



# *Town of Colchester, Connecticut*

127 Norwich Avenue, Colchester, Connecticut 06415

Website: [www.colchesterct.gov](http://www.colchesterct.gov)

**COLCHESTER  
ZONING BOARD OF APPEALS  
MEETING MINUTES  
TUESDAY, DECEMBER 15, 2020  
ZOOM Meeting @ 7:00 pm**

RECEIVED  
COLCHESTER, CT  
2020 DEC 22 PM 2:22  
Arlene Fiumara  
SARILE FUMARA  
TOWN CLERK

**MEMBERS PRESENT:** Chairman Laurie Robinson, Patrick Reading, Michael Solis, Bob Setschinsky and Jason Radachy, Staff: Matthew Bordeaux, Planning Director, Daphne Schaub, Assistant Planner/Zoning Enforcement Officer; Kamey Cavanaugh, Clerk. Applicant.

**1. CALL MEETING TO ORDER**

Chair Robinson called this meeting to order at 7:22PM

**2. LEGAL NOTICE M. Bordeaux read the legal notice into the record.**

**3. APPLICATIONS/PUBLIC HEARINGS**

- A. Jay R. Einhorn - Bulkeley Hill Road – Appeal of Enforcement Order (2020-03) –  
To appeal the decision of the Zoning Enforcement Order regarding the conduct of  
an unpermitted commercial activity on Bulkeley Hill Road (Map 03-11, Lot 043),  
Rural Use District. –**

Chair Robinson noted voting members for this hearing are Patrick Reading, Michael Solis, Bob Setschinsky and Jason Radachy Patrick. Chairman Laurie Robinson will recuse herself from this application, as she is an acquaintance of the applicant and Vice Chairman Reading will lead the meeting.

Vice Chair Reading asked if any other voting members present had any conflicts with the application before them; hearing none, Vice Chair Reading asked the applicant, Mr. Einhorn if he had any concerns with the voting members hearing the application; Mr. Einhorn stated he did not.

Mr. Bordeaux reviewed the application materials and documents prepared for the Board's review. Mr. Bordeaux described the timeline of events, beginning with the complaint from a neighbor, a series of inspections, the request for voluntary compliance, issuance of a Notice of Violation Letter and ultimately the issuance of a Cease and Desist letter. Mr. Bordeaux read the items received into the record and reported to the members of the commission the application before them. Mr. Bordeaux reported to the agency the following information: The property owner, Mr. Jay R. Einhorn, requests the Zoning Board of Appeals consider the appeal of an enforcement order for a violation of the Town of Colchester Land Development Regulations. The enforcement order was issued in response to a

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complaint from a neighbor that unpermitted commercial activity, including the storage of commercial equipment available for rent, was being conducted on the property.

The subject property, located in the Rural Use District (see Section 3 of the Regulations), is identified by Assessor's Map 03-11 / Lot 043. A location map is attached. The parcel is approximately 6.13 acres in area. The parcel is partly wooded, partly pastoral, and is bisected by a regulated inland wetlands area that runs north/south across the property. The property does not currently include a single-family residential structure and is principally used for agricultural activities, namely, the keeping of farm animals. Several accessory structures are located on the property and used for a variety of purposes, including the shelter of farm animals.

The property is leased to Mr. Vito Lazarte, to whom the agricultural activities and the various pieces of equipment/machinery belong and are operated by.

### **Complaint Registered**

In the Spring 2020, a complaint regarding the storage of commercial equipment, as well as a variety of vehicles, was brought to the attention of Town staff. A series of observations were made in order to ascertain the nature of the equipment and whether there was any corresponding commercial activity being conducted.

A letter was issued to the property owner requesting the voluntary cooperation of the removal of all unregistered vehicles and commercial equipment, citing the list of activities permitted in the zoning district, and informing the property owner and occupant that any activities not expressly permitted in the district, were prohibited. A generous time table for the removal of said equipment and vehicles was provided in light of the pandemic. Mr. Lazarte had multiple semi-trailer truckloads of equipment and materials removed from the site.

However, additional equipment remained on the site and it wasn't until October that evidence of an active commercial equipment rental operation was discovered. This evidence was provided by a neighbor and it includes a Facebook account advertising commercial equipment rentals and services. This account also provided pictures of the equipment and structures on the site, the tenant on the site and pictures of the tenant's home in East Haddam. (Attached)

### **Cease and Desist Order**

The Zoning Enforcement Officer issued a Cease and Desist Order on November 3, 2020. Upon receipt, the property owner stated his intent to prepare an application to appeal the order. The application was received November 16, 2020.

