

October 6, 2020

My name is Aneta Klusak. I live 2 miles from the venue.

My mother and I moved to Morris last year from Waterbury. We searched for a house for over a year, looking for a place where we could experience quiet. My mother has a number of health issues exacerbated by stress -- and the biggest stressor at our former home was the sound of loud vehicles - especially those that blasted their speakers as they drove past the house. We specifically came to Morris to escape this.

What we found in Morris was a tranquil White Memorial preserve and a peaceful community. *This* was a place where we could finally relax and breathe.

What the town is currently allowing to take place at South Farms is unconscionable. The 5 nights of music at 2+ hours per night places MORE auditory disturbance *into my home* than I have ever experienced. This is worse than Waterbury, and I am stunned that I have to make that comparison.

I teach 45 minutes away in Brookfield and get home late, expecting an evening - like ANY working adult - during which I can decompress and prepare my lessons for the next day. I don't get to relax. South Farms has decided that I do NOT get to relax in my own home.

For those that would accuse us of exaggerating or not showing support to a local family during the pandemic, I want to paint this image: imagine that it's your next door neighbor turning their sound system to music of their choice on full volume in their backyard *every single night for two hours straight*.

No one else sympathizes because they're distant from this. WE'RE the unlucky ones.

But this would cause outrage anywhere else and it fell on our doorsteps.

When I sit on my deck, the singing and instruments fill my whole yard.

When I sit in my living room with all windows closed, the thumping of the bass often comes through the walls.

You reach a point where the sound triggers a nervous system response. It makes me feel sick.

Our neighborhood's serenity is destroyed. I feel as though I am no longer in a quaint town and by a nature preserve - I feel as though I'm living next to a nightclub, or Yankee Stadium, and that is NOT what I moved here for.

I did NOT move next to the Oakdale Theater or the Bethlehem Fairgrounds, where I would have expected to hear this.

This has ruined two months of my life when the pandemic is already crushing my school year at work.

I can't open my window and enjoy fresh air.

I can't be asleep by 9.

I'm getting physically ill because the only reprieve I get from stress in my life now are the Monday nights when there isn't a concert.

The one place we can safely BE during this pandemic is our home, and our properties have essentially been encroached upon by music.

I never consented to this. I can only imagine how people living within 1 mile are suffering.

Any remotely reasonable person would agree that NO business should profit at the expense of even ONE person's suffering, pandemic or not.

But South Farms *has* been allowed to profit at the cost of my health. And my mother's health. Any attempts the owner has apparently made to mediate this have not reduced the impact on my life. I am greatly suspicious as to why this continues with seemingly no recourse.

At this point, even if the noise is totally remediated, there's an awful taste in our mouths. I have concerns about my home value, taxes, crowds - and how this has completely altered the atmosphere of our small town.

I want to close by saying... the town needs to take responsibility for the turmoil this is causing us.

Received 9:07 AM
 October 8, 2020
 Susan J. Jeanfavre
 Assistant Town Clerk

Subject : Re: One More Question
Date : Wed, 23 Sep 2020 11:00:00 -0400
Linked to : Steve Byrne (Jeton Adili)
From : Steven Byrne <attysbyrne@gmail.com>
To : David R. Wiig <wiig@optonline.net>

Once the state of emergency ends, which is February of next year, the zoning permit issued to South Farms will also expire as it was issued pursuant to Executive order 7MM. That order specifically states that the temporary use that is permitted does not become a legal nonconforming use. Thus, municipal estoppel is no longer an issue and a cease and desist order can be issued.

As for the second part of the question, when it can be issued. It can be issued now. The use is not permitted and a violation of the zoning regulations. However, due to our municipal estoppel concerns, the order can state that enforcement is stayed until February 2021, when an inspection will be conducted and a decision whether to pursue further enforcement will be made.

One thing I noticed is that the site plan materials that accompanied the zoning permit application only state that concerts will take place. Nothing was mentioned about other forms of entertainment, such as comedy shows featuring less than acceptable language.

A final thought: many zoning regulations contain a section on 'Performance Standards' which allows the Commission/ZEO to take action if an approved use is being operated in such a way it creates a nuisance. This would work here.

Attorney Steven E. Byrne
 Byrne & Byrne LLC
 790 Farmington Ave., Suite 2B
 Farmington CT 06032
 (860) 677-7355
 (860) 677-5262 (fax)

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On Tue, Sep 22, 2020 at 2:40 PM David R. Wiig <wiig@optonline.net> wrote:
 Steve

While with 20 some dates on the calendar, Municipal Estoppel applies; however, come November there are not likely to be a large number of dates on the calendar. Additionally, with the current COVID expiration of February, it doesn't make sense to make commitments for the Spring. Therefore, we have a window in which Municipal Estoppel doesn't really apply.

Another idea was suggested to me. It is much in the same vein of the idea above. That is to issue a Cease and Desist now, while allowing him to continue through October.

This is based on two things.Â One is that the music seems to be getting louder.Â The other is that with the sound becoming more of an issue, we may not want this to pickup again in the spring if COVID is extended.Â What are your thoughts on both of these options.

Dave

Subject : Re: Re: South Farms -Twilight Series
Date : Wed, 7 Oct 2020 11:14:00 -0400
Linked to: Steve Byrne (Jeton Adili)
From : Steven Byrne <attysbyrne@gmail.com>
To : David R. Wiig <wiig@optonline.net>

I agree, Exec. Order 7MM says what it says - Outdoor Dining.

If you find that anyone wants to debate what is covered by this Executive Order, the Conn. Bar Assoc. was heavily involved and there is a paper trail as to what the intent of the order is.

