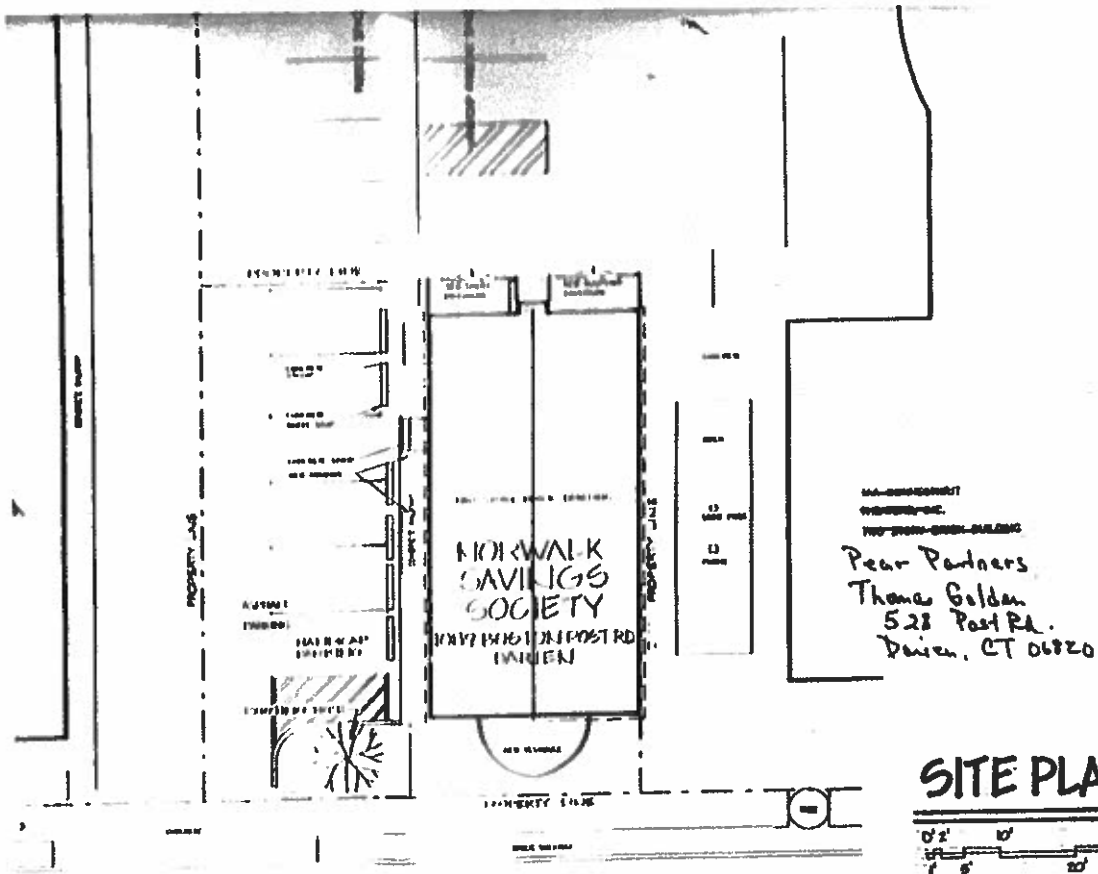


Exhibit 1

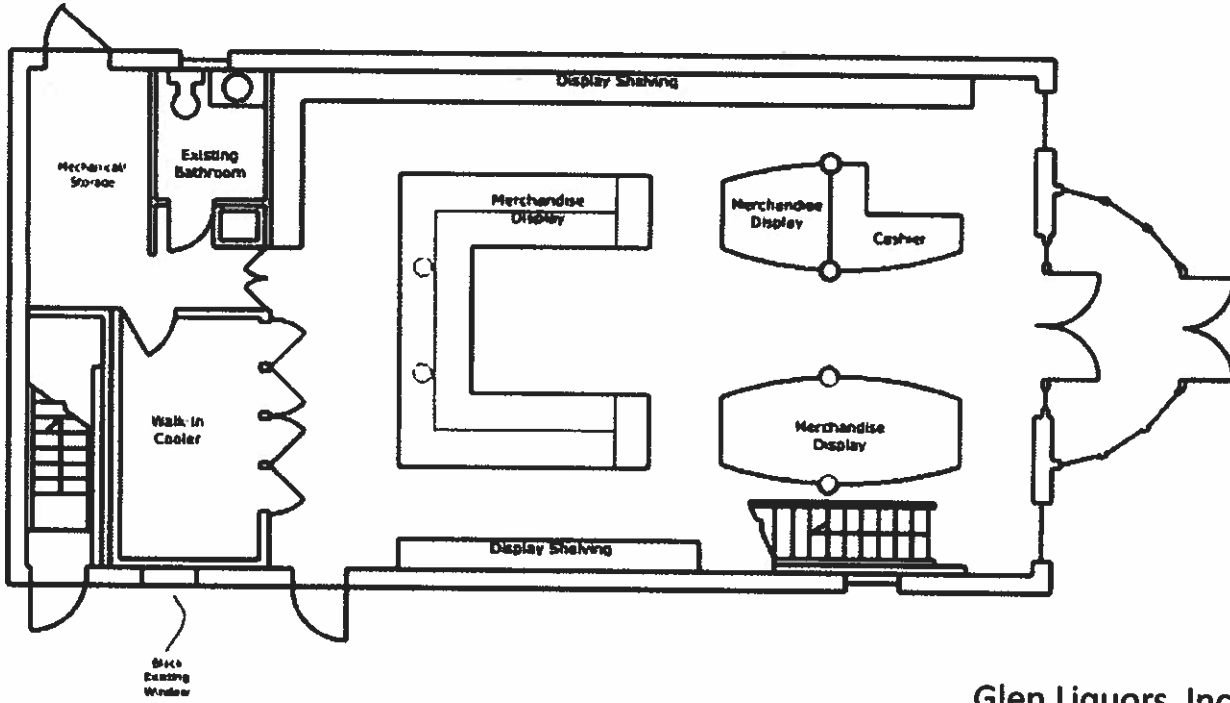


PEAR PARTNERS  
THOMAS GOLDEN  
528 POST RD.  
DENVER, CT 06820

**SITE PLAN** 

Glen Liquors, Inc.  
1089 Post Road  
Original Site Plan

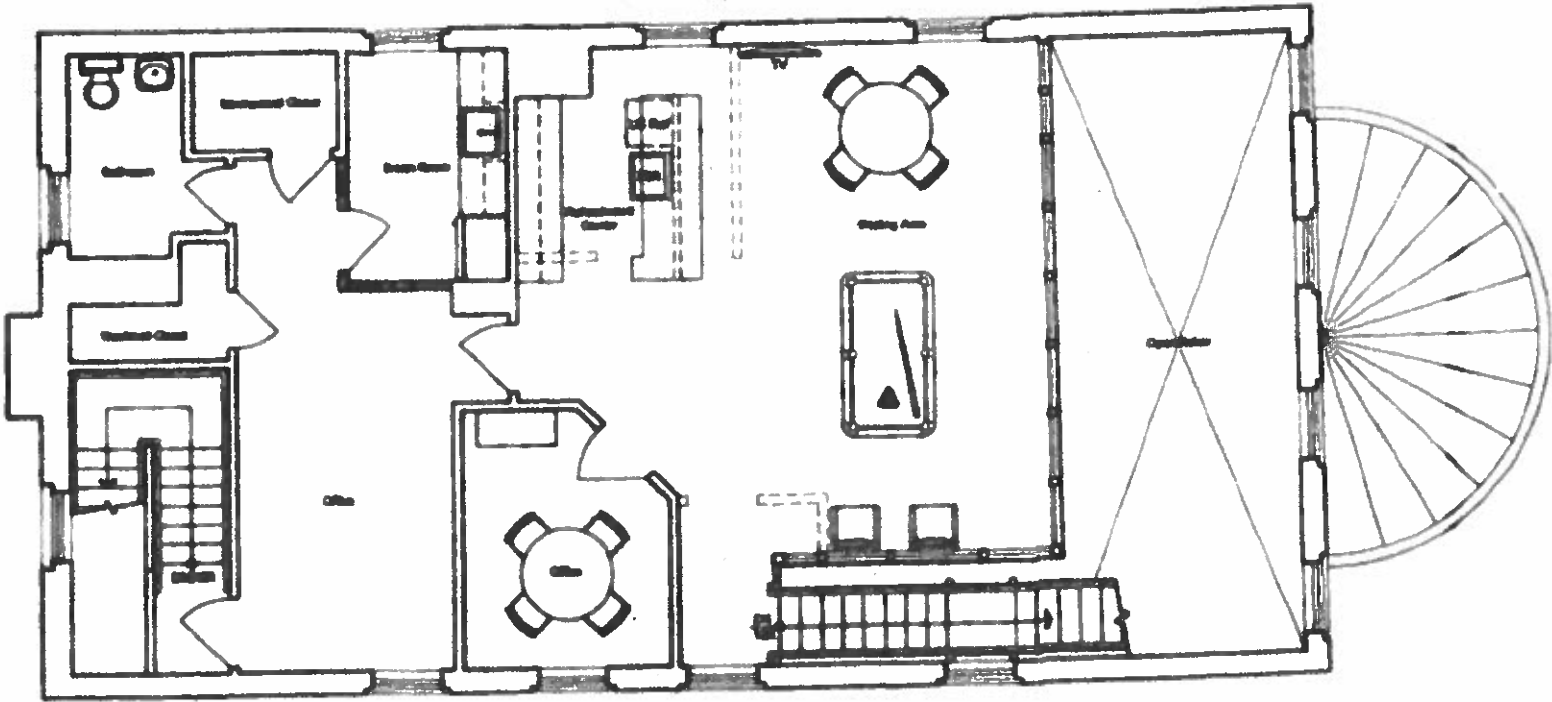
Exhibit 2



Glen Liquors, Inc.  
1089 Post Road  
Proposed Ground Floor Plan  
(not to scale)

5/18/20

Exhibit 2



Glen Liquors, Inc.  
1089 Post Road  
Proposed and Existing 2nd Floor Plan

5/18/20

Exhibit 3

**ZONING BOARD OF APPEALS**  
**TOWN OF DARIEN, CONNECTICUT**  
**RESOLUTION**  
**CALENDAR NO. 89-2004**

THIS IS TO CERTIFY THAT, a public hearing was conducted by the Darien Zoning Board of Appeals (ZBA) on December 15, 2004 to consider the application of Gleason, Hill & Ambrette, LLC on behalf of 390 Post Road, LLC and Frank Cavolo filed on November 17, 2004 for an amendment to Stipulation A of the Resolution of ZBA Calendar No. 53-1996. The property is situated on the northwest side of Boston Post Road approximately 450 feet