

Local Land Dispute Leads to Lawsuit



A portion of a 55-acre plot of farmland on Banks Road is the subject of a lawsuit that pits an Easton resident against a limited liability company linked to the chairman of the Planning and Zoning Commission.

Daniel Lent of Banks Road filed a lawsuit in Bridgeport Superior Court on Jan. 28, 2020, claiming that from 2013 to 2016 Amerakon Partners LLC filled in wetlands near Morehouse Brook and clear cut about two acres abutting his property. In addition, the suit alleges that a 1,000-foot-long recreational road was built without applying to the Easton Conservation Commission for permits. Lent also alleges that in 2020 Amerakon cut down trees and shrubs near wetlands and Morehouse Brook, which is all within the watershed of the Aquarion Water Company.

Planning and Zoning Commission Chairman Robert E Maquat is listed as the principal agent of Amerakon Partners LLC, according to state records.

Robert Nicola, who is representing Amerakon in the lawsuit, said his client is permitted to cut down trees and build farm roads on the property under an As of Right Determination the Conservation Commission granted Amerakon in 2011 to farm the property. Sherwood Farm currently farms part of the property.

According to Nicola, the determination allows Amerakon to conduct farming activities on wetlands, watercourses or regulated areas that would otherwise not be permitted. The

only activity not permitted on the property under the determination is the filling in of wetlands.

Nicola denied that Amerakon illegally filled in new wetlands on the land and encroached on Lent's property.

"My client is comfortable with any activities that have taken place on its land. I can also tell you that Amerakon has retained the services of surveyor to reaffirm the location of the property line, " Nicola said.

Attorney Janet Brooks, who is representing Lent in the lawsuit, said she had no comment for this story.

On Feb. 11, 2020, Amerakon went before the Conservation Commission seeking a permit to construct an additional farm road on a different section of the property along two wetland crossings to access Banks Road. Amerakon was also seeking an As of Right Determination for that portion of the property.

About two weeks later, on Feb. 25, 2020, Lent appeared before the commission to ask for a "Notice of Intervention." The intervention would allow him to be part of the commission's decision-making process on Amerakon's request for an As of Right Determination on the property. At the meeting the commission had a petition with 26 signatures asking for a public hearing on Amerakon's application.

A public hearing was set for March 24, 2020 but was cancelled because of COVID-19. Amerakon eventually withdrew the application.

Among other things, Lent wants the court to determine how much his property was devalued by the removal of the trees and the construction of the road and to make Amerakon compensate him for it. He wants to permanently prevent anyone associated with or invited by Amerakon from using the road. He is also asking Amerakon to pay his

legal fees.