

**SUMMONS - CIVIL**

JD-CV-1 Rev. 6-11  
 C.G.S. §§ 51-346, 51-347, 51-349, 51-350, 52-45a,  
 52-48, 52-259, P.B. Secs. 3-1 through 3-21, 8-1

STATE OF CONNECTICUT  
**SUPERIOR COURT**  
 www.jud.ct.gov

See page 2 for instructions

- "X" if amount, legal interest or property in demand, not including interest and costs is less than \$2,500.
- "X" if amount, legal interest or property in demand, not including interest and costs is \$2,500 or more.
- "X" if claiming other relief in addition to or in lieu of money or damages.

TO: Any proper officer, BY AUTHORITY OF THE STATE OF CONNECTICUT, you are hereby commanded to make due and legal service of this Summons and attached Complaint.

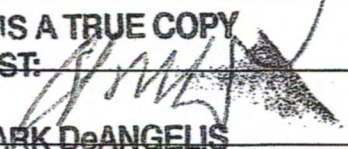
Address of court clerk where writ and other papers shall be filed (Number, street, town and zip code) (C.G.S. §§ 51-346, 51-350)		Telephone number of clerk (with area code)	Return Date (Must be a Tuesday)
14 West River Street, Milford, CT 06460		( 203 ) 877-4293	November 22, 2011 <small>Month Day Year</small>
<input checked="" type="checkbox"/> Judicial District	<input type="checkbox"/> G.A. Number:	At (Town in which writ is returnable) (C.G.S. §§ 51-346, 51-349)	Case type code (See list on page 2)
<input type="checkbox"/> Housing Session		Milford	Major: M Minor: 90

**For the Plaintiff(s) please enter the appearance of:**

Name and address of attorney, law firm or plaintiff if self-represented (Number, street, town and zip code)	Juris number (to be entered by attorney only)
Milford City Attorney's Office, 110 River Street, Milford, CT 06460	37950
Telephone number (with area code)	Signature of Plaintiff (If self-represented)
( 203 ) 783-3250	

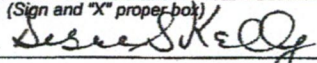
Number of Plaintiffs: 1      Number of Defendants: 1       Form JD-CV-2 attached for additional parties

Parties	Name (Last, First, Middle Initial) and Address of Each party (Number; Street; P.O. Box; Town; State; Zip; Country, if not USA)	
First Plaintiff	Name: KUCHTA, Kathleen, Zoning Enforcement Officer for the City of Milford Address: 110 River Street, Milford, CT 06460	P-01
Additional Plaintiff	Name: Address:	P-02
First Defendant	Name: ARISIAN, Eileen R. Address: 2 Orland Street, Milford, CT 06460	D-50
Additional Defendant	Name: Address:	D-51
Additional Defendant	Name: Address:	D-52
Additional Defendant	Name: Address:	D-53

THIS IS A TRUE COPY  
 ATTEST:   
 H. MARK DeANGELIS  
 STATE MARSHAL N.H. COUNTY

**Notice to Each Defendant**

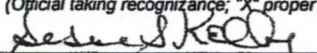
- YOU ARE BEING SUED. This paper is a Summons in a lawsuit. The complaint attached to these papers states the claims that each plaintiff is making against you in this lawsuit.
- To be notified of further proceedings, you or your attorney must file a form called an "Appearance" with the clerk of the above-named Court at the above Court address on or before the second day after the above Return Date. The Return Date is not a hearing date. You do not have to come to court on the Return Date unless you receive a separate notice telling you to come to court.
- If you or your attorney do not file a written "Appearance" form on time, a judgment may be entered against you by default. The "Appearance" form may be obtained at the Court address above or at [www.jud.ct.gov](http://www.jud.ct.gov) under "Court Forms."
- If you believe that you have insurance that may cover the claim that is being made against you in this lawsuit, you should immediately contact your insurance representative. Other action you may have to take is described in the Connecticut Practice Book which may be found in a superior court law library or on-line at [www.jud.ct.gov](http://www.jud.ct.gov) under "Court Rules."
- If you have questions about the Summons and Complaint, you should talk to an attorney quickly. The Clerk of Court is not allowed to give advice on legal questions.