northeast of the intersection of Boston Post Road and Leroy Avenue and is shown on Assessor's Map #73 as Lot #6, being 1089 Boston Post Road and located in the CBD (commercial) Zone.

**ON DECEMBER 15, 2004 THE ZBA GRANTED WITH STIPULATIONS AN AMENDMENT TO STIPULATION 'A' OF THE RESOLUTION OF ZBA CALENDAR NO. 53-1996 AND VARIANCES OF SECTIONS 226, 904 AND 923.1C: to allow a change in use to a high-end women's clothing and accessory store; and for variations of Sections 226, 904 and 923.1c of the Darien Zoning Regulations to allow the continued use of the existing parking area, and the installation of 2 wall signs. Section 226: 4 in lieu of 24 feet minimum required on-site parking backup space; Section 904: 6 in lieu of 29 minimum required parking spaces; and Section 923.1c: 2 in lieu of 1 maximum wall sign; SUBJECT TO THE FOLLOWING STIPULATIONS:**

1. **Retail uses shall be permitted, subject to specific Planning and Zoning Commission approval. There shall be no change to the existing floor plans or walls.**
2. **No more than one onsite parking space shall be utilized by property/store owners, employees, or workers. Additional parking shall be arranged offsite as necessary.**

**THE EFFECTIVE DATE OF THIS AMENDMENT APPROVAL AND VARIANCE IS DECEMBER 30, 2004 when this Resolution is recorded in the Darien Town Clerk's Office and Legal Notice is published in the Darien News-Review. The 15 day appeal period expires on January 14, 2005. This variance approval, if not acted upon by June 30, 2005 (within six months from its effective date), shall become null and void. By this date, the applicant and/or owner must obtain all other required permits and approvals and must begin on-site construction or operation. An extension of this time period, to begin construction, may only be granted by the Zoning Board of Appeals upon written request from the applicant/owner.**

Copies of the application materials, plans and public hearing minutes are on file in the office of the Darien Planning and Zoning Department, Room 211, Darien Town Hall.

