**Final Site Plan**
**PLPZ 2021 00095**

**Church Sherwood, LLC, Owner**
**Townhouse Greenwich, LLC, Agent**
**The “Townhouse” Restaurant**

<table>
<thead>
<tr>
<th><strong>ZONING STATISTICS</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Location:</strong> 35 Church Street, Greenwich</td>
</tr>
<tr>
<td><strong>Zone:</strong> CGBR and CGIO Zones</td>
</tr>
<tr>
<td><strong>Parcel Size:</strong> 1.89-acres</td>
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**STAFF REPORT UPDATE:**
The applicant was last before the Commission at the March 30, 2021 meeting. The Commission continued the item to allow the applicant to address comments and for staff to gain Fire Marshal comments regarding installing seating in the northern driveway. The applicant has responded to comments heard at the last meeting with the following:

- There will not be any live or amplified music in any of the designated outdoor areas.
- All valet, when in use, is directed to the side and rear of the building.
- Outdoor dining areas will be closed by 11pm daily, currently the Townhouse is currently open Tuesday through Saturday.
- No parking spaces are being use to accommodate tables.
- The proposed outdoor seating would be removed from the total seating in the interior to comply with the maximum capacity permitted by the site plan.

Staff has reached out to the Fire Marshal’s office to identify any issues with the location of any of the outdoor dining areas.

The following is a revised staff report.

**APPLICATION SUMMARY:**
The applicant is requesting Final Site Plan Approval under Sections 6-15, 6-100, 6-103.1, 6-158 and 6-205 of the Town of Greenwich Building Zone Regulations to permit seasonal outdoor dining on the Church Street side of the building and the within the access drive to the north of the building. The subject property is known as the “Townhouse” (formerly “Gabriele’s Steakhouse”) located at 35 Church Street within the CGBR and CGIO zones.

The applicant is proposing to add four (4) tables on an existing front patio, and closing off the northern access drive to location another six (6) tables for seasonal outdoor dining.

**ISSUES / COMMENTS:**
1. The applicant has noted that the proposed outdoor seats are being taken from the maximum cap permitted by site plan approval(s).
2. The current site plan approval(s) note a number of conditions that would appear to prohibit or limit the outdoor dining as proposed. The applicant should review their list of conditions and note amendments to said conditions for the Commission’s consideration.
3. The Applicant has provided the proposed days and hours of operation to match their interior restaurant hours, closing at 11 pm. The restaurant currently operated Tuesday through Saturday.
4. As with similar requests, the Commission has typically required that no amplified or live music be allowed in the outdoor dining area. The applicant agrees to follow such requests.
5. The continued use of the outdoor dining areas in future years would also be subject to annual renewal of the site plan by the Planning and Zoning Commission staff per the BZR. If approved by the Commission, the annual permit could be approved administratively so long as no changes are made to: the originally approved site plan; no increase in the number of seats; the hours of operation for the outdoor dining area; or other conditions are proposed.

DEPARTMENT COMMENTS:
ZEO - See attached
Engineering -
Health Dept -
Fire Dept. -

The site contains a 150 seat restaurant plus 18 bar seats, with a 104-person max banquet space on the second floor. The Subject site is made up of several parcels: 35, 39, 43 and 47 Church Street, 2, 3, and 4 Putnam Court and 32, 36, and 42 Sherwood Place and no piece or parcel can be split off from this lot because the required 98 parking spaces spread across all of these lots.

The subject proposal seeks to permit outdoor dining on the property for the first time, outside of the Governor’s Executive Orders. The subject site has a long history as a restaurant use. The last renovation was approved by the Commission in 2011, amended with staff in 2017 and completed in 2018. The history of Commission decisions and current list of conditions puts limits on the use of the exterior of the building, hours of operations, occupancy of the first and second floors, as well as parking and loading procedures. This was all derived from the restaurant not having the required number of parking spaces for the use, its location – adjacent to residential developments, where, as expected, noise on evenings and weekends, was a concern. Among the lengthy list of conditions, staff notes some of the following conditions as it relates to the applicant’s proposal:

- “The east (rear) entrance will be used not only for the banquet facility on the second floor but also for the dining room restaurant on the first floor.
- There will be no propping open of the front door during restaurant operating hours
- The entry only driveway (south driveway) will not be used for exiting the site for either the restaurant or banquet vehicles.
- The restaurant kitchen closes at 10pm Sunday thru Thursday and Friday and Saturdays at 11 pm.
- All parking be on site for both the restaurant and banquet room customers. The hours of the valet service may need to be extended to handle all the existing customers and vehicles. The approved valet parking plan will be continuous and ongoing. The plan requires that the valets will move and park cars on its own lot which can handle 150 cars. No approvals for
use of any off-site parking has been granted and was never part of the approvals by the Commission. Valet parking is required to handle parking on site as noted in the approval letter from Commission and from Supreme Parking dated Feb 7 2011 submitted by the applicant. Sufficient valets are required to ensure no queuing on Church Street.

- Hours of Operation of the 2nd floor Banquet room is limited to after 6:00PM Monday to Friday with closing hours of 10:00 PM and closing hours of 11:00 PM on weekends (Friday, Saturday and Sunday) since other businesses on this property use this parking lot during the day, and there would be insufficient parking on site for those businesses if they were used simultaneously with the restaurant, banquet facility and those businesses. These are the same hours as in the 1995 approval.

- A total of 104 seats only are permitted on the 2nd floor banquet room and no bar seats are permitted in the 2nd floor bar. No use of the 2nd floor bar is permitted other than serving the banquet room patrons.