In a letter attached to the application form, the property owner contests that there is no commercial activity being conducted from the subject property and that no equipment is being advertised for rent from the property. He further states that the few pieces of equipment located on the property are, and will continue to be, utilized when necessary to assist with agricultural activities permissible on site.

The Zoning Board of Appeals is being asked to determine whether or not the Zoning Enforcement Officer's order to remove the pieces of equipment identified in the Cease and Desist letter dated November 3, 2020, shall remain in effect, or be overturned.

Vice Chairman Reading ask if Mr. Einhorn would provide a statement for the board. Mr. Einhorn read the following statement into the record. SEE ATTACHED.

Chairman Reading asked if any members of the board had any questions for Mr. Einhorn. Hearing none;

Daphne Schaub stated the 143 Bulkeley Hill Road is assigned by the Assessor's Office. The map and lot number were also in the communications that would more closely identify the lot. Mr. Einhorn was concerned with the time frame, spring vs. summer; the complaints began in that time frame and may have been early summer. Ms. Delson contacting the website came from complaints that were also being received by the First Selectman's office of commercial activity. The Facebook and website pages were brought to the attention of the zoning office and therefore lead to a further investigation of commercial activity taking place on the site. Mrs. Schaub was at the site today and took some photographs. Mr. Radachy asked if there was any evidence besides the generator, light tower, or man lift that were on the site. Mrs. Schaub stated there were two generators that include light towers, a man lift, and a heating devise, along with numerous farm animals being housed at the site.

Jason Radachy asked if Mr. Lasarta was aware of what the Company, QCER is?

Mr. Lasarta, 60 Ackley Cemetery Road, East Haddam, the tenant of the property located at 143 Bulkeley Hill Road, stated he is aware of what the company is. It was the intention at the beginning of the pandemic to start a construction company. The intent was to park the construction equipment at the site, however, following the complaint that was received and advised to stop, and at that time the work storage of commercial equipment at this property stopped. Mr. Radachy asked if Mr. Lasarta is currently running a commercial rental business and Mr. Lasarta respond no and currently not operating any commercial business at 143 Bulkeley Hill Road. Mr. Radachy asked town staff what the current order is against. Mrs. Schaub stated the complaints from abutters continued to come into the office stating commercial equipment was being brought in and taken out on a regular basis. Mrs. Schaub also noted for the record that at the time of the first complaint and visit to the property there was not a single livestock animal on site. Shortly thereafter the chickens arrived and then the other animals followed and it does appear of an agriculture use is currently taking place at the site.

Vice Chair Reading asked Mr. Lasarta if equipment was moved to the property with the intention to start a construction company. Mr. Lasarta stated not at the beginning. Originally it was being moved there for storage, then after COVID, it was then the intention to begin a company and the equipment was being advertised for rent. Once the warning was received from the Town, the business halted. Mr. Reading asked Mr. Lasarta if prior to starting any activity, if he made himself aware of the current zoning regulations in the town of Colchester. Mr. Lasarta stated he had met with the Town Clerks office, registered the name and paid the fee. After that, Mr. Lasarta assumed he was all set.

Jason Radachy asked if there was any evidence of commercial activity commencing from the date of the October 19<sup>th</sup> through today. Ms. Schaub stated she continues to receive complaints from abutters of activity taking place on the property, therefore should hear from the neighbors to present their evidence.

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Mr. Wyatt, 14 Beech Place read the following letter into the record. SEE ATTACHED

In addition, Mr. Wyatt spoke of the storage of commercial equipment, stating this property is not the Colchester self-storage facility. What is taking place is a landlord / tenant situation, in which neither of them reside at the property, leaving the neighbors to see the equipment day after day.

Mr. Radachy asked if Mr. Wyatt could identify any specific commercial activity after the October 9<sup>th</sup> date. Mr. Wyatt stated all he can comment to is a large generator that was removed from the property during the week of December 1<sup>st</sup>. Mr. Radachy asked if it has returned and Mr. Wyatt stated not that he is aware of. Mr. Lasarta stated the generator was brought to his personal residence and it will not be returning Bulkeley Hill.