BY: \_\_\_\_\_  
Richard Sanford, Vice Chair  
ZONING BOARD OF APPEALS

Exhibit 4

**TOWN OF DARIEN  
PLANNING & ZONING COMMISSION**

**JEREMY B. GONSBURG, AICP  
PLANNING AND ZONING DIRECTOR**

**DAVID J. KEATING  
ASSISTANT DIRECTOR/  
ZONING ENFORCEMENT OFFICER**



**TOWN HALL, 2 RENSHAW ROAD  
DARIEN, CONNECTICUT 06820-5397  
TELEPHONE 656-7351  
FAX NUMBER 656-7385  
www.darienct.gov**

**FREDERICK B. CONZE  
CHAIRMAN**

**JOSEPH H. SPAIN  
VICE-CHAIRMAN**

**GWYNNE L. GRIMES  
SECRETARY**

**M. REESE HUTCHISON, III**

**VICKIE RICCARDO**

**ERIC J. VOIGT**

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

July 22, 2010

**Wilder G. Gleason, Esq.  
Gleason & Associates  
455 Boston Post Road  
Darien, CT 06820**

**Re: *Amendment of Business Site Plan #223  
Kennedy's All-American Barber Club, 1089 Boston Post Road, CBD Zone***

**Dear Mr. Gleason:**

This letter is to confirm that at its meeting on Tuesday, July 20, 2010, the Darien Planning & Zoning Commission approved the aforementioned application amendment to establish a new personal service business use—Kennedy's All-American Barber Club within the existing building at 1089 Boston Post Road in Darien. The Commission found the proposed use fully compliant with the previously granted Zoning Board of Appeals (ZBA) approval for the former tenant Roundabout. The Commission unanimously approved this barber club use, with the following specific conditions:

- 1) That all employees park off-site;
- 2) No alcohol is sold on-site, although the business is allowed to sell incidental hair products;
- 3) The existing six on-site parking spaces shall not have any signs restricting or limiting parking in any way;
- 4) All interior fit-up shall be per the plans presented to the Commission on July 20<sup>th</sup>, entitled, "Alterations & Additions to Kennedy's, 1089 Post Road, Darien, CT Schematic Design Floor Plans" by Doyle Coffin Architecture, dated 07/07/10, Sheet A-1.
- 5) Hours of operation shall not exceed the following: Monday through Wednesday 9am-6pm; Thursday and Friday 9am-8pm; Saturday 8am-6pm; and Sunday 10am-4pm.

Any modifications of these conditions would require further review and action by the Planning and Zoning Commission. Note that ZBA Calendar #89-2004 regarding this property is still in full force and effect regarding proposed usage allowed and consistency with previous floor plans of this building.

Representatives from Kennedy's may now apply for the Health Department approval to open the barbershop. They may then apply for the necessary Zoning and Building Permits for any interior tenant fit-up. ARB approval should also be pursued for any desired signage.

PLANNING & ZONING COMMISSION  
MINUTES  
PUBLIC HEARING/GENERAL MEETING  
JULY 20, 2010  
PAGE 16

traffic issue. He said that the YMCA now exceeds its parking capacity with current operations. Will the proposed parking lot expansion be able to handle the additional proposed uses? He said that he has serious questions about that. How is the situation different from two years ago? – the Commission must look long and hard at this application.

