT State Building Code**
Building Official: [Signature] **Date:** 3/18/19

enly. 10/10

NAUGATUCK VALLEY HEALTH DISTRICT
98 Bank Street
Seymour, CT 06483
Phone (203) 881-3255 Fax (203) 881-3259

B1100

APPLICATION FOR BUILDING ADDITION, CONVERSION OR ACCESSORY STRUCTURE (B100)

Location: 174 South Benham Rd

Lot #: _____ Town: Seymour

Owner/Applicant: Edward J Bulka

Other Contact: _____

Address: 174 South Benham Rd Seymour, CT

Daytime Phone: 203 305-0828 Cell Phone: 203 305-0828

Fees: \$180 Application Review Date Paid: 12/10/18 Receipt #: paid

Soil Testing Required? () Yes () No no soil tested 11/8/18
\$175 Soil Testing Fee Date Paid: _____ Receipt #: _____

Applicant Signature: [Signature] Date: 11/21/18

OFFICE USE ONLY

Notes: can use only to build up outdoor deck 14x22' Planning to build future bathroom under of building

Approved by: [Signature] B1100
Date: 11/26/18

Updated 11/30/17

Sprain Brook Company
Todd - 203 709 0611 cell

JOB: Dulka
174 South Bentham Rd
Seymour, CT 06483

MATERIAL LIST

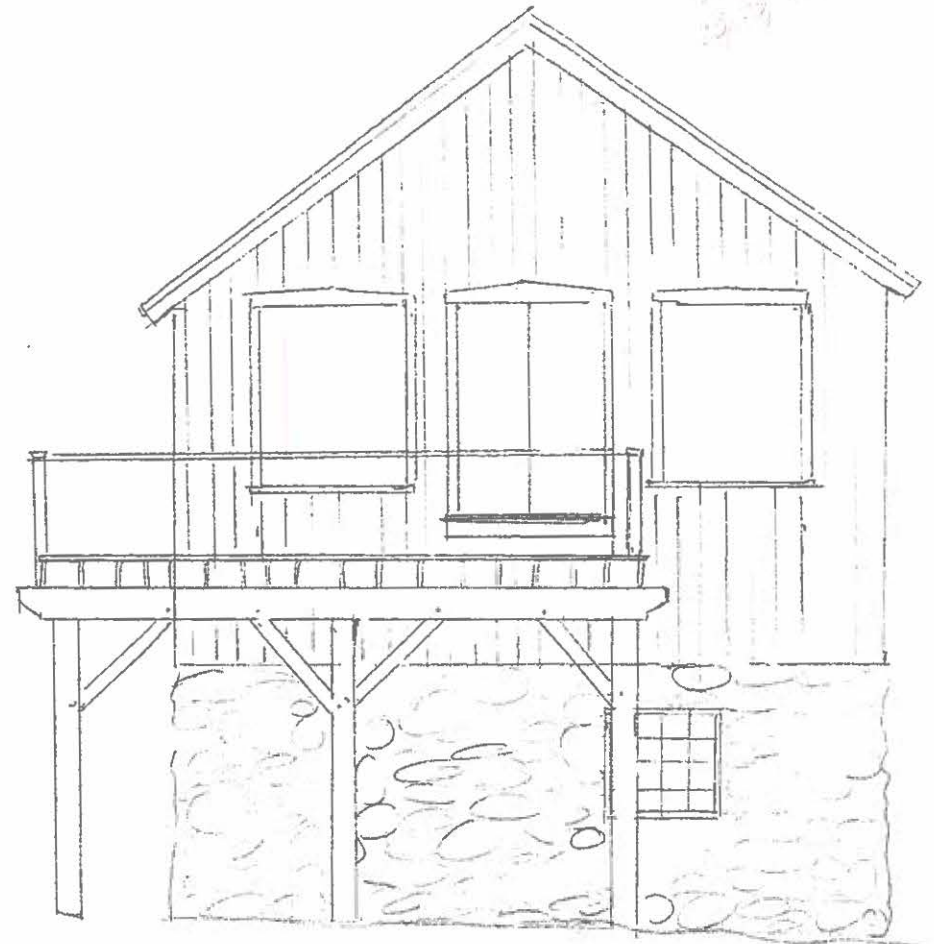
Deck in pressure treated

- 2x10 pressure treated
20/14s , 4/16's, 4/12's
- 2x12 p.t. 4/16's
- 2x4 p.t. 22/14's
- 5/4 x6 p.t. decking 915 Ln Ft
- 5x5x8 5 posts
- 22 gala single hangers
- 1 roll grace ice and water
- 26 ft ledger flashing
- box 10d coil gala framing nails
- box gun hanger nails
- 10 lbs 2.5 deck screws
- 2 boxes 5" ledger locks

Timber Framing Supplies

- Hemlock 8x12 1/24
- Hemlock 8x8 3/10's
- Oak 3x4 4/48 in
- 11 white oak Pegs
- 3 1/4 steel post brackets

ELEVATION



Ex. B

BEAM

7x10 PT JOISTS 16" ON CENTER
5/4 x 6 P.T. DECKING

2x10 2T.
WATER TIE MISLED

56"

