

## AMENDED AND CLARIFIED STATEMENT OF USE AND PROJECT DESCRIPTION

The Statement of Use and Project Description submitted with the Application is hereby amended and clarified as follows:

### I. APPLICANT'S MISSION STATEMENT AND HISTORY OF PHILANTHROPY

The Applicant, Emily Hall Tremaine Foundation (“EHTF”), is private foundation whose mission is as follows:

*The Emily Hall Tremaine Foundation will seek and fund innovative projects that advance solutions to basic and enduring problems.*

*With an overall emphasis on education, principally in the United States, it will take an active role in three major areas:*

- [Art](#)
- [Environment](#)
- [Learning Differences](#)

*Our efforts will reflect the entrepreneurial spirit of our family forbearers and the founder's distinction for foresight, imagination and risk taking.*

*We shall pursue our mission so that the Foundation will also engender family unity, equality, and mutual respect, and serve to educate family members in philanthropy, service and stewardship.*

As a multigenerational family foundation, EHTF has been in operation for nearly forty years and has distributed more than \$100 million in grants to nonprofit and mission-based entities. Since its inception, EHTF has been active in the field of learning disabilities and learning differences. This topic is of personal significance to the family, especially related to school-based challenges of serving children with dyslexia. Early-on, the Foundation supported a nationwide public awareness campaign designed to encourage early interventions. These efforts included public attitude polls from the mid-1990s through 2010, plus public service ad (PSA) campaigns through the Ad Council. EHTF later supported initiatives to build Classrooms for All Learners, including expanding the field of Universal Design for Learning (UDL) and supporting advocacy organizations such as the National Center for Learning Disabilities. More recently, as neuroscience has improved, EHTF has been funding early identification and early literacy efforts, including leading edge science of reading supports for [teacher preparation programs](#), [teacher professional development](#), and an [advanced, game-based assessment](#) to identify reading challenges as early as pre-K that can prevent dyslexia.

The Foundation's investment in the arts is two-fold and involves support for artists and curators. EHTF has directly expanded career opportunities for visual artists by increasing access to business development expertise, entrepreneurial skills, and related professional practice and career supports, including related programming at arts universities. Looking more

comprehensively at all the conditions needed for artists to thrive, EHTF seeded and is now functioning as the backbone organization for a field-wide initiative called [Artists Thrive](#). On the curatorial side, EHTF supports a suite of initiatives under the banner of *Curators on the Cusp* that aligns with a value Emily Hall Tremaine held dearly - to challenge critical thinking. The supports include the [Emily Hall Tremaine Exhibition Award](#) (this hallmark program offers curators the unique opportunity and creative freedom to research, redefine, and push new themes in contemporary art exhibitions); the [Emily Hall Tremaine Exhibition Research Grants](#); and opportunities for [curatorial mentorship](#), a [journalism fellowship](#), and grants for [curatorial advancement](#) focused on innovation and peer networks. EHTF also honors the art legacy of Burton Tremaine, Sr. and Emily Hall Tremaine through the online [Tremaine Collection](#) digital archive.

Support for environmental causes has recognized the importance of clean air, clean water, and conservation of open space. The Foundation has had a rich history of investment ranging from land acquisition and protection in the Connecticut River Valley to climate and energy policy on national, regional and local levels. Currently, EHTF looks to Connecticut as a learning laboratory for environmental innovations that support community-level sustainability and resilience. The Foundation has been collaborating with multiple funder partners, local elected and community leaders, nonprofits, academia, and other cross-sector partners, to support the statewide initiative, [Sustainable CT](#). Under Sustainable CT, towns have a complete roadmap of sustainability actions, resources, technical assistance, peer learning, and recognition to help them realize visions of thriving communities across Connecticut. EHTF also helped to seed and continues to fund Sustainable CT's [Community Match Fund](#) – an innovative, statewide sustainable community program that integrates crowdfunding as a match to philanthropic dollars that provides residents with a greater voice and investment power regarding sustainability projects in their communities.

