

## **Gleason & Associates LLC**

Attorneys at Law  
23 Old Kings Highway South  
Darien, CT 06820

Wilder G. Gleason  
Email: [wilder.gleason@gleasonllc.com](mailto:wilder.gleason@gleasonllc.com)

Telephone: 203-655-9696  
Facsimile: 203-655-2999

June 10, 2020

Mr. Jeremy Ginsberg  
Director  
Planning and Zoning Office  
Darien Town Hall  
2 Renshaw Road  
Darien, CT 06820

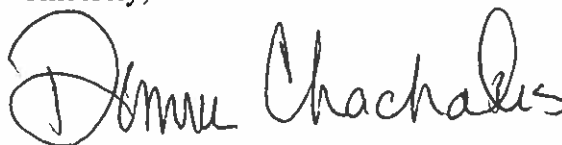
Re: Business Site Plan #223 amd 2  
Glen Liquors, 1089 Boston Post Road

Dear Jeremy:

In connection with the referenced matter, enclosed please find the following:

1. Letters to the neighbors;
2. Enclosure to the letters;
3. List of neighbors.

Sincerely,

A handwritten signature in black ink that reads "Donna Chachakis". The signature is written in a cursive style with a large, looped initial "D".

Donna F. Chachakis  
Legal Assistant

Baywater 1084 BPR LLC  
1082 Boston Post Road  
Darien, CT 06820

Baywater 1084 BPR LLC  
1019 Boston Post Road  
Darien, CT 06820

Baywater 1090 BPR LLC  
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Darien, CT 06820

Baywater 1090 BPR LLC  
1019 Boston Post Road  
Darien, CT 06820

Darien Sport Shop Inc.  
44 Leroy Avenue  
Darien, CT 06820

Darien Sport Shop Inc  
1127 Boston Post Road  
Darien, CT 06820

Baywater 1096 BPR LLC  
1096 Boston Post Road  
Darien, CT 06820

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1019 Boston Post Road  
Darien, CT 06820

1101 Boston Post Road Investments Inc.  
1101 Boston Post Road  
Darien, CT 06820

1101 Boston Post Road Investments Inc.  
c/o Westfair Property Management, Inc.  
56 Lafayette Avenue, Suite 360  
White Plains, NY 10603

Guernsey Realty Company Inc.  
1120 Boston Post Road  
Darien, CT 06820

Guernsey Realty Company Inc.  
c/o F&F Management Company  
P.O. Box 2186  
Stamford, CT 06906

Baywater 1066 BPR LLC  
1019 Boston Post Road  
Darien, CT 06820

Darien Place LLC  
1077 Boston Post Road  
Darien, CT 06820

Darien Place LLC  
48 Rings End Road  
Darien, CT 06820

1127 Post Road LLC  
1127 Boston Post Road  
Darien, CT 06820

Baywater 1066 BPR LLC  
1074 Boston Post Road  
Darien, CT 06820

Darien Place LLC  
c/o Hartt Realty Advisors LLC  
42 Pequot Avenue, Unit 741  
Southport, CT 06890

mailed 6/10/20  
Donna

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June 10, 2020

Baywater 1084 BPR LLC  
1082 Boston Post Road  
Darien, CT 06820

Dear Baywater 1084 BPR LLC

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If you have any questions or wish additional information, please call the undersigned.

Sincerely,



Wilder G. Gleason

cc

WGG:dfc

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Wilder G. Gleason *dc*

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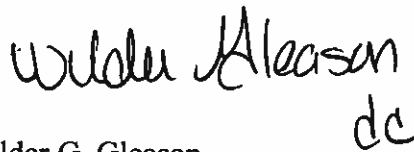
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Darien Sport Shop Inc.  
44 Leroy Avenue  
Darien, CT 06820

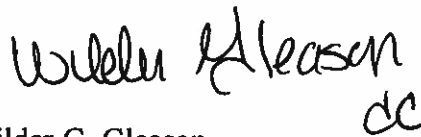
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Sincerely,

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Wilder G. Gleason

WGG:dfc

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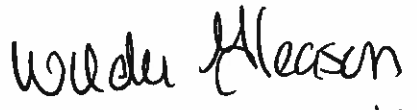
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1096 Boston Post Road  
Darien, CT 06820

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Sincerely,

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Wilder G. Gleason

WGG:dfc

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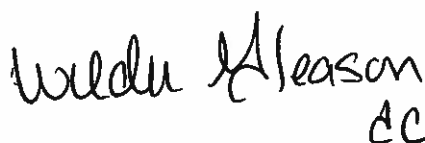
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1101 Boston Post Road Investments Inc.  
1101 Boston Post Road  
Darien, CT 06820

Dear 1101 Boston Post Road Investments Inc.

