

**MERRITT STATION NORWALK LLC
129 GLOVER AVENUE LLC
135 GLOVER AVENUE LLC
156 GLOVER AVENUE LLC
201 GLOVER AVENUE LLC
1 ELMCROFT ROAD – SUITE 500 • STAMFORD, CT • 06902
PHONE: 203 846-1900 • FAX: 203 846-3530**

September 10, 2020

Mr. Steve Kleppin, Director
Norwalk Planning and Zoning Department
City of Norwalk
125 East Avenue
Norwalk, CT 06851

**Re: #1-20M – Merritt Station Norwalk, et al - 67, 69, 79, 87, 111, 117, 129, 135, 155, 156 and 201 Glover Avenue and 2 Oakwood Avenue, Norwalk, CT
#2-20R – Merritt Station Norwalk, et al - 67, 69, 79, 87, 111, 117, 129, 135, 155, 156 and 201 Glover Avenue and 2 Oakwood Avenue, Norwalk, CT
#2-20SPR – Merritt Station Norwalk, et al - 67, 69, 79, 87, 111, 117, 129, 135, 155, 156 and 201 Glover Avenue and 2 Oakwood Avenue, Norwalk, CT**

Dear Mr. Kleppin:

This letter shall confirm that in accordance with numbered item 19 of Governor Lamont's Executive Order 7I (a copy of which is attached hereto), the time deadlines applicable to the above referenced applications are extended by an additional ninety (90) days. Your applicants acknowledge and agree that the Zoning Commission has the right to allocate such additional ninety (90) day extension as it sees fit including, without limitation, to an extension of the date by which a public hearing on these matters is required to commence.

Thank you for your continued time and attention to this matter.

Yours sincerely,

MERRITT STATION NORWALK LLC
129 GLOVER AVENUE LLC
135 GLOVER AVENUE LLC
156 GLOVER AVENUE LLC
201 GLOVER AVENUE LLC



David Fite Waters
General Counsel

STATE OF CONNECTICUT

BY HIS EXCELLENCY

NED LAMONT

EXECUTIVE ORDER NO. 7I

**PROTECTION OF PUBLIC HEALTH AND SAFETY DURING COVID-19 PANDEMIC
AND RESPONSE – MUNICIPAL OPERATIONS AND AVAILABILITY OF
ASSISTANCE AND HEALTHCARE**

WHEREAS, on March 10, 2020, I issued declarations of public health and civil preparedness emergencies, proclaiming a state of emergency throughout the State of Connecticut as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed spread in Connecticut; and

WHEREAS, my Executive Order No. 7, dated March 12, 2020, among other things, prohibited gatherings of 250 people or more for social and recreational activities, including but not limited to, community, civic, leisure, and sporting events; parades; concerts; festivals; movie screenings; plays or performances; conventions; and similar activities, and suspended various statutes and regulations to protect public health and safety; and

WHEREAS, my Executive Order No. 7A, dated March 13, 2020, authorized the Commissioner of Public Health to restrict entrance into nursing homes and similar facilities to protect people who are most vulnerable to COVID-19; and

WHEREAS, my Executive Order No. 7B, dated March 14, 2020, among other things, modified in-person open meetings requirements, waived certain rules to mitigate the critical shortage of hand sanitizer and personal protective equipment (PPE), maintain and increase the availability of childcare, and provide for increased healthcare resources and facilities; and

WHEREAS, my Executive Order No. 7C, dated March 15, 2020, among other things, cancelled classes in public schools for at least two weeks, provided for closure and remote conduct of business at Department of Motor Vehicle branches, extended deadlines for municipal budget preparations, and suspended or modified laws and regulations governing health care data and visitation at certain health care and congregate care settings; and

WHEREAS, my Executive Order No. 7D, dated March 16, 2020, restricted social and recreational gatherings of all types to fewer than 50 people, closed bars and restaurants to all service except food and non-alcoholic beverage takeout and delivery, closed gyms, fitness centers and movie theaters, and prohibited on-site operations at off-track betting facilities; and