Mr. Conze said that about 20 years ago, he was on the Board of the YMCA. At that time, the Board was always discussing how the YMCA could make itself more relevant. They are an important part of the community. However, he is not persuaded by the Seagate Road neighbors and their argument. Mr. Conze said that all the traffic now is on the State road—the Boston Post Road. He has concerns with respect to traffic, but he has not been persuaded. He said that it is important to realize that the YMCA must change over time to be relevant. The YMCA has tried to mend its old wounds. There is no doubt that this is an intense use of the site, and there are ways to structure their operations to place the burden of compliance on the YMCA. He again confirmed that special events are now reviewed by the Planning and Zoning Commission. Mr. Conze offered the possibility of a six-month reporting mechanism on issues such as traffic and parking. He believes that there is a way to control this. Mr. Conze said that overall he tends to be in favor of granting the application with strong restrictions. He does have concern about future conversion of the Atkinson property. He also noted that it is not easy to police the current parking lot. He mentioned that the Senior Men's meetings caused parking issues during the day.

Mr. Spain said that the impact on the residential zone is the key here. He said that the needs of the community to satisfy Title IX or some other reason doesn't by itself justify changing our standards. Mr. Conze added that there is no evidence of any impact to Seagate Road neighbors. And, in this case the YMCA is on a state highway. Mr. Voigt said that he was satisfied on the parking explanation based on Mr. Maslan's presentation. The discussion concluded by Mr. Ginsberg confirming he will get the Commission members the information they have requested from within the application materials submitted as part of this application.

At about 8:55 P.M., Mr. Conze then read the next agenda item:

**Proposed amendment of Business Site Plan #223, 1089 Boston Post Road, CBD Zone.**

Proposal to establish new use—personal service business use.

Mr. Richard Ashikari of Kennedy's All-American Barber Club was present along with Attorney Wilder Gleason to discuss the proposed new use. Attorney Gleason submitted a Letter of Authorization and a proposed floor plan. He noted that there are now six parking spaces on site. The proposal is to convert the use from a retail consignment shop to a personal service business (Kennedy's All-American Barber Club, which is something more than a barber shop). The existing building has a 1,350 square foot footprint. They have no intention of putting private use labeling on the parking spaces which are now on site without any signage. Mr. Gleason then distributed a copy of the prior ZBA approval in Calendar 89-2004. He then explained the two stipulations of that ZBA approval and how they are complying with them. Mr. Gleason also submitted a copy of the Planning & Zoning Commission approval for the earlier tenant, Roundabout clothing store. He said that he believes that this application fits within the proposed limitations. Mr. Gleason said that they are targeting gentlemen to come to this business with an enhanced waiting room. Services offered will include haircuts, pedicures, manicures and a straight razor shave. There will therefore be a broader range of services than a typical barber shop. Mr. Hutchison asked that the existing parking

PLANNING & ZONING COMMISSION  
MINUTES  
PUBLIC HEARING/GENERAL MEETING  
JULY 20, 2010  
PAGE 17

spaces not be restricted in any way. Mr. Gleason then submitted a copy of the floor plans dated 7-7 showing the proposed layout for both the first and second floor. They will be moving slightly some interior, non-structural partitions. Mr. Gleason was agreeable to a stipulation that all employees park off-site. The proposed hours of operation would be 9:00 A.M. to 6:00 P.M. Monday, Tuesday and Wednesday; 9:00 A.M. to 8:00 P.M. Thursday and Friday; 8:00 A.M. to 6:00 P.M. Saturday; and 10:00 A.M. to 4:00 P.M. Sunday. Mr. Conze noted his concern about "Parking For This Business Only" signs in downtown. He strongly prefers that there be no signage limiting or restricting parking to the on-site businesses. Mr. Gleason agreed, and also confirmed that the barber shop, besides offering personal services, would also be selling incidental hair products.

Mr. Spain asked whether there was also a "Club" atmosphere to this business, given the proposal to serve refreshments to "members". He asked for more details. Mr. Richard Ashikari explained that folks who use the membership are usually getting their hair cut. He said that based on their experience in Ridgefield, Connecticut, they have found it rare for patrons to come and just "hang out" in the waiting room. They do serve beer in the Ridgefield facility, but they do not propose to serve beer here. Mr. Gleason then submitted a copy of a letter from the Police Lieutenant in Ridgefield who spoke highly of the barber shop. There were no further questions or comments from Commission members.