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*Wilder Gleason*  
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Wilder G. Gleason

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56 Lafayette Avenue, Suite 360  
White Plains, NY 10603

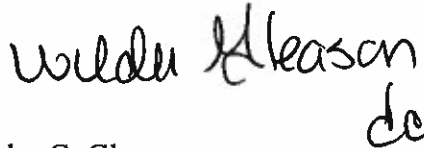
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June 10, 2020

Guernsey Realty Company Inc.  
1120 Boston Post Road  
Darien, CT 06820

Dear Guernsey Realty Company Inc.

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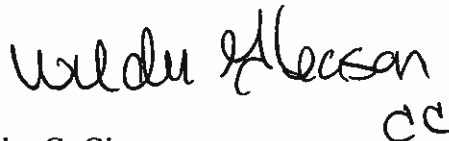
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Darien Place LLC  
1077 Boston Post Road  
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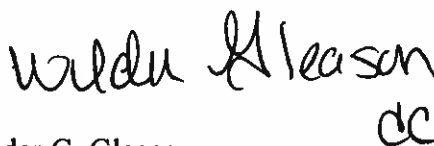
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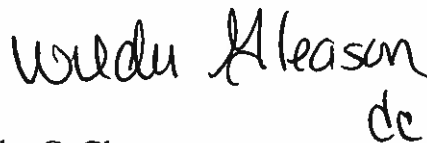
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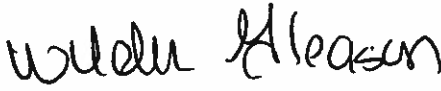
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Darien Place LLC  
c/o Hartt Realty Advisors LLC  
42 Pequot Avenue, Unit 741  
Southport, CT 06890

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Wilder G. Gleason

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## **LEGAL NOTICE**

The Darien Planning and Zoning Commission will hold a PUBLIC HEARING on Tuesday, June 23, 2020 at 8:00 P.M. in Room 119 of Darien Town Hall at 2 Renshaw Road, Darien and via GoToMeeting, on the following:

**Continuation of public hearing regarding Coastal Site Plan Review #165-A, Flood Damage Prevention Application #173-A, Lawrence Stephens, 14 Raymond Street.** Proposal to construct and install a dock consisting of a fixed ramp, pier and platform, and to perform related site development activities within regulated areas. The 0.16+/- acre subject property is located on the east side of Raymond Street approximately 300 feet north of its intersection with Tokeneke Road, and is shown on Assessor's Map #36 as Lot #98 in the R-1/5 Zone.

**Coastal Site Plan Review #347, Land Filling & Regrading Application #479, Jill & Paul Morelli, 11 Tokeneke Trail.** Proposal to construct a new addition to the existing residence and to expand the driveway, construct a new patio and retaining walls, and to perform related site development activities, including installation of new stormwater management and a septic system. The 1.83+/- acre subject property is located on the east side of Tokeneke Trail approximately 340 feet south of its intersection with Cross Road, and is shown on Assessor's Map #69 as Lot #27 in the R-1 Zone.

**Business Site Plan Application #223amd2, Glen Liquors, Inc., 1089 Boston Post Road.** Proposal to establish a liquor store in the first and second floor space formerly occupied by Kennedy's Barber Club. The 0.10+/- acre subject property is located on the north/west side of Boston Post Road approximately 190 feet south of its intersection with Corbin Drive, and is shown on Assessor's Map #73 as Lot #6 in the CBD Zone.

**Land Filling & Regrading Application #480, David Nguyen & Sarah Baldwin, 17 Maywood Road.** Proposal to regrade the rear yard of the property to create a level yard area, construct multiple retaining walls, and to perform related site development activities. The 1.14+/- acre subject property is located on the west side of Maywood Road, approximately 270 feet north of its intersection with Point O Woods Road, and is shown on Assessor's Map #4 as Lot #94 and is located in the R-1 Zone.

**Coastal Site Plan Review #348, Flood Damage Prevention Application #401, Mikael & Jessica Levey, 40 Pasture Lane.** Proposal to remove an existing dock on the property and construct and install a new dock in the same location, consisting of a fixed pier, ramp, and platform, and to perform related site development activities within regulated areas. The 2.3+/- acre subject property is located on the south side of Pasture Lane, approximately 0.43 miles southeast of its intersection with Nearwater Lane, and is shown on Assessor's Map #51 as Lot #58 and is located in the R-1 Zone.