Mr. Bowen, 157 Bulkeley Hill Road read the following letter into the record. SEE ATTACHED

Mr. Radachy asked Mr. Bowen if he has any evidence of specific commercial activity occurring after October 19<sup>th</sup>. Mr. Bowen stated he cannot provide exact dates but yes.

Vice Chairman Reading asked if the applicant would like to respond to Mr. Bowens comments. Mr. Einhorn stated he visited the website when he was made aware of the site. Mr. Einhorn also stated it has taken time but Mr. Lasarta worked very hard at getting the site cleaned up.

Daphne Schaub compared photographs from the first site visit to the property and the photographs that were taken prior to the meeting tonight. The photographs taken at the site tonight were reviewed.

Mrs. Bowen, 157 Buckeley Hill Road, stated she is working from home since March and continues to listen to the noise from the construction equipment on the property.

Mr. Paul Zielinski, 163 Bulkeley Hill Road, asked for clarification, as of what date the board was asking about continued activity at the property? Mr. Radachy stated it was the 14<sup>th</sup> of October. Mr. Zielinski stated they were operating up to October 10<sup>th</sup> from his documentation.

Vice Chair Reading asked Mr. Lasarta what agricultural activates are you personally performing on site currently. Mr. Lasarta responded cattle and chickens, and learning as it goes. Mr. Reading stated there was mention of Mr. Lasarta being involved in a number of commercial activities or have previously been, can you speak briefly in regards to those and if they have any relevance to this site? Mr. Lasarta stated he did attempt to start a rental business and stopped this activity as soon as he was advised to stop. Mr. Reading asked if there are any supplies from previous operations on the site that are not currently being used for agricultural purposes. Mr. Lasarta stated there are a couple pieces of trusses, that hasn't moved, all of the other equipment on site is used for the agricultural purposes. Mr. Solis asked staff if a member of the board were to walk onto the site what would be found. Mrs. Schaub answered a farm. Mr. Radachy asked staff if it was recalled what construction machinery was on the site that is mentioned in the cease and desist order. Mrs. Schaub stated, from a drive by inspection, it was noted the 60' genie and 2 generators. Mr. Wyatt questioned the need for a 60' boon lift where farming activity is taking place.

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***Bob Setschinsky moved, and Jason Radachy 2<sup>nd</sup>, to close the Public Hearing portion of Jay R. Einhorn - Bulkeley Hill Road – Appeal of Enforcement Order (2020-03) – To appeal the decision of the Zoning Enforcement Order regarding the conduct of an unpermitted commercial activity on Bulkeley Hill Road (Map 03-11, Lot 043), Rural Use District. Motion carried unanimously.***

Jason Radachy stated as of October 14<sup>th</sup>, Colchester advised Mr. Einhorn to cease the commercial activity at 143 Bulkeley Hill Road. Mr. Radachy stated all that has been presented at this hearing seems to be accordance that the commercial activity has ceased. The photographs are prior to 10/14 and the website has been shut down. Mr. Radachy stated in regards to the few pieces of equipment, he is satisfied with the explanation of use for these items. Mr. Reading stated they are being asked to confirm the information presented is sufficient to uphold the cease and desist being issued to begin with, and in his opinion, there was a lot of activity taking place and sufficient concern of commercial activity to issue the order in the first place. Mr. Reading asked if the board approves the appeal, and invalidate the cease and desist order, is the town then have the opportunity to verify that continuing a commercial activity as ceased; or is the cease and desist order upheld by which we can verify that there isn't any commercial activity and will not continue. Mr. Radachy stated upholding this appeal does not preclude the town from upholding its regulations. Mr. Reading asked staff if the town can lift the cease and desist order if it is to the town's satisfaction that they have ceased commercial activity. Mrs. Schaub stated this order has become so contentious that it is now to the point of needing the board to determine whether this is a farming activity or a commercial activity and in addition, if commercial activities continue, staff will be notified and enforcement activities will begin again. Mr. Bordeaux also agrees with the board rendering a decision since there is an application for appeal. Mr. Radachy understands the distinction made between commercial equipment and agricultural equipment, however, the concern is with allowing the current cease and desist order stand due to the phrase 'remove all commercial equipment', there was testimony during the public hearing as to what that commercial equipment was, and with that testimony on the record there is concern that the required corrective action stating removal of all commercial equipment, could be interpretive as requiring the removal of those pieces of equipment that remain for the agricultural use. Mr. Reading asked staff if the cease and desist order remains in place, what are the next steps that would need to happen. Mrs. Schaub stated they would need to remove the equipment on site, or the town could end up in court.