Mr. Hutchison made a motion to approve the new use for the 1089 Boston Post Road property with the following conditions: 1) that all employees must park off-site; 2) that no alcohol be sold or served on premises; 3) that there be no signage limiting or restricting the six existing parking spaces for on-site customers only; 4) that all interior tenant fit-out be per the plans dated 7-7 shown to the Commission this evening; and 6) that the hours of operation be as represented to the Commission this evening – 9:00 A.M. to 6:00 P.M. Monday, Tuesday and Wednesday; 9:00 A.M. to 8:00 P.M. Thursday and Friday; 8:00 A.M. to 6:00 P.M. Saturday; and 10:00 A.M. to 4:00 P.M. Sunday. That motion was seconded by Ms. Cameron and was approved by a vote of 6 to 0.

Mr. Conze then read the next agenda item:

**Amendment of Business Site Plan #68-E, Walgreen's, 138 Heights Road, DC Zone.**

Request to sell propane tanks to be stored outside of the existing building.

Mr. Ginsberg explained that a permit from the Fire Marshal will be needed to install these propane tanks with associated cage. He noted that the Police Department has no issues or concerns with this site plan amendment. Ms. Cameron made a motion to approve the site plan amendment per the submitted plans. That motion was seconded by Ms. Riccardo, and approved by a vote of 6 to 0.

Mr. Conze then read the next agenda item:

**Amendment of Business Site Plan #24-G, Stop and Shop, 25 Old King's Highway North (Goodwives Shopping Center), DC Zone.**

Request to sell propane tanks to be stored outside of the existing building.

Mr. Ginsberg again explained that a permit from the Fire Marshal will be needed for this propane tank installation. He again noted that the Police Department did not have any issues or concerns with this installation. Mr. Spain confirmed and the application shows that the prior tenant, Shaw's,

**Profile**

<b>Parcel:</b>	05923	<b>Land Use Code:</b>	RETAIL STORE UNDER 10,000SF
<b>Alternate ID:</b>	73 6		
<b>Address:</b>	1089 BOSTON POST ROAD	<b>NBHD:</b>	3050
<b>Owner:</b>	390 POST ROAD LLC C/O CAVOLO	<b>Land Acres:</b>	0.0973
<b>Mailing Address:</b>	11 HOLLY COVE CIRCLE  STAMFORD CT 06902		

**Value Summary:**

<b>Appraised Land:</b>	763,000	<b>Assessed Land:</b>	534,100
<b>Appraised Building:</b>	590,700	<b>Assessed Building:</b>	413,490
<b>Appraised Total:</b>	1,353,700	<b>Assessed Total:</b>	947,590

**Primary Residential Card:**

<b>Card:</b>	<b>Half Baths:</b>	<b>Fireplace Prefab:</b>
<b>Stories:</b>	<b>HT/AC:</b>	<b>Fireplace OP/ST: /</b>
<b>Use:</b>	<b>Fuel:</b>	<b>Basement Gar.:</b>
<b>Type:</b>	<b>System:</b>	<b>Grade:</b>
<b>Year Built:</b>	<b>Attic:</b>	<b>Cond (CDU):</b>
<b>Year Remodeled:</b>	<b>Basement:</b>	<b>% Complete:</b>
<b>Total Rooms:</b>	<b>RecRm-Not in Liv SF:</b>	<b>Family Room:</b>
<b>Bedrooms:</b>	<b>Finsh Bsmt-In Liv SF:</b>	<b>Ext. Material:</b>
<b>Full Baths:</b>	<b>Square Feet:</b>	

**Commercial Card:**

<b>Year Built:</b>	1978	<b>Stories:</b>	354 - OFFICE BUILDIN
<b>Eff. Yr. Built:</b>		<b>Gross Flr. Area:</b>	3000
<b>Units:</b>	1	<b>Grade:</b>	B