9x12 HEMLOCK GIRDER

5x8 BRACE

RAILINGS

5/4 PT. TOP RAIL 42" HEIGHT FROM DECKING

6x6 PT. POST

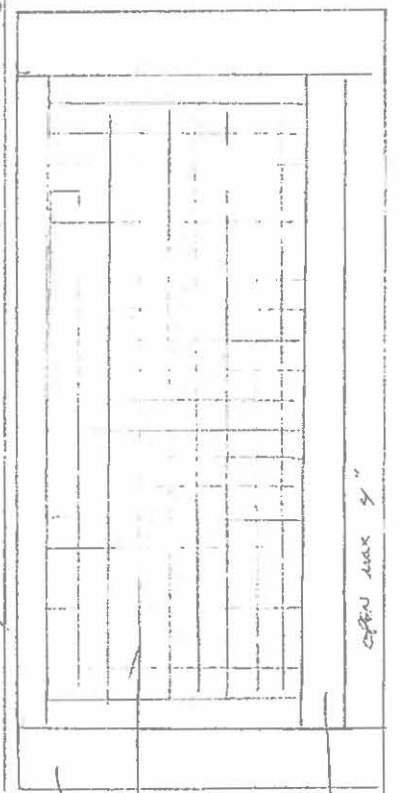
CUT CHICKEN
WIRE STRIP
LET THROUGH

1/4 STEEL ANGLE BRACKET

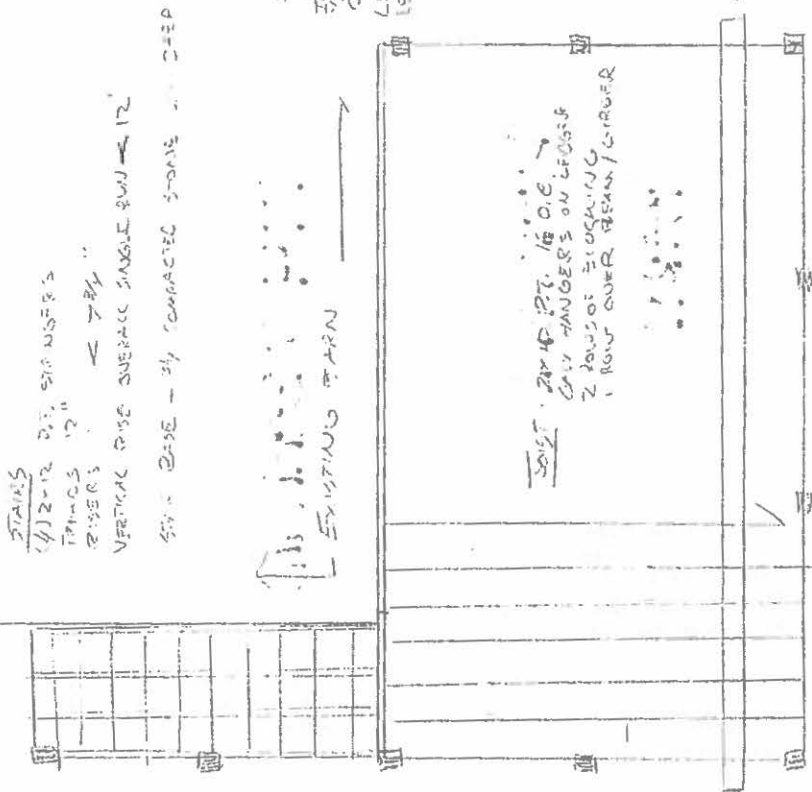
12" CONCRETE PIER
26" 6x6 FOOT BASE

9x9 HEMLOCK POST

OPEN MAX 4"



Ex: B

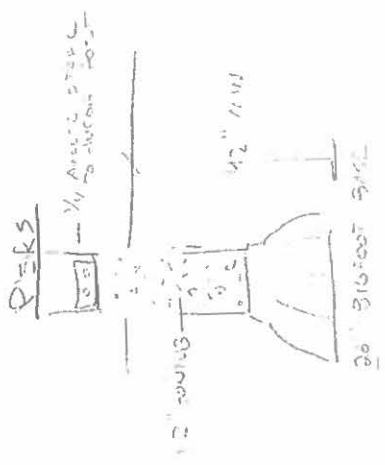


STAIRS
 (1) 2x12 DECK STRINGERS
 RISERS 12" ← 7/8"
 VERTICAL RISE SUEDEK SUEDEK 12"
 5/8" BASE - 2x4 COMPACTED GRADE 12" DEEP

EXISTING RAIL

LEDGER

INTERIOR FRAMING SOLID BLOCKING
 1/2 SLEEPING
 SPACE = WATER AND ICE SHIELD
 LEDGER 2x10 PT WITH FLASHINGS OVER LEDGER
 LEDGER LOCK - 2 PER JOIST BAY



BEAM 8x12 HELILOCK
 POST 8x8 36"

EX.B

NAUGATUCK VALLEY HEALTH DISTRICT
APPLICATION FOR BUILDING ADDITION, CONVERSION OR ACCESSORY STRUCTURE (B100)

NOTE: A SCALED DIAGRAM OF THE PROPOSED ADDITION OR ACCESSORY STRUCTURE IN RELATION TO EXISTING STRUCTURES, PROPERTY LINES, SEPTIC SYSTEM AND WATER SOURCE MUST BE SHOWN ON ATTACHED DETAILED PLOT PLAN. PROPOSED BUILDING PLANS MUST ALSO BE SUBMITTED WITH THIS APPLICATION.

Date: 11/31/18 Owner's Name: Edward J Dalka
Property Address: 121 South Benton Rd Town: Seymour
Telephone #: 203-305-0828 Cell Phone #: 203-305-0828

Type of Application:

- Building Conversion, Change in Use (Winterization) - 1200 sq ft (11' x 20')
- Building Addition 12' x 18' (Bathroom + Storage Rm) 12 x 18
- Accessory Structure, Attached or Detached Garage, Below or Above Ground Pool Where Future Bathroom will go
- Lot Division, Lot Line Change, Lot Reduction

Give a Brief Description of Proposed Application: (performing winterization: type and number of rooms being added; square footage of house addition; and, type of structures to be added, etc.)

Existing Structure:

Residential Non-Residential If Non-Residential Describe Barn
Number of Oversized Tubs (>99 gal.) _____ Gallons _____
Footing or Foundation Drains Present? _____ (Yes or No)
Water Supply: Private Well Public Water

Existing Septic System:

Year System was installed? 1976 New or Repair new
Size of Septic Tank 4000 gals. Size and Type of Leaching System: #5 20' x 10' / 10'
Curtain Drain? () Yes or () No Has any soil testing been performed on the property? () Yes or () No
If yes, when and by whom: 4/18/18 PE-1115 Signature from G. L. ...

Signed: (Ed) Dalka Date: 11/31/18
(Owner or Duly Authorized Representative) (Over)

Initial Bldg Activities (Exhibits A, A-1, B, B1, C)

EX "B1"

NAUGATUCK VALLEY HEALTH DISTRICT
APPLICATION FOR BUILDING ADDITION, CONVERSION OR ACCESSORY STRUCTURE (B100)
(Continued)

FOR OFFICE USE ONLY

Is soil testing information available for this property? () Yes () No: If no, is soil testing required?
() Yes () No

Building Conversion, Change in Use: Applicable Not Applicable:

Has a code complying area been determined for this property? () Yes () No

Will the proposed change result in greater than 50% increase in design flow? () Yes () No
If yes, will the property owner be required to expand the existing septic system? () Yes () No

Building Addition: Applicable Not Applicable: Has a code

complying area been determined for this property? () Yes () No

If a code complying area is not shown, the application must meet the following conditions:

1. Replacement area provides at least 50% of required effective leaching area.
2. Replacement area provides 50% of MLSS requirements.
3. The addition does not reduce the potential repair area.
4. The addition does not increase the design flow of building.
5. Separating distance to well is maintained

Notes _____

Will the proposed change result in greater than 50% increase in design flow? () Yes () No
If yes, will the property owner be required to expand the existing septic system? () Yes () No

Accessory Structure, Attached or Detached Garages, Below or Above Ground Pool:

Applicable Not Applicable

Has a code complying area been determined for this property? () Yes () No

If a code complying area is not shown, the application must meet the following conditions:

1. Accessory structure, etc. does not reduce the potential repair area
2. The separation distances between the accessory structures, etc. and any part of the existing septic system shall comply with technical standard requirements

Notes _____

Lot Division, Lot Line Change, Lot Reduction: Applicable Not Applicable:

Has a code complying area been determined for this property? () Yes () No

Has a code complying primary and reserve area been determined for the newly created lot? () Yes () No

DECISION:

Approved/Not Approved By: [Signature] Date: 11/20/2017

Note: Diagram of proposal (plot plan) shall be attached.