Signed (Sign and "X" proper box)	<input checked="" type="checkbox"/> Commissioner of the Superior Court <input type="checkbox"/> Assistant Clerk	Name of Person Signing at Left	Date signed
		Debra S. Kelly, Assistant City Attorney	10/25/2011

If this Summons is signed by a Clerk: a. The signing has been done so that the Plaintiff(s) will not be denied access to the courts. b. It is the responsibility of the Plaintiff(s) to see that service is made in the manner provided by law. c. The Clerk is not permitted to give any legal advice in connection with any lawsuit. d. The Clerk signing this Summons at the request of the Plaintiff(s) is not responsible in any way for any errors or omissions in the Summons, any allegations contained in the Complaint, or the service of the Summons or Complaint.	For Court Use Only
	File Date

I certify I have read and understand the above:	Signed (Self-Represented Plaintiff)	Date

Name and address of person recognized to prosecute in the amount of \$250
Toni Weeks, 110 River Street, Milford, CT 06460

Signed (Official taking recognizance; "X" proper box)	<input checked="" type="checkbox"/> Commissioner of the Superior Court <input type="checkbox"/> Assistant Clerk	Date	Docket Number
		10/25/2011	

DOCKET NO.: AAN CV 11 6008312 S

\* SUPERIOR COURT

KATHLEEN KUCHTA, Zoning  
Enforcement Officer for the City of Milford

\* JUDICIAL DISTRICT OF  
ANSONIA/MILFORD AT MILFORD  
\*

vs.

\* DECEMBER 2, 2011

EILEEN R. ARISIAN

AMENDED COMPLAINT

FIRST COUNT:

1. The Plaintiff is KATHLEEN KUCHTA ("KUCHTA"), Zoning Enforcement Officer for the City of Milford, duly authorized to enforce the City of Milford Zoning Regulations.
2. The Defendant, EILEEN R. ARISIAN, is the record owner of the premises known as 2 Orland Street, Milford Connecticut (hereinafter "the premises").
3. On or about July 6, 2011, KUCHTA determined that the Defendant had erected or allowed to be erected three (3) signs on the front and side of the dwelling located on the premises.
4. On or about July 7, 2011, KUCHTA issued an order to the Defendant notifying her that the signs violate §§5.3.1, 5.3.3.1, 5.3.4 and 5.3.4.1 of the City of Milford Zoning Regulations. By her order, KUCHTA ordered the Defendant to remove the three (3) signs on the front and side of the dwelling located on the premises within ten days of the date of her order. Exhibit "A."
5. The Defendant has failed to exhaust her administrative remedies by timely appealing said order.
6. To date, the Defendant has failed and/or willfully failed to comply with KUCHTA's order or appeal said order.

7. KUCHTA brings this action pursuant to Connecticut General Statutes §8-12.

**SECOND COUNT:**

1-2. Paragraphs 1 and 2 of the FIRST COUNT are hereby incorporated as Paragraphs 1 and 2 of this the SECOND COUNT as if fully set forth herein.

3. On or about October 26, 2011, KUCHTA determined that the Defendant was occupying and/or allowing the occupancy of the dwelling located on the premises without a Certificate of Zoning Compliance and Certificate of Occupancy.

4. On or about October 26, 2011, KUCHTA issued an order to the Defendant notifying her that the use and occupancy of the dwelling located on the premises without a Certificate of Zoning Compliance and Certificate of Occupancy is a violation of §§8.3, 8.5, 8.8 and 8.9 of the City of Milford Zoning Regulations. A copy of said order is attached as Exhibit "B."

5-7. Paragraphs 5 through 7 of the FIRST COUNT are hereby incorporated as Paragraphs 5 through 7 of this the SECOND COUNT as if fully set forth herein.

THE PLAINTIFF, KATHLEEN KUCHTA  
Zoning Enforcement Officer for the  
City of Milford

BY:                         /S/ 414765                          
DEBRA S. KELLY, Her Attorney  
City Hall - 110 River Street  
Milford, Connecticut 06460-3390  
Tel. 783-3250 Juris 37950

DOCKET NO.: AAN CV 11 6008312 S

\* SUPERIOR COURT

KATHLEEN KUCHTA, Zoning  
Enforcement Officer for the City of Milford

\* JUDICIAL DISTRICT OF  
ANSONIA/MILFORD AT MILFORD  
\*

vs.

