

## Official Correspondence - #39 Arrow Point Road - ZBA meeting

Claire Guadagno <cnguadagno@yahoo.com>

Sun 2/4/2024 4:37 PM

To: Land Use Officer <landuse@warrenct.org>

Cc: Michael Guadagno <mike.guadagno77@gmail.com>

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To: Janell Mullen

Official Correspondence to be read into minutes for ZBA meeting regarding #39 Arrow Point

To: Zoning Board of Appeals

RE: variance request by Mark Gally #39 Arrow Point

By way of introduction, we are Claire and Michael Guadagno. We have owned the property at 31 Arrow Point Road for 23 years. We maintain a house and a dock on that property and use the dock for our power boat from late spring to mid-fall.

We have reviewed Mr. Gally's full application for a variance and are opposed to the variance being granted based on **exceptional difficulty, unusual and unique hardship** as well as not changing the character of the neighborhood and his belief that his massive dock will be in keeping with harmony and intent of the regulations.

The strength in the argument against this variance is the visual and physical evidence on the properties that are contiguous with Mr. Gally's and along the length of the east side of Arrow Point. All current docks are in compliance with Warren's regulations. **All docks are in water with approximately the same depth and drop-off as Mr. Gally's.**

I would invite the Board members, if they so desire, to walk my shoreline property and take lake depth measurements.

All docks on that side of Arrow Point have been installed or refurbished within the last 20 years, - and as recently as this year - and **in all cases, residents have respected the town's regulations. #39 is not in a unique situation, if fact, it is the opposite: it is the norm.**

We can only speak to the topography of the lake bed on our property but it should be noted that when we configured our dock, we did so to avoid a boulder that was in the area. We have a fully functioning and we are within the regulations. In times of severe drought, we moor our boat on a ball in deeper water. Our neighbors have done the same when severe conditions persist. These mooring balls are not out as far as the 90' requested by Mr. Gally.

This summer's record breaking rainfall raised the lake level to new heights. Not only was our boulder a non-issue but the "shallow rock shelf" cited and photographed in the application was submerged from the beginning of July. We kayak or boat up and down this side of the lake almost three times a week and can verify this as a fact.

It is our understanding that at the end of the summer, Warren, Kent and Washington commissioned and completed a bathometric survey of the entire lake including the shorelines. This information should be available to the Board to evaluate any depth issues.

Mr. Gally had a functioning dock and his boat was tied up to it during the summer of 2023. Therefore, the request for a variance based on exceptional difficulty and unique hardship is not met.

Thank you for your attention. As always, we respect the time that the ZBA Board members give to our town.

Sincerely,

Claire and Michael Guadagno