- The restaurant 1st floor cannot be used as a banquet room and must remain open to the general public.

- No use of the Church Street patios is permitted at all for outdoor exterior dining/standing, sitting or drinking. The first floor of the public restaurant cannot be used in conjunction with uses in the upstairs banquet room, nor for private parties or as a private banquet area and must remain open to the public as a normal restaurant with regular restaurant business hours as originally approved.

- The three French doors facing Church Street, one of which will be permanently nailed closed, and the other two will remain closed except for emergency access out using a push bar, and tied into the Town Fire Alarm System, which will automatically notify Police, Fire, and GEMS for emergency response, and there will be no opening of these doors for any purpose other than emergency access. Total permitted in the first floor public restaurant are 150 restaurant scats and 18 bar seats, which includes 4 separate dining rooms and one large dining area totaling 2,557 sq. ft.; 94 seats at tables, and 56 seats at fixed booths.

- Any interior or exterior changes of windows, partitions, walls, doors, service bar areas, kitchen, apartments, rooms, or parking layouts or valet plan must return to the Planning & Zoning Commission for review and approval prior to any permit issuance. Any changes to these plans required by the Health Department must also return to the Planning & Zoning Commission for approval.

- No changes to the acoustical sound barrier materials, fritted lights or gila covered windows is permitted. Any permit for any work in or on this building is subject to P&Z staff/Commission review prior to issuance of any permit.

- There will be no lights at the base of the cupola which will have fritted glass to shield lighting. Only wall sconces on the front of the building near the entry door are permitted. No lights on the front walls is allowed.

- The following properties will be considered one lot: 35, 39, 43 and 47 Church Street, 2, 3, and 4 Putnam Court and 32, 36, and 42 Sherwood Place and no piece or parcel can be split off from this lot because the required 98 parking spaces is on all these lots.

- A total of 150 seats in the restaurant first floor plus 18 bar seats
• No active use of any outdoor space on the lot (other than for parking), or in the front of the building or rear of the building is permitted and no dining or drinking outside of the building is permitted.”

All though not specifically expressed, we understand that the applicant is seeking to amend conditions of their approval to permit the outdoor dining, use. We have attached the last staff sign offs for reference. The Applicant should confirm, to the Commission, any and all conditions they wish the Commission to consider amending as part of this application. As currently approved, it would appear that any outdoor seating would not conform with the Commission’s decision(s).

The applicant appears to be seeking to remove up to 40 seats from the interior occupancy of the restaurant use, and is not seeking to expand the max. occupancy of the restaurant. As noted above, locating seat on the Church St. patio is not currently permitted by conditions of approval and would need to be amended by the Commission. Lastly, the question of how, or if, vehicles could pass the outdoor dining area in the north access drive, is not detailed in the provided materials. Staff would suggest that closure or partial blocking of this access drive, be reviewed with the Fire Marshall for evaluation of any life safety concerns. As with the other issues, it would appear that any outdoor dining would require amendment of current site plan conditions.

**APPLICABLE REGULATIONS:**

This application requires site plan approval from the Planning and Zoning Commission pursuant to §§6-100 and 6-103.1 of the BZR for the CGBR zone and is subject to all provisions of §6-15 (Site Plan Procedure and Standards)

The Commission may also want to refer to Sections 6-154 thru 6-158 as it relates to parking.

Furthermore, the requirements for Outdoor Dinning in Section 6-100 of the BZR are as follows:

“Outdoor dining facilities, ancillary and contiguous to an eating establishment (restaurant, or retail food establishment), operating on a seasonal (seven month) basis starting on April 1st and concluding on November 1st in any calendar year and subject to the following:

1. Proof of the availability of adequate parking shall be submitted at the time of application for final site plan approval guaranteeing said availability for the period the use is to function.

2. Proof of adequate liability insurance shall be provided. Outdoor dining areas located on Town sidewalk(s) will be required to carry additional liability insurance and/or policies in such an amount as determined by the Town’s Risk Management Office. Proof of liability insurance shall be disclosed on an Acord form entitled, “Certificate of Liability Insurance”, and be in the amount as required by the Town’s Risk Management Office. The Town of Greenwich shall be named as an additional insured. If alcohol is being served, the Certificate of Liability Insurance certificate must disclose that liquor liability insurance is in place for the same amounts of the required general and umbrella liability policies and the applicant will be required to carry further liability insurance and/or policies. The
owner/operator shall sign an agreement indemnifying the Town from liability on adjacent Town property resulting from the operation of said use prior to the issuance of Building and Zoning permits.

(3) When the seasonal use ceases at the end of the approved period, all evidence of such use shall be removed from the premises.

(4) If said use is to be re-established the applicant must reapply, annually, and again meet all conditions and standards of this subsection.

(5) Dining facilities use must be entirely on property owned or leased by the applicant. Public property may not be used for dining facilities purposes unless a properly executed lease agreement has been obtained and all insurances as approved by the Town.

(6) Building and Zoning permits must be obtained prior to the start of dining facilities use regardless of the amount of construction involved.

(7) In the case of small-scale projects (3 tables or less, on private property) site plan approval by the Planning and Zoning Commission will not be necessary. The Town Planner shall review and approve said projects after assurance that the conditions of this subsection have been met and any requisite insurance is provided as mandated by the Town.