Updated 11/30/17



Office of Building Compliance Town of Seymour, Connecticut Application for Permit

B

174 S. Benham Rd.

9/22/17

**** TURN OVER & FINISH**

Property Location Street Address

Date

Fed. Dillon

Owner's Name (As it appears on Land Records)

Seymour
Owner's Street Address

Seymour
Town/City

CT
State

06485
ZIP Code

203-305-0823
Contact Phone #

E-Mail

Fax #

W.S. Electric LLC
Applicant's Business Name or LLC Name

William Jarvis
Applicant's Name / Homeowner's Name

11 Center Dr.
Applicant's Street Address

Seymour
Town/City

CT
State

06485
ZIP Code

203-305-1400
Contact Phone #

william.jarvis@wsel.com
E-Mail

203-734-1525
Fax #

William Jarvis
Signature of General Contractor / Homeowner

197660-1-1
CT Trade License #

Project Type:

- New Construction
- Addition
- Alteration
- Repair/Replacement

- Fuel/Gas
- Deck
- Tenant Fit Out
- Generator

- Solar PV System
- Demolition
- Accessory Building
- Swimming Pool

Project or structure within 100' of wetlands? Yes No

Work to be conducted in Town right-of-way? Yes No

★ **Description of Work:** 200 Amp Service, Break Wiring, Lights, O.H.B.

Permit Type:

- Building Permit Permit # _____ Estimated Cost _____ Fee _____
- New Home Residential Addition
- Commercial Structure Commercial Addition
- Electrical Permit Permit # 19305 (Exp) Estimated Cost 7500 Fee 1108.00
CRSH: 3181522
- HVAC Permit Permit # _____ Estimated Cost _____ Fee _____
- Plumbing Permit Permit # _____ Estimated Cost _____ Fee _____
- Demolition Permit Permit # _____ Estimated Cost _____ Fee _____
- Other _____ Permit # _____ Estimated Cost _____ Fee _____

TOTAL \$ _____

Remarks: (A-Z ASSEMBLY)

**** TURN OVER AND FINISH**

USE CLASSIFICATION = EX "C"
Public Hearing Continued ZB
Meeting Date: June 11, 2016
Recording Secretary L. Rajvong
Final Bids Activities (A, A-1, B, B-1, C)

C
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C
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A
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L
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N
F
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M
A
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I
O
N

Construction Type: Residential Commercial Industrial

Use and Occupancy Group: _____ Mixed Use: _____ Separated Yes No

Height of Building: 1 Story / 2 Basement

Total Sq. Ft. of Building: 1700

List below the gross square footage of each story, above and below grade:

Story	Area in Sq. Ft.	Story	Area in Sq. Ft.	Story	Area in Sq. Ft.
					TOTAL SQ. FT. _____

Architect's Information: (Attach as applicable) License # _____

Engineer's Information: (Attach as applicable) License # _____

Documents Submitted/Attached:

- Zoning Building Plans Site Plans Building Sections Building Elevations Health Dept.
- Reports Calculations License Dept. Approvals Insurance Certificate Threshold Review
- Details Authorization of Applicant Other than Owner Manufacturer's Literature
- Statement of Special Inspections Other (describe) _____

Total Estimated Cost of Construction: \$ 7500.00
(Value of Labor & Materials)

★ **Certification:**

I hereby certify that: I am the owner of record of the named property or that the proposed work is authorized by the owner of record and/or I have been authorized to make this application as an authorized agent and we agree to conform to all applicable laws, regulations and ordinances. All information contained within is true and accurate to the best of my knowledge and belief. I further grant authorization to a representative of the Town of Seymour to enter the property on this application to conduct the required inspections per CT State Building code and that there are no environmental issues or hazards in the proposed work.

★ 641102
Signature of Owner/Authorized Agent

For Building Official's Use Only

Municipal Fee: \$ 96.00
 State of CT: \$ 208
 Certificate of Occupancy Fee: _____
 Seymour Administration Fee: \$ 108.00
 Total Fee: \$ 412.00

Permit #: 19-303-ESOP
 Permit Use: ER22
 Permit Fee: \$ 108.00
 Review Date: 19/23/19

Check #: 3851 Cash
Deepe
 Received By

[Signature]
 Signature of Building Official
 BUILDING OFFICIAL



Office of Building Compliance
Town of Seymour, Connecticut
Application for Permit

1118
2
B

174 South Benham Road 4-02-1-0 4/21/2020
Property Location Street Address Lot # Date

Dulka, Edward & Dulka, David J
Owner's Name (As it appears in Land Records)

174 South Benham Road Seymour CT 06483
Owner's Street Address Town/City State ZIP Code

redcloverfarms@hotmail.com
Contact Phone # E-Mail Fax #

Applicant's Name Applicant's Business Name or LLC Name

Applicant's Street Address Town/City State ZIP Code

Contact Phone # E-Mail Fax #

Signature of Contractor / General Contractor CT Trade License #

- Project Type:
- New Construction
 - Addition
 - Alteration
 - Repair/Replacement
 - Fuel/Gas
 - Deck
 - Tenant Fit Out
 - Generator
 - Solar PV System
 - Demolition
 - Accessory Building
 - Swimming Pool
- Project or structure within 100' of wetlands? Yes No Work to be conducted in town right of way? Yes No

★ **Description of Work:** Building repair and change of use occupancy from Utility to Mercantile
For seasonal retail sale of products produced on the premises.