WHEREAS, my Executive Order No. 7E, dated March 17, 2020, among other things, waived the requirement for an 180-day school year, suspended fingerprinting availability to that for critical requirements, extended the duration of various licenses and permits under the authority of the Commissioner of Emergency Services and public protection, and suspended certain requirements for recoupment of overpayment and hearings conducted by the Department of Social Services; and

WHEREAS, my Executive Order No. 7F, dated March 18, 2020, ordered the closure of Large Shopping Malls, the closure of places of public amusement except public parks and open recreation areas, expanded Medicaid telehealth coverage, waived in-person service, hearing, and screening requirements for certain Probate Court proceedings in vulnerable group care settings, and clarified my order cancelling school classes; and

WHEREAS, my Executive Order No. 7G, dated March 19, 2020, ordered the postponement of the presidential primary, suspended non-critical court operations, expanded the availability of telehealth services, and enacted additional public health measures; and

WHEREAS, my Executive Order No. 7H, dated March 20, 2020, limited the workplace operations of non-essential businesses, and on-profit, created a process to designate those that are essential, and provided for consistency across the state in governmental response to the COVID-19 pandemic; and

WHEREAS, COVID-19 is a respiratory disease that spreads easily from person to person and may result in serious illness or death; and

WHEREAS, the World Health Organization has declared the COVID-19 outbreak a pandemic; and

WHEREAS, the risk of severe illness and death from COVID-19 appears to be higher for individuals who are 60 years of age or older and for those who have chronic health conditions; and

WHEREAS, to reduce spread of COVID-19, the United States Centers for Disease Control and Prevention and the Connecticut Department of Public Health recommend implementation of community mitigation strategies to increase containment of the virus and to slow transmission of the virus, including cancellation of gatherings of fifty people or more and social distancing in smaller gatherings; and

WHEREAS, if COVID-10 is transmitted to an elderly person, there is a high risk of serious illness or mortality; and

WHEREAS, to ensure that the pandemic or other emergency does not interfere with the continuity of essential safety net programs, and because the Department of Social Services must be able to ensure ongoing delivery of basic assistance; and

WHEREAS, the state wishes to ensure that children, seniors, persons with disabilities and other low-income individuals can access their prescription medications covered by Medicaid and Medicare and are able to do so without interruption or delay; and

WHEREAS, the HUSKY B program is Connecticut's Children's Health Insurance Program that provides health care coverage to approximately 20,000 low- and moderate-income children and the state wishes to ensure that the pandemic does not interfere with these children's access to medical care, including physician visits and medications; and

WHEREAS, Sections 10-234aa through 10-234dd of the Connecticut General Statutes impose certain requirements that vendors providing certain data and technology services agree in writing to privacy protections for student data; and

WHEREAS, the cancellation of classes has created an urgent need to continue opportunities for students throughout the state, including through the use of technology, but the urgency of such need precludes the ability to draft, review, and approve certain written contracts; and

WHEREAS, the Commissioner of Education has alternative means to assure that student data is afforded privacy protections, including federal student privacy laws, without the use of a written contract; and

WHEREAS, Sections 17a-10a and 17a-16 of the Connecticut General Statutes require the Commissioner of the Department of Children and Families to provide visitation with children in facilities that treat children or youth with psychiatric disabilities and with children in such facilities to protect the health and safety of the children and staff; and

WHEREAS, Sections 17a-76 and 17a-77 of the Connecticut General Statutes require the filing of an application for commitment of a mentally ill child with the Probate Court and a hearing on the application to be held within ten days of the application being filed; and

WHEREAS, Section 20-616 (b) of the Connecticut General Statutes permits a pharmacist to exercise his or her professional judgment in refilling a prescription that is not for a controlled drug, for an up to seventy-two hour supply, without the authorization of the prescribing practitioner, provided (1) the pharmacist is unable to contact such practitioner after reasonable effort, (2) failure to refill the prescription might result in an interruption of a therapeutic regimen or create patient suffering, and (3) the pharmacist informs the patient or representative of the patient at the time of dispensing that the refill is being provided without such authorization and informs the practitioner at the earliest reasonable time that authorization of the practitioner is required for future refills; and

WHEREAS, prescribing practitioners may have limited availability due to COVID-19 to provide a written, oral or electronically transmitted order for the refill of a non-controlled substance within seventy-two hours following a refill issued by pharmacist pursuant to 20-616(b); and

