



# CRAMER & ANDERSON<sup>LLP</sup>

Attorneys at Law

30 Main Street  
Suite 204  
Danbury, CT 06810  
(203) 744-1234  
Fax (203) 730-2500

14 Old Barn Road  
Kent, CT 06757

46 West Street  
Litchfield, CT 06759

51 Main Street  
New Milford, CT 06776

38C Grove Street, 1st Floor  
Ridgefield, CT 06877

6 Bee Brook Road  
Washington Depot, CT 06794

Daniel E. Casagrande, Esq.  
\*Also Admitted in New York  
[dcasagrande@crameranderson.com](mailto:dcasagrande@crameranderson.com)

March 8, 2021

**VIA EMAIL: [aconroy@salisburyct.us](mailto:aconroy@salisburyct.us)**

Michael Klemens, Chairman  
Planning and Zoning Commission  
Town of Salisbury  
Town Hall  
P.O. Box 548  
27 Main Street  
Salisbury, CT 06068

**ORIGINAL**

**Re: Special Permit #2021-0123 for a 12-Unit Multi-family Housing in PKSQ and APA – Salisbury Housing Committee – 11 Holley Street**

Dear Chairman Klemens:

It has come to my attention that the Commission intends to conduct tonight's public hearing via a Zoom webinar platform, and not the Zoom meeting format used in the past. I can attest from our experience this past year that the Zoom meeting format has the power to be an open and effective way to conduct land use hearings in compliance with FOIA requirements, as all participants in the meeting can see each other and the commission members. The Zoom webinar platform, however, places significant limitations on my clients' ability to freely participate in tonight's public hearing.

A Zoom webinar allows only the selected panelists to use the video chat function and will not allow public participants to be seen on the screen during the public hearing. A Zoom meeting, on the other hand, will allow public participants to virtually raise their hands, turn on their camera and mic upon being recognized by the Commission, and verbally share their comments with the entire participants on the Zoom meeting. A Zoom webinar, therefore, does not provide an adequate platform for a public hearing.

Also, a Zoom webinar or a Zoom meeting for a public hearing should not have a virtual waiting room where a designated person, usually the host, has control over the attendees. Disabling the waiting room function for either a Zoom webinar or a Zoom meeting would ensure that all public participants are able to attend the public hearing and that no participants are left out due to a technical error.



CRAMER & ANDERSON <sup>LLP</sup>  
Attorneys at Law

Michael Klemens, Chairman  
Planning and Zoning Commission  
Town of Salisbury  
March 8, 2021  
Page 2 of 2

To the extent that the Zoom webinar format you planned for tonight does not allow such full and open access to all members of the public, my clients object to its use on the grounds that it fails to comply with the open meeting requirements of the FOIA and thus violates my clients' rights to due process and fundamental fairness.

Additionally, I respectfully request the Commission to confirm the following at the beginning of the public hearing: (1) the procedural rules and the format of tonight's hearing (e.g., the time allotted for each speaker) and (2) that there were no private discussions between the Commission and the Applicant regarding these matters before tonight's public hearing.

If the Commission is unable to change the format for participation prior to tonight's public hearing, I respectfully request a continuance so that a public hearing can be held on a virtual meeting format with all participants having knowledge of the rules, in order to provide full due process rights and fundamental fairness to all participants.

Very truly yours,

CRAMER & ANDERSON, LLP

By   
Daniel E. Casagrande, Esq., Partner

DEC/smc