

Jon Wilson
9 Bowhay Hill Road
Stony Creek CT 06405-5701
phone: 203-485-2132
email: jonwilson@snet.net

September 16, 2014

To Dan Bullard, President Stony Creek Association, and Board Members.

Re: SCA CT-FOIA

Dear Dan and Board:

As you know, on July 18th 2014 the Stony Creek Association filed a Notice of Appeal with the Town of Branford regarding the Legacy Theatre.

Under the **Connecticut Freedom of Information Act § 1-200 et seq.**, I am requesting copies of the following public records:

(1) Records and/or documents proving the SCA (Stony Creek Association) is, or may become, a legally “aggrieved person” by the ruling of Branford Zoning Enforcement Officer, Jennifer Aquino’s approval of the “Tenant Fit Up” application of the Legacy Theatre. The documents proving “legally” aggrieved person must meet the definition either under the Branford Zoning Regulations Section 9.12A or the CGS Section 8-7 [links below]

<http://www.branford-ct.gov/filestorage/285/287/466/BRANFORDZER.pdf>
http://www.cga.ct.gov/2013/pub/chap_124.htm

Include any records that show how the SCA is adversely affected in use or occupancy of any SCA property, or how the SCA is specifically and injuriously affected, or how the value of SCA property would be lessened, or how SCA legal rights would be injuriously affected. [See above link: CGS Section 8-7 “Party claiming aggrievement must show he is specifically and injuriously affected, mere generalities and fears are not enough. Id., 696.”]

(2) Records and documents showing the actual (or estimated) monetary damage to SCA property.

(3) Records, documents, or any evidence showing that the SCA has the legal basis to enforce or implement legal relief or a legal right in the above referenced matter against the Legacy Theatre or the Town of Branford.

(4) If no records for 1 to 3 above exist then, as suggested in the Aug 5th SCA member’s letter read into the minutes, produce any records or documents showing how the Stony Creek Association Board plans to reimburse taxpayer funds (\$2,500 + \$2,017.50 to date).

(5) Records and/or documents showing the SCA's legal authority to spend members' "tax revenue" to extend any financial support to an individual SCA member or any third party. If no records of this authority exist then produce any records showing how the SCA Board plans to reimburse the taxpayer funds (\$2,500 + \$2,017.50 to date).

(6) Any agreements between the SCA and the other two parties (for privacy: A & B) who in a letter prepared by the person filing the above Notice of Appeal stated, "(These) individuals (A & B) were generous enough to volunteer to be named as parties to the appeal for the purpose of avoiding any technical standing issues ..."

(7) Any documents or records in the SCA's possession showing (or suggesting) that "A" and/or "B" qualify as "aggrieved" as defined either by the Branford Zoning Regulations Section 9.12A or the CGS Section 8-7.

(8) Any documents or records in the SCA's possession showing (or suggesting) that either "A" and/or "B" do not qualify as "aggrieved" as defined either by the Branford Zoning Regulations Section 9.12A or the CGS Section 8-7.

(9) Any documents relating to the two parties (A & B) not being billed by the SCA's attorney, or free legal assistance in the future.

(10) Any documents showing that (A & B) have paid an equal share (\$2,500 + \$2,017.50/share to date) of the Attorney's retainer and fees.

(11) Any records, or documents, relating to the two parties (A & B) reimbursing the SCA.

(12) Any records, or documents, relating to (A & B) being covered by the SCA's insurance.

(13) The list of names and email addresses of Stony Creek Association members - the same list that was recently used to send email petitions.

(14) The list of names and postal mailing addresses of Stony Creek Association members - the same list that was recently used to send direct mail petitions.

If there are any fees for searching or copying these records, please inform me if the cost will exceed \$10.00. However, I would also like to request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding. This information is not being sought for commercial purposes.

The Connecticut Freedom of Information Act requires a response within four business days. If access to the records I am requesting will take longer, please contact me, in writing, with information about when I might expect copies of the requested records.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me, in writing, of the appeal procedures available to me under the law.

Thank you for considering my request.

Sincerely,



Jon Wilson
Stony Creek property owner
Stony Creek Association taxpaying member