\* DECEMBER 2, 2011

EILEEN R. ARISIAN

**CLAIM FOR RELIEF**

The plaintiff in the above-entitled action claims:

1. A civil penalty of Two thousand five hundred dollars (\$2,500.00) pursuant to Connecticut General Statutes §8-12.
2. Attorney's fees and costs pursuant to Connecticut General Statutes §8-12.
3. A permanent injunction enjoining the Defendant from maintaining and allowing the maintenance of the premises in violation of the City of Milford Zoning Regulations and ordering the Defendant to immediately remove the three (3) signs on the front and side of the dwelling located on the premises.
4. A permanent injunction enjoining the Defendant from occupying and/or allowing the occupancy of the dwelling located on the premises in violation of the City of Milford Zoning Regulations and ordering the Defendant to immediately obtain a Certificate of Zoning Compliance and a Certificate of Occupancy.
4. An order permitting the periodic inspection of the premises by the Plaintiff and/or her agents in order to ensure compliance with the above orders.
5. Such other and further relief as the Court may find appropriate.

THE PLAINTIFF, KATHLEEN KUCHTA  
Zoning Enforcement Officer for the  
City of Milford

BY:                     /S/ 414765                      
DEBRA S. KELLY, Her Attorney  
City Hall - 110 River Street  
Milford, Connecticut 06460-3390  
Tel. 783-3250 Juris 37950

DOCKET NO.: AAN CV 11 6008312 S

\* SUPERIOR COURT

KATHLEEN KUCHTA, Zoning  
Enforcement Officer for the City of Milford

\* JUDICIAL DISTRICT OF  
ANSONIA/MILFORD AT MILFORD  
\*

vs.

\* DECEMBER 2, 2011

EILEEN R. ARISIAN

AMENDED AMOUNT IN DEMAND

The amount, legal interest or property in demand, is more than Two Thousand Five Hundred Dollars (\$2,500), exclusive of interest and costs.

THE PLAINTIFF, KATHLEEN KUCHTA  
Zoning Enforcement Officer for the  
City of Milford

BY:                   /S/ 414765                    
DEBRA S. KELLY, Her Attorney  
City Hall - 110 River Street  
Milford, Connecticut 06460-3390  
Tel. 783-3250 Juris 37950

**RETURN DATE: NOVEMBER 22, 2011**

**\* SUPERIOR COURT**

**KATHLEEN KUCHTA, Zoning  
Enforcement Officer for the City of Milford**

**\* JUDICIAL DISTRICT OF  
ANSONIA/MILFORD AT MILFORD**

**vs.**

**\* OCTOBER 25, 2011**

**EILEEN R. ARISIAN**

**COMPLAINT**

**FIRST COUNT:**

1. The Plaintiff is KATHLEEN KUCHTA ("KUCHTA"), Zoning Enforcement Officer for the City of Milford, duly authorized to enforce the City of Milford Zoning Regulations.
2. The Defendant, EILEEN R. ARISIAN, is the record owner of the premises known as 2 Orland Street, Milford Connecticut (hereinafter "the premises").
3. On or about July 6, 2011, KUCHTA determined that the Defendant had erected or allowed to be erected three (3) signs on the front and side of the dwelling located on the premises.
4. On or about July 7, 2011, KUCHTA issued an order to the Defendant notifying her that the signs violate §§5.3.1, 5.3.3.1, 5.3.4 and 5.3.4.1 of the City of Milford Zoning Regulations. By her order, KUCHTA ordered the Defendant to remove the three (3) signs on the front and side of the dwelling located on the premises within ten days of the date of her order. Exhibit "A."
5. The Defendant has failed to exhaust her administrative remedies by timely appealing said order.
6. To date, the Defendant has failed and/or willfully failed to comply with KUCHTA's order or appeal said order.

7. KUCHTA brings this action pursuant to Connecticut General Statutes §8-12.

**SECOND COUNT:**

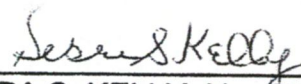
1-2 Paragraphs 1 and 2 of the FIRST COUNT are hereby incorporated as Paragraphs 1 and 2 of this the SECOND COUNT as if fully set forth herein.

3. On or about July 6, 2011, KUCHTA determined that the Defendant was occupying and/or allowing the occupancy of the dwelling located on the premises without a Certificate of Occupancy.

4. On or about July 7, 2011, KUCHTA issued an order to the Defendant notifying her that the use and occupancy of the dwelling located on the premises without a Certificate of Occupancy is a violation of §§8.3, 8.5 and 8.9 of the City of Milford Zoning Regulations. A copy of said order is attached as Exhibit A.

