



Brian R. Smith

Partner

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Brian R. Smith concentrates his practice in land use and real estate matters, and he handles litigation related to these topics. He is the former chair of our firm's LandLaw Section.

Land Use - Zoning

Brian represents municipalities, developers, and neighbors in land use, planning, wetland, and coastal resources issues. He regularly appears before local land use and wetland boards and commissions in Connecticut, and before state and federal permitting agencies, in order to help his clients gain the necessary approvals for their projects. He is a co-author of Public Access to the New York Shoreline and has appeared in a number of matters on behalf of clients concerning coastal areas and shoreline protection.

Brian has worked as lead counsel in obtaining land use approvals for hospitals, higher educational facilities, retail centers, factories, and performing arts venues. As lead counsel, he helped a Connecticut hospital obtain all permits and approvals it needed to build a 310,000-square-foot addition, including a new helicopter landing pad and expanded parking garage. Brian also handles land use matters related to environmental conservation. For example, he represents a land trust, which he has helped to preserve open space and protect Bald Eagle nesting sites near the Connecticut River.

Litigation

Brian handles land use matters that result in litigation, such as appeals of land use boards' decisions. He has served as lead counsel in numerous trials and appeals, involving permits, approvals and denials. He also handles litigation involving eminent domain, title disputes and disputes between landlords and tenants.

He successfully defended a Connecticut town after a developer sued it over the denial of its application for a large-scale affordable housing project. Four related cases went all the way to the Connecticut Supreme Court, and ultimately the litigation was resolved when the developer pursued a more modest development instead. He also has over two decades of experience representing public health agencies on various issues, including enforcing lead abatement issues in court.

Pro Bono

For more than three years, Brian worked on a pro bono basis to help St. Vincent de Paul Place, Norwich, Inc., a ministry of Norwich, Connecticut's Roman Catholic Diocese, in its efforts to provide free food through its soup kitchen and food pantry. He negotiated a settlement that allowed the organization to remain open and continue helping the needy in the Norwich area.

Brian has lectured regularly on the topic of affordable housing, land use, coastal protection and roads and highways. He is an adjunct professor at the University of Hartford, where he teaches entertainment law. Brian has an extensive background in land use, having worked in planning for Saratoga County, New York, and the City of Eugene, Oregon, prior to becoming an attorney.

Services

- Coastal Resources + Sea Level Rise
- Condominium + Common Interest Communities
- Land Use
- Property Rights + Eminent Domain
- Real Estate + Development
- Land Use Litigation
- Regulatory Counseling
- Administrative Appeals
- Development Permitting
- Religious Land Use + Institutionalized Persons Act

Industries

- Real Estate Developers + Owners

Education

- Cornell Law School (Juris Doctor)
- Colgate University (Bachelors, *cum laude*)
 - B.A., Honors in History

Admissions

- State of Connecticut
- U.S. Supreme Court
- U.S. Court of Appeals, 2nd Circuit
- U.S. District Court, District of Connecticut

Recognitions

Recipient of the Bridge Family Center's inaugural George C. Hastings Award

Selected to the Connecticut *Super Lawyers* list from 2006 to 2019

Selected by his peers for inclusion in *The Best Lawyers in America*® in the area of Land Use and Zoning Law since 2013

Connecticut Bar Foundation, James W. Cooper Fellow, 2013

Listed in *The Best Lawyers in America*® as Hartford Lawyer of the Year in the area of Land Use and Zoning Law for 2023

Leadership + Memberships

American Bar Association (1986 - Current)

Connecticut Bar Association (1986 - Current)

American Planning Association (1985 - Current)

Cornell Real Estate Council (1990 - Current)

University of Hartford

Board of Regents

Board of Regents, Finance Committee Chair (2007 - 2015)

Glastonbury Zoning Board of Appeals

Chairman

Sister Cities International

Honorary Board Member

The Bridge Family Center

Past Member of the Board of Directors