(8) Will not interfere with public, state or municipal use of any public street, sidewalk or property, will not create a disturbance or hazard to pedestrians or traffic and will not interfere with the safe and free flow of pedestrians or traffic.”
Hi Patrick,
Thank you for taking the time to call me earlier, I hope you receive the below message. Let me know if you need additional information, I will review the other conditions and be ready for next week if any need amending.
Thanks again,
Dana

On May 14, 2021, at 4:08 PM, Dana Cifone <dc@townhousegreenwich.com> wrote:

That’s good to hear, thank you for letting me know.

ISSUES/COMMENTS: Per Meeting
1. NOISE: There will not be any live or amplified music in any of the designated outdoor areas.
2. VALET: All valet when in use, is directed to the side and rear of the building.
3. HOURS: Outdoor dining areas will be closed by 11pm daily.
4. PARKING: No parking spaces are being used to accommodate tables. Proposed seats have been removed from the interior to comply with the maximum capacity permitted by the site plan, as it relates to onsite parking.

Please let me know if you need anything else.
Thanks,
Dana
On May 14, 2021, at 3:43 PM, LaRow, Patrick <Patrick.LaRow@greenwichct.org> wrote:

No comments to us from the public, except for what we already shared. Please provide that material to us ASAP so staff can review it and gain dept. comments (if needed) in advance of the upcoming meeting.

Thank you,

Patrick LaRow
Deputy Director / Assistant Town Planner

From: Dana Cifone [mailto:dc@townhousegreenwich.com]
Sent: Friday, May 14, 2021 3:41 PM
To: LaRow, Patrick <Patrick.LaRow@greenwichct.org>
Subject: Re: Application for Outdoor Dining

Hi Patrick,

Yes, we have addressed the comments from the prior meeting and are ready to present at the 5/25 meeting.

It was our understanding from that meeting, that the commission was waiting to see if there were any responses from the abutting properties, besides the one - since that meeting, we haven’t been informed of any from the commission.

However, we have received many responses from residents looking forward to this approval, stating they think its a great addition to the neighborhood. We are happy to provide these responses at the meeting in May if you would like.

Please let me know if you have any questions or need additional information. At your convenience, if you could please send the zoom link to the meeting that would be great. We look forward to the meeting.

Thank you,
Dana
On May 14, 2021, at 12:13 PM, LaRow, Patrick <Patrick.LaRow@greenwichct.org> wrote:

Hi Dana,

We would need to include you on the 5/25 agenda (unless you want to grant us an extension). Have you been able to address the comments made at the prior meeting?

Patrick LaRow
Deputy Director / Assistant Town Planner

From: Dana Cifone [mailto:dc@townhousegreenwich.com]
Sent: Tuesday, May 11, 2021 1:25 PM
To: LaRow, Patrick <Patrick.LaRow@greenwichct.org>; DeLuca, Katie <Katie.DeLuca@greenwichct.org>
Subject: Re: Application for Outdoor Dining

Hi Katie & Patrick,
Hope you both have been well!!

I just wanted to check in regarding our March meeting for Townhouse’s outdoor permit. Per that meeting, the board suggested we come back in June for the follow up approval. Please let me know at your earliest convenience the date of the June meeting we are on the agenda.

Thank you in advance for all your assistance, also, please let me know if you need anything additional for the meeting from us.

Best,
Dana
On Mar 29, 2021, at 4:50 PM, Dana Cifone <dc@townhousegreenwich.com> wrote:

Thank you for sending.
Best,
Dana

On Mar 29, 2021, at 4:22 PM, LaRow, Patrick <Patrick.LaRow@greenwichct.org> wrote:
Dana,

Please find the meeting link and log in info at the top of the agenda found here: https://www.greenwichct.gov/AgendaCenter/ViewFile/Item/6205?fileID=88722

Patrick LaRow, AICP
Deputy Director/Assistant Town Planner

Town of Greenwich
101 Field Point Road
Greenwich CT, 06830
Ph. 203-622-7894
Fax. 203-622-3795

From: Dana Cifone
<dc@townhousegreenwich.com>
Sent: Monday, March 29, 2021 2:54:12 PM
To: LaRow, Patrick
<Patrick.LaRow@greenwichct.org>
Cc: Dygert, Bianca
<bianca.dygert@greenwichct.org>
DeLuca, Katie
<Katie.DeLuca@greenwichct.org>
Subject: Re: Application for Outdoor Dining

[EXTERNAL]

Hi Patrick,
Thank you very much for informing us and sending the correspondence. Is there a link/website on how we can log on to the meeting at 5pm tomorrow?
Thanks,
Dana
On Mar 29, 2021, at 1:39 PM, LaRow, Patrick
<Patrick.LaRow@greenwichct.org> wrote:

Hi Dana,

You may continue to operate outdoor dining with the Senate bill in the same manner as you were granted over the past year.

The biggest issue with going forward with this application is that the restaurant has an enormous number of conditions that appear to preclude outdoor seating in the locations as manner you are proposing.

If you have not seen the staff memo, it can be found here: https://www.greenwichct.gov/DocumentCenter/View/21386/PLPZ--2021--
The Commission will want to discuss amending your conditions of operation at the meeting tomorrow night.

Please contact me, going forward, with questions,

Patrick LaRow
Deputy Director / Assistant Town Planner

From: Dygert, Bianca
Sent: Monday, March 29, 2021 1:30 PM
To: Dana Cifone
<dc@townhousegreenwich.com>
Cc: LaRow, Patrick
<Patrick.LaRow@greenwichct.org>; Mangs, Peter
<Peter.Mangs@greenwichct.org>
Subject: RE: Application for Outdoor Dining

Hello Dana,

I wanted to follow up our brief phone conversation this afternoon. Please coordinate with Patrick (copied) moving forward to address any issues raised by the Commission in advance.
of the meeting tomorrow.