WHEREAS, the Connecticut Business Corporation Act, Sections 33-600 through 33-998, inclusive, of the Connecticut General Statutes (the "Act"), requires corporations incorporated under the laws of the State of Connecticut to hold annual shareholders' meetings at a "place" stated in or fixed in accordance with the bylaws of such corporation or at the corporation's principal office, and precludes the ability to hold such meetings solely by means of remote participation without a place; and

WHEREAS, for the protection of the public health, Connecticut corporations should be granted the option to hold shareholders' meetings solely by remote participation, without requiring any representatives of the corporation or any shareholders to gather in a place; and

WHEREAS, many other states, including the State of Delaware, permit annual shareholders' meetings to be held solely by remote participation without a place; and

WHEREAS, it is in the best interest of the State of Connecticut and the shareholders of Connecticut corporations to have the option to participate in the annual meeting of shareholders solely by remote participation without a place; and

WHEREAS, Sections 10-261a(c), 10-261b, 12-19a, 12-20b, 12-63c, 12-110, 12-111, 12-117, and 12-120, of the Connecticut General Statutes and Section 12-2b-11 of the Regulations of Connecticut State Agencies require municipalities to complete specific duties, including but not limited to Net Grand Lists, Assessor Reports, Board of Assessment Appeals applications and decisions, Grand Lists of Taxable and Tax-Exempt Property, Sales Data Reports, and State Owned, College and Hospital Claim Payment in Lieu of Taxes (PILOT) reimbursement claims that require in-person meetings, application filings, and the filing of reports based on completion of these duties, as well as auditing and review by OPM thereafter, which are likely to be delayed due to closures and staffing shortages arising from the public health and civil preparedness emergency declared to respond to COVID-19; and

WHEREAS, Sections 12-110, 12-111, 12-117 and 12-170aa of the Connecticut General Statutes require the in-person filing of applications that create increased risk of transmission of COVID-19; and

WHEREAS, Section 85 of Public Act 20-1 imposes new reporting requirements, including specific property data for tax exemptions under Subsections 60, 70, 72 and 76 of Section 12-81 by May 1, 2020; and

WHEREAS, Sections 14, 97a, 98, 103, 124, 126, 246, 368k, 440, 444, 446i of the Connecticut General Statutes require persons to participate in the process of various municipal decisions that require in-person, face-to-face interactions, meetings, filings, or service of process between various persons, and such activities are likely to be delayed or compromised due to closures and related staffing or quorum shortages arising from the public health and civil preparedness emergency declared to respond to COVID-19; and

WHEREAS, the in-person contact required for the aforementioned activities create an increased risk of transmission of COVID-19; and

WHEREAS, it is in the public interest to continue municipal functions and decision-making, including budgetary and land use decisions, to the extent feasible without in-person, face-to-face interactions; and

WHEREAS, upon a proclamation that a civil preparedness emergency exists, section 28-9(b) of the Connecticut General Statutes authorizes the modification or suspension in whole or in part by

executive order of any statute or regulation or requirement or part thereof that conflicts with the efficient and expeditious execution of civil preparedness functions or the protection of public health;

NOW, THEREFORE, I, NED LAMONT, Governor of the State of Connecticut, by virtue of the authority vested in me by the Constitution and the laws of the State of Connecticut, do hereby ORDER AND DIRECT:

1. **Suspension of requirements that public assistance eligibility reinvestigations be conducted at least every 12 or 24 months.** Section 17b-104 and any implementing regulations, rules, or policies are modified to provide the Commissioner of Social Services, to the extent permitted by federal law, the discretionary authority to suspend or extend the time frames for establishing eligibility reinvestigations for public assistance programs, and issue any required implementing orders she deems necessary.
2. **Suspension of copayments for full benefit dually eligible Medicare Part D beneficiaries.** Section 17b-265d(c) is modified to eliminate the requirement that full benefit dually eligible beneficiaries are responsible for copayments of up to \$17.00 per month (aggregate for all prescriptions) for their medications covered by Medicare Part D, and authorize the Department of Social Services to cover the copayment amounts in full, after any other insurer has paid, during the public health emergency. The Commissioner of Social Services may issue any implementing order or modification to the requirements of Section 17b-265d(c) that she deems necessary consistent with this order.
3. **Suspension of copayments for HUSKY B clients.** Section 17b-295(a) is suspended to eliminate HUSKY B copayments and authorize the Department of Social Services to reimburse providers for the full reimbursement amount for services subject to the copayment, including the copayment amount. This suspension applies to copayments only and does not apply to other forms of HUSKY B cost sharing; HUSKY B families will continue to be responsible for monthly premiums and co-insurance and allowances for dental services. The Commissioner of Social Services may issue any implementing order or modification to the requirements of Section 17b-295(a) that she deems necessary consistent with this order.
4. **Suspension of limitations on refills of non-maintenance medications for HUSKY beneficiaries.** Section 17-134d of the Connecticut General Statutes and any implementing regulations, rules or policies are modified to authorize the Commissioner of Social Services to reimburse providers for supplies of both maintenance and non-maintenance medications for a period of up to ninety (90) days, regardless of the quantity of the supply, and to issue any necessary implementing order. This modification does not apply to controlled substances.

5. **Flexibility related to the Student Data Privacy Act.** For the duration of the period of school closure or class cancellation pursuant to any Executive Order or order of the Commissioner of Education, unless modified, extended, or terminated by me, or, if applicable, the Commissioner, the provisions of Sections 10-234aa through 10-234dd, inclusive, and any associated regulations, rules, and policies regarding contracts between boards of education and contractors regarding contracting, sharing, or providing access to student information, are modified to authorize the Commissioner of Education to temporarily waive any requirements contained therein as he deems necessary in order to provide quality online educational opportunities to students during the period in which schools classes are canceled due to the COVID-19 pandemic.

6. **Limits on Visitation with Children Placed in the Care and Custody of the Department of Children and Families.** Notwithstanding Section 17a-10a of the Connecticut General Statutes or any other statute, regulation, local rule or ordinance or provision of law, the Commissioner of the Department of Children and Families is authorized to issue any and all orders restricting visitation with children placed in the care and custody of the commissioner pursuant to an order of temporary custody or an order of commitment, that the Commissioner deems necessary to protect the health and welfare of such children and staff.

7. **Limits on Visitors to Facilities That Treat Children or Youth with Psychiatric Disabilities.** Notwithstanding Section 17a-16 of the Connecticut General Statutes or any other statute, regulation, local rule or ordinance or provision of law, the Commissioner of the Department of Children and Families and the head of a facility or institution under the Commissioner's jurisdiction are authorized to issue any and all orders restricting entrance into facilities, as defined in Section 17a-32 of the Connecticut General Statutes, including the Albert J. Solnit Children's Center - South Campus, and the Albert J. Solnit Children's Center - North Campus, that the Commissioner deems necessary to protect the health and welfare of patients, residents and staff.

8. **Waiver of In-person Service, Screening and Hearing Requirements for Facilities that Have Limited Visitor Access to Protect Public Health.** Notwithstanding sections 17a-76 and 17a-77 of the Connecticut General Statutes, (1) any requirement for personal service is waived as it relates to any child or youth currently located in a facility operated by the Department of Children and Families that has restricted visitor access under an emergency order issued by a state agency pursuant to an Executive Order, and service may be made by serving an administrator or the administrator's designee provided that the administrator or administrator's designee shall sign a certification, provided by the process server, that the named child or youth is currently

located in the facility and that the administrator or administrator's designee will personally serve the named party; and (2) any requirement for an in-person meeting, hearing, or screening is waived and meetings, hearings, or screenings may take place by any other method that allows for the participation of the interested parties. For the purposes of this order, "administrator" shall mean the facility director or such other person with administrative oversight of the facility who is on site at the time of service.