## **II. IDENTIFICATION, BRIEF HISTORY AND ACQUISITION OF THE SITE BY EHTF**

A 76-acre property (which includes the 6-acre “Site” which is the subject of this Application) was in the Tremaine family from 1938 – 1994. The Site, which consists of two tax parcels (Map 70 Lot 1-1 and Map 70 Lot 1-14) includes the main house, additions and barn located at 6 Opening Hill Road in Madison, Connecticut. The main house was built circa 1720. Through improvements in the 1950s by Burton Tremaine, Sr. and Emily Hall Tremaine, the Site became a unique mix of colonial and modernist architecture, including design work from four notable professionals: architects Alberta Pfeiffer, Philip Johnson and Landis Gores, and lighting designer Richard Kelly. In addition, modernist architecture also created a harmonious connection between indoor and outdoor spaces, making landscape architecture integral to the Site. A multitude of artworks (paintings, sculptures, prints, etc.) from the famous Tremaine Art Collection were on display in the home and throughout the landscape for more than 40 years. After the deaths of Burton, Sr. and Emily Hall Tremaine, the Tremaine family subdivided the property and in 1994, sold the Site. The Site changed hands again in 2002 and then fell into disrepair around 2019. Bank of America foreclosed on the Site in late 2019, performed clean-up,

conducted environmental assessments, and made several functional improvements. EHTF purchased the Site in early 2023.

### **III. EHTF’S PROPOSED PHILANTHROPIC AND EDUCATIONAL USE OF THE SITE**

A. Philanthropic and Educational Uses. Consistent with and in furtherance of its mission statement as a 501(c)(3) private foundation, EHTF plans to operate a facility with indoor and outdoor (where appropriate) art and architecture exhibits, along with gallery and studio spaces. In addition, EHTF plans to have convening, meeting, administrative, classroom/lecture, and incubator spaces. EHTF also plans to consider art, design, and research residency facilities. The site will have a distinct name (TBD by EHTF’s board) for recognition in cultural and other mission-based sectors. A vast majority of activity on the site will be directly mission-based, with limited, ancillary development and fundraising activities that will support the philanthropic and educational programming. The Foundation will also implement and emphasize numerous sustainability measures that will be consistent with environmental protections. The Applicant seeks a Special Exception permit to conduct the following philanthropic and educational activities, uses and operations at the Site:

1. **EHTF’s administrative office** - the office shall not exceed 1,500 square feet. EHTF has a small staff that primarily works remotely (currently two full-time and two part-time employees), with time in the office approximately one day per week. When the Site is programmed, however, there will always be staff or foundation representation on site.
2. **“Meetings”** which shall consist of invitation-only and/or by prior appointment indoor and outdoor programs and gatherings of up to 12 persons for exhibits; lectures; discussions; meetings; conferences; retreats; seminars; tours; artist, architect and designer studios; incubator space for aspiring artists, architects, and designers – all of which are in furtherance of and/or in support of EHTF’s mission statement. Food and beverages may be served at Meetings, which may be prepared on-site (in the service kitchen referenced below) and/or catered by outside catering services. All Meetings shall occur between the hours of 8:00 a.m. and 6:00 p.m. Sunday through Thursday and 8:00 a.m. and 9:00 p.m. Friday and Saturday. All parking for Meetings shall be on the Site with overflow parking (if any) staged offsite and serviced by a temporary shuttle operation with vehicle(s) that have the capacity to carry no more than twenty (20) persons. No street parking shall be permitted. There shall be no limit on the number of Meetings per day, per month or per year. These mission-based meetings will be supported through philanthropic dollars and will be non-revenue generating.
3. **“Philanthropic and Educational Gatherings”** which are the same as Meetings but with more than 12 persons. The maximum number of attendees (excluding EHTF staff and programming staff) on Site for any Philanthropic and Educational Gatherings shall be 25. Food and beverages may be served at Philanthropic and

Educational Gatherings which may be prepared on-site (in the service kitchen referenced below) and/or catered for by outside catering services. All Philanthropic and Educational Gatherings shall occur between the hours of 8:00 a.m. and 6:00 p.m. Sunday through Thursday and 8:00 a.m. and 9:00 p.m. Friday and Saturday. All parking for Philanthropic and Educational Gatherings shall be on the Site with overflow parking staged offsite and serviced by a temporary shuttle operation with vehicle(s) that have the capacity to carry no more than twenty (20) persons. No street parking shall be permitted. There shall be no more than four (4) Philanthropic and Educational Gatherings in any calendar month. These mission-based gatherings will be supported through philanthropic dollars and will be non-revenue generating.