Permit Type:

- Building Permit Permit # _____ Estimated Cost _____ Fee _____
 - New Home
 - Residential Addition
 - Commercial Structure
 - Commercial Addition
 - Electrical Permit Permit # _____ Estimated Cost _____ Fee _____
CRS#: _____
 - HVAC Permit Permit # _____ Estimated Cost _____ Fee _____
 - Plumbing Permit Permit # _____ Estimated Cost _____ Fee _____
 - Demolition Permit Permit # _____ Estimated Cost _____ Fee _____
 - Other + Permit # _____ Estimated Cost _____ Fee _____
- TOTAL \$ _____

Remarks:

EX "D"
Zoning Denials / Non-Compliance (Ex. D, E)
NOT APPROVED

PER zoning

confirmed 12/2

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3

COMPLETION INFORMATION

Construction Type: Residential Commercial Industrial

Use and Occupancy Group: M Mixed Use: _____ Separated Yes No

Height of Building: _____

Total Sq. Ft. of Building: _____

List below the gross square footage of each story, above and below grade:

Story	Area In Sq. Ft.	Story	Area In Sq. Ft.	Story	Area In Sq. Ft.
BASE	1290	1ST	1579		
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
					TOTAL SQ. FT. <u>2,869</u>

Architect's Information: (Attach as applicable) License # 5141

Engineer's Information: (Attach as applicable) License # _____

Documents Submitted/Attached:

- Zoning Building Plans Site Plans Building Sections Building Elevations Health Dept
- Reports Calculations License Dept. Approvals Insurance Certificate Threshold Review
- Details Authorization of Applicant (Other than Owner) Manufacturer's Literature
- Statement of Special Inspections Other (describe) _____

Total Estimated Cost of Construction: \$ _____
(Value of Labor & Materials)

★ Certification:

I hereby certify that: I am the owner of record of the named property or that the proposed work is authorized by the owner of record and/or I have been authorized to make this application as an authorized agent and we agree to conform to all applicable laws, regulations and ordinances. All information contained within is true and accurate to the best of my knowledge and belief. I further grant authorization to a representative of the Town of Seymour to enter the property on this application to conduct the required inspections per CT State Building code and that there are no environmental issues or hazards in the proposed work.

★ [Signature]
Signature of Owner/Authorized Agent

For Building Official's Use Only

Municipal Fee:	_____	Permit #:	_____
State of CT:	_____	Permit Use:	_____
Certificate of Occupancy Fee:	_____	Permit Fee:	_____
Seymour Administration Fee:	<u>\$10.00</u>	Review Date:	_____
Total Fee:	_____		

Check #: _____ Cash _____

Received by _____

Signature of Building Official _____

Ex. D

BUILDING CODE SUMMARY
BY SOUTH BEND/ST. JOE

185 CODES PAGE

1. **GENERAL NOTES:**
 a. All work shall be in accordance with the latest editions of the International Building Code, International Residential Code, and International Mechanical Code, as adopted by the City of South Bend and the State of Indiana.
 b. All materials and workmanship shall conform to the requirements of the applicable codes.
 c. The contractor shall be responsible for obtaining all necessary permits and for complying with all applicable laws, codes, and regulations.
 d. The contractor shall maintain access to all existing utilities and structures on the site.
 e. The contractor shall be responsible for the safety of all workers and the public during the construction process.



ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL
1	Excavation	100	sq. yd.	10.00	1000.00
2	Foundation	100	sq. yd.	20.00	2000.00
3	Concrete	100	cu. yd.	150.00	15000.00
4	Rebar	100	lb.	0.50	50.00
5	Formwork	100	sq. ft.	1.00	100.00
6	Backfill	100	cu. yd.	10.00	1000.00
7	Gravel	100	cu. yd.	15.00	1500.00
8	Asphalt	100	sq. yd.	25.00	2500.00
9	Paint	100	gal.	2.00	200.00
10	Other	100	hr.	10.00	1000.00
TOTAL					30000.00

2. **PERMITS:**
 a. The contractor shall obtain all necessary permits from the City of South Bend and the State of Indiana.
 b. The contractor shall be responsible for the cost of all permits and for the timely submission of all required documents.

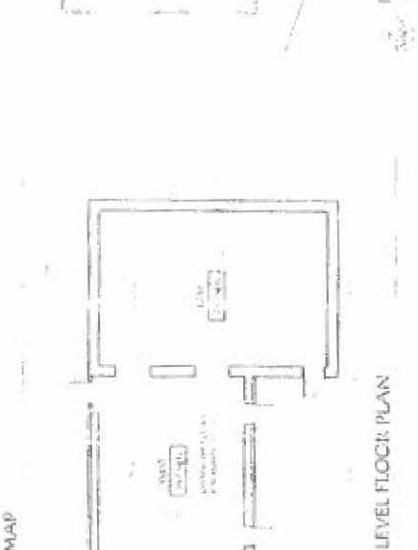
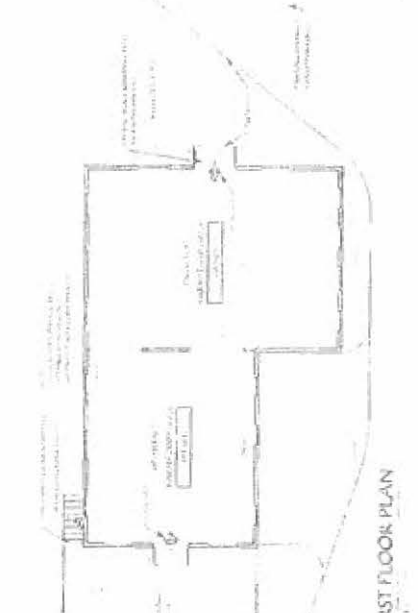


3. **CONTRACTOR'S OBLIGATIONS:**
 a. The contractor shall be responsible for the safety of all workers and the public during the construction process.
 b. The contractor shall maintain access to all existing utilities and structures on the site.
 c. The contractor shall be responsible for the cost of all materials and labor.

4. **GENERAL NOTES:**
 a. All work shall be in accordance with the latest editions of the International Building Code, International Residential Code, and International Mechanical Code, as adopted by the City of South Bend and the State of Indiana.
 b. All materials and workmanship shall conform to the requirements of the applicable codes.

5. **GENERAL NOTES:**
 a. All work shall be in accordance with the latest editions of the International Building Code, International Residential Code, and International Mechanical Code, as adopted by the City of South Bend and the State of Indiana.
 b. All materials and workmanship shall conform to the requirements of the applicable codes.

ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL
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7	Gravel	100	cu. yd.	15.00	1500.00
8	Asphalt	100	sq. yd.	25.00	2500.00
9	Paint	100	gal.	2.00	200.00
10	Other	100	hr.	10.00	1000.00
TOTAL					30000.00



REC-COVER
 PAGES
 HUYDA TUCKER
 SITE PLAN PLANS
 SCALE: AS SHOWN
 DATE: 6/20/2025
 A-100

NOT FOR CONSTRUCTION

E2D



**Town of Seymour
Planning and Zoning**

1 First Street
Seymour, CT 06483
(203) 828-1264

July 22, 2020

Ms. Kim Dulka Warner
174 South Benham Road
Seymour, CT 06483

FILE

RE: 174 South Benham Road, Seymour, CT (Zoning Application Denial)

Dear Ms. Dulka Warner,

This office has reviewed your application to convert the existing barn to an accessory use as a retail farm stand. Upon review of your statement of use dated June 25, 2020, the town agrees with the following:

- 1. The detached accessory structure (barn) may be utilized as a farm stand. The approved permitted activities shall include the selling of CSA Farm Shares from products grown, produced and/or made on your farm, as stated within item #1 of the statement of use.
- 2. The town supports the parking site plan (as provided) as stated within item #4 of the statement of use.