Attorney Steven E. Byrne
Byrne & Byrne LLC
790 Farmington Ave., Suite 2B
Farmington CT 06032
(860) 677-7355
(860) 677-5262 (fax)

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On Tue, Oct 6, 2020 at 9:52 PM David R. Wiig <wiig@optonline.net> wrote:
Steve

As usual there are multiple interpretations of governmental actions. I understand and agree with your opinion. I find it hard to get past the last three words in the title. Unless someone can pick out language in the document that overtly contradicts the title; however, we don't have that in this message. Regardless, we will see what happens.

Dave

----- Forwarded Message -----

From: Ben Paletsky <BPALETSKY@YAHOO.COM>
To: "wiig@optonline.net" <wiig@optonline.net>, Lisa Barker <lisabarkerkenney@gmail.com>, "1stselectman@townofmorris.com" <1stselectman@townofmorris.com>, "planningandzoning@townofmorrisct.com" <planningandzoning@townofmorrisct.com>
Date: Sat, 26 Sep 2020 08:11:02 -0400
Subject: Re: South Farms -Twilight Series

David,

Please note for the record that my council as well as the Selectman in Litchfield disagrees with the interpretation highlighted in red below. I understand you must defer to the guidance offered to

the commission. The executive order refers generally to all commercial "Outdoor Activities" (as its essence is trying to enable all COVID impacted business) and then expands that Outdoor Activities can also include Restaurants and Dining. I raise this point because I'm concerned that the perception of how it's stated below implies my application was not invalid or completed with deceitful intentions - that was not the case. I assume the final determination would need to proceed through a process, where I would have the opportunity to appeal. I think we both agree that that's a moot pathway given the short timeframe, but I wanted to make my concern about the statement below clear. Thank you.

Best regards,
Ben Paletsky

General Manager

office.860.567.9847 mobile.413.374.0768

The White Barn at South Farms
21 Higbie Road (P.O. Box 22)
Morris, CT 06763

From: David Wiig <wiig@optonline.net>
Organization: Personal
Date: Friday, September 25, 2020 at 11:48 PM
To: Lisa Barker <lisabarkerkenney@gmail.com>, "1stselectman@townofmorris.com" <1stselectman@townofmorris.com>, Benjamin Paletsky <bpaletsky@yahoo.com>, "planningandzoning@townofmorrisct.com" <planningandzoning@townofmorrisct.com>
Subject: re: South Farms -Twilight Series

Lisa

Thank you for your input on the matter. This information will be shared with the board. It will become part of the public matter.

As for the matter at hand, there are neighbors who feel that they cannot properly use their property when the events are running. I do believe that their intentions as well as Ben's intentions are good. It is not a witch hunt.

It also needs to be understood that the Morris Planning and Zoning Commission's lawyer has said that the application should not have been approved in the first place. It was approved based on an executive order that is meant to only be used to expand outdoor dining for establishments where the primary use is serving food. That is not the case with southFARMS.

Additionally, the lawyer also said that Municipal Estoppel applies. Municipal Estoppel applies because approval was granted and Ben naturally went ahead, invested in the business and made it operational. As a result, the town would likely be liable for his financial investment.

Given the situation, the board decided that we didn't need to have a court make this determination.

As a result, we are allowing him to continue his use for the time being. Please note that the approval at the most extends for the duration of the executive order. We are just trying to address of the issues raised by the neighbors along the way.

Dave

----- Original Message -----

From: Lisa Barker <lisabarkerkenney@gmail.com>

To: "1stselectman@townofmorris.com" <1stselectman@townofmorris.com>, Benjamin Paletsky <bpaletsky@yahoo.com>, "planningandzoning@townofmorrisct.com" <planningandzoning@townofmorrisct.com>, "wiig@optonline.net" <wiig@optonline.net>

Date: Thu, 24 Sep 2020 10:40:02 -0400

Subject: South Farms -Twilight Series

To whom it may concern;

I am writing to you to express my extreme disappointment in the aggressive, and totally unwarranted, witch hunt against South Farms; regarding the "Twilight Series".

As a long time resident, and member of the community, I can say whole heartedly that the Paletsky Family, and their events, are the glue that keeps Morris together.

Ben's events have always been family centric, and have always had the sole focus on supporting his community- one that his family has been supporting, and building, for generations. Ranging from farmers markets, to local food trucks, to providing a beautiful venue for people to get married, to now his twilight series-Ben is constantly thinking outside the box of new ways to bring family, friends, and community together. I love that he has shared his land to provide us with human interaction, laughter, and togetherness, during a we so desperately need it. Not to mention Ben is yet again supporting the local economy during a time when these restaurants, shops, and inns need it the most. I would also like to point out, as a resident that lived on 109 for 8 years, I never once was effected by noise, nor traffic, stemming from any events held at South Farms, and I was a stones throw away.

I know that whenever the Paletsky's have a new idea, they have the community's best interest at the forefront of their mind. We should be supporting this and working together, instead of trying to tear it down. It would be a travesty for these events to end.

Sincerely,

L. Barker

Received 9:07 AM
October 8, 2020
Susan J. Jeanfavre
Assistant Town Clerk

Subject : Yes to the concert series at South Farms
Date : Mon, 28 Sep 2020 21:48:00 -0400
Linked to : Sarah Kushwara (Jeton Adili)
From : Sarah Kushwara <kushwara.sarah@gmail.com>
To : <1stselectman@townofmorrisct.com>; <wiig@optonline.net>;
<planningandzoning@townofmorrisct.com>
Cc : <bpaletsky@southfarms.org>

Dear Mr. First Selectman and Planning and Zoning Department,

Music be the food of love, play on—Shakespeare—

As a Connecticut native and current resident, I wanted to write to you in support of the socially-distanced concerts series at South Farms.