5-7 Paragraphs 5 through 7 of the FIRST COUNT are hereby incorporated as Paragraphs 5 through 7 of this the SECOND COUNT as if fully set forth herein.

THE PLAINTIFF, KATHLEEN KUCHTA  
Zoning Enforcement Officer for the  
City of Milford

BY:   
DEBRA S. KELLY, Her Attorney  
City Hall - 110 River Street  
Milford, Connecticut 06460-3390  
Tel. 783-3250 Juris 37950

RETURN DATE: NOVEMBER 22, 2011 \* SUPERIOR COURT

KATHLEEN KUCHTA, Zoning Enforcement Officer for the City of Milford \* JUDICIAL DISTRICT OF ANSONIA/MILFORD AT MILFORD \*

vs.

EILEEN R. ARISIAN

\* OCTOBER 25, 2011

**CLAIM FOR RELIEF**

The plaintiff in the above-entitled action claims:

1. A civil penalty of Two thousand five hundred dollars (\$2,500.00) pursuant to Connecticut General Statutes §8-12.
2. Attorney's fees and costs pursuant to Connecticut General Statutes §8-12.
3. A permanent injunction enjoining the Defendant from maintaining and allowing the maintenance of the premises in violation of the City of Milford Zoning Regulations and ordering the Defendant to immediately remove the three (3) signs on the front and side of the dwelling located on the premises.
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4. An order permitting the periodic inspection of the premises by the Plaintiff and/or her agents in order to ensure compliance with the above orders.
5. Such other and further relief as the Court may find appropriate.

THE PLAINTIFF, KATHLEEN KUCHTA  
Zoning Enforcement Officer for the  
City of Milford

BY: Debra S. Kelly  
DEBRA S. KELLY, Her Attorney  
City Hall - 110 River Street  
Milford, Connecticut 06460-3390  
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RETURN DATE: NOVEMBER 22, 2011

\* SUPERIOR COURT

KATHLEEN KUCHTA, Zoning  
Enforcement Officer for the City of Milford

\* JUDICIAL DISTRICT OF  
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vs.

\* OCTOBER 25, 2011

EILEEN R. ARISIAN

**AMOUNT IN DEMAND**

The amount, legal interest or property in demand, is more than Two Thousand Five Hundred Dollars (\$2,500), exclusive of interest and costs.

THE PLAINTIFF, KATHLEEN KUCHTA  
Zoning Enforcement Officer for the  
City of Milford

BY: Debra S. Kelly  
DEBRA S. KELLY, Her Attorney  
City Hall - 110 River Street  
Milford, Connecticut 06460-3390  
Tel. 783-3250 Juris 37950



State of Connecticut  
**Judicial Branch**



**Instructions:** Additional information about this transaction is provided below. Use the browser's print function to print a copy of this Confirmation. Then, select the "Back to E-Filing Menu" or "Logout".

[Print](#)

[Back to E-Filing Menu](#)

[Logout](#)

**Confirmation of E-Filing**

**Docket Number:** AAN-CV-11-6008312-S  
**Case Name:** KATHLEEN KUCHTA, ZON v. ARISIAN, EILEEN  
**Type of Transaction:** Pleading/Motion/Other  
**Date Filed:** Dec-2-2011  
**Motion/Pleading by:** MILFORD CITY ATTORNEY Juris# 037950  
**Document Filed:** AMENDED COMPLAINT

**Date and Time of Transaction:** Friday, December 02, 2011 9:43:49 AM

[E-File Another Pleading/Motion/Other on this Case](#)



# City of Milford, Connecticut

- Founded 1639 -

70 West River Street - Milford, CT 06460-3317

Tel 203-783-3245 FAX 203-783-3303

Website: [www.ci.milford.ct.us](http://www.ci.milford.ct.us)

E-mail: [planning@ci.milford.ct.us](mailto:planning@ci.milford.ct.us)

Planning and Zoning  
Board

David B. Sulkis, A.I.C.P.  
City Planner

July 7, 2011

Ms. Eileen R. Arisian  
2 Orland Street  
Milford, CT 06460

Re: 2 Orland Street, corner of Bayshore Drive, Milford, CT

Dear Ms. Arisian :

This office has received numerous complaints and after several site inspections, the latest performed on July 6, 2011 revealed that signs have been erected one on the front of the residence facing Bayshore Drive and two on the side of the residence facing Orland Street. After researching the file for your property it appears that you do not have a CO for permit #12410 to elevate the house or for permit #4965 for a new two story addition for kitchen, laundry room and new wrap around deck on three sides of the residence (9' x 13' plus 5' x 38' plus 5' x 25' deck).