4. **“Events”** which shall mean indoor and/or outdoor experiences, receptions, open houses, presentations, lectures, classes, and exhibits all of which are or may be open to the public by advance reservation and the attendance at which will exceed twenty-five (25) persons, all as limited by the following requirements:
  - a) The number of participants, staff, volunteers and others who will be gathering at one time in connection with any Event shall not exceed one hundred and fifty (150) persons.
  - b). Events can only occur between the hours of 8:00 a.m. and 6:00 p.m. Sunday through Thursday and 8:00 a.m. and 10:00 p.m. on Fridays and Saturdays.
  - c) The Total Number of Events shall not exceed one (1) per month nor shall there be more than three (3) in any calendar year.
  - d) While the on-Site parking can be utilized for Events, all other parking for Events shall be offsite and serviced by a temporary shuttle operation with vehicle(s) that have the capacity to carry no more than twenty (20) persons.
  - e) Events must comply with all state and municipal codes and regulations.
  - f) Portable lavatories will be supplied for all Events and shall be located in the area indicated on the site plan attached hereto as Exhibit B.
  
5. **“On-Site Residencies”** which includes:
  - a) **“Program Residencies”** which consist of temporary residencies (for a maximum of 4 months), meals and studio space for artists, art historians, authors, architects, researchers, and non-profit leaders engaged in educational and creative endeavors. Participants shall be selected by a peer jury or similar type of committee appointed by the Applicant. These mission-based residencies will be supported through philanthropic dollars and will be non-revenue generating.
  - b) **“Staff Residencies”** for EHTF’s employees, which consists of building and/or grounds maintenance staff, executive director, program coordinators, and resident advisors. There shall be designated parking spaces for full-time employees residing on the Property. These mission-based Staff Residencies will be supported through philanthropic dollars and will be non-revenue generating; and

c) “**Experience Guests**” which consists of invitation only and/or by prior reservation, temporary guests paying for overnight accommodations at the Site, where such guests are immersed in the Site history; the art, architecture and design experience; and/or a curated, mission based educational experience.

On-Site Residencies shall be subject to the following:

i) No other residency, besides On-Site Residencies, shall be permitted. On-Site Residencies may occur in any combination of main house guestrooms, rooms in main house, guest house, and the barn. Amenities for residents may include the provision of all meals.

ii) The total number of Residencies on the Site at any one time shall not exceed 8 persons within the 6 bedrooms on site.

6. “**Ancillary Development/Fundraising Activities**” – Included within the above listed uses are the following ancillary development/fundraising activities where all funds raised will be dedicated to supporting the philanthropic and educational activities on the Site:

a) Fundraising events – within the Events as described and limited in section A.4. above, up to 2 of the 3 Events may be dedicated to Fundraising Events.

b) Day-long corporate-type retreats and/or filming/photoshoots – within the Philanthropic and Educational Gatherings as described and limited in section A.3. above, up to 1 of the 4 Philanthropic and Educational Gatherings per month may be dedicated to day-long corporate-style retreats and/or filming/photoshoots.

c) Experience Guests – within the On-Site Residencies as described and limited in section A.5. above, up to 25% of the annual On-Site Residencies (excluding Staff Residencies) may be dedicated to Experience Guests.

7. A service kitchen and dining area for providing food and beverage to attendees of Meetings, Philanthropic and Educational Gatherings, On-Site Residencies, Events, and Ancillary Development/Fundraising Activities.

8. Signage: One placard sign identifying the Site not to exceed 6 square feet shall be permitted on the Site.

B. **Annual Operational Plan**. On-Site Residencies (excluding Staff Residencies), Philanthropic and Educational Gatherings, Events, and Ancillary Development/Fundraising Activities shall be subject to the following additional criteria and limitations:

1. Subject to the maximum number of uses as approved in the Special Exception and as set forth in Section A above, The Applicant shall submit an annual operational plan to the Commission indicating the number and type of On-Site Residencies (excluding Staff

Residencies), Philanthropic and Educational Gatherings, Events, and Ancillary Development/Fundraising Activities that are anticipated to be held during each month of the next ensuing calendar year.

2. The Applicant shall be limited to conducting only those On-Site Residencies (excluding Staff Residencies), Philanthropic and Educational Gatherings, Events, and Ancillary Development/Fundraising Activities as set forth in its annual operational plan for any given year. However, a “Minor” change to an annual operational plan for any given year may be approved during such given year by the Zoning Enforcement Officer. Subject to the overall usage limits set forth in the Special Exception and as described in section A above, an increase of not more than 1 in the total number of On-Site Residencies (excluding Staff Residencies), Philanthropic and Educational Gatherings, Events, and Ancillary Development/Fundraising Activities from the current approved operational plan shall be considered a “Minor” change in the annual operational plan.