Connecticut does not have a thriving Arts scene and we want to keep as many young people in Connecticut as possible, so letting the Arts flourish would help keep people of all ages in Connecticut; it can also help invite tourism. For example, I told some of my friends from out-of-state about the Warren Haynes concerts and they are attending the shows. Some are staying at a local air B and B. Attending the concert, paying vendors for their food, and their stay all help support the Connecticut economy that needs a boost at a time like this. The fact that South Farms is getting very respectable and well-known artists to come perform is attracting sold-out shows, and also fans from other states. This is also very exciting to a life-long music appreciator like me. I am a visual artist in my 30s so I wholeheartedly support these series.

Music brings people of all cultures together and exposes them to other cultures. Art is what nourishes the soul, the most beautiful thing humans can make. During the COVID 19 pandemic, residents need live music more now than ever. Musicians need to play for people, after all, we don't want DJs to take over completely!

Thanks for your time and stay safe.

Sarah Kushwara

--

Subject : Concerts
Date : Tue, 29 Sep 2020 19:08:00 -0400
Linked to : lori Lindenmuth (Jeton Adili)
From : buddy96 <buddy96@optonline.net>
To : David R. Wiig <wiig@optonline.net>

Dear Commission memebbers,

Tonight Tuesday Sept29th finally some relief from the drought with nice steady rain and grateful dead music piping through my closed windows and doors.

I finally realized how this approval from the ZEO and Tom and Erica fits under out door dining. Makes alot of sense to me now..

Not sure but when I drove by from my long day at work and saw people on the wet muddy slope w no cover during the rain, I went back to 1969.

No doubt this fits under out door dining.

Ridiculously funny.

Lori Lindenmuth

Sent from my Samsung Galaxy smartphone.

Subject : Re: Meeting
Date : Tue, 29 Sep 2020 19:21:00 -0400
Linked to : cj aleksyna (Jeton Adili)
From : cj aleksyna <the427king@yahoo.com>
To : David R. Wiig <wiig@optonline.net>

David, there are people in litchfield that can hear this concert even with the rain muffling it. Is the town going to do anything about this? The longer this goes on with no answers or actions the worse it gets. Have you heard back from Steve Byrne regarding cease and desist option. I suspect the number of people in town that are not accepting this is growing daily... you are going to have to shut this down whether you act now or later and there is no reason to wait if you make a condition of the cease and desist that this ends in october. ...Chuck

On Tuesday, September 29, 2020, 06:53:41 AM EDT, David R. Wiig <wiig@optonline.net> wrote:

Chuck

The reason this meeting was not a good meeting to take public comment is that all public comments are to be directed at the board. That is how public hearings are held too. We cannot hold a question and answer session.

The best way would be to have people send questions before a meeting and the board can ask the questions. I would have asked your questions; however, I did not receive them before the meeting. I am not sure if I have received them since.

Dave

----- Original Message -----

From: cj aleksyna <the427king@yahoo.com>
To: "David R. Wiig" <wiig@optonline.net>
Date: Sun, 27 Sep 2020 22:22:00 +0000 (UTC)
Subject: Meeting

David, Prior to your last zoom meeting in reference to South Farms, you had agreed to take my questions and present them to Ben and others that would be present at the meeting. I had asked your assistance since I was unavailable to attend the zoom meeting. During the zoning meeting when you had asked the board for thier opinions, the second selectman Erica Dorsett interjected and told you there would be no such questioning allowed. You accepted her request. Being that she is both best friends and a champion of Ben and south farms ,and also the second selectman, the optics of this did not go over well for many residents who heard the discussion. My question is if you are the commissioner of the zoning board and have 30 years experience,why did you change your mind about opening the meeting up to questions ,obviously prior to the meeting your intent was to allow it. Thank you
Chuck Aleksinas

Subject : Fwd: Concert series at South Farms
Date : Tue, 29 Sep 2020 20:02:00 -0400
Linked to: Dwayne Pond (Jeton Adili)
From : Dwayne Pond <dpondlsc@gmail.com>
To : <wiig@optonline.net>

----- Forwarded message -----

From: **Dwayne Pond** <dpondlsc@gmail.com>
Date: Tue, Sep 29, 2020 at 4:05 PM
Subject: Concert series at South Farms
To: <lstselectman@townofmorrisct.com>, <wiigg@optonline.net>,
 <planningandzoning@townofmorrisct.com>
Cc: <bpaletsky@southfarms.org>

To whom it may concern,

I am writing to voice my opinion regarding the twilight concerts at South Farms. I know there have been a lot of complaints regarding the sound and disturbance that it has been causing, and I'll start by saying that we haven't been able to hear anything for the past week or so, and we live right across the street. While the noise may have been an issue for some, the main thing for me is that the concerts at the farm are what is keeping the farm alive and prospering. The alternate would be no events at all, and the farm eventually dissolving. At that point, the land could be sold and used for residential property which would get rid of all the beautiful farm land we love seeing every day. It is a good trade off in my opinion. It is also providing something to lift people up and make them happy in such an uncertain time. Another thing that I think is very beneficial is it is helping the economy in town. People are coming from all over to these events, and eating at our restaurants and helping our businesses. The Barn restaurant is always busy, so is Giovannis, and the gas station is often full, which wasn't the case a couple of months ago. It's clear that the events aren't only helping South Farms, but the town businesses as well. My wife recently attended an event and said that everything was executed with so much attention to detail and safety precautions, that she felt safe and comfortable being at an event like this, even during a pandemic. Nothing is overlooked. Overall, I think that the benefits of these events far outweigh any negatives there may be, and any issues that have arisen, I know that Ben and everyone else are working hard to remedy.