***Jason Radachy moved and Michael Solis 2<sup>nd</sup>, to DENY the APPEAL OF THE CEASE AND DESIST ORDER ISSUED ON NOVEMBER 3, 2020, ZBA AND MODIFY AND UPHOLD THE CEASE AND DESIST ORDER 20-4ZBA for the property located at 143 Bulkeley Hill Road. The Cease and Desist Order has been modified to permit equipment to remain on the property for use in the permitted Agricultural Activities present on the site. Motion carried unanimously.***

Vice Chairman Reading handing the seat back to Chairman Robinson.

#### **4. MINUTES OF PREVIOUS MEETING - Minutes for October 20, 2020**

***M. Solis moved, P. Reading second to table the approval of the minutes of October 20, 2020 to the next regular scheduled meeting. Motion carried unanimously***

#### **5. OLD BUSINESS None**

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**6. NEW BUSINESS**

**A. Election of Officers**

*Patrick Reading moved to open the nomination for election of officers for 2021. Motion was 2<sup>nd</sup> by Bob Setschinsky. Motion carried unanimously.*

*Patrick Reading moved to nominate Laurie Robinson as Chairman. Motion was 2<sup>nd</sup> by Michael Solis. Motion carried unanimously.*

*Jason Radachy moved to close nominations for Chairman. Motion was 2<sup>nd</sup> by Michael Solis. Motion carried unanimously.*

*Michael Solis moved to nominate Patrick Reading as Vice Chairman. Motion was 2<sup>nd</sup> by Jason Radachy. Motion carried unanimously.*

*Jason Radachy moved to close nominations for Vice Chairman. Motion was 2<sup>nd</sup> by Laurie Robinson. Motion carried unanimously.*

*Jason Radachy moved to approve Laurie Robinson as the Chairman and Patrick Reading as Vice Chairman. Motion was 2<sup>nd</sup> by Michael Solis. Motion carried unanimously.*

**B. 2021 Calendar**

*Patrick Reading moved to approve the 2021 Meeting Calendar. Motion was 2<sup>nd</sup> by Bob Setschinsky. Motion carried unanimously.*

**7. CORRESPONDENCE None**

**8. ADJOURNMENT**

*P. Reading made a motion and J. Radachy seconded to adjourn the December 15, 2020 Zoning Board of Appeals meeting at 10:13p.m. The motion carried unanimously.*

Respectfully Submitted,

*Kamey Cavanaugh*, Clerk

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## MR EINHORN LETTER FOR THE RECORD.

I would like to thank you for the opportunity to appeal the decision of the Zoning Enforcement Officer regarding the cease-and-desist order issued November 3, 2020.

All direct correspondence to me has referenced the address of 143 Bulkeley Hill Road, Colchester, CT. This address does not exist as there is no home or building permit for a residence at this address.

Also, the cease-and-desist order refers to my wife as Mr. Bryan D. Einhorn. Her actual name is Mrs. Bryan D. Einhorn. Based on Mr. Bordeaux's memo to the Zoning Board of Appeals, a complaint was registered to town staff in the spring of 2020. A lease was written on June 29, 2020 to take effect on July 1, 2020 for a period of one year. This suggests there were complaints made prior to the lease agreement. This goes to show the harassment I and my tenant have been receiving, including a phone call to my wife stating that the caller did not want to look at any equipment on my property. The cease-and-desist order stems from a complaint made by Mr. Paul Zielinski of 163 Bulkeley Hill Road stating there was equipment for rent on a website, of which I was not aware. The website has since been taken down. The equipment on said website was the same equipment shown in Ms. Schaub's letter of September 24, 2020. Mr. Zielinski apparently asked for a quote from the Facebook website and received a response from Mr. Enrique (Keke) Galdos, who operates a business in New London, CT. nowhere in that chain of e-mails is my tenant's name mentioned. The response from Mr. Galdos (email in your packet) has no name or address to determine where the email was going. I find this curious.