You indicated you wanted to proceed tomorrow evening to request approval for the outdoor dining after March 2022 when the Senate bill expires. Patrick can answer any further questions regarding what the Commission is looking for tomorrow night.

Thank you,

**Bianca Dygert**
Planner II

Town of Greenwich  
Land Use - Planning & Zoning  
101 Field Point Road  
Greenwich, CT 06830-6463  
Ph. (203) 622-7894  
Office Fax. (203) 622-3795  
Direct Fax. (203) 861-6113  
Bianca.Dygert@greenwichct.org

www.greenwichct.gov

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**From:** Dana Cifone  
[mailto:dc@townhouse.greenwich.com]  
**Sent:** Monday, March 29, 2021 12:59 PM  
**To:** Dygert, Bianca  
<bianca.dygert@greenwichct.org>  
**Subject:** Re: Application for Outdoor Dining

**EXTERNAL**
Hi Bianca,  
Thanks for following up, I just left you a voicemail, if possible I would like to jump on a quick call to
discuss how we should proceed with our application because we already have the permit approval from 2020, so we can continue with the outdoor seating we have, due to the Senate approval.

However, we would like to be able to continue with these areas moving forward in upcoming years, I’m not sure what we should do for this year with the application process.

If you can clarify how we should proceed or maybe easier to jump on a call - that would be great. Thanks so much for your time,
Dana

DANA CIFONE
Director of Operations

d. 203.990.1050
m. 914.469.2825
e. dc@townhousegreenwich.com

TOWNHOUSE
35 Church Street - Greenwich - CT - 06830
p. 203.622.4223
w. townhousegreenwich.com

FOLLOW US ONLINE
E - @townhousegreenwich

HOURS OF SERVICE
Tuesday - Saturday | 12:00pm - 9:00pm
On Mar 29, 2021, at 12:49 PM, Dygert, Bianca <bianca.dyger\t@greenwichct.org> wrote:

Hello Dana,

I am following up on previous emails from Peter Mangs and Patrick LaRow. We would like to know how you would like to proceed with your application, given the recent senate bill approval.
Please let us know as soon as possible.
Thank you,

Bianca Dygert
Planner II

Town of Greenwich
Land Use - Planning & Zoning
101 Field Point Road
Greenwich, CT 06830-6463
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Office Fax. (203) 622-3795
Direct Fax. (203) 861-6113
Bianca.Dygert@greenwichct.org

www.greenwichct.gov
ZONING ENFORCEMENT

Project No. PLPZ202100095 Preliminary Final X

Reviewed for Planning and Zoning Commission.

TITLE OF PLAN REVIEWED: Townhouse Greenwich, LLC.

LOCATION: 35 Church Street

PLAN DATE:

ZONE: CGBR

☐ Ok for Zoning Permit Sign-off with the following revisions:

☐ Resubmit the following prior to Site Plan/ Subdivision approval:

☒ The subject site plan/subdivision meets the requirements of the Building Zone Regulations, excluding sections 6-15 and 6-17, and is Ok for Zoning Permit Sign-off.

Reviewed by: Jodi Couture Date: 3/24/2021

Note: These comments do not represent Building Inspection Division approval. Plans subject to review by ZEO at time of building permit application.
It looks like the proposed outdoor dining plan for this facility will not be increasing the total number of seats by removing an equal amount of indoor seats. Based on this, the Health Dept is OK with this proposal.

Michael Long
Greenwich Health Department

Hello Michael and Jodi,

Please find attached routing sheet and link to application below for 35 Church Street. They are applying for initial outdoor dining approval.

https://greenwichct-my.sharepoint.com/:f:/g/personal/katie_deluca_greenwichct_org/EtgGJ00Q-3tHh9B3ANVIP7kBCHxo4K7RZgehoTi23bVMWw?e=Q2MmUP

Please let me know if you have any comments on the application. It is scheduled for 3/30.

Thank you,

Bianca Dygert
Planner II

Town of Greenwich
Land Use - Planning & Zoning
101 Field Point Road
Greenwich, CT 06830-6463
Ph. (203) 622-7894
Office Fax. (203) 622-3795
Direct Fax. (203) 861-6113
Bianca.Dygert@greenwichct.org

www.greenwichct.gov
MEMORANDUM

TO: Jodi Couture ZEO
    William Marr, Building Official
    John Vallerie, Deputy Building Official
    William Schwartz, Zoning Inspector
    Nancy Carmel, Zoning Inspector
    Robert Seale, Zoning Inspector

FROM: Diane W. Fox, Director Planning and Zoning/Town Planner
      Patrick LaRow, Senior Planner

DATE: November 2, 2012

RE: 35 Church Street- Gabrielle’s Restaurant; Final CO for building and uses; FSP #4045 SPEC #4046

The Planning and Zoning staff is notifying Zoning and Building dept that we have no objection to the issuance of a final CO for the Gabrielle’s Restaurant and building subject to the following conditions being placed on the final CO issuance that will run with the uses of the building approved by the Planning and Zoning Commission:

1. Confirmation that these French doors in the front are connected to the Town Fire Alarm system is needed from the Fire dept or Police dept.
2. As built plan for all the properties showing all the dimensioned parking spaces on all the lots, and the as built drainage and notes re: valet parking etc be submitted to the satisfaction of DPW.
3. An as-built photometric lighting plan be submitted after testing of all lights at the property line on Church Street and at the exterior of the rear entry with the mirrored glass curtain open and curtain closed.
4. An “As Planted” landscape plan be submitted showing what plants are actually in place. The ARC approved landscaped plan is not what was planted.
5. The owner of Gabrielle’s restaurant and Banquet facility has confirmed in writing in a letter dated November 28, 2011 that the operation of the restaurant and banquet room will be subject to the following conditions which is agreeable to the P&Z Commission:
   a. Town cars and limousines will be unloaded and loaded at the east (rear) entrance of the building and not on Church Street for both the restaurant clients and banquet attendees.
   b. The east (rear) entrance will be used not only for the banquet facility on the second floor but also for the dining room restaurant on the first floor.
• The signage on Church street in front of the building will state "NO PARKING AND STANDING" and cones will be placed adjacent to the curb to prevent any and all vehicles from parking in front of the building or in front of Peabody's building immediately south of the restaurant.
• There will be no propping open of the front door during restaurant operating hours.
• The valet service will not use Putnam Court for Parking.
• Owner/Manager will provide sufficient valet services to ensure that no cars will queue on Church Street.
• The entry only driveway (south driveway) will not be used for exiting the site for either the restaurant or banquet vehicles.
• The restaurant kitchen closes at 10pm Sunday thru Thursday and Friday and Saturdays at 11pm.

6. All parking be on site for both the restaurant and banquet room customers. The hours of the valet service may need to be extended to handle all the exiting customers and vehicles. The approved valet parking plan will be continuous and ongoing. The plan requires that the valets will move and park cars on its own lot which can handle 150 cars. No approvals for use of any off-site parking has been granted and was never part of the approvals by the Commission. Valet parking is required to handle parking on site as noted in the approval letter from Commission and from Supreme Parking dated Feb 7 2011 submitted by the applicant. Sufficient valets are required to ensure no queuing on Church Street.

7. Hours of Operation of the 2nd floor Banquet room is limited to after 6:00PM Monday to Friday with closing hours of 10:00PM and closing hours of 11:00 PM on weekends(Friday, Saturday and Sunday) since other businesses on this property use this parking lot during the day, and there would be insufficient parking on site for those businesses if they were used simultaneously with the restaurant, banquet facility and those businesses. These are the same hours as in the 1995 approval.

8. A total of 104 seats only are permitted on the 2nd floor banquet room and no bar seats are permitted in the 2nd floor bar. No use of the 2nd floor bar is permitted other than serving the banquet room patrons.

9. The two storage rooms on the 2nd floor are to be used only for storage of banquet room tables, chairs and other equipment used for the banquet room. No active use, seating or separate dining area is permitted.

10. The rear entry (east) will not be used for dining or drinking and a staff member must be present during operating hours to direct patrons to the banquet facility and restaurant.

11. The door to the restaurant from this rear foyer must be left open at all times for restaurant patrons to use as entry and exiting, since the valet service will be handling cars from this rear entry.

12. ZEO will make frequent unannounced visits to the restaurant and banquet facility to ensure that there are no violations of any of the conditions and seating and hours of use. Any violations of the P&Z approvals will be reported and documented to the ZEO and Town Planner and to the Housing court.

13. No buses are permitted on Church Street to load/unload patrons and no buses are permitted on site.

14. The restaurant 1st floor cannot be used as a banquet room and must remain open to the general public.

15. All deliveries will occur on site and before the restaurant or banquet facility opens.
16. The use of Putnam Court for parking or truck loading is prohibited. No use of Putnam Court for parking or truck loading is permitted. This Court is very narrow and must be left free of vehicles to allow access for fire and emergency vehicles.

17. There shall be no loading or unloading of goods or people on the street and the owner of the property/business will enforce such a condition.

18. No use of the Church Street patios is permitted at all for outdoor exterior dining/standing, sitting or drinking. The first floor of the public restaurant cannot be used in conjunction with uses in the upstairs banquet room, nor used for private parties or as a private banquet area and must remain open to the public as a normal restaurant with regular restaurant business hours as originally approved.

19. The three French doors facing Church Street one of which will be permanently nailed closed and the other two will remain closed except for emergency access out using a push bar, and tied into the Town Fire Alarm System. which will automatically notify Policy, Fire and GEMS for emergency response, and there will be no opening of these doors for any purpose other than emergency access.

Total permitted in the first floor public restaurant are 150 restaurant seats and 18 bar seats, which includes 4 separate dining rooms and one large dining area totaling 2,557 sq ft; 94 seats at tables and 56 seats at fixed booths.

20. There shall be no use or public access to the basement for food preparation or any other habitable uses. Only storage of equipment (chairs, tables, etc.) and employee locker room is permitted in the basement.

21. Any interior or exterior changes of windows, partitions, walls, doors, service bar areas, kitchen, apartments, rooms, or parking layouts or valet plan must return to the Planning & Zoning Commission for review and approval prior to any permit issuance. Any changes to these plans required by the Health Department must also return to the Planning & Zoning Commission for approval.

22. No changes to the acoustical sound barrier materials, fritted lights or gila covered windows is permitted. Any permit for any work in or on this building is subject to P&Z staff/Commission review prior to issuance of any permit.

23. There will be no lights at the base of the cupola which will have fritted glass to shield lighting. Only wall sconces on the front of the building near the entry door are permitted. No lights on the front walls is allowed.