9. **Pharmacist Discretion in Refilling Certain Prescriptions for Longer Periods.** Section 20-616(b) of the Connecticut General Statutes are modified to permit a pharmacist to exercise his or her professional judgment in refilling a prescription that is not for a controlled drug, as defined in section 21a-240, for a quantity of drug not to exceed a thirty-day supply based on the same criteria set forth in such section for a refill that was not to exceed a seventy-two hour supply.
10. **Commissioner Authority to Modify Pharmacy Operation Regulations.** Section 20-576-59 of the Regulations of Connecticut State Agencies is modified to permit the Commissioner of the Department of Consumer Protection, rather than the Commission of Pharmacy, to grant a waiver or modification of any regulation pertaining to the operation of a pharmacy utilizing the same criteria that would otherwise be considered by the Commission of Pharmacy.
11. **Suspension of In-Person Shareholder Meeting Requirements.** Section 33-703 of the Connecticut General Statutes is modified to provide a new clause (c), to read in its entirety as follows: “(c) The board of directors may determine that any meeting of shareholders shall not be held at any place and shall instead be held solely by means of remote communication, but only if the corporation implements the measures specified in subsection (b) of this Section 33-703. The board of directors shall make the list of shareholders entitled to vote available for inspection by any shareholder beginning two business days after notice of the meeting is given for which the list was prepared and continuing through the meeting on a reasonably accessible electronic network, provided that the information required to access such list is provided with the notice of the meeting. The corporation may take reasonable steps to ensure that such information is available only to shareholders of the corporation. Any statute, regulation or requirement, or part thereof, or any bylaw of the corporation, inconsistent with this clause (c) shall be inoperative for the effective period of this Section 33-703(c), and any such meeting shall be deemed validly held if notice of the meeting is given during the effective period of this Section 33-703(c).”

12. Extension of Budget Adoption Deadlines - Additional Municipal Bodies.

For purposes of the provisions set forth under Executive Order 7C, paragraph 5, regarding "Extension of Municipal Budget Adoption Deadlines," as well as for the provisions set forth in this order, the term "municipal" or "municipality" shall include all municipalities and quasi-municipal corporations, whether created by statute, ordinance, charter, legislative or special act, including but not limited to any town, city or borough, whether consolidated or unconsolidated, any village, school, sewer, fire, lighting, special services or special taxing districts, beach or improvement association, any regional water or resource recovery authority or any other political subdivision of the state or of any municipality having the power to make appropriations or to levy assessments or taxes.

13. Suspension of In-Person Budget Adoption Requirements for Municipalities.

Notwithstanding any contrary provision of the Connecticut General Statutes, including Title 7, or any special act, municipal charter or ordinance that conflicts with this order, the legislative body of a municipality or, in a municipality where the legislative body is a town meeting, the board of selectmen, shall authorize the budget-making authority within said municipality to adopt a budget for the July 1, 2020 – June 30, 2021 fiscal year and to set a mill rate sufficient, in addition to the other estimated yearly income of such town and in addition to such revenue surplus, if any, as may be appropriated, not only to pay the expenses of the municipality for said fiscal year, but also to absorb the revenue deficit of such town, if any, at the beginning of said fiscal year without holding votes required by charter or without complying with any in-person budget adoption requirements, including but not limited to, annual town meetings requiring votes, referendum, and special town meetings. In so acting, the budget-making authority of the municipality shall comply with public meeting requirements consistent with requirements set forth in Executive Order 7B and shall thereby take all reasonable steps to publicize the draft municipal budget for said fiscal year and to receive public comment thereon, including but not limited to publishing draft budgets on the website and providing an email address or other means for the public to submit timely comments on the proposed budget.

14. Suspension of In-Person Budget Adoption Requirements for Regional Boards of Education.

Notwithstanding any contrary provision of the Connecticut General Statutes, including Title 10, or any special act, regional plan, municipal charter or ordinance that conflicts with this order, any regional board of education shall adopt a budget for the July 1, 2020 – June 30, 2021 fiscal year which otherwise complies with the requirements of Section 10-51 of the Connecticut General Statutes without complying with any in-person budget adoption requirements, including but not limited, annual district budget

meetings requiring votes, referendum, and special district meetings. In so acting, the regional board of education shall comply with public meeting requirements consistent with requirements set forth in Executive Order 7B and take all reasonable steps to publicize the proposed budget for said fiscal year and to receive public comment thereon, including but not limited to publishing draft budgets on the website and providing an email address or other means for the public to submit timely comments on the proposed budget.