Therefore, this property has been found to be in violation of the following sections of the City of Milford Zoning Regulations:

#### Section 5.3.1 General Procedure

...No sign, ... shall be erected or structurally altered unless an application for a zoning permit has been approved by the Zoning Enforcement Officer.

#### Section 5.3.3.1 Purpose and Findings:

The City of Milford Planning & Zoning Board is enacting this Regulation to establish reasonable regulations for the posting of temporary signs on public and private property. The Board finds that temporary signs provide an important medium through which individuals may convey a variety of noncommercial and commercial messages. However, left completely unregulated, temporary signs can become a threat to public safety as a traffic hazard and detriment to property values and the City's overall public welfare as an aesthetic nuisance. By enacting this Regulation the Board intends to:

- (1) balance the rights of individuals to convey their messages through temporary signs and the right of the public to be protected against the unrestricted proliferation of signs;
- (2) further the objectives of the City's Plan of Conservation and Development;
- (3) protect the public health, safety, and welfare;
- (4) reduce traffic and pedestrian hazards;
- (5) protect property values by minimizing the possible adverse effects and visual blight caused by temporary signs;
- (6) promote economic development; and
- (7) ensure the fair and consistent enforcement of the temporary sign regulations specified below.

Section 5.3.4 Signs Allowable in Residential, Residential-Multiple Family, Residential - Office.

EXHIBIT "A"

In addition and subject to all other applicable provisions and limitations contained in these regulations, the following signs shall be allowable in One and Two Family Residential, Medium Density Multiple-Family Residential, and Residential-Office.

5.3.4.1 One non-illuminated or indirectly illuminated identification sign for each separate street line not to exceed 9 square feet in area nor 8 feet in height; and further limited as follows: said sign shall be located not less than 10 feet from the front property line; the height of such sign shall not be greater than the distance it is located from any lot line. Noncommercial speech may be placed on any sign permitted by this portion of the Regulations.

**Section 8.3 APPLICATION FOR ZONING PERMIT**

Application for a zoning permit shall be submitted to the Zoning Enforcement Officer prior to construction, reconstruction, extension, enlargement, moving or alteration of any building, or other structure and prior to the use or occupancy of any land, building or other structure.

**Section 8.5 APPROVAL OF APPLICATION FOR ZONING PERMIT**

The Zoning Enforcement Officer shall approve an application for a Zoning Permit to allow the construction, reconstruction, extension, enlargement, moving or alteration of any building or other structure and/or to allow the use or occupancy of any land, building or other structure after he determines that all requirements of these Regulations have been met.

**Section 8.9 CERTIFICATES OF OCCUPANCY**

No land shall be used except for farming or gardening purposes, and no building or structure or part thereof hereafter constructed, reconstructed, extended, enlarged, altered, moved, changed or converted, wholly or partly in its use or structure, shall be occupied or used unless a Certificate of Zoning Compliance shall have been issued by the Zoning Enforcement Officer and until a Certificate of Occupancy shall have been issued by the Building Inspector

Therefore, in accordance with **Section 8.13 VIOLATIONS AND PENALTIES** you have been found to be in violation of Sections 5.3.1, 5.3.3.1, 5.3.4, 5.3.4.1, 8.3, 8.5 and 8.9 of the City of Milford Zoning Regulations.

You are hereby ordered to remove the signs within ten (10) days of the date of this order and refrain from allowing any prohibited signage to be erected in the future. In addition you must turn in as-builts for the two permits that have not been inspected and have not yet received Certificates of Zoning Compliance or Certificates of Occupancy. Failure to comply will result in this matter being referred to the City Attorney's Office for enforcement proceedings.

Very truly yours,



Kathleen Kuchta  
Zoning Enforcement Officer

Cc: Jocelyn Mathiasen  
City Attorney's Office  
Tom Raucci



# City of Milford, Connecticut

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Very truly yours,



Kathleen Kuchta  
Zoning Enforcement Officer

Cc: Jocelyn Mathiasen  
City Attorney's Office  
Tom Raucci