24. The following properties will be considered one lot: 35, 39, 43 and 47 Church Street, 2, 3, and 4 Putnam Court and 32, 36 and 42 Sherwood Place and no piece or parcel can be split off from this lot because the required 98 parking spaces is on all these lots.

25. The Architect has certified on the plans and letter that densdeck material has been installed as was shown on the detailed building permit plans for walls, roof, dormer, and soffit, and doubled glazed permanently sealed windows and doors, fritted glass on the cupola and the Gila mirror material has been installed.

26. The two affordable apartments (per sec.6-110g) are required to be reviewed by the Community Development office for each new tenant to ensure compliance with the requirements of that section of the Regulations. These apartments on the second floor will not have any commercial use and each apartment will have a dedicated stairway to exit the building directly. No direct access/doors from these apartments to the second floor is permitted and no interfacing with the restaurant or banquet facility is permitted.
27. An annual affidavit for the affordable apartments is required to be submitted to Planning and Zoning and ZEO confirming continual use of these residences. "Per Section 6-110g, any change of tenant from those existing as of October 23 2012, must meet sections 6-110g 4.(A), (B), (C) and (F); Owner must notify the Community Development office when the unit is vacated and provide notice of unit availability to the Human Resources departments of the Town of Greenwich and Board of Education first. Then a list of potential renters with priority going to Town of Greenwich and Board of Education full time employees as stated in those sections noted above will be submitted to the Community Development office who will review the list, incomes and potential rents to ensure compliance with all sections of Sec. 6-110g of the BZR and the final site plan approval conditions."

28. The following conditions run permanently with this site and buildings and no changes to any of these conditions or to the building or property or parking may be made without Planning and Zoning Commission approval:
   
   - The prep kitchen maximum distance to the exit door is less than 20 feet, per the Fire Marshall’s requirement.
   - The bus station and door to the prep kitchen are shown as fire rated, as is the door to the kitchen on the first floor in response to the Fire Marshall.
   - The number of parking spaces on site (98) will remain as approved
   - A total of 150 seats in the restaurant first floor plus 18 bar seats
   - No active use of any outdoor space on the lot (other than for parking), or in the front of the building or rear of the building is permitted and no dining or drinking outside of the building is permitted
   - There is to be no use or public access to the basement for food preparation, or any other habitable uses. Only storage of equipment (chairs, tables, etc.) as well as an employee locker room and rest rooms for employees only is permitted in the basement.
   - The second floors will be air-conditioned and the windows will be sealed and no opening of these windows is permitted
   - The lighting of the atrium will remain camouflaged from the exterior through a shielding material (Gila Mirror material) plus a full two story curtain (which will be closed after sundown) so that there is no spillover or glare.
   - Any changes to the exterior of the building or site will require ARC and P&Z approvals.
   - DPW has confirmed in writing that the utility pole does or does not need to be relocated at the driveway entry

29. Prior to any final CO An as-built photometric lighting plan be submitted after testing of all lights at the property line on Church Street and at the exterior of the rear entry with the mirrored glass curtain open and curtain closed.
September 19, 2013

Mr. Patrick LaRow, Senior Planner
Planning and Zoning Commission
Town of Greenwich
101 Field Point Road
Greenwich, CT 06830

RE: Gabriele’s Italian Steakhouse
35 Church Street

Dear Pat:

Enclosed please find four copies of the as-built site plan for Luca’s Steak House, now known as Gabriele’s Italian Steakhouse. The plan includes all of the Planning and Zoning Commission’s conditions as previously requested.

Further enclosed is a June 2008 letter sent to Town Planner Diane Fox, requesting that the Commission’s approval letter be corrected to remove the hour restrictions on the banquet facility.

We are submitting the as-built plans for the purpose of obtaining a certificate of occupancy, while reserving the right to dispute the hours of operation for the banquet facility. We reviewed the previous transcripts involving the restaurant and found no discussion of hour limits for the banquet facility. We have also reviewed the decisions involving other restaurants and banquet facilities and have found no closing time limitations other than for outdoor dining.

Please forward a letter to the Building Department signing off on a Certificate of Occupancy for the property.

Thank you for your assistance.

Very Truly Yours,

Thomas J. Heagney

TJH/jjh
Enclosures
Hand-Delivered
Mrs. Diane W. Fox
Town Planner
Town of Greenwich
101 Field Point Road
Greenwich, CT 06830

RE: Luca’s Steakhouse FSP 3463
    35 Church Street

Dear Diane:

The June 17th approval letter for Luca’s Steakhouse contains a restriction on the hours of operation for the banquet facility. In reviewing the 1995 approval letter, it does say that the second floor banquet facility is limited to after 6:00 pm Monday through Friday and noon on weekends. This is a condition that the steakhouse has abided by since that 1995 approval. However, it does not indicate in 1995 approval nor was there any discussion at the commission meeting approving the site plan that there would be a limitation of 10:00 pm during the week and 11:00 pm on weekends for closing the banquet room. The only closing off which is referred to in 1995 approval is the closing off of the exit drive on the north side of the building after 11:00 pm on weekdays and midnight on Saturday.

Enclosed is a copy of the 1995 approval for your review. Please amend the decision letter to correct this item.

Thank you for your cooperation.