15. **Extension of Municipal Deadlines and Waiver of Penalties Related to Municipal Planning, Assessment and Taxation.** The deadlines set forth under Sections 10-261a(c), 12-63c, 12-110, 12-111, 12-117, and 12-120, of the Connecticut General Statutes and Section 12-2b-11 of the Regulations of Connecticut State Agencies, for Net Grand Lists, Assessor Reports, Board of Assessment Appeals applications and decisions, Grand List of Taxable and Tax-Exempt Property, Sales Data Reports, and State Owned, College and Hospital Claim Payment in Lieu of Taxes (PILOT) reimbursement claims are extended without penalty. Additionally, the penalty provisions set forth under Sections 10-261b, 12-19a, and 12-20b of the Connecticut General Statutes are suspended.
16. **Suspension of In-Person Filing Requirements Related to Municipal Planning, Assessment and Taxation.** The requirement under Sections 12-110, 12-111, 12-117 and 12-170aa of the Connecticut General Statutes for a taxpayer to appear in person are suspended to the extent necessary to permit any public agency to meet and take such actions authorized by law without permitting or requiring in-person participation in such meetings or filings, and to hold such meetings or obtain necessary information remotely by conference call, videoconference, electronic communication, or other technology, consistent with requirements set forth in Executive Order 7B.
17. **Suspension of Deadlines and Modification of Public Hearing and Appeals Requirements for Assessment and Taxation.** The appeals deadlines set forth under Section 12-19b and 12-20b for the valuation, revaluation, and appeals related to land and buildings for grants and property of private colleges and general hospitals for purposes of state grants in lieu of taxes are suspended.
18. **Extension of New Reporting Requirements on Property.** The reporting requirements set forth under Section 85 of Public Act 20-1 requiring additional specific property data for tax exemptions under Subsections 60, 70, 72 and 76 of Section 12-81 are suspended.
19. **Suspension, Modification and Clarification of Certain Municipal Procedural Requirements and Time Limitations Regarding Notice,**

Commencement and Holding of Public Hearings, Decisions, and Appeals.

In connection with Executive Order 7B (1), dated March 14, 2020, and in order to further prevent the potential health threat and spread of COVID-19 to any person who might otherwise participate in the process of submitting, reviewing, hearing, discussing, deciding, or appealing any municipal decision or action regarding any petition, application or other proposal, or in the adoption or amendment of any municipal plan, regulations or ordinances, under specific Sections of Connecticut General Statutes Chapters 14, 97a, 98, 103, 124, 126, 246, 368k, 440, 444, 446i, and the repealed Section 14-55, if and to the extent such repealed section is revived by current judicial action, and any related special act(s), and municipal charter, ordinance, resolution, or regulation (all such state and municipal laws and regulations being, collectively, the "Covered Laws"); any provision of such Covered Laws that establish procedural requirements for municipal decisions and that conflict with this order, is suspended and modified, as enumerated below, and as hereafter provided:

- a. Any time deadlines contained in the Covered Laws that may pass or expire during the public health and civil preparedness emergency declared by me on March 10, 2020 ("state of emergency") are extended by an additional 90 days for any and all of the following circumstances: the commencement or completion of any public hearing; the rendering of any decision required to be made within a particular period; and the submission or reporting by any municipality to any agency or quasi-public agency of the State; provided, however, that such preceding 90-day extension shall not apply to any time extensions that are already expressly allowed by the Covered Laws, meaning that, for example, a decision for which the statute already allows up to a total of 65 days of extension (such as site plan decisions) may be further extended by no more than an additional 90 days, for a total of 155 extension days (in this example); and further provided that each individual petition, application, or other proposal, or adoption or amendment of any municipal plan, regulations, or ordinance shall only obtain one 90-day extension period in total, which may be allocated, in part, by an applicant or municipality or agency, for each deadline period, and not multiple 90-day extensions for each time deadline related thereto.
- b. If the 90-day demolition delay required by Section 7-147j would commence or expire during the state of emergency, such period of delay shall be extended for 90 days.

- c. Any Covered Law requiring a municipality or agency to publish any notice or notices in a newspaper of general or substantial circulation is suspended and modified to allow a single notice to be published electronically on a municipality's or agency's website, provided the earlier deadline required for posting notice by the Covered Law is maintained for the electronic posting, and such posting shall remain visible on the municipality's or agency's website until completion of the action, meeting, or proceeding for which such notice is provided, and for any notice of decision, for the duration of the applicable appeal period provided by the Covered Laws.