**Land:**

Classification	Type:	Acres	SF
PRIMARY	S-SQUARE FOOT	0.0973	4239

**Other Items:**

Code	Description	Year Built	Square Ft.
PA1	ASPHALT OR	1980	2500

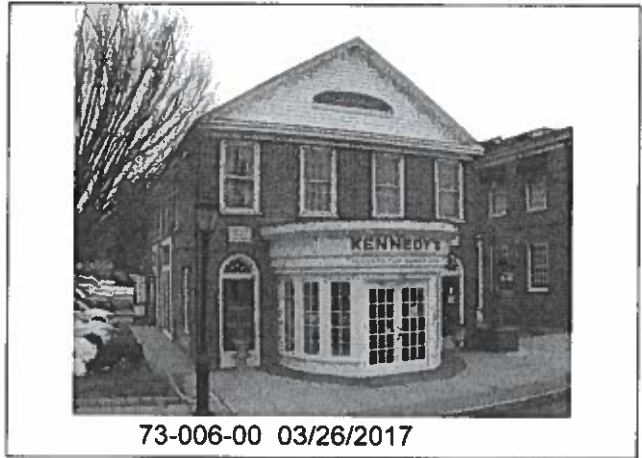


**Sales History:**

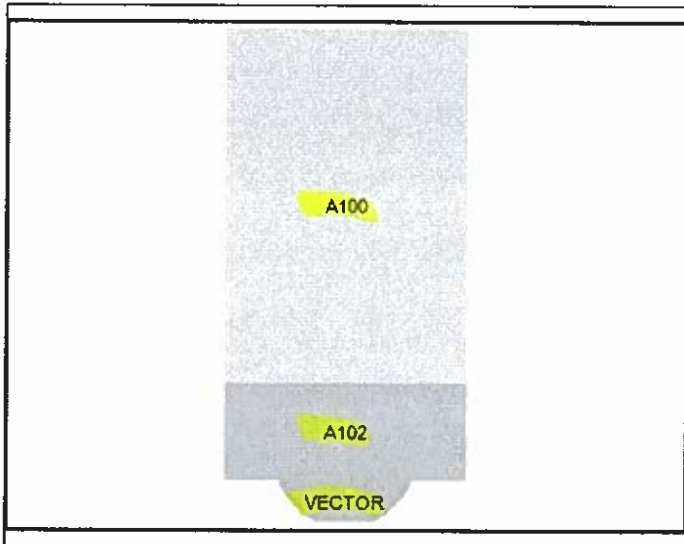
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1800-JAN-01	640-99	CAVOLO FRANK &	
1800-JAN-01	937-146	NUMBER-390 POST ROAD	

---

**PHOTO**



**SKETCH**



**Sketch Legend**

- 1 A100 - VS2:2S 1320 Sq. Ft.
- 2 A102 - VS1:1S 360 Sq. Ft.
- 3 VECTOR - VC0:1S/ENTRY 66 Sq. Ft.
- 1 OFFICE BUILD - 053:OFFICE BUILDING 1320 Sq. Ft.
- 2 OFFICE BUILD - 053:OFFICE BUILDING 360 Sq. Ft.
- 3 OFFICE BUILD - 053:OFFICE BUILDING 1320 Sq. Ft.
- 1 ASPH PAVE - PA1:ASPHALT OR BLACKTOP PAVING 2500 Sq. Ft.
- 4 HYD PAS ELEV - EL4:ELEVATOR HYDRAULIC PASNGR

# Exhibit 6



First Floor



Second Floor

Glen Liquors, Inc.  
1089 Post Road  
Original Floor Plans

# Exhibit 7

Parking Spaces	6
Avg Customer Time in Store	5 minutes
Average Total Time Spent Parked	8 minutes (grossed up to allow for customer to park/load etc)
Max customers/space/Hr	7.5
Max customer parking capacity/hr	45 6 spaces * 6.7 users/hour
Average Customers Busiest Time of Day 5 <sup>pm</sup>	31.1
Median Customers/HR at Peak	28.0

Parking Spaces (with Post Road Spaces)	8
Avg Customer Time in Store	5 minutes
Average Total Time Spent Parked	8 minutes (grossed up to allow for customer to park/load etc)
Max customers/space/Hr	7.5
Max customer parking capacity/hr	60 6 spaces * 6.7 users/hour
Average Customers/HR at Peak	31.1
Median Customers/HR at Peak	28.0

Exhibit 8

GLEN FINE WINE & SPIRITS

est. 1967

Founded  
in  
1967

Founded  
in  
1967



Exhibit 9