Very truly yours,

Thomas J. Heagney

TJH/mm
Enclosures

HAND DELIVERED
PLANNING AND ZONING - LAND USE DEPARTMENT

MEMORANDUM

TO: Jodi Couture ZEO
    William Marr, Building Official
    John Vallerie, Deputy Building Official
    William Schwartz, Zoning Inspector
    Nancy Carmel, Zoning Inspector
    Robert Seale, Zoning Inspector

FROM: Diane W. Fox, Director Planning and Zoning/Town Planner
       Patrick La Row, Senior Planner

DATE: November 2, 2012

RE: 35 Church Street- Gabrielle’s Restaurant; Final CO for building and uses; FSP #4045 SPEC #4046

The Planning and Zoning staff is notifying Zoning and Building dept that we have no objection to the issuance of a final CO for the Gabrielle’s Restaurant and building subject to the following conditions being placed on the final CO issuance that will run with the uses of the building approved by the Planning and Zoning Commission:

1. Confirmation that these French doors in the front are connected to the Town Fire Alarm system is needed from the Fire dept or Police dept.
2. As built plan for all the properties showing all the dimensioned parking spaces on all the lots, and the as built drainage and notes re: valet parking etc be submitted to the satisfaction of DPW.
3. An as-built photometric lighting plan be submitted after testing of all lights at the property line on Church Street and at the exterior of the rear entrance with the mirrored glass curtain open and curtain closed (attached)
4. An “As Planted” landscape plan be submitted showing what plants are actually in place. The ARC approved landscaped plan is not what was planted.

5. The owner of Gabrielle’s restaurant and Banquet facility has confirmed in writing in a letter dated November 28, 2011 that the operation of the restaurant and banquet room will be subject to the following conditions which is agreeable to the P&Z Commission:
   - Town cars and limousines will be unloaded and loaded at the east (rear) entrance of the building and not on Church Street for both the restaurant clients and banquet attendees
   - The east (rear) entrance will be used not only for the banquet facility on the second floor but also for the dining room restaurant on the first floor.

Town Hall • 101 Field Point Road • Greenwich, CT 06830 • (203) 622-7894 • FAX (203) 622-3795 • www.greenwichct.org
An Affirmative Action/Equal Opportunity Employer, M/F/H
- The signage on Church street in front of the building will state "NO PARKING AND STANDING" and cones will be placed adjacent to the curb to prevent any and all vehicles from parking in front of the building or in front of Peabody's building immediately south of the restaurant.
- There will be no propping open of the front door during restaurant operating hours.
- The valet service will not use Putnam Court for Parking.
- Owner/Manager will provide sufficient valet services to ensure that no cars will queue on Church Street.
- The entry only driveway (south driveway) will not be used for exiting the site for either the restaurant or banquet vehicles.
- The restaurant kitchen closes at 10pm Sunday thru Thursday and Friday and Saturdays at 11pm.

6. **All parking be on site for both the restaurant and banquet room customers. The hours of the valet service may need to be extended to handle all the exiting customers and vehicles.** The approved valet parking plan will be continuous and on going. The plan requires that the valets will move and park cars on its own lot which can handle **150 cars**. No approvals for use of any off-site parking has been granted and was never part of the approvals by the Commission Valet parking is required to handle parking on site as noted in the approval letter from Commission and from Supreme Parking dated Feb 7 2011 submitted by the applicant. Sufficient valets are required to ensure no queuing on Church Street.

7. Hours of Operation of the 2nd floor Banquet room is limited to after 6:00PM Monday to Friday with closing hours of 10:00PM and closing hours of 11:00 PM on weekends (Friday, Saturday and Sunday) since other businesses on this property use this parking lot during the day, and there would be insufficient parking on site for those businesses if they were used simultaneously with the restaurant, banquet facility and those businesses. These are the same hours as in the 1995 approval.

8. A total of 104 seats only are permitted on the 2nd floor banquet room and no bar seats are permitted in the 2nd floor bar. No use of the 2nd floor bar is permitted other than serving the banquet room patrons.

9. The two storage rooms on the 2nd floor are to be used only for storage of banquet room tables, chairs and other equipment used for the banquet room. No active use, seating or separate dining area is permitted.

10. The rear entry (east) will not be used for dining or drinking and a staff member must be present during operating hours to direct patrons to the banquet facility and restaurant.

11. The door to the restaurant from this rear foyer must be left open at all times for restaurant patrons to use as entry and exiting, since the valet service will be handling cars from this rear entry.

12. ZEO will make frequent unannounced visits to the restaurant and banquet facility to ensure that there are no violations of any of the conditions and seating and hours of use. Any violations of the P&Z approvals will be reported and documented to the ZEO and Town Planner and to the Housing court.

13. No buses are permitted on Church Street to load/unload patrons and no buses are permitted on site.

14. The restaurant 1st floor cannot be used as a banquet room and must remain open to the general public.

15. All deliveries will occur on site and before the restaurant or banquet facility opens.
16. The use of Putnam Court for parking or truck loading is prohibited. No use of Putnam Court for parking or truck loading is permitted. This Court is very narrow and must be left free of vehicles to allow access for fire and emergency vehicles.

17. There shall be no loading or unloading of goods or people on the street and the owner of the property/business will enforce such a condition.

18. No use of the Church Street patios is permitted at all for outdoor exterior dining/standing, sitting or drinking. The first floor of the public restaurant cannot be used in conjunction with uses in the upstairs banquet room, nor used for private parties or as a private banquet area and must remain open to the public as a normal restaurant with regular restaurant business hours as originally approved.

19. The three French doors facing Church Street one of which will be permanently nailed closed and the other two will remain closed except for emergency access out using a push bar, and tied into the Town Fire Alarm System, which will automatically notify Policy, Fire and GEMS for emergency response, and there will be no opening of these doors for any purpose other than emergency access. Total permitted in the first floor public restaurant are 150 restaurant seats and 18 bar seats, which includes 4 separate dining rooms and one large dining area totaling 2,557 sq ft; 94 seats at tables and 56 seats at fixed booths.