In accordance with, the Town of Seymour, Zoning Regulations activities described in (statement of use) items # 2-3 are prohibited activities. Demonstrations, workshops, hosting gatherings for tastings and/or farm to table meals are not considered incidental uses. You may submit an application for a text change to the Town of Seymour, Planning and Zoning Commission for consideration of these types of activities. Please submit a revised statement of use inclusive of items # 1 and #4 from your original statement upon which we will gladly issue a zoning permit, tenant fit out/new occupancy for \$75.00 payable to the Town of Seymour. Do not hesitate to contact this office should you have any questions or concerns.

Regards,

Michael Marganski
Town of Seymour
Zoning Enforcement Officer
mmarganski@seymourct.org

https://library.municode.com/CT/Seymour/codes/code_of_ordinances?

cc: J. Baldwin, Director of Code and Land Compliance
K. Rosenfeld, Town Planner
C. Kochan, Code Administrator
Huestis Tucker Architects, LLC

approved
about
ext
change

Zoning Denials / Non-Compliance
(Exhibits D, E)

"EX E" 22



TOWN OF SEYMOUR
1 FIRST STREET SEYMOUR, CONNECTICUT 06483
JAMES BALDWIN, BUILDING OFFICIAL
DIRECTOR OF LAND USE & CODE COMPLIANCE
jbaldwin@seymourct.org
PHONE: 203-888-3545

September 20th, 2022

Kim Dulka
174 South Benham Road
Seymour, CT 06483

Dear Kim,

I would like to inform you of a change in the Seymour Zoning Regulations that has been under review and is set for adoption by year's end. This Zoning Regulation change reflects some of the Planning and Zoning Commission's concern regarding farms in Seymour that sell "home grown and produced products." Currently, the Seymour Zoning Regulations for farms that sell products on site are restricted to those products grown and/or produced on that specific farm. This new regulation will broaden the scope of products to be sold to include all Connecticut Grown agricultural products regardless of their origin as long as they follow the CT agricultural guidelines. The intent of this change is to help farms expand the Connecticut agriculture industry and allow Seymour farmers to increase their sales of products into the local economy.

As we have discussed earlier this summer, farm designations in all zoning districts are allowed to have farm stands and or buildings to sell products they produce on their farming locations. Seymour Zoning Regulations as well as the Connecticut State Building Code do however prohibit retail sales of products that are not related to the agricultural industry. All activities related to the general public that would involve the assembly of patrons such as dining operations, food and beverage events and alike, and general public assembly for a fee are prohibited. Any questions on this subject please feel free to call me.


Regards,

James Baldwin
Director of Land Use and Code Compliance
Town of Seymour, CT

Communications on Zoning Changes & Assistance

EX "F"

COPY



Town of Seymour
Department of Land Compliance
Planning & Zoning Commission
1 First Street
Seymour, CT 06483
(203) 828-1264

August 3, 2022

Ms. Kim Dolka Warner
174 South Benham Road
Seymour, CT 06483

Re: 174 Benham Road, Seymour, CT 06483

Dear Ms. Dulka Warner.

It has come to the attention of this office that the Red Clover Farm, LLC, is operating a "General Store" with regular hosting's of tastings and or workshops. The operation of a "General Store" hosting of demonstrations, workshops, tastings, Farm to Table meals, live music and dancing are not considered an incidental use as a farm stand.

As this office has previously communicated to you, we would assist you in a pathway to allow for such events of this type. You may submit an application for a text change to the Town of Seymour Planning and Zoning Commission (PZC) with supporting documentation, for consideration of these types of activities.

If I may be of further assistance to you and your endeavors, please do not hesitate to contact this office at your earliest convenience.

Regards.

Michael Marganski, CZEO
Town of Seymour

Cc: J. Baldwin, Dir. Development & Code Compliance
Office of the Fire Marshal

Communication on Zoning Change & Assistance

EX "G"



Town of Seymour
Department of Land Compliance
Planning & Zoning Commission
1 First Street
Seymour, CT 06483
(203) 888-2024

October 18, 2022

Mr. Edward Dolka
Mr. David Dolka
174 South Benham Road
Seymour, CT 06483

RE: 174 South Benham Road, Seymour, CT (Accessory Dwelling Buildings, Farm Stand)

Dear Mr. Dolka,

On Tuesday, October 18, 2022 this official reviewed the "Use of an Accessory Building as a Farm Stand" in a Residential (R-40) Zone District. The premises consist of +/- 30.23 acres with a principal single family dwelling and associated accessory buildings. The use of an existing 572 sq. ft. barn is permitted "as of right" to be utilized as a "Farm Stand".

Nurseries, green houses, truck gardens and similar uses on a tract of at least three (3) acres, and the accessory sale of agricultural products grown and raised in Connecticut, meeting all mandatory "Connecticut Grown" labeling requirements and identify standards per CGS Section 22-38. Activities such as parking, display of products and the location of all accessory structures shall be located beyond the building setback lines.

Any change in the accessory use or expansion of a use must be reviewed the Zoning Enforcement Official. Please contact me at (203) 888-2024 should you have any questions or concerns.

Regards,

Michael Marganski, CZEO

File: 174 South Benham Road 10182022

Communications on Zoning Changes & Assistance

EX "H"

COPI

FOOD SERVICE ESTABLISHMENT APPLICATION

NAUGATUCK VALLEY HEALTH DISTRICT
98 Bank Street, Seymour, CT 06484
Phone: (203) 881-3255 FAX: (203) 881-3259

Name of Establishment: Red Clover Farms (Connecticut Hemp Manufacturing LLC)

Location (Street Address): 171 South Benham Rd Town: Seymour

Phone: 203 293 5656 Fax: None Email: info@cthemp.net

Mailing Address: 171 South Benham Rd

Town: Seymour State: CT Zip: 06483

Property Owner: EDUARDO DUKER

Owner's Address: 171 South Benham Rd

Town: Seymour State: CT Zip: 06483

Applicant: Kim Duker

Check One: (Required) Individual Corporation LLC Club/Other

Applicant Address: 171 South Benham Rd Town: Seymour

State: CT Zip: 06483 Phone: 203 293 5656

Type of Establishment: Farm Market Seating Capacity: _____

If Market or Bakery, Sq. Feet of Food Area: 200

Sewage Disposal: Septic System Public Sewer
Water Supply: Private Well Public Water

IF APPLICANT IS A CORPORATION, LLC, PARTNERSHIP ETC. LIST OFFICERS BELOW:

NAME (S)	ADDRESS	PHONE
<u>Kim Duker</u>	<u>171 S. Benham Rd Seymour CT 06483</u>	<u>203-293-5656</u>

COPY

SIGNATURE OF OWNER/APPLICANT: [Signature] DATE: 9/30/22

BY MAKING APPLICATION I AGREE TO ALLOW ACCESS TO MY ESTABLISHMENT BY NVHD PERSONNEL FOR INSPECTION PURPOSES

LICENSE IS NOT TRANSFERABLE BETWEEN PERSONS OR PLACES
LICENSE FEES ARE NON-REFUNDABLE

THE SIGNATURES OF THE TOWN OFFICIALS MUST BE OBTAINED BEFORE A LICENSE CAN BE ISSUED.

