

Bond Case Briefs

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ZONING & PLANNING - CONNECTICUT

Lasa Extract, LLC v. Zoning Board of Appeals of Town of Suffield

Supreme Court of Connecticut - August 25, 2026 - A.3d - 355 Conn. 426 - 2026 WL 2435381

Hemp processor and property owner brought action against town zoning board of appeals, challenging the board's decision upholding the zoning enforcement officer's determination that the proposed cultivation and processing of cannabis was not a lawful continuation of the existing nonconforming use permitting hemp processing at the property.

The Superior Court sustained processor's appeal. Board appealed, and the Supreme Court transferred the appeal to itself.

The Supreme Court held that change in state regulatory schemes regarding cannabis was not substantial evidence of a change in the character of the property, and thus cultivation and processing of cannabis was a continuation of the existing lawful nonconforming use.

Mere change in state regulatory schemes regarding cannabis was not substantial evidence of a change in the character of property used for cultivating and processing hemp, and thus, absent any evidence that the proposed cultivation and processing of cannabis or its end product would change the existing property, equipment, process, or effect on the neighborhood, or evidence of opposition from neighboring property owners regarding the proposed change, hemp processor's cultivation and processing of cannabis was within the scope of the existing nonconforming use; singular distinction in the way that processor would use the property to produce hemp versus cannabis was the amount of coconut oil used to dilute the THC concentration in the final product below 0.3 percent.