20. There shall be no use or public access to the basement for food preparation or any other habitable uses. Only storage of equipment (chairs, tables, etc.) and employee locker room is permitted in the basement.

21. Any interior or exterior changes of windows, partitions, walls, doors, service bar areas, kitchen, apartments, rooms, or parking layouts or valet plan must return to the Planning & Zoning Commission for review and approval prior to any permit issuance. Any changes to these plans required by the Health Department must also return to the Planning & Zoning Commission for approval.

22. No changes to the acoustical sound barrier materials, fritted lights or gila covered windows is permitted. Any permit for any work in or on this building is subject to P&Z staff/Commission review prior to issuance of any permit.

23. There will be no lights at the base of the cupola which will have fritted glass to shield lighting. Only wall sconces on the front of the building near the entry door are permitted. No lights on the front walls is allowed.

24. The following properties will be considered one lot: 35,39, 43 and 47 Church Street, 2,3, and 4 Putnam Court and 32,36 and 42 Sherwood Place and no piece or parcel can be split off from this lot because the required 98 parking spaces is on all these lots.

25. The Architect has certified on the plans and letter that densdeck material has been installed as was shown on the detailed building permit plans for walls, roof, dormer, and soffit, and doubled glazed permanently sealed windows and doors, fritted glass on the cupola and the Gila mirror material has been installed.

26. The two affordable apartments (per sec.6-110g) are required to be reviewed by the Community Development office for each new tenant to ensure compliance with the requirements of that section of the Regulations. These apartments on the second floor will not have any commercial use and each apartment will have a dedicated stairway to exit the building directly. No direct access/doors from these apartments to the second floor is permitted and no interfacing with the restaurant or banquet facility is permitted.
27. An annual affidavit for the affordable apartments is required to be submitted to Planning and Zoning and ZEO confirming continual use of these residences. "Per Section 6-110g, any change of tenant from those existing as of October 23 2012, must meet sections 6-110g 4(A), (B), (C) and (F); Owner must notify the Community Development office when the unit is vacated and provide notice of unit availability to the Human Resources departments of the Town of Greenwich and Board of Education first. Then a list of potential renters with priority going to Town of Greenwich and Board of Education full time employees as stated in those sections noted above will be submitted to the Community Development office who will review the list, incomes and potential rents to ensure compliance with all sections of Sec. 6-110g of the BZR and the final site plan approval conditions.”

28. The following conditions run permanently with this site and buildings and no changes to any of these conditions or to the building or property or parking may be made without Planning and Zoning Commission approval:

- The prep kitchen maximum distance to the exit door is less than 20 feet, per the Fire Marshall’s requirement.
- The bus station and door to the prep kitchen are shown as fire rated, as is the door to the kitchen on the first floor in response to the Fire Marshall.
- The number of parking spaces on site (98) will remain as approved
- A total of 150 seats in the restaurant first floor plus 18 bar seats
- No active use of any outdoor space on the lot (other than for parking), or in the front of the building or rear of the building is permitted and no dining or drinking outside of the building is permitted
- There is no use or public access to the basement for food preparation, or any other habitable uses. Only storage of equipment (chairs, tables, etc.) as well as an employee locker room and rest rooms for employees only is permitted in the basement.
- The second floors will be air-conditioned and the windows will be sealed and no opening of these windows is permitted
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September 19, 2013

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Planning and Zoning Commission
Town of Greenwich
101 Field Point Road
Greenwich, CT 06830

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Thank you for your assistance.

Very Truly Yours,

Thomas J. Heagney

TJH/jjh
Enclosures
Hand-Delivered
Mrs. Diane W. Fox  
Town Planner  
Town of Greenwich  
101 Field Point Road  
Greenwich, CT 06830  

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Thank you for your cooperation.

Very truly yours,

Thomas J. Heagney

TJH/mm  
Enclosures

HAND DELIVERED
TOWN OF GREENWICH
Town Hall ~ 101 Field Point Road ~ Greenwich, CT 06830
Planning & Zoning Department ~ 203-622-7894 ~ Fax.203-622-3795

Site Plan Application

Property Address: 35 CHURCH STREET, GREENWICH, CT 06830 Tax ID: 19551685-001
Property Owner: CHURCH SHERWOOD, LLC Address: 30 SHERWOOD PLATE
Email: victor@antarealestate.com Cell Phone: 203.912.4257 Other Phone: 
Applicant: TOWNHOUSE GREENWICH, LLC Address: 35 CHURCH STREET
Email: dc@townhousegreenwich.com Cell Phone: Other Phone: 203.990.1050
Authorized Agent: DANA CIFONE Address: 35 CHURCH STREET
Email: dc@townhousegreenwich.com Cell Phone: Other Phone: 203.990.1050

Select One: □ Pre-Application □ Final

Zone(s): __________________________ Lot Area: __________________________

Please select all relevant items below:

□ Special Permit – Complete special permit application form
□ Coastal Overlay Zone
□ Property is within 500 feet of a Municipal Boundary of __________________________ (for notification)
□ Amendment to Building Zone Regulations – Section(s) __________________________
□ Amendment to Building Zone Map – Zone(s) affected __________________________
□ Health Department review needed
□ Sewer Department review needed
□ Architectural Review Committee Application attached or Review needed
□ Planning & Zoning Board of Appeals review needed
□