BUILDING OFFICIAL: [Signature] DATE: 10/11/2022

FIRE MARSHALL: _____ DATE: _____

ZONING: [Signature] DATE: 10.11.2022

WPCA: _____ DATE: _____

CLASS 2, 3 & 4 ESTABLISHMENTS MUST HAVE A QUALIFIED FOOD OPERATOR /CERTIFIED FOOD PROTECTION MANAGER ON STAFF BEFORE A LICENSE WILL BE ISSUED.

Testing Organization: Farm Market Operations (Compliance Review) Expiration Date: _____ Copy Submitted: Y N
Office Use Only
License Class: _____ License Fee: _____ Class: 1 2 3 4 Date Paid: _____ Receipt: _____

FoodServiceApplication2020
Public Hearing Continuance EBA
Meeting Date: June 11, 2026
Recording Secretary L. Rajvong

10/18/2022

TOWN OF SEYMOUR
BUILDING DEPARTMENT
Field Inspection Report

40
END

Date 10/18/2022

Location of Property 114 SOUTH BENNING

Owner Edward DUKA

Contractor TOM WARNER

Inspection Order # Taken By 203 516 8141 (TGM)

Building Plumbing Heating Electrical

Description of Inspection FIND

CIO

PENDING

Approved Disapproved Violation

Analysis REMOVE EFT CARD UNDER RUG
REMOVE TABLE & CHAIRS
FOR ASSEMBLY USE
REMOVE

ACCESSORY BUILDING
SEASONAL FARM RETAIL

R-40 ZONE
5B WOOD CANT
NON SPRINKLER
NO ASSEMBLY

Date 10/18/2022 Inspector [Signature]

White - Building Department File, Canary - Contractor Notice

EX "J"

Farm Market Operations (Compliance Review)



Naugatuck Valley Health District

98 Bank Street Seymour, CT 06483

T: 203-881-3255 F: 203-881-3259 W: www.nvhd.org

Ansonia Beacon Falls Derby Naugatuck Seymour Shelton

Public Health
Prevent. Promote. Protect

August 26, 2024

CERTIFIED MAIL 70201290000208834828

Kim Dulka Warner
Red Clover Farm
174 South Benham Road
Seymour, CT 06483

Dear Mrs. Dulka Warner:

On July 10, 2024 and August 13, 2024, it was found that your establishment has been promoting and selling tickets for farm to table dinners at your establishment. The food items being prepared and offered are beyond what was previously approved by this District. In addition, your establishment does not have an approved kitchen equipped for the food items that are described on the menu. In addition your facility does not have a valid Certified Food Protection Manager (formerly known as a Qualified Food Operator) employed in a supervisory position during peak hours of operation. Section 19a-36h-4 of the Public Health Code of the State of Connecticut and Section 2-102.12 of the Food & Drug Administration requires food service establishments classified as a 2, 3 or 4 to employ a valid Certified Food Protection Manager (CFPM). Your establishment is currently class 1.

"Class 1 Food Establishments" means a retail food establishment that does not serve a population that is highly susceptible to food borne illnesses and only offers (A) commercially packaged food in its original commercial package that is time or temperature controlled for safety, or (B) commercially prepackaged, precooked food that is time or temperature controlled for safety and heated, hot held and served in its original commercial package not later than four hours after heating, or (C) food prepared in the establishment that is not time or temperature controlled for safety.

These practices are violations of the Public Health Code of the State of Connecticut, Chapter 368a, U.S. Food & Drug Administration Food Code 2022, and the Food Establishments Code of the Naugatuck Valley Health District and must cease immediately. Should you wish to expand your kitchen you must complete a plan review application, submit plans, and specifications for the construction of the kitchen to this office for review and approval before construction. Failure to comply as directed will result in legal action to suspend or revoke your food service license.

EX "K"

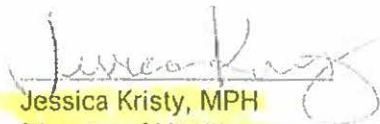
Cease/Resist Actions (Exhibits k,h)

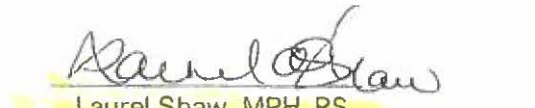
AUTHORITY: Connecticut General Statutes Sections 19a-206, 19a-207, 19a-244
Naugatuck Valley Health District Food Code Section 7, 9
PENALTY: Connecticut General Statutes Sections 19a36, 19a-206, 19a-230
Naugatuck Valley Health District Food Code Section 11

An appeal of this order may be made in accordance with the provisions of Section 19a-229 of the Connecticut General Statutes (enclosed).

Please contact the Health District with any questions you might have concerning this matter at (203) 881-3255.

Sincerely,


Jessica Kristy, MPH
Director of Health


Laurel Shaw, MPH, RS
Chief Environmental Health Specialist

Enclosure: Appeal

CC: First Selectwoman AnnMarie Drugonis
Rosalie Averill, BOD
Marietta Sabetta, BOD

Ex. "k"
Cease/Desist Actions (Exhibits k, L)





May 13, 2026

To:
Red Clover Farms
Kim Dulka
174 S Benham Rd
Seymour, CT 06483

Building:
Red Clover Farms

**CONNECTICUT STATE FIRE SAFETY CODES
ABATEMENT ORDER OF FIRE/LIFE SAFETY HAZARDS**

On 05/06/2026 an inspection was conducted of the premises located above for the purposes of determining compliance with the Connecticut State Fire Safety Code and the applicable referenced standards, adopted pursuant to Connecticut General Statutes #29-292 and #29-293. The Code and said standards are available for your inspection at this office.

The violations of the code found on the date of inspection are listed on the attached inspection report.

You are hereby ordered to take the proper corrective action to remove or remedy all listed violations within thirty (30) days from the day that this notice is received, unless otherwise noted on the attached inspection report.