(S) James H. Rand  
Secretary  
611 9. 6110

Glen Liquors Inc.

5-18-20

PZC Narrative

Glen Liquors Inc. seeks to:

- (a) amend BSP #223 to change the existing retail use of 1089 Boston Post Road from one retail use (a barbershop) to another retail use (a liquor store) (see Site Plan attached as Exhibit 1);
- (b) amend the stipulations applicable to the liquor store, as provided below, and
- (c) obtain a waiver of a loading zone under Section 909 of the Regulations.

Glen Liquors proposes to use the first floor (approximately 1,746 sf) for retail sales of wine, beer, spirits and related products and to use the mezzanine (approximately 1320 sf) for storage and possible retail per the plans submitted with this application (Exhibit 2 attached). These plans involve no changes to the second floor and only removal of some non-structural interior walls on the first floor.

Numerous entities have occupied the building in the past 30 years including: the Compleat Angler (retail); Norwalk Saving Society (a financial service use, which was then classified as "retail"), Roundabout (a high-end designer and consignment shop selling women's clothing at a discount, retail) 2004-2010, and Kennedy's Barbershop (retail, Personal Service Business) 2010 to present. In Cal. No. 89-2004 (copy attached as Exhibit 3) the Zoning Board of Appeals approved use of the site by "Roundabout" and authorized PZC to approve use of the property provided same was "retail." Pursuant such authorization PZC approved the Kennedy's barbershop use as well as minor changes to the interior layout at its meeting on July 20, 2010 (copy of relevant portions of the 7-20-10 PZC minutes and PZC Resolution of Approval attached as Exhibit 4). This approval occurred on an administrative basis without any public hearing.

According to the assessor's card (Exhibit 5 attached) the existing building has approximately 3,050 sf of space with about 1,746 sf on the first floor and 1,320 sf on the mezzanine level. The small, .0973 acre, parcel provides six (6) parking spaces on the west side of the building which were deemed by PZC in July 20, 2010 to be adequate for the Kennedy's Barbershop use. The approved plans for Kennedys (Exhibit 6 attached) showed five (5) barber chairs, a manicure/pedicure room, receptionist desk and a staff area on the first floor. The barbershop use could have had seven (7) employees and six (6) customers at a time on the first floor. We also note that a barbershop customer would typically require thirty (30) minutes or more to complete a haircut so that, with waiting customers, the parking demand could readily have exceeded the six (6) on-site parking spaces.

In contrast, Glen Liquors operated for decades in Noroton Heights in an approximately 3,800 sf space (over 65% larger than the first floor of 1089 Post Road) with two employees during normal times and a maximum of three employees during peak demand times (holidays such as: Memorial Day, July 4, Labor Day, Thanksgiving, Christmas and New Year's). Glen's customers take an average of five minutes to shop and complete a sale. Adding three minutes for a customer to park and enter the store and then to exit and leave (total 8 minutes per customer average) allows a single parking space to serve 7.5 customers per hour (60 minutes/8 minutes = 7.5 customers/hour). Accordingly, the six on-site spaces at 1089 Post Road could accommodate 45 customers per hour (6 spaces x 7.5 customers per hour = 45 customers per hour). Glen's analysis of its 2019 sales data indicates the peak time for customer visits at its Noroton

Heights location occurred during the 5 PM hour on weekends when an average of 31.1 customers were served. (see Exhibit 7 attached). Since the six on-site parking spaces have capacity to serve 45 customers per hour, we believe the existing on-site parking can accommodate the proposed use, provided employees park off-site as was stipulated for Kennedy's employees. This analysis does not consider readily available on street parking in front of the site and nearby.

Glen Liquors will be changing its business model to emphasize online and call-in ordering for delivery or store pickup. These changes will substantially reduce the number of customers in the store as well as the time customers spend in the store. Finally, Glen Liquors is moving from a strip mall location to downtown Darien where customers are more likely to park in one spot and walk to various stores for shopping (reducing parking demand at the site) and where there will be substantially more residential apartments in the near future whose occupants will walk to the store. This contrasts with Glen's Noroton Heights location where virtually all customers arrived by automobile.

Based upon the above, the applicant is confident the on-site parking will readily accommodate the anticipated parking demand.

