Bond Case Briefs

Municipal Finance Law Since 1971

ZONING & PLANNING - CONNECTICUT

High Watch Recovery Center, Inc. v. Planning and Zoning Commission of Town of Kent

Supreme Court of Connecticut - May 27, 2025 - A.3d - 352 Conn. 120 - 25 WL 1478736

Operator of residential treatment program for substance use disorders sought review of town planning and zoning commission's denial of operator's application for special permit to build therapeutic greenhouse in connection with its preexisting nonconforming use of property for agricultural therapy.

The Superior Court dismissed. Operator appealed. The Appellate Court reversed and remanded. Commission petitioned for certification to appeal, which was granted.

The Supreme Court held that:

- Substantial evidence supported determination that proposed use of greenhouse would impermissibly expand a nonconforming use;
- Commission's failure to cite impermissible intensification of a seasonal nonconforming use did not preclude affirmance of its decision;
- Preexisting nonconforming use of property for agricultural therapy was not a year-round use; and
- A seasonal limitation on outdoor agricultural therapy program was implicit in scope of preexisting nonconforming use.

Copyright © 2026 Bond Case Briefs | bondcasebriefs.com