Thank you.
 Dwayne Pond

Subject : Concert tonight at South farm
Date : Tue, 29 Sep 2020 21:14:00 -0400
Linked to: renee normandin (Jeton Adili)
From : renee normandin <reeneenormandin@sbcglobal.net>
To : David R. Wiig <wiig@optonline.net>
Cc : Jeton Adili <adilijeton@yahoo.com>

Mr Wiig

For your listening pleasure. I am 1.5 miles from the stage and I can assure you this clip with the rain and cars in the background you can not even begin to hear the true sound/volume that I can actually hear. It gets louder as the clip goes on so please listen to the whole 48 seconds. This was early in the night first song I believe, with me simply holding my phone out my front door. I know you will think this doesn't sound that bad...well it is..Enough Morris enough, how is this allowed to happen. And the show continues as I type this. Also I have not heard back from Mr Adili yet from my email 4-5 days ago.

Regards
Renee Normandin

Subject : Twilight Concert Series
Date : Tue, 29 Sep 2020 23:28:00 -0400
Linked to : Dana Lynne Montanari (Jeton Adili)
From : Dana Lynne Montanari <dana.lynnemontanari@gmail.com>
To : 1stselectman@townofmorrisct.com <1stselectman@townofmorrisct.com>;
planningandzoning@townofmorrisct.com <planningandzoning@townofmorrisct.com>;
wiiq@optonline.com <wiiq@optonline.com>
Cc : bpaletsky@southfarms.org <bpaletsky@southfarms.org>

To whom it may concern,Â

I am writing to share my full support of the twilight concert series brought together by the amazing folks at South Farms. I met Ben over five years ago when our paths crossed professionally - I worked in catering at the time and he/his team were building something amazing at the farm. Soon thereafter, my husband and I chose the farm as the space for our wedding reception (and man, was it one for the books - no thanks to all of theÂ love that was put into the venue!) In one of my earlier conversations with Ben, he half-joking mentioned how he would love for the farm to grow to become like the "Tanglewood of CT" some day. In the years that followed that conversation, I watched as he turned that joke into a very real possibility. It makes my soul happy when I see what is happening there these days. It makes me *especially* happy to see that despiteÂ the hand that this year has dealt us all, that there is a place for live entertainment, and a safe place at that, right here in our backyard.Â

I am a person who lives for experience, especially for live music. In 'the before times' I was seeing three or four live performances a month. I could have cried driving into the field when my husband and I came in for Warren Haynes a few weeks ago, and I will absolutely cry when we come back in October for our most favorite band, moe. It was comfortable, enjoyable and - most importantly - it was safe. I thank my stars that I have crossed paths with Ben and this farm. It is one of CT's treasures and I look forward to seeing how all of this evolves for the community AND for the state.Â

All my best, Dana LynneÂ

Subject : South Farms
Date : Wed, 30 Sep 2020 11:09:00 -0400
Linked to: Nancy Kish Gargiulo (Jeton Adili)
From : Nancy Kish Gargiulo <nkg1121@yahoo.com>
To : 1stselectman@townofmorrisct.com <1stselectman@townofmorrisct.com>; wiig@optonline.net <wiig@optonline.net>; planningandzoning@townofmorrisct.com <planningandzoning@townofmorrisct.com>
Cc : bpaletsky@southfarms.org <bpaletsky@southfarms.org>

Dear Officials of Morris CT,

We are writing to you to express our appreciation and gratitude for South Farms.

We live in Trumbull, Connecticut (and 1/2 the year in Sarasota FL). We have visited South Farms a few times since Ben Paletsky took over proprietorship of the farm. Ben's vision for sustainable farming is highly commendable! The Farmer's Market brings in business from outside of Morris, as well as Morris, and provides a venue for local farmers, craftspersons, and food trucks. He has created business opportunities for many others.

White Barn at South Farms was born, and quickly become a popular wedding venue. It was named Favorite Wedding Venue by Orbitz last year, I believe. Wow. Again, putting Morris CT "on the map" and creating business opportunities for local businesses.

South Farm and White Barn were hit hard by Covid, like many small businesses. That didn't stop Ben from coming up with another idea - a socially distanced, outdoor concert and comedy venue! We were thrilled to hear that Southside Johnny and the Asbury Jukes, a band we have followed from Asbury Park, to NYC, to Fairfield County CT, and to Florida venues, would be coming to SOUTH FARMS. A nationally known band performing at South Farms during Covid! We spoke with Ben and his sister Rachel during and after the concert. They had studied the sound, traffic and security (Covid and other) implications of opening the venue, and were and continue to be sensitive to addressing any concerns and perfecting the new venue's operations. As consumers, we found everything to be wildly successful. It was a fantastic evening, making us forget for a moment that live entertainment is all but non-existent due to Covid.

Ben has brought music, comedy and live entertainment back. People from NYC, Fairfield County, Boston, Westchester NY, New Hampshire, etc. are travelling to Morris. This should be seen as a HUGE positive for the town, when many communities are seeing businesses close for lack of revenue.

Ben is the ultimate gentleman and entrepreneur - some would find that an oxymoron, but the two are married well in his keen sense of business, community and passion. How fortunate for Morris !

Sincerely,

Nancy Kish and Joe Gargiulo
Trumbull CT and Sarasota FL

Subject : South Farms
Date : Wed, 30 Sep 2020 11:09:00 -0400
Linked to: Nancy Kish Gargiulo (Jeton Adili)
From : Nancy Kish Gargiulo <nkg1121@yahoo.com>
To : 1stselectman@townofmorrisct.com <1stselectman@townofmorrisct.com>; wiig@optonline.net <wiig@optonline.net>; planningandzoning@townofmorrisct.com <planningandzoning@townofmorrisct.com>
Cc : bpaletsky@southfarms.org <bpaletsky@southfarms.org>

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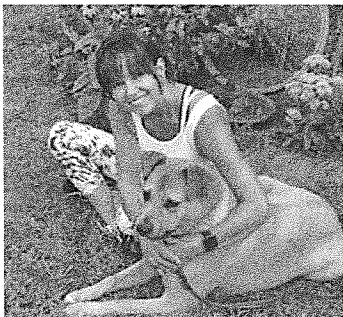
Sincerely,