We note that when approving Kennedy's, PZC imposed the following conditions on the barbershop:

- A. All employees must park off-site;
- B. No alcohol may be sold or served on premises;
- C. There will be no signage limiting or restricting the six existing parking spaces for on-site customers only;
- D. All interior fit out would conform to the plans submitted dated 7-7-10;
- E. That the hours of operation will be:
  - i. 9 AM to 6 PM Monday, Tuesday and Wednesday;
  - ii. 9 AM to 6 PM Thursday and Friday;
  - iii. 8 AM to 6 PM Saturday; and
  - iv. 10 AM to 4 PM Sunday. (See Exhibit 4 above).

Glen Liquors is willing to comply with stipulations A. and C. above, but obviously needs to delete stipulation B. We propose to modify the first floor as shown on the plans submitted with this application (Exhibit 2 above) and seek approval to operate according to applicable state law/regulations, which permit retail package store operation between 8 AM and 10 PM Monday thru Saturday and between 10 AM and 5 PM on Sunday. Glen Liquors does not intend to open before 10AM.

Glen also proposes to install a sign on the rounded front vestibule substantially as shown on Exhibit 8 attached, which is substantially similar to Kennedy's existing signage. (see picture Exhibit 9 attached) The applicant will work with the ARB, as necessary, and the zoning enforcement official, to provide detailed sign plans conforming to the Regulations.

Glen Liquors schedules supplier deliveries for the morning when parking demand in the area of the site is minimal. All deliveries involve smaller box trucks, not trailer trucks. Delivery men will use the side door adjacent to the on-site parking spaces. A typical delivery takes less than 10 minutes. Accordingly, a waiver of the loading zone requirement for the site under Section 909 is appropriate.

Glen also anticipates that it will occasionally host wine tastings sponsored by the applicant's suppliers, a customary practice in the Connecticut package store industry. These tastings may be held in the

mezzanine level and will take place after 2 PM to avoid any conflict with the peak demand times experienced by the shared parking lots abutting the property and more likely will occur after 5 PM on weekdays.

The applicant seeks the following:

1. Amendment of BSP #223 to allow a liquor store retail use of the building/site;
2. Modification of the existing stipulations as follows:
  - a. All employees must park off-site;
  - b. There will be no signage limiting or restricting the six existing parking spaces for on-site customers only;
  - c. All interior fit out will conform to the plans dated 5-18-20 (Exhibit 2 attached);
  - d. The hours of operation will be:
    - i. 10 AM to 8 PM Monday thru Saturday and
    - ii. 10 AM to 5 PM Sunday;
  - e. Deliveries will be scheduled during morning hours; and
  - f. Any wine tastings will occur after 2 PM Monday thru Sunday.
3. A waiver of the loading zone requirement pursuant to Section 909.



ID	Site Address	Owner Name	Co-Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Map	Lot
05180	1082 BOSTON POST ROAD	BAYWATER 1084 BPR LLC		1019 BOSTON POST ROAD	DARIEN	CT	06820		
05411	1090 BOSTON POST ROAD	BAYWATER 1090 BPR LLC		1019 BOSTON POST ROAD	DARIEN	CT	06820		
05419	44 LEROY AVENUE	DARIEN SPORT SHOP INC		1127 BOSTON POST ROAD	DARIEN	CT	06820		
05826	BOSTON POST ROAD	BAYWATER 1096 BPR LLC		1019 BOSTON POST ROAD	DARIEN	CT	06820		
05827	1096 BOSTON POST ROAD	BAYWATER 1096 BPR LLC		1019 BOSTON POST ROAD	DARIEN	CT	06820		
05922	1101 BOSTON POST ROAD	1101 BOSTON POST ROAD INVESTMENTS INC	C/O WESTFAIR PROPERTY MANAGEMENT, INC	56 LAFAYETTE AVENUE, SUITE 360	WHITE PLAINS	NY	10603		
06422	1120 BOSTON POST ROAD	GUERNSEY REALTY COMPANY INC	C/O F & F MANAGEMENT COMPANY	P O BOX 2186	STAMFORD	CT	06906		
08561	<del>1077</del> BOSTON POST ROAD	BAYWATER 1066 BPR LLC		1019 BOSTON POST ROAD	DARIEN	CT	06820		
10233	1077 BOSTON POST ROAD	DARIEN PLACE LLC		48 RINGS END ROAD	DARIEN	CT	06820		
10776	1127 BOSTON POST ROAD	1127 POST ROAD LLC		1127 BOSTON POST ROAD	DARIEN	CT	06820		
1089	BOSTON POST ROAD verified 5/27/20								

1074

add

Darien Place LLC  
 C/O Hartt Realty Advisors LLC

42 Regent Ave  
 Unit 741

Verified Done

Southport CT 06890

6-5-20