

Corner Connection
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9/18/2023

City of Charles Town
Town Council et al
Mayor Bob Trainor
101 E Washington St.
Charles Town, WV 25414
304-725-2311

Re: Demand to Cease Road Closures and Alleged Tortious Interference

Dear Charles Town City Officials, Town Council and Staff,

I am writing to address a matter of utmost importance and urgency regarding the ongoing road closures on Samuel Street that occur every Saturday from April through October due to the Farmers Market operations. These closures, along with the harassment of my business, visitors and vendors, have severely impacted the operations of Corner Connection, located at 119 E. Washington Street, which also occupies a fully handicap accessible main entrance on Samuel Street.

Corner Connection WV LLC is a lawful and legitimate business entity that has been operating in our community since April 01, 2023. Our business has already proven to be an integral part of the local economy, providing additional opportunities to many local businesses that support our venue services, including local cafes, vendors, caterers and rental companies. Additionally, our members have become licensed businesses with the City of Charles Town. To date, there are over 5 businesses that have become licensed for the City of Charles Town since we have opened. We have attracted numerous county and state organizations for meetings in our special event hall, including the Jefferson County Chamber of Commerce and the WVDEP. When tragedy struck a local, nonprofit resource for adults in our community through our Panhandle Boards of Education, we immediately reached out to offer an affordable solution for office space while they regrouped on a long term plan. We take immense pride in our contributions to the community and have always strived to be a responsible and conscientious corporate citizen since opening our doors.

Regrettably, we have encountered a significant loss of revenue due to impeded access to our business, our private driveway, our loading bay and our ADA accessible entrance as a result of the series of road closures on South Samuel Street, adjacent to our business premises that have also caused substantial disruptions to our operations. We have made various requests to remove the encumbrance of the street closure by relocating the Farmers Market for the 2024 season. They have been declined, including a special events permit that requested the two parking spaces proximal to our business be reserved for our weekend use for special events, which we hold every weekend, whether they be private or public events. These events are one of our main sources of revenue. Additionally, we have requested access to our private driveway for parking and that has been denied, as well. It has come to our attention that these road closures have been initiated and maintained by individuals or entities with no lawful authority to do so, and we believe that these actions amount to tortious interference with our business operations.

Tortious interference occurs when a third party, without justification or legal excuse, intentionally interferes with the contractual or business relationships of another party, causing harm or economic loss. In this case, the road closures have resulted in a significant decline in our event revenue and have prevented our suppliers from delivering essential goods and services to support the special events that would be booking with us, if not for the obstruction. This is damaging our business relationships and causing substantial financial losses.

We formally request that you or any parties associated with these road closures cease and desist from these activities that are causing undue harm to our business. Failure to do so will leave us with no choice but to pursue legal remedies available to us, including filing a lawsuit to seek damages for the losses we have suffered due to the interference with our business operations, including peak access times to our main entrance which is also our ADA approved entrance, thus federally protected. We understand that the remainder of the contracted requirements for street closures will be in place through October 29th, 2023, and we agree to yield and concede to the street closures through that time.

Furthermore, we expect you to take swift action to announce that Samuel Street will reopen on Saturdays and remain open from November 01, 2023 going forward, except for City planned special events that are not routine and weekly events. We believe that a resolution can be reached amicably and without the need for protracted legal proceedings, which would only serve to further escalate this matter. We do not wish to take legal action, and would prefer to trust that our City Council is pro-business and understands the value we are bringing to Downtown Charles Town.

Please consider this letter as our formal request to cease the road closures and rectify the situation promptly. We request a response from you within 14 business days from the date of this letter indicating your willingness to accommodate our request. Failure to respond or take appropriate action will leave us with no choice but to pursue other options to protect our business interests.

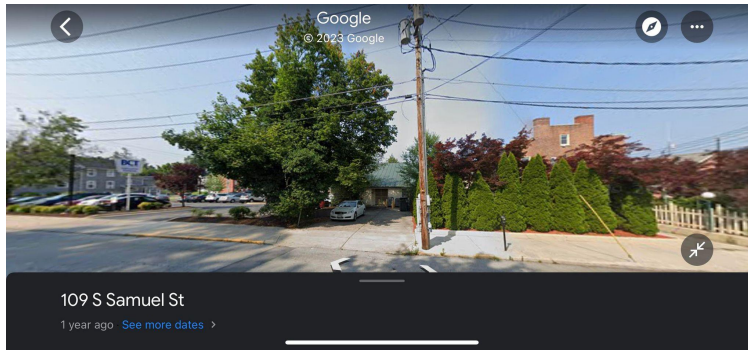
We sincerely hope that it does not come to that, and we can work together to resolve this matter to the satisfaction of all parties involved. We are open to discussing a mutually agreeable resolution and are willing to engage in constructive dialogue to achieve this goal. Thank you for your immediate attention to this matter.

Sincerely,

Mara Bauserman
Founder, Owner
Corner Connection

Images of encroachment and encumbrances:

This is an image of our drive and our loading doors where rentals, event equipment, florals and other necessities for our business are delivered Monday through Sunday during our operating hours. You can see our ADA entrance, at the fence, that predated our lease to this building. However, once you have an ADA accessible building, you may not deviate from maintaining it to be accessible. We are federally obligated to maintain that access free and accessible at all times of operations.



Without permission, this flag was planted on our private property, blocking the street view of our property and trespassing on our property, until we placed another temporary sign in order to block the placement.



These signs, due to staffing options at our local PD, are placed anywhere from Friday morning to Friday afternoon and remain posted through Monday morning. They are often confusing to those driving by with intent to come to our business, as the timeline is not easily readable when driving. However, the "no parking" is very clear.



The below image was taken at aprox 6:40AM on 9/16/2023, which clearly shows that we have no access to our private parking area, even though the street is empty. Access to our driveway and loading bay is blocked by the same truck and trailer every Saturday, as early as 6AM. At times when it has not been blocked and I have tried to access the street to utilize our private parking, we have been verbally attacked and accosted for attempting access, even as vendors are driving and accessing the same road. At a minimum, we should be allowed the same access as vendors. Instead, we must take up customer and community parking on Washington Street, in the front of our building. The same is true for visitors and vendors to our business.



The entrance that was proposed by the Mayor to use for our parking, weekend event access including wedding events, event vendor access, setups, supply loading, and guest arrival.



These obstructions on the sidewalks occur as early as Friday, which do impede access to large carts and clear access to our building. Additionally, they are an eyesore to a property that we have significantly rehabbed at our cost in order to revitalize an anchor corner of Downtown. Lastly, it has upset our guests who have reserved for formal events in the past 6 months in that they are walking into our main entrance for the gardens and courtyard, and need to walk in front of trash cans, signage post and scrap laying on the sidewalks to our entrance.