Nancy Kish and Joe Gargiulo
Trumbull CT and Sarasota FL

Subject : Noise
Date : Wed, 30 Sep 2020 20:37:00 -0400
Linked to : Beth Aleksinas (Jeton Adili)
From : Beth Aleksinas <getfit@morrismountainfitnesscenter.com>
To : wiiig@optonline.net <wiiig@optonline.net>
Cc : Beth Aleksinas <getfit@morrismountainfitnesscenter.com>

Hello David, I have been reluctant to express how I feel about the noise at Ben Peletsks Venue. But ...tonight, as a business owner, had to endure loud music that deeply impacted my ability to conduct my work...I have spoken to Ben personally...I feel that is always the best approach. I pleaded with him to turn the volume down. He offered Chuck and I tickets to one of his venues and stated his hardship due to the Corona Virus. I pleaded him to turn his music down. I was run off the road walking my dog today, past his venue. Had to jump into the grass to avoid a car that nearly hit me and my dog. I too have been shut down due to the virus and I am trying to conduct a business that serves my community. 75% of my business comes from my community. Tonight I had to **apologize** for the noise coming thru my studio that was impacting and upsetting my patrons. As they left the building the noise was so loud and embarrassing. I would like to know what I need to do or say to have this amended...did you as a council agree upon this...this is affected my life and affected my ability to conduct my business. Not only my business but my personal life. As you know my primary residence is 17 Trotta Lane. The music is sooo loud that I could sell tickets to sit on my lawn.. Morris must grow in order to bring new business and life to our town. But if it deeply affects our ability our civil rights we need to rethink all of this. Please let me know how you will all proceed in this matter. Thank you for your time...Beth

Beth Aleksinas
Owner
Morris Mountain Fitness Center
(860) 459-0797
getfit@morrismountainfitnesscenter.com



Let's Connect!

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Subject : FWD: Noise
Date : Tue, 6 Oct 2020 22:08:00 -0400
Linked to: Jeton Adili
From : David R. Wiig <wiig@optonline.net>
To : Jeton Adili <AdiliJeton@yahoo.com>
Cc : Planning & Zoning <planningandzoning@townofmorrisct.com>

Jeton

A copy for the record.

Dave

----- Forwarded Message -----

From: Sophia Voight <svoight03@gmail.com>
To: wiig@optonline.net
Date: Wed, 30 Sep 2020 21:12:19 -0400
Subject: **Noise**

Hi Mr. Wiig, I live on straits turnpike lane, about a mile from the south farms venue.Â Â The noise from the last two concerts has given me a migraine, and is so loud there is nowhere in my house that I can escape it.Â I've attached a recording of it from my bedroom window, tho it is somewhat muted by the phone quality recording.Â This is an unacceptable standard of life in town, and I sincerely hope something will be done about it.

Subject : South Farms concert series
Date : Mon, 28 Sep 2020 16:18:00 -0400
Linked to : South Farms
From : Stuart Chapman <Stuart@chapmanlumberinc.com>
To : 1stselectman@townofmorrisct.com <1stselectman@townofmorrisct.com>; wiig@optonline.net <wiig@optonline.net>; planningandzoning@townofmorrisct.com <planningandzoning@townofmorrisct.com>
Cc : bpaletsky@southfarms.org <bpaletsky@southfarms.org>; lechapman@optonline.net <lechapman@optonline.net>

To all concerned parties.

It is with the utmost pleasure that I reach out to express my appreciation for what Ben Paletsky is doing for the arts and culture scene here in the Northwest Corner of CT.

With his concert series at South Farms, he demonstrates just how unique and relevant a legacy farm property can continue to be in this day in age, especially since so many have succumbed to the lure of commercial development.

Ben's ability to collaborate with thoughtful partners who deliver amazing musical experiences right to our doorstep is outshined only by his inventiveness in managing his event space and marginalizing any ill effects caused by his events.

In my several visits to these concerts there have been:

- *No traffic concerns.
- *Diligent promotion of public health and safety.
- *Timely curfews (at EVERY event).
- *Overwhelming expressions of local pride from area patrons.
- *A sense that this event space is good for the community and the hope that it will continue to operate indefinitely.

Please take the time to hear the voices of those who appreciate this Landmark property, Ben's efforts and the heartfelt enthusiasm that he delivers to the Town of Morris. It's a GOOD thing.

Sincerely,

Stuart Chapman
President
Chapman Lumber Inc.
224 Watertown Road, Thomaston Ct. 06787
860 283 6213 Ext 101
www.chapmanlumberinc.com

Subject : Letter of Support for South Farms from Harvey Hubbell @ Chanticleer Acres
Date : Wed, 30 Sep 2020 14:03:00 -0400
Linked to: Jeton Adili
From : Chanticleer Acres <chanticleeracres@gmail.com>
To : <planningandzoning@townofmorrisct.com>; <wiiq@optonline.net>;
<1stselectman@townofmorrisct.com>; <bpaletsky@yahoo.com>

Afternoon greetings,Â Morris Planning and Zoning -Â

Please find a letter of support for South Farms attached.Â Â

Sincerely,Â

Harvey Hubbell V

Order Online For Pickup

Chanticleer Acres, LLC
51 Hutchinson Parkway
Litchfield, CTÂ 06759
chanticleeracres@gmail.comÂ
[Facebook](#)Â |Â [Instagram](#)
chanticleeracres.com
phone:Â 860-361-9366Â Â



Subject : South Farms
Date : Fri, 2 Oct 2020 12:44:00 -0400
Linked to: Jeton Adili
From : Diorio <pdiorio2@optimum.net>
To : <1stselectman@townofmorris.com>; <wiig@optonline.net>;
<planningandzoning@townofmorris.com>
Cc : <bpaletsky@southfarms.org>

Dear Tommy,

As you know, we live in an in-law apartment at 69 Anderson Road that borders Ben Paletsky's property.

