

Fasano, Ippolito & Lee, LLC

Attorneys at Law

388 Orange Street
New Haven, Connecticut 06511

Leonard A. Fasano
Alphonse Ippolito
Timothy J. Lee

Telephone: (203)787-6555
Telefax: (203)776-2119
Real Estate Fax: (203)776-1088

Nicholas N. Mingione

September 2, 2014

RE: Legacy Theatre

Dear Neighbor:

We represent the Stony Creek Association with respect to the above-referenced matter. On behalf of the Association, we have appealed the decision of the Branford Zoning Enforcement Officer approving the Legacy Theatre's "Tenant Fit Up" application. The appeal is scheduled for a hearing before the Branford Zoning Board of Appeals on September 16, 2014. We strongly encourage all residents to attend the hearing and voice their concerns regarding the project.

In its "Tenant Fit Up" application, the Legacy Theatre has proposed a 130 seat theatre which will operate on a year-round basis. The theatre will include a ticket box office and a concession area. In addition, the Legacy Theatre is proposing that the Theatre be used to host private party events, live performances, concerts, musicals, classes, original productions, plays, cabarets, private parties and special events.

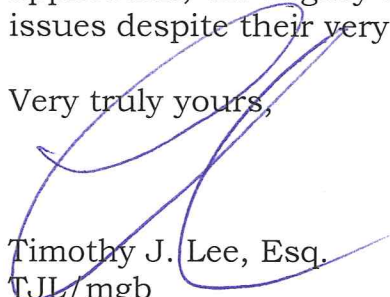
Prior to initiating the appeal, we met with a representative of the Legacy Theatre and its attorney on July 10, 2014. We expressed our concerns regarding the use of the property in terms of hours, type of use, frequency of use, traffic and parking. We asked the Legacy Theatre to provide us with further details regarding its proposal. They said that they were unable to provide this information at the meeting, but agreed to try to provide answers to the questions and concerns at a later date. Despite numerous attempts to contact the representatives, they have chosen not to respond to the questions and concerns of the Association. In fact, the letter submitted by the Legacy Theatre and read at the Association meeting on August 5, 2014 (and the three subsequent letters) were the only communication received from the Legacy Theatre after our meeting. Needless to say, the letter did not address any of

the substantive claims raised by the SCA or elaborate on the intended use of the property.

The purpose of the appeal is to require the Legacy Theatre to submit an application for a special exception to the Branford Planning & Zoning Commission. The Planning & Zoning Commission would be required to hold a public hearing on the application at which time all interested parties would have an opportunity to comment on the application. Equally important, the Legacy Theatre would have to clarify all of its proposed uses of the property, including the dates and hours of operation. The Legacy Theatre would also need to explain how it intends to address the traffic and parking generated by the project.

Unfortunately, due to the administrative approval of the "Tenant Fit Up" application, the Legacy Theatre was never required to address any of these issues despite their very dramatic impact on the surrounding neighborhood.

Very truly yours,


Timothy J. Lee, Esq.
TJL/mgb