3. An annual operational plan for the On-Site Residencies (excluding Staff Residencies), Philanthropic and Educational Gatherings, Events, and Ancillary Development/Fundraising Activities which Applicant may hold on the Site during each month of the calendar years 2024 and 2025 is attached hereto as Exhibit A.

4. Commencing on October 1, 2025 and on each October 1 thereafter, Applicant shall submit an updated annual operational plan to the Commission indicating the number and type of On-Site Residencies (excluding Staff Residencies), Philanthropic and Educational Gatherings, Events, and Ancillary Development/Fundraising Activities that are anticipated to be held during each month of the next ensuing calendar year and which must comply with the limitations on such number and type of On-Site Residencies, Philanthropic and Educational Gatherings, Events, and Ancillary Development/Fundraising Activities as set forth in the Special Exception. In no event may the maximum number of On-Site Residencies, Philanthropic and Educational Gatherings, Events, and Ancillary Development/Fundraising Activities exceed the number allowed per month or per year as set forth in Section A above.

5. Each annual operational plan shall include the following information:

- i) The name of the owner and operator of the Site;
- ii) The date of the filing of the prior year’s operational plan;
- iii) Copies of all violations, orders, judgments, or any other notices issued by any governmental entity or agency, at the federal, state, county or town level, that the Applicant is in violation of the Special Exception or any other applicable law, rule or regulation, which was issued since the filing of the prior year’s operational plan; and
- iv) A sworn statement that since the filing of the prior year’s operational plan, the Site has been in compliance with the conditions of the Special Exception.

6. If the annual operational plan and accompanying materials and information establish that (i) the On-Site Residencies, Philanthropic and Educational Gatherings, Events, and Ancillary Development/Fundraising Activities planned on the Site do not exceed the number and

type of On-Site Residencies, Philanthropic and Educational Gatherings, Events, and Ancillary Development/Fundraising Activities allowed under the Special Exception Permit, and (ii) there has been no notice, violation or order issued to the Applicant in the prior calendar year asserting material non-compliance with the terms, conditions and limitations set forth in the Special Exception Permit, then the Commission shall approve said annual operational plan.

7. If at the time of the filing of any annual operational plan, the Commission determines that (i) there have been On-Site Residencies, Philanthropic and Educational Gatherings, Events, and Ancillary Development/Fundraising Activities which exceed the number and type of On-Site Residencies, Philanthropic and Educational Gatherings, Events, and Ancillary Development/Fundraising Activities allowed under the Special Exception during the previous year, or (ii) there has been a notice, violation or order issued to the Applicant in the prior calendar year asserting material non-compliance with the terms, conditions and limitations set forth in the Special Exception Permit, then the Commission shall, after notice to the Applicant/Owner of the Site and the persons or parties which were required to be mailed notices of this Application (i.e. property owners within 500 feet of the Site), hold a hearing to determine (i) whether any enforcement action should be taken against the Applicant/Owner of the Site, and (ii) whether any amendments to the Special Exception Permit and/or the annual operational plan for the next ensuing year are warranted under the circumstances.

C. General Conditions of Special Exception.

1. In conducting the uses permitted, the Applicant shall comply with all applicable Federal, State and Town laws, rules and regulations.

2. The building coverage of the Site shall not exceed 15% in accordance with Section 3.4c) of the Madison Zoning Regulations.

3. At no time shall the Site be less than 5 acres.

4. The maximum height of any structure shall be 30 feet in accordance with the RU-1 bulk standard.

5. Other than occupancy by individuals in On-Site Residencies, no Meetings, Philanthropic and Educational Gatherings and Events shall commence on the Site before 8:00 a.m. or continue past 6:00 p.m. Sunday through Thursday and 10:00 p.m. on Fridays and Saturdays.

6. The Commission and Zoning Enforcement Officer shall have the right to enforce compliance with the terms and conditions of this Special Exception.

7. Prior to conducting any On-Site Residencies, Meetings, Philanthropic and Educational Gatherings or Events, the sewage disposal system shall meet all State and local requirements and shall be specifically approved by the local health officer. Any and all use of the buildings on the Site shall be in compliance with the building, health and fire codes.

8. Except for emergencies, at no time shall there be parking on any street for any activity or use associated with the Site.

9. The Special Exception permit shall remain valid so long as the Site is owned by a tax-exempt organization recognized under the Internal Revenue Code (or the corresponding provision of any future United States Internal Revenue Law).