There was also a request suggested by Mr. Zielinski to Ms. Schaub suggesting she has a "town representative or suitable proxy" to request a quote. Pursuant to that suggestion, a request was made by Sylvia Delson, who happens to be the spouse of Mary Bylone, our First Selectman. Sylvia Delson did ask for a quote on a backhoe in an email dated Oct. 9, 2020, which is also in your packet. There was no backhoe on the property. The model number she referenced was 300e which is the bucket loader on the tractor. The request went unanswered. These facts and the trespass of a person with a camera stating they were a town employee (which they were) but had no official capacity to be on my property leads me to believe this is a form of entrapment! Unfortunately, I now feel that I have been placed in an untenable situation. Mr. Zielinski's suggestion also refers to the property address as 143 Bulkeley Hill Road. Please refer to Ms. Schaub's letter and attachments of September 24, 2020 where the pictures of September 24, 2020 show the items mentioned in the cease-and-desist order and thanking my tenant (Mr. Lazarte) for correcting the violation. The required corrective action in the cease-and-desist orders that the mobile structure be removed from the property along with all commercial equipment. There is NO commercial activity being conducted on this property pursuant to the cease-and-desist order. The so-called commercial equipment consisting of a generator, light tower, and man lift is necessary to conduct the farming operation currently happening on the property. Because of the livestock, a generator and light tower must be available in case of an electrical failure. The animals need food and water to survive. Also, the light tower is necessary in case a cow or horse drops in the field after dark and a veterinarian must be able to see if medical attention is necessary.

The man-lift is currently being used and is needed for current and future branches and limbs of trees that may fall during storms. Just recently a large tree was blown over and a large branch

was hanging in another tree. The structure is being utilized to house leather tack and saddles for the horses as well as feed and grain for the chickens and other animals. The tack room also houses a refrigerator to keep all medications refrigerated if necessary. There is also a table and chairs to allow the tenant to sit down comfortably and eat a relaxing lunch with his family. This structure also keeps the tack and feed safe from any vermin that might be seen in the country, i.e.: mice, squirrels, rabbits, woodchucks, coyotes, Fischer cats, etc. which have all been seen previously when I had horses and chickens on the property.

My tenant is willing to take out a building permit for the structure. The structure along with other necessary Items have already been communicated to the assessor.

The list includes:

- 1 20 foot container office 2002
- 1 John Deere tractor 2019
- 1 Wacker 65 kvw generator 2001
- 1 tractor trailer not sure on year believe 2016
- 1 boom lift s60x 2011
- 1 Terex light tower
- 1 8 foot trailer black 1999
- 1 dodge van 2006 non-working cargo van

Mr. Zielinski has yet to show any factual proof of commercial activity being acted upon after the date of Ms. Schaub's letter of September 24, 2020. Thank you for your attention to this matter and I'm certain that with all the facts presented, you will find it in your power to reverse the decision of the Assistant Planner/Zoning Enforcement Officer. I am forwarding a copy of my comments to the chair to make a part of the permanent record.



## MR WYATT LETTER FOR THE RECORD.

Mr. Wyatt, 14 Beech Place read the following letter into the record.  
My Property borders the parcel at 143 Bulkeley Hill Rd.  
This is what I have to say about the activity at 143 Bulkeley Hill Rd.

At the end of June 2020, a bunch of vehicles and equipment began to appear on this property. The equipment appears to be owned by Q Lights & Sound Productions Inc. from Mineola New York. This company provides Audio sales/rentals, Lighting sales/rentals, Video wall and projection services, Staging, Rigging and scenic services, Labor contracting, Engineering, Generator and Power distribution services, Light board operation programming, and Video wall installations.

Most of the equipment was brought to the corral section of the property on the southeast side. Throughout July and August there was a lot of activity of trucks/equipment/trailers moving in and out of the property. Some of the equipment needed special machinery such as a tractor trailer for the 60 foot high lift, and fork lifts for the Jersey barrier type large cement blocks.

On September 3<sup>rd</sup>, a Violation of Rural use Zoning District had been issued. At that time some of the equipment was removed from the property, and what remained, was moved to the northeast side of the property, which borders my property. Many of the items were hidden behind, and inside structures on the property, and along the woods to remain invisible from the road, as to pacify the zoning department and neighbors.

The violation clearly stated that "no commercial vehicles be stored on this parcel". Minimal compliance did occur, with the removal of some of the equipment.

During the month of September, I was made aware of a website, Q-CER.com (construction equipment rental) listing 144 Bulkeley Hill Rd as the address. After the violation notice was issued on Sept 3<sup>rd</sup>, a large expanding mobile office trailer was brought onto the property, and the address had been removed from the Q-CER website, but in the "get directions" section of the website, potential customers are directed to the Q construction equipment rental "Main Office", at the same, 144 Bulkeley Hill Rd address.