If you believe that compliance with the Code will impose an unreasonable hardship, and that alternative methods of achieving an equivalent level of life safety could be attained, you may request, in writing, a modification of the requirements of said Code as outlined in Connecticut General Statutes # 29-296. If you believe compliance will take more time than that specified, you may request an extension of time prior to the expiration of the thirty (30) day period, unless otherwise noted on the attached inspection report. Sample forms for application for modification and extension of time for compliance are available from this office. In addition you have the right to appeal this order pursuant to Connecticut General Statutes #29-309 for a period of not more than thirty (30) days from receipt.

Plans/specifications for work to be done shall be submitted to this office prior to the commencement of any construction. This review of all plans/specifications would avoid unnecessary expense that could result from non-complying changes.

Please note that the correction of certain violations may require proper permits and approval from the building official and other local agencies prior to any construction

This is the only order you will receive. This office will conduct a reinspection of the premises to determine compliance with this order after the expiration of the thirty-days (30) or the time period noted on the inspection report. Your failure to comply with this order within the time period specified as determined by said re-inspection constitutes your failure to comply with the Connecticut Fire Safety Code which may subject you to criminal prosecution as prescribed by Connecticut General Statutes #29-306 with penalties of a fine not less than two hundred dollars (\$200) nor more than one thousand dollars (\$1,000) or imprisoned for up to six months, or both, as prescribed in Connecticut General Statute Non-compliance may also result in a civil proceeding against you as authorized in Connecticut General Statutes #29-306.

This Office is looking forward to working with you in the interest of fire and life safety for the community and awaits your timely response regarding the matter.

Sincerely,

FM Timothy Willis

CEASE RESIST ACTIONS (EXHIBIT 1, 2)

EXHIBIT



Seymour Fire Marshal's Office
20 Pine Street
Seymour, CT 06483
Telephone: 203-881-5010

Inspection Report

May 13, 2026

Contact:
 Kim Dulka
 174 S Benham Rd
 Seymour, CT 06483

Violations	Recheck	Repaired Date
FIRE EXTINGUISHERS		
<p>1 The fire extinguisher found on the ground shall be mounted on the wall with the top no more than 48" off the ground.</p> <p>Codeset: CFPC2022-Connecticut Fire Prevention Code 2022 Violation: 13.6.3.1.3.10.3 Fire Protection Systems/ NFPA 655, Standard for Prevention of Sulfur Fires and Explosions/Installation of Portable Fire Extinguishers</p> <p>Fire extinguishers mounted in cabinets or wall recesses shall be placed so that the fire extinguisher's operating instructions face outward. [10:6.1.3.10.3]</p>	06/05/2026	
MEANS OF EGRESS		
<p>2 Stove is currently protruding into the clear width of the means of egress at the front door.</p> <p>Codeset: CFSC2022-Connecticut Fire Safety Code 2022 Violation: 7.1.10.1* Means of Egress/General/Means of Egress Reliability/Maintenance</p> <p>Means of egress shall be continuously maintained free of all obstructions or impediments to full instant use in the case of fire or other emergency.</p>	06/05/2026	

Inspected by:

Timothy Willis

Printed at 5/13/2026 1:20:06 PM

EX-1



Secretary of the State of Connecticut Certificate of Organization

Domestic Limited Liability Company

Created "LCC" on day of ZBA Hearing

Filing Details

Filing Number: 0014149698

Filed On: 5/7/2026 11:11:06 AM

Primary Details

Name of Limited Liability Company: RED CLOVER FARMS LLC
Business A/EI: US-CT.BER: 3439039
Business Email Address: info@redcloverfarms.org
NAICS Information: Fruit and Vegetable Retailers (445230)

Business Location Prefix "11" Agriculture "44" Retail Trade

Principal Office Address: 174 S Benham Rd, Seymour, CT, 06483-2250, United States
Mailing Address: 174 S Benham Rd, Seymour, CT, 06483-2250, United States

Appointment of Registered Agent

Type: Individual
Agent's Name: KIMBERLY WARNER
Business Address: 174 S Benham Rd, Seymour, CT, 06483-2250, United States
Residence Address: 174 S Benham Rd, Seymour, CT, 06483-2250, United States
Mailing Address: 174 S Benham Rd, Seymour, CT, 06483-2250, United States

Agent Appointment Acceptance

Agent Signature: KIMBERLY WARNER
This signature has been executed electronically

Manager or Member Information

Name	Title	Business Address	Residence Address
KIMBERLY WARNER	Managing Member	174 S Benham Rd, Seymour, CT, 06483-2250, United States	174 S Benham Rd, Seymour, CT, 06483-2250, United States

Filing Number: 0014149698

Filed On: 5/7/2026 11:11:06 AM

Page 1 of 2

EX "M"



Secretary of the State of Connecticut
 Certificate of Organization
 Domestic Limited Liability Company

Acknowledgement

I hereby certify and state under penalties of false statement that all the information set forth on this document is true

I hereby electronically sign this document on behalf of

Name of Organizer: KIMBERLY WARNER

Filer Name: elizabeth schick
 Filer Signature: elizabeth schick
 Execution Date: 05/07/2026
This signature has been executed electronically

EX "M"

Filing Number 0014149698

Filed On 5/7/2026 11:11:06 AM

Page 2 of 2

Public Comment
Record
Comment
6.11.2026

Public Statement to the Zoning Board of Appeals

Hearing Date: June 11, 2026

Speaker: Joshua Warren

“Good evening, members of the Board. My name is Joshua Warren. I am a resident of Monroe and Sandy Hook, and I am speaking tonight as a formal advocate for Kimberly Warner and the historic, 111-year-old Red Clover Farms here in Seymour.

I am here to place on the official record that these enforcement proceedings have crossed the line from a localized land-use dispute into a severe, actionable violation of federal civil rights under 42 U.S.C. § 1983—Deprivation of Rights Under Color of Law.

Let us address the severe overstepping of boundaries, misgivings, and misjudgments this zoning administration has committed. This entire enforcement action stems from a targeted complaint filed by a neighbor who happens to be a sitting member of the Board of Selectpersons, a sitting member of the Town’s Ethics Commission, and a licensed attorney: Al Bruno.

For 10 years, Mr. Bruno has engaged in a documented campaign against Kim Warner and this farm. He has repeatedly called law enforcement and animal control to 174 South Benham Road. Every single time, the police sided with Kim, confirming she was doing absolutely nothing wrong and operating entirely within her rights.

The Severe Human Cost and Predatory Behavior

We need to be entirely honest about the severe human toll and the predatory nature of this harassment. Kim has felt completely stalked, targeted, and terrorized in her own home, including instances where Mr. Bruno has explicitly videotaped her directly from his bedroom window.