10. No impervious parking areas shall be created to accommodate parking for any of the uses permitted by the Special Exception. All on-site parking is shown on the site plan attached hereto as Exhibit B.

11. At no time will a Meeting or Event occur on any of the four (4) days per month when a Philanthropic and Educational Gathering will occur.

#### **IV. CONSISTENCY WITH MADISON'S PLAN OF CONSERVATION AND DEVELOPMENT**

Madison's 2013 Plan of Conservation and Development ("POCD") contains a checklist in Chapter 8, pages 74-75 which an Applicant is encouraged to complete in connection with any land use application. The Applicant has completed the same below and it is clear that the Applicant's proposed use of the Site checks a lot of boxes and is consistent with the POCD. The completed checklist is as follows:

##### MADISON PLAN OF CONSERVATION & DEVELOPMENT

##### Consistency Checklist

PROPONENT            The Emily Hall Tremaine Foundation

PROPOSAL    Application for Special Exception for Philanthropic and Educational Use  
                  6 Opening Hill Road & Indigo Trail Parcels (Approximately 6 acres)

##### COMMUNITY PARTICIPATION

- The proposed public action is proposed by or supported by the responsible agency as identified in the implementation tables.
- The proposed private activity is supported by other community groups and/or agencies.
- The proposed activity has been the subject of a public hearing.

##### SPECIFIC CONSISTENCY

- The proposed public action addresses a specific recommendation in the Plan.

##### CONSISTENCY WITH PLAN THEMES

- Does It Enhance Community Character Or Quality of Life?
  - Does it help maintain excellence in community facilities?
  - Does it help protect scenic resources?
  - Does it help protect historic resources?
  - Does it help promote architectural character?



- Does it help minimize character detractions?
  - Does it help support community pride and spirit?
  - Does it help expand coastal public access opportunities?
  - Does it help provide for open spaces and trails?
  - Does it help retain undeveloped land?
  - Does it help enhance walking opportunities?
  - Does it help identify bicycle routes in Madison?
  - Does it help enhance transit services?
- Does It Enhance Madison Center?
- Does it help maintain the character of Madison Center?
  - Does it help provide restrooms for public use in Madison Center?
  - Does it help make it easier to find parking in Madison Center?
  - Does it help maintain active street-level uses in Madison Center?
  - Does it help enhance the sidewalk network in Madison Center?
  - Does it help address septic limitations in Madison Center?

Additionally, the POCD, at Page 16, provides as follows:

*There are other historic buildings and areas in Madison which are not on the National Register or the State Register. Efforts to nominate and recognize these historic resources should continue.*

*The greatest protection for historic resources comes from sensitive owners (voluntary preservation) and/or establishment of a local district (regulatory oversight). A listing on the National Register of Historic Places provides recognition of a historic resource but does little in terms of protecting it. For example, it does not prevent a property owner from undertaking activities detrimental to the historic resource. Efforts to identify and protect historic resources should continue.*

*Continue These Policies:*

*A. Protect historic resources.*

*B. Encourage and support owners of historical resources in preserving those resources.*

*C. Work with the Madison Historical Society, Deacon John Grave House, Charlotte Evarts Archives, and other organizations that promote historic preservation.*

Simply put, the Applicant's proposed use of the Site is directly and thoroughly supported by the goals and policies of the POCD.

**EXHIBIT A**  
**Annual Operating Plan 2024 and 2025**

**Owner and operator of the Site:** The Emily Hall Tremaine Foundation

**Last filing:** First time filing (subsequent filings will occur on October 1 of each year, beginning with Oct 1, 2025)

**Proposed Uses:**

<b>Uses</b> (per the Statement of Use)	<b>2024</b>	<b>2025</b>
On-Site Residencies	• 0	• 0
Philanthropic and Educational Gatherings	• Up to 2	• Up to 3
Events	• 1	• 2
Ancillary Development/Fundraising Activities	• 1	• 1

**Noncompliance** (*copies of all violations, orders, judgments, or any other notice issued by any governmental entity or agency, at the federal, state, county or town level, that the Applicant is in violation of the Special Exception Permit or any other applicable law, rule or regulation, which was issued since the filing of the prior year's operational plan*): No violations at this filing.

**Sworn statement of compliance with the Special Exception Permit:** First time filing; not applicable

**EXHIBIT B**  
**Site Plan**