We are writing to tell you that we whole heartedly support Ben's new venture. We are so impressed that he has found a way to follow al the Covid rules and provide a service that provides jobs and income for himself, the town and town businesses.

We can hear the music from our back deck, but it is not loud or bothersome.

We encourage you to work with Ben to assure neighbors are not subjected to loud noise, if this is indeed happening, and allow him to expand this business.

If you need to contact us, you can reach us at 860-567-3473.

Nick and Pat Diorio

Subject : South Farms
Date : Fri, 2 Oct 2020 12:51:00 -0400
Linked to: Jeton Adili
From : Diorio <pdiorio2@optimum.net>
To : <1stselectman@townofmorrisct.com>; <wiig@optonline.net>;
<planningandzoning@townofmorrisct.com>
Cc : <bpaletsky@southfarms.org>

Tommy,

We are writing to let you know that we support Ben Paletsky and his new venture.

Although our property borders Ben's, we are not disturbed by the music although we can hear it when we sit on our back deck.

We feel the town should support Ben in this new venture. You all know how difficult it is for small businesses at this point.

We believe these concerts are not only helping Ben but are creating jobs and bringing business to the town and other town businesses.

Please work with Ben so the concerts can continue.

Nicole Diorio and Evelyn Riddick

69 Anderson Road

Subject : South Farms
Date : Sat, 3 Oct 2020 21:16:00 -0400
Linked to: Jeton Adili
From : kenneth kearney <k2kearney@yahoo.com>
To : wiiq@optonline.net <wiiq@optonline.net>

Good evening David, it's 9:15 on 10/3. The marvelous jam band "Twiddle" is currently playing. If I truly wanted to hear them I would go to a concert. Unfortunately that is not my choice. Instead Ben Paletsky, has decided I get to listen to them whether I want to or not. There is very little attempt to mitigate noise. It appears to be entirely dependent on the whim of the band playing on any given night. Incredibly selfish.

Elizabeth Kearney
Anderson Rd.

Subject : South Farms Concerts
Date : Wed, 7 Oct 2020 16:07:00 -0400
Linked to: Andrew Tita (Jeton Adili)
From : Andrew Tita <andrew.tita@outlook.com>
To : wiiq@optonline.net <wiiq@optonline.net>; 1stselectman@townofmorris.com
 <1stselectman@townofmorris.com>; planningandzoning@townofmorrisct.com
 <planningandzoning@townofmorrisct.com>
Cc : kathriona.tita@outlook.com <kathriona.tita@outlook.com>

To Whom it May Concern,

In light of recent articles that we have read in the Waterbury Republican American, as well as some negative social media attacks against certain town residents, my wife and I feel it is important that we voice our support of the Paletsky's South Farms concert series. We are aware of a small group of residents that have been attacking South Farms for the implementation of a concert venue. Given some of the social media posts I feel attacking is a fair word to use. While understandably there may be some valid minor inconveniences, we are certain that Mr. Paletsky is true to his word that he is working to resolve the concerns. Based on our interactions with Mr. and Mrs. Paletsky over the years it has been very clear that they always have the best interest of their town at heart. My wife and I have been to 3 different shows to date at the new venue, and have been nothing but impressed with the professional manner of the staffing as well as the safety protocols being followed. We find the references in the articles printed in the Republican American regarding issues about Loitering and traffic to be laughable. In our 3 experiences at the venue, we have witnessed staff patrolling the fields to ensure people are not congregating near their cars, as well as staff to ensure all cars are exited smoothly with no back up anywhere to be seen. The most recent article in the paper quoted a person on Isaiah Smith Lane complaining about their life being ruined because of the concerts. We also live on that same street, and in fact live significantly closer to the top of the road than the person in the article. Personally, we both find their claims to be completely outrageous. We have occasionally heard the music during certain shows, but it has not been anywhere near the noise level being claimed in the article.

In this time of uncertainty due to COVID, this venue has been a bright spot in our community. With the exception of the news articles and social media, my wife and I have experienced not one single negative response to the venue but, rather, we have experienced only positive expressions of support from fellow residents. I certainly hope that the same small faction of residents who seem to be against any positive change to this town are not allowed to ruin what we feel is an excellent and much needed addition to our small town.

Sincerely,

Andrew & Kathriona Tita
 63 Isaiah Smith Ln.
 Morris, Ct 06763

Subject : Re: [EXTERNAL] re: Regarding South Farms
Date : Wed, 7 Oct 2020 14:31:00 -0400
Linked to: Aneta Klusak (Jeton Adili)
From : "Klusak, Aneta" <klusaka@brookfieldps.org>
To : David R. Wiig <wiig@optonline.net>

Hi Mr. Wiig,

Thank you! No worries, I understand you're a busy man and must get many e-mails. I appreciate the transparency you provided last night.

I do not plan to read my same statement again tonight, but you mentioned something about statements going on public record. I am attaching a copy of my statement from last night and ask that it become a part of the public record. Please let me know if I should forward it to someone else for that purpose.

Thank you again. It was nice to meet you in person!
Aneta Klusak

On Tue, Oct 6, 2020 at 8:40 PM David R. Wiig <wiig@optonline.net> wrote:

Aneta

Â

If there wasn't a response to this e-mail, that was an oversight. I attempted to reply to everyone who e-mailed. In case I did miss you, I did want to reply. I figured it would be better for me to send the replies rather than have Tony do this.

Â

As was told to the others, your communication is on the record. It was read into the record of the meeting. It was included as an attachment to the letter that was sent to Ben Paletsky and copied to the Board of Selectman. I do appreciate your input and am working to find a workable resolution to the situation.

At the meeting tonight, you mentioned that you wanted the application. It is attached. The agenda for tomorrow night is also attached.