- d. Any Covered Law requiring any notice to be filed in the office of any municipal clerk, including any town, city, borough, or district clerk, is suspended and modified to allow said notice to be posted electronically on a municipality's website, provided the deadline required for posting remains unchanged, and such posting shall remain visible on the municipality's or agency's web site until the completion of the action, meeting, or proceeding for which such notice is provided, and for any notice of decision, for the duration of the applicable appeal period provided by the Covered Laws.

- e. Any Covered Law requiring a physical sign to be posted in relation to any zoning, inland wetlands, planning, or historic district petition, application or proposal, may be satisfied by the electronic posting on a municipality's website described in paragraph (c) above.

- f. Any Covered Law requiring direct or personal notice by mail from a municipality, agency or applicant to any other person, agency, municipal clerk (including any town, city, borough, or district clerk), municipality, utility company or water company regarding the filing or pendency of any petition, application, or other proposal is suspended and modified to allow said notice requirement to be satisfied by electronic mail notification, if electronic mailing addresses are known or reasonably available for the party to be noticed, provided the same deadline for publication of the electronic notice is met; provided that if electronic mailing addresses are not known or reasonably available, said notice requirement is satisfied by: (i) the posting of a physical, weatherproof sign of at least two feet by three feet in area, in a prominent location on the parcel of land which is

the subject of any petition, application, or proposal, specifying the existence of such petition, application, or proposal, and information regarding the date, time, and location of any hearings (including remote access details) related thereto, provided that such sign shall be posted for the duration of the period for which notice is otherwise required by the Covered Laws; or (ii) the mailing of letters (via regular U.S. mail) to addressees provided by a municipality or agency, or agent thereof, where the noticing party has relied in good faith on the accuracy and completion of said list of addressees.

- g. Any Covered Law prescribing the procedure for any petition, including petition of a decision, to an agency or legislative body, is suspended and modified to allow such petition to be signed electronically (including by pdf or other imaging technology or compilation of emails or other electronic communication) and to allow applicable notice requirements to be fully satisfied by electronic mail notice of such petition on the designated entity. The time period to commence and submit said petition shall remain unchanged.
- h. Any Covered Law prescribing the procedure for commencement of an appeal of a decision to the Superior Court and associated service of process is suspended and modified to permit any such appeal to be commenced by a proper officer by electronic mail notice on the designated municipal clerk (including any town, city, borough, or district clerk). The time period to commence said appeal shall remain unchanged. Municipalities shall clearly post the email address to be used for the electronic service on their website. Notwithstanding C.G.S. Section 6-32, the damages clauses which may result from a state marshal's failure to duly comply with any service requirements of section 6-32(a), to the extent such requirements conflict with this Section 19 of this order, are suspended.
- i. Any Covered Law prescribing the procedure for commencement of an appeal of a decision by a zoning enforcement officer or an agent for an inland wetland agency is suspended and modified to permit any such appeal to be commenced by regular mail or by electronic mail notice to the zoning commission, zoning enforcement officer, zoning board of appeals or inland wetlands agency, as appropriate. The time period to commence said appeal shall remain unchanged.

- j. The suspensions and modifications specified in this, Section 19 of this order, are hereby permitted, provided, however, that: (1) the municipality, within a reasonable time after the reopening of the relevant office, include printed or electronic confirmations of all modifications, extensions, notices, and decisions in the permanent office records, (2) any document required by the Covered Laws to be recorded or filed in the town, borough, district or city clerk records be recorded or filed, as applicable, within a reasonable time thereafter; and (3) any municipality may, by declaration of head of an agency accepting or administering applications, waive any rules, regulations, or policies related to any requirement that applications to such municipal agency be submitted in paper copy or in duplicate.

Unless otherwise specified herein, this order shall take effect immediately and shall remain in effect for the duration of the public health and civil preparedness emergency, unless earlier modified or terminated by me.

Dated at Hartford, Connecticut, this 21st day of March, 2020.



Ned Lamont
Governor

By His Excellency's Command



Denise W. Merrill
Secretary of the State