The immense stress of this continuous, predatory surveillance and the real, terrifying threat of losing her home and century-old business has taken a catastrophic physical toll on the entire family—recently sending Kim’s mother to the hospital with a severe medical emergency.

Connecticut’s Right to Farm laws were enacted by the state legislature for the precise purpose of stopping predators from doing exactly what is being done here: moving in next to an established agricultural operation and using continuous harassment, surveillance, and intimidation to destroy a family’s livelihood and steal their peace.

Al Bruno’s Personal Legal and Ethical Violations

By weaponizing municipal enforcement machinery after failing to shut the farm down through local police, Mr. Bruno has incurred severe personal liability and committed profound ethical violations:

- **Violation of 42 U.S.C. § 1983:** As a public official acting under ‘color of law,’ using government apparatus to advance a personal vendetta to destroy a private business is a federal civil rights violation.
- **Breach of Public Ethics:** As a sitting member of the Ethics Commission, using public office to exert undue influence over local enforcement to target a neighbor violates the fundamental oath of municipal neutrality.
- **Violations of Professional Legal Ethics:** As a licensed attorney in the State of Connecticut, Mr. Bruno is bound by the Rules of Professional Conduct. He took a formal attorney’s oath during his swearing-in ceremony and is legally bound by his state’s rules. He knows better than anyone that sending a letter to the town zoning board to instigate a Cease and Desist is a clear violation of Rule 3.1 (Meritorious Claims and Contentions), which strictly prohibits lawyers from bringing frivolous claims or groundless actions just to harass an individual. Furthermore, Rule 8.4 (Misconduct) states that it is professional misconduct for a lawyer to engage in dishonesty, fraud, deceit, or misrepresentation. Coaxing the local town board by sending a letter directly from his position as a Selectman, without formally naming himself as a Selectman in the complaint, is a deceptive conflict of interest. This is the instigation of a vexatious, illegitimate, and baseless claim. He is personally exposing himself to formal disciplinary complaints before the Statewide Grievance Committee.

Local Zoning Overreach and State Preemption

By entertaining this weaponized complaint, this board is exposing the Town of Seymour to massive federal damages. Local zoning has fundamentally overstepped its boundary by completely disregarding explicit Connecticut General Statutes that strip this municipality of jurisdiction.

First, Connecticut General Statute § 19a-341 (The Right to Farm Law) explicitly mandates that no agricultural operation shall be deemed a nuisance due to local residential zoning complaints or any changed conditions in the locality. State law explicitly shields Kim from neighbors who move in next to a century-old farm and complain about farm activities, agritourism, or community events.

Second, Connecticut General Statute § 1-1(q) provides a holistic definition of ‘agriculture’ that covers all practices incident to farming—including farm stores, agritourism, workshops, and music events—completely preempting local zoning restrictions.

The Unabridged Public Record of the Last Meeting

Most critically, the procedural violations committed at last month’s meeting solidify our federal Section 1983 claim. On that public record, the Chairman committed a direct violation of my First Amendment rights by actively suppressing and silencing my testimony to shield his political colleague.

Let the record show the exact, unabridged quote of the Chairman's intervention:

"Before we continue, it's a very important subject thought, can we please refrain from umm bringing up what 'the man' the gentleman did to umm this is this umm let's focus on what we're going to do in the future, what your opinion of what you guys wanna see but let's not continue to bash the gentleman who served for many years on boards as a volunteer and has done, many things..."

When an audience member interrupted to ask, "So you want to continue to lift him up?" the Chairman responded, "I'm not lifting anyone up." And when the audience vocally agreed that he was indeed lifting him up, the Chairman stated, "I'm not lifting him up, if we could just go with, you know, umm your focus points are on then."

A chair cannot censor a citizen's speech or police public comment to protect an attorney and Ethics official's reputation.

Furthermore, immediately following that intervention, the town lawyer, Vincent Marino, stepped in to clarify the structural legal reality. Let the record show his full, unabridged statement:

"Mister chairman, I just like to chime in as well, just a note for the record and for the speakers uhh, attention this or the planning commission does not have the ability or the authority the scope of authority to overturn, or modify or take any action relative to what's in the ZBA's court right now, so in terms of that umm, that decision that they have to make with respect to the umm, the violations, that were alleged, that's a ZBA that has to make the decision, the P&Z can do nothing about that. However, what the P&Z can do is consider a change proposed to the regulations that that our first selectman has talked about, that is within their control but absolutely no authority with respect to that pending allegation, at ZBA that will be considered at their next meeting."

Call for Police Inquiry into Criminal Harassment

Beyond the clear-cut zoning overreach and the civil rights issues at play tonight, we must address the nature of the complaints themselves. The sheer frequency, duration, and systematic pattern of these groundless complaints point directly to a broader pattern of localized misconduct.

The public record shows dozens of calls placed to local emergency and animal control services over a span of years, resulting in a stack of police incident reports that repeatedly clear Red Clover Farms of any wrongdoing. When an individual continuously weaponizes municipal services, logs entries for every ambient noise, and utilizes their position to target a private residence, it shifts from a regular neighborly grievance into actionable, targeted harassment.

The local police department and relevant authorities should be actively looking into these logs. The town cannot allow its public safety resources to be drained, nor can it allow local zoning machinery to act as an enforcement wing for what bears all the hallmarks of civil and criminal harassment violations right here in our town.

Final Demand for Dismissal and Accountability

By the town lawyer's own full admission, the buck stops entirely with you, the members of this Zoning Board of Appeals tonight. You must follow the Right to Farm laws that Connecticut General Statutes have already firmly set up. Title 19a governs nuisances, and this board lacks the jurisdiction to bypass it.

The Cease and Desist issued against Red Clover Farms must be vacated, withdrawn, and dismissed immediately. Because you all personally can be held liable under federal law, you must not and cannot hide behind another commission's rules, nor can you shield an influential town official from public accountability.

Furthermore, I believe that anyone on these boards who has committed these blatant ethics violations or participated in this malicious conspiracy should immediately step down from their positions because of this gross, toxic overreach and the immense physical and emotional pain it has unnecessarily caused this family.

If you vote tonight to uphold an enforcement action that is explicitly preempted by state law, driven by an attorney and Ethics official's personal grudge, you are actively supporting unlawful harassment. By maintaining this action through the suppression of the free speech of citizens, you are willfully operating under color of law to deprive a business owner of due process.

I demand that this board immediately dismiss this enforcement action, recognize the absolute state protections afforded to Kimberly Warner and Red Clover Farms under § 19a-341, and cease exposing this town and its officials to catastrophic federal civil rights liability.

Thank you."

Joshua Warren

Resident (Monroe / Sandy Hook)

Advocate for Kimberly Warner & Red Clover Farms