My feeling at this point is... yes, a construction equipment rental business is being conducted on this property. You have the equipment, you have the office trailer, you have the advertising, and you have the activities. Further proof of these activities were obtained and submitted to the zoning department in the form of quotes for the rental of equipment. Even the First Selectman of Colchester, in the October 21<sup>st</sup> planning and zoning commission meeting acknowledges, "Indeed there is a business being operated".

On November 3<sup>rd</sup> a Cease & Desist order was issued. I was informed that the Q-CER.com website had been taken down, but in fact the website remains to this day. It has not been taken down, but it has been made "by invitation only", by way of a password to enter.

In the week of Dec. 1<sup>st</sup> one of the large kilowatt generator trailers has been moved. I assume it has been rented and will return at a later date. A large office trailer would not be necessary to hold hay and tack, if existing buildings were not filled with sound equipment and staging as shown in the attached photos. This parcel has power and water. In the case of a power failure, I can power my home electrical needs, and well, with a 5000 watt generator. 2 kilowatt generator trailers are not a necessity to run a well pump and a few light bulbs to feed and water animals. These generators would sufficiently power a major event such as the 57 fest. The 2 light towers in question would be more suitable to light up an event, for instance, on the town green, or a nighttime road construction project. A 60 foot boom lift is not necessary to maintain a farming operation in which no building on the property exceeds 12-15 feet in height. I see no use for 12-15 cement jersey barriers and a stack of staging, nor a white van with Q light and sound productions marked on the door, to maintain a farm.

It seems to me that the Tennant at this property has gone out of their way to hide, deceive, and continue the business activities being conducted, using agricultural use as an excuse to have this equipment remain. Clearly this equipment and vehicles are linked to the New York business, Q Lights and Sound Productions Inc., and has morphed into Q-CER (construction equipment rental) here on Bulkeley Hill Rd. Additionally this parcel is not the resting place for components of a NY based commercial business.

In my opinion, the activities on this property have shown no regard for the neighbors, the time and energy of the planning & zoning department, or the ordinances and regulations set by the Town of Colchester. I truly believe that if the components of this construction rental business are allowed to remain on the property, covert rental operations will continue with equipment continuing to leave and then return to the property on an ongoing basis.

Thank you for hearing my concerns, Douglas Wyatt

## MR BOWEN LETTER FOR THE RECORD.

My name is John Bowen and I reside at 157 Bulkeley Hill Road for the last twenty years. I am a member and also President of the International Brotherhood of Electrical Workers Local 35 of Hartford, CT for 35 years. I have a vast background in the Construction Industry. In or around June 2020 my neighbor Jay Einhorn and Bryan McMullin rented their agricultural lot at 143 Bulkeley Hill Road to Vito Lazarte. Mr. Lazarte is associated with several businesses based out of New York, including CER Construction rental, 2 roofing and siding business, a landscaping business and Q Productions. My land abuts this agricultural lot and on Jun28th several pieces of construction equipment started appearing on the property. Up to 22 pieces of equipment at once, and I have included in my submittal letter. Also, I included a list to describe the kinds and number of pieces of equipment.

Also, I have enclosed a petition from 38 neighbors how are also opposed to any commercial activity occurring on lot 143. Photos I submitted show Mr. Lararte on a tractor for rental with Mr. Einhorn's house in the background. Also, generators and light stands for rent with my barn in the background. Neighbors got quotes for equipment rental on the same equipment located at lot 143. On September 3, 2020 the Town of Colchester issued the owner a zoning violation of Unpermitted Storage, and of Unregistered Commercial Vehicles. November 3, 2020 the Town of Colchester issues a cease and desist order to stop all illegal activities. As of December 13, 2020, the Mr. Einhorn, Owner or Mr. Lazarte, the Tenant have not complied. At this time there is still an office trailer and other construction related things which have nothing to do with agricultural use. Mr. Lazarate has now listed 144 Bulkeley Hill Road as his place of business on the internet. He has since changed his page requiring a password. But the page still exists.

Mr. Eihnorn and Ms. McMullen only care about their own financial gains and not about the negative impact on our neighborhood. Including high traffic volume and decreased property values to name a couple.

In closing I ask this planning and zoning commission to deny their appeal and make them comply with their Cease and Desist order. Thank you