

DOCKET NO. NNH-CV23-6135251-S : SUPERIOR COURT
ELM CITY MFG. JEWELERS, INC. and : JUDICIAL DISTRICT OF NEW
NEW BEGINNINGS CHURCH OF GOD IN HAVEN
CHRIST, INC.
VS. : AT NEW HAVEN
HAMDEN ZONING BOARD OF APPEALS, : APRIL 25, 2024
FFDC EJV LLC, FFDC EJV II LLC and
RAZA REALTY LLC

MOTION FOR JUDGMENT

The Plaintiffs in the above-reference matter hereby move for the entry of judgment rendering the actions of the Hamden Zoning Board of Appeals in granting the variance at issue in this matter void.

In support of the foregoing attached hereto as Exhibit A is a stipulation of counsel to each party in this matter agreeing to the entry of such judgment.

Further, settlement of this matter pursuant to Exhibit A was submitted as required by P.B. § 14-7B(j) before the Hamden Zoning Board of Appeals and heard at its meeting of April 18, 2024, wherein the settlement of the case on the basis set forth herein was approved.

WHEREFORE, Plaintiffs move for the entry of judgment pursuant to the attached stipulation.

***ORAL ARGUMENT IS REQUESTED
TESTIMONY IS NOT REQUIRED***

**THE PLAINTIFFS,
ELM CITY MFG. JEWELERS, INC. and NEW
BEGINNINGS CHURCH OF GOD IN CHRIST,
INC.**

By: _____

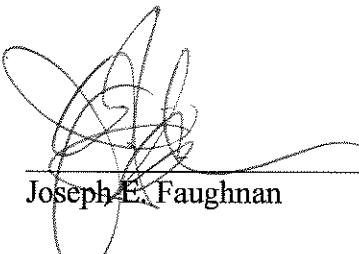

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Susman, Duffy & Segaloff, PC
700 State Street, Suite 100
New Haven, CT 06511
Telephone: (203) 624-9830
Juris No. 062505
Their Attorneys

CERTIFICATION

I certify that a copy of the above was or will immediately be mailed or delivered electronically or nonelectronically on April 25, 2024, to all counsel and self-represented parties of record and that written consent for electronic delivery was received from all counsel and self-represented parties of record who were or will immediately be electronically served:

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2750 DIXWELL AVE
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Joseph E. Faughnan

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Exhibit A

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ELM CITY MFG. JEWELERS, INC. and : JUDICIAL DISTRICT OF NEW HAVEN
NEW BEGINNINGS CHURCH OF GOD IN
CHRIST, INC.

VS. : AT NEW HAVEN

HAMDEN ZONING BOARD OF APPEALS, : APRIL 25, 2024
FFDC EJV LLC, FFDC EJV II LLC and
RAZA REALTY LLC

JOINT MOTION FOR JUDGMENT BY STIPULATION

The parties move for judgment in accordance with the following stipulation:

Judgment may enter in favor of the Plaintiffs on the following terms and conditions:

1. The appeal filed by the Plaintiffs, itself the subject matter of this action, shall be UPHELD.

Such determination by this Superior Court shall be final and beyond the scope of review of the Defendant, HAMDEN ZONING BOARD OF APPEALS, pursuant to its limited jurisdiction under the relevant statutes and regulations.
2. Any and all relief previously granted by the Hamden Zoning Board of Appeals to the Defendants pursuant to the application out of which this action arose is hereby VOID. Such relief granted thereunder is hereby explicitly and inextricably withdrawn.
3. Any and all variances previously or currently applying to the subject property, located at 1586 Dixwell Avenue and 1596 Dixwell Avenue, both of Hamden, Connecticut, that arose in connection to or on account of the application provided, advanced, or otherwise endorsed by the Defendants and approved by the Hamden Zoning Board of Appeals on July 20, 2023,

ORAL ARGUMENT NOT REQUESTED
TESTIMONY NOT REQUIRED

related to the sale, distribution, growth, production, or other activities or enterprises related to marijuana are hereby REVOKED and rendered VOID.

4. Each party shall bear its own costs, fees and expenses.
5. This instrument may be executed in one or more counterparts, all of which together shall constitute one and the same instrument.

THE PLAINTIFFS,
ELM CITY MFG. JEWELERS, INC. and NEW
BEGINNINGS CHURCH OF GOD IN CHRIST,
INC.

By: /s/ Joseph E. Faughnan (370479)

Joseph E. Faughnan
Christopher J. Buza
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Their Attorneys

THE DEFENDANTS,
FFDC EJV LLC, FFDC EJV II LLC and RAZA
REALTY LLC

By: Amy E. Souchuns
Amy E. Souchuns, Esq.
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Their Attorneys

THE DEFENDANT,
HAMDEN ZONING BOARD OF APPEALS



By: _____
Brendan Sharkey, Esq.
HAMDEN CORPORATION COUNSEL
2750 DIXWELL AVE
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It's Attorney

CERTIFICATION

I certify that a copy of the above was or will immediately be mailed or delivered electronically or nonelectronically on April 25, 2024, to all counsel and self-represented parties of record and that written consent for electronic delivery was received from all counsel and self-represented parties of record who were or will immediately be electronically served:

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