Â

Dave

----- Original Message -----

Â Â

From: "Klusak, Aneta" <klusaka@brookfieldps.org>

To: wiig@optonline.net

Date: Fri, 18 Sep 2020 16:04:15 -0400

Subject: Regarding South Farms

Â Â

Dear Mr. Wiig,

I apologize if you have already received this message from me via the "planningandzoning@townofmorrisct.com" e-mail account, but I wanted to make sure my experience from 2 miles away from South Farms was documented for the consideration of the Planning and Zoning Committee.

Thank you,
Aneta Klusak

----- Forwarded message -----

From: **Klusak, Aneta** <klusaka@brookfieldps.org>
Date: Thu, Sep 17, 2020 at 3:37 PM
Subject: Regarding South Farms
To: <planningandzoning@townofmorrisct.com>

Hello,

My name is Aneta Klusak and I am a resident of Morris, located at the end of Isaiah Smith Lane and about 2 miles from the South Farms venue. Due to the fields between us, sound is traveling very, very clearly... even if the venue is within legal limits.

I have been in contact with the first selectman and he has let me know that your committee has been meeting. I am forwarding you my latest e-mail to him below. I am also happy to come to one of your Zoom meetings or cooperate with you any way possible to see this resolved. Thank you for your help!

Sincerely,
Aneta Klusak

9/16/2020
Dear Mr. Weik,

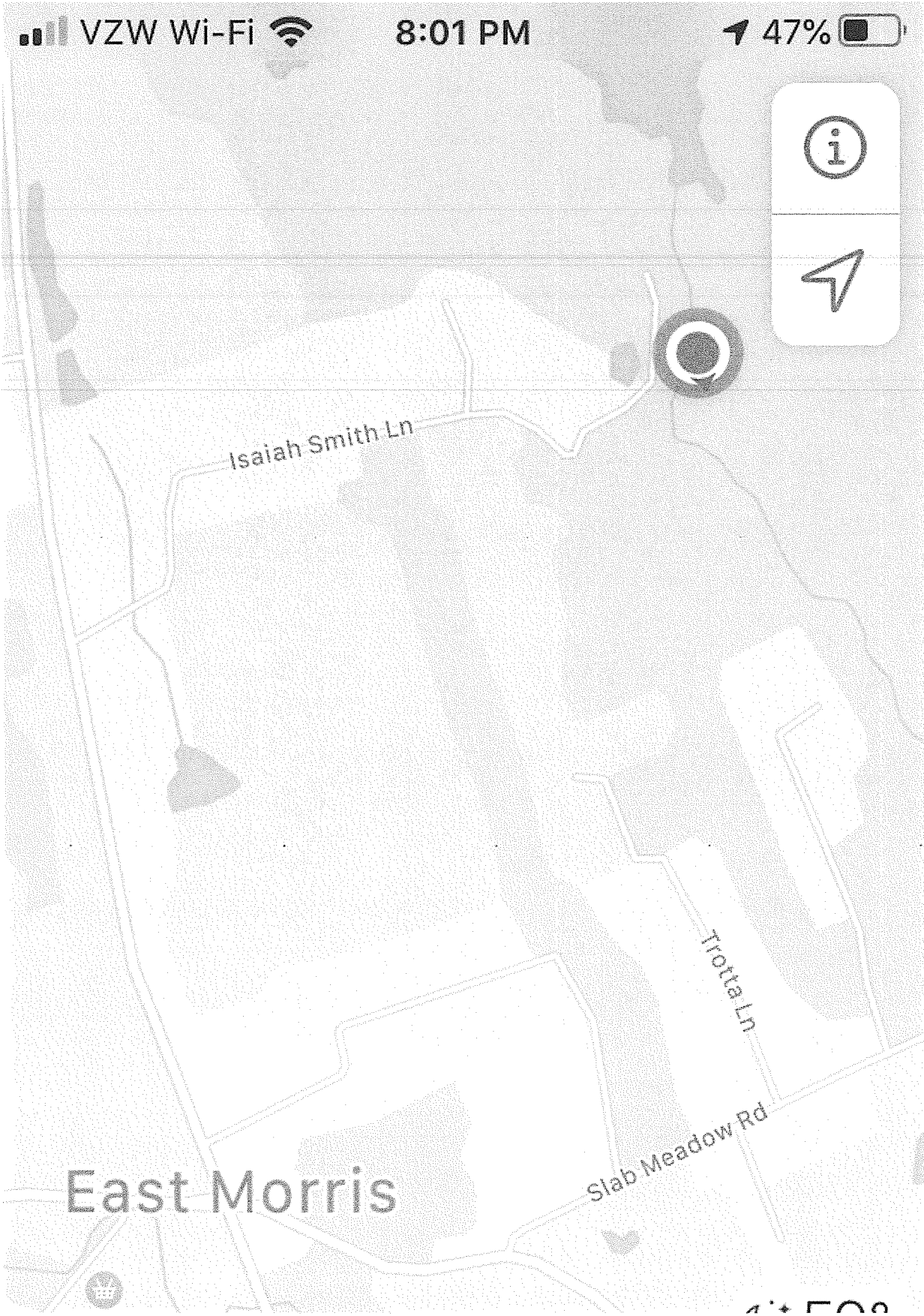
Please find attached videos of different shows recorded from my porch and a map showing where I am. My perception is that the volume has somehow increased. We live in an old house, and I can hear the beat in every room of my home with the windows closed. I can now even hear the crowd cheering, which shows how well the sound travels over the fields between us and the farm even if they are meeting a legal decibel limit. I ask you to please travel the area during a show for the full effect. You're welcome to hear it from inside our home.

I cannot imagine that anyone in Litchfield County - or the rest of the state? - is suddenly being forced to live with a rock stadium in their backyard without a vote or neighborhood approval. My mother has health issues and is distressed by this five nights a week. I teach in Brookfield and come home late, unable to concentrate on lesson planning because of this. The situation simply exceeds the limits of reason. It's an invasive burden on residents who have always had peace here.

