April 8, 2026

Via Email djt@cohen-thomas.com and U.S. Mail

The Griffin Hospital
c/o Dominick J. Thomas, Jr., Esq.
315 Main Street
Derby, CT 06418

Re: 130 Division Street, Derby, CT 06418 (the "Property")

Dear Attorney Thomas:

Reference is hereby made to that certain Site Plan Application #2026-03-17-01 (the "Site Plan Application") received by the City of Derby Planning and Zoning Commission (the "Commission") for the proposed installation of a 999kW natural gas-powered combined heat and power generator (the "CHP Generator") to provide electrical and heating utility services to hospital facility (the "Hospital") located on the Property. Reference is further made to the certain variance approved by the City of Derby Zoning Board of Appeals (the "ZBA") on February 26, 2025 to vary Derby Zoning Regulations 195-19(E) (5) & (6) for a setback from 20' to 0' for the Hospital's modular building housing the Magnetic Resonance Imaging equipment and area (the "MRI Building Variance").

As specified in the application for the MRI Building Variance (the "Variance Application"), the precise variance sought was for a "setback from 20' to 0' for a modular building housing the Magnetic Resonance Imaging (MRI) equipment and area. Currently the MRI area is a trailer parked in the area where the building is proposed." Additionally, the Variance Application stated that the hardship was that "it would be impossible to upgrade the necessary MRI services in the proposed modular building without the variance." The MRI Building Variance was limited to modular building and area housing the MRI equipment. Accordingly, the CHP Generator was not included in or encompassed by the MRI Building Variance.

Please be advised that an additional variance application will need to be filed with and obtained from the ZBA to vary the required 20' setback set forth in Derby Zoning Regulations 195-19(E) (5) & (6) for the installation of the CHP Generator.

This letter confirms that the MRI Building Variance does not allow the installation of the CHP Generator as proposed by the Site Plan Application.

Please let me know of any questions or concerns you may have.

Very truly yours,

Kevin P. White
Zoning Enforcement Officer