

**PLANNING AND ZONING COMMISSION
ADOPTED RESOLUTION
September 1, 2020**

Application Number: Special Permit Application #258-A

Street Address: 1077 Boston Post Road

Assessor's Map #73 Lots #7 and #42 with shared parking on Lots #40 and #41

Name and Address of
Property Owner: Darien Place, LLC
 48 Rings End Road
 Darien, CT 06820

Name and Address of Applicant: Kennedy's Barber Club
 c/o Prakash B. Wadhvani
 1089 Boston Post Road
 Darien, CT 06820

Name and Address of Applicant's
Representative: Amy Zabetakis, Esq.
 Rucci Law Group, LLC
 19 Old King's Highway South
 Darien, CT 06906

Activity Being Applied For: Proposal to establish a barbershop, a personal service use establishment, in a 1,333+/- square foot area within a portion of the commercial space now being created in the back of 1077 Boston Post Road (the Darien Playhouse building).

Property Location: The subject property is located on the north/west side of Boston Post Road approximately 550 feet northeast of its intersection with Leroy Avenue.

Zone: CBD

Date of Public Hearing: July 28, 2020

Time and Place: 8:00 P.M. GoToMeeting (Online)

Publication of Hearing Notices

Dates: July 16 & 23, 2020

Newspaper: Darien Times

Date of Action: September 1, 2020

Action: GRANTED WITH STIPULATIONS

Scheduled Date of Publication of Action:
September 10, 2020

Newspaper: Darien Times

The Commission has conducted its review and findings on the bases that:

- the proposed use and activities must comply with all provisions of Sections 720 and 1000 of the Darien Zoning Regulations for the Commission to approve this project.

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- the size, nature, and intensity of the proposed use and activities are described in detail in the application, the submitted plot plan and application narrative, and the statements of the applicant's representative, whose testimony is contained in the record of the public hearing, all of which material is incorporated by reference.
- each member of the Commission voting on this matter is personally acquainted with the site and its immediate environs.

Following careful review of the submitted application materials and related analyses, the Commission finds:

1. The proposal is to establish a barbershop, a personal service use, in a 1,333+/- square foot area within a portion of the commercial space now being created in the back of 1077 Boston Post Road (the Darien Playhouse building).
2. At the public hearing, the applicant noted that the design is to have six (6) haircutting chairs. There will also be a small retail and reception area for customers.
3. It was indicated that a maximum of seven (7) employees would be present on the premises at any one time, including five (5) barbers and two (2) receptionists.

PARKING

4. At the public hearing, the applicant's representative noted that employees of the business would park in parking spaces furthest from the building. It was also noted that in the future, Kennedy's employees would be required to park at alternative off-site locations that are arranged for by Darien Place, LLC.
5. The Commission encourages the applicant to stagger appointments by leaving 15 minutes between appointments to better manage parking and traffic flow within the shared parking lot to the rear of the building.
6. The Local Traffic Authority (LTA) noted that no issues were raised in this application. No members of the general public spoke at the public hearing.

SPECIAL PERMIT FINDINGS

7. The location and size of the use and the nature and intensity of the proposed operation conforms to the requirements and standards for approval as specified in Section 1005 (a) through (g) of the Regulations and will not adversely affect public health, safety and welfare.
8. The Commission has considered all evidence offered at the Public Hearing regarding the character and extent of the proposed activities, the land involved, the possible effects of the activities on the subject property and on the surrounding areas, and the suitability of such actions to the area for which it is proposed.

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9. The nature of the proposed changes and uses are such that the project will not hinder or discourage the appropriate development and use of adjacent land and buildings, or impair the value thereof.
10. The plan has been reviewed by the Commission and is in general compliance with the intent, purposes and objectives of Section 1020.
11. The design, location, and specific details of the proposed use and site development will not adversely affect safety in the streets nor increase traffic congestion in the area, nor will they interfere with the patterns of highway circulation in such a manner as to create or augment unsafe traffic conditions between adjoining developments and the district as a whole.

NOW THEREFORE BE IT RESOLVED that Special Permit Application #258-A is hereby granted subject to the foregoing and following stipulations, modifications and understandings:

- A. Work shall be in accordance with the following plan submitted to and reviewed by the Commission:
 - Sheet T.2, Exhibit 'B', Draft Floor Plan, Darien Place, LLC, 1077 Boston Post Road, Prepared by James Schettino Architects, dated June 15, 2020.Minor changes may be made to the floor plans subject to review and action by the Building Official, Health Director an/or Fire Marshal.
- B. No alcohol shall be sold on-site as part of the barber club.
- C. Because this proposal includes no new impervious surface, the Commission is waiving the requirement for addressing stormwater.
- D. Due to the property's location in downtown Darien, the Commission is not limiting or restricting the hours of operation for the business.
- E. The granting of this Permit does not relieve the applicant of responsibility of complying with all applicable rules, regulations, and codes of other Town, State, or other regulating agencies.
- F. In evaluating this application, the Planning and Zoning Commission has relied on information provided by the applicant. If such information subsequently proves to be false, deceptive, incomplete and/or inaccurate, the Commission reserves the right, after notice and hearing, to modify, suspend, or revoke the permit as it deems appropriate.
- G. This permit shall be subject to the provisions of Section 1009 of the Darien Zoning Regulations, including but not limited to implementation of the approved plan within one year of this action (September 1, 2021). This may be extended as per Section 1009 of the Regulations.

All provisions and details of the plans shall be binding conditions of this action and such approval shall become final upon compliance with these stipulations and the signing of the final documents

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by the Chairman. A Special Permit form shall be filed in the Darien Land Records prior to any Zoning and Building Permits being issued for the tenant fit-out of the space and operation of the business.

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