We have sympathy for a business trying to continue under pandemic restrictions, but our chief worry is that this is not a temporary measure. What is the town going to do? When exactly do the permits for this expire? And what is the owner's plan for the farm in the future, when restrictions are lifted? Our nerves would be calmed with reassurance that this is not the new normal.

Thank you for your understanding and intervention.

Sincerely,
Aneta Klusak



October 6, 2020

My name is Aneta Klusak. I live 2 miles from the venue.

My mother and I moved to Morris last year from Waterbury. We searched for a house for over a year, looking for a place where we could experience quiet. My mother has a number of health issues exacerbated by stress -- and the biggest stressor at our former home was the sound of loud vehicles - especially those that blasted their speakers as they drove past the house. We specifically came to Morris to escape this.

What we found in Morris was a tranquil White Memorial preserve and a peaceful community. *This* was a place where we could finally relax and breathe.

What the town is currently allowing to take place at South Farms is unconscionable. The 5 nights of music at 2+ hours per night places MORE auditory disturbance *into my home* than I have ever experienced. This is worse than Waterbury, and I am stunned that I have to make that comparison.

I teach 45 minutes away in Brookfield and get home late, expecting an evening - like ANY working adult - during which I can decompress and prepare my lessons for the next day. I don't get to relax. South Farms has decided that I do NOT get to relax in my own home.

For those that would accuse us of exaggerating or not showing support to a local family during the pandemic, I want to paint this image: imagine that it's your next door neighbor turning their sound system to music of their choice on full volume in their backyard *every single night for two hours straight*.

No one else sympathizes because they're distant from this. WE'RE the unlucky ones.

But this would cause outrage anywhere else and it fell on our doorsteps.

When I sit on my deck, the singing and instruments fill my whole yard.

When I sit in my living room with all windows closed, the thumping of the bass often comes through the walls.

You reach a point where the sound triggers a nervous system response. It makes me feel sick.

Our neighborhood's serenity is destroyed. I feel as though I am no longer in a quaint town and by a nature preserve - I feel as though I'm living next to a nightclub, or Yankee Stadium, and that is NOT what I moved here for.

I did NOT move next to the Oakdale Theater or the Bethlehem Fairgrounds, where I would have expected to hear this.

This has ruined two months of my life when the pandemic is already crushing my school year at work.

I can't open my window and enjoy fresh air.

I can't be asleep by 9.

I'm getting physically ill because the only reprieve I get from stress in my life now are the Monday nights when there isn't a concert.

The one place we can safely BE during this pandemic is our home, and our properties have essentially been encroached upon by music.

I never consented to this. I can only imagine how people living within 1 mile are suffering.

Any remotely reasonable person would agree that NO business should profit at the expense of even ONE person's suffering, pandemic or not.

But South Farms *has* been allowed to profit at the cost of my health. And my mother's health. Any attempts the owner has apparently made to mediate this have not reduced the impact on my life. I am greatly suspicious as to why this continues with seemingly no recourse.

At this point, even if the noise is totally remediated, there's an awful taste in our mouths. I have concerns about my home value, taxes, crowds - and how this has completely altered the atmosphere of our small town.

I want to close by saying... the town needs to take responsibility for the turmoil this is causing us.

Received 9:07 AM
October 8, 2020
Susan J. Jeanfavre
Assistant Town Clerk

Subject : Response to September 28, 2020 Letter
Date : Wed, 7 Oct 2020 15:42:00 -0400
Linked to : South Farms
From : Ben Paletsky <bpaletsky@southfarms.org>
To : David Wiig <wiig@optonline.net>

Hi David,

I'll be unavailable for tonight's meeting. I spoke with Tony this morning during his office hours to specifically respond to the six points in the 9/28 letter. I included some comments below. Please note that none of these issues are in violation of any town ordinances or policies. This operation is in compliance. In mutual interest of working together and dialing in this concept, the concert team is either taking action to respond or have mitigated the concerns on the list.

1. Volume – The production crew has implemented several approaches to directionalize the audio, equalize frequencies to level the balance of audio, and set decibel limiters during the production. Note that we're investigating acoustic fencing solutions options and a few other engineering efforts for further isolation.
2. Lighting – I reviewed the pictures provided in the packet. Stage lighting is all directed onto my property.
3. Traffic – during regular rush hour (weekdays 4-5pm) vehicles proceeding on Rt 109 West into the 63/109 intersection back up by as much as 14 vehicles. Following the concerts, at this location there never exceeds two vehicles. Vehicles exiting the property are held at choke points on the property to eliminate possible congestion.
4. Frequency – Covid year is an anomaly to the norm. Subsequent years will see a more reasonable balance.
5. Comedic content - Covid year is an anomaly to the norm. Comedians prefer to perform in indoor clubs.
6. Loitering – Event security has allowed attendees who arrive early to an event to enter the property and queue on our laneway prior to gate time, so not to impede roadway traffic. These appears to address the issue.

I noticed there has been a significant influx of letters of support since the last meeting. I hope those statements can be shared with the commission so that there is a fair representation of the community response. Highlighted in the many of the letters, others have clearly stated what benefits this venture has provided our community. Particularly striking, is the note from neighbor John Murray.

I believe that this is a complementary and positive use of the property that provides trickle-down benefits to the local economy. In contrast to some of the other options, I think this the right thing to do. The concert series has provided a unique economic and cultural engine to the area.

Please note the attached document associated with the 2014 permit processed by Scott. Note that the associated uses called out during that process is an indoor/outdoor event rental space.

Best regards,
Ben Paletsky

southFARMS
General Manager

office.860.567.9847 mobile.413.374.0768

The White Barn at South Farms
21 Higbie Road (P.O. Box 22)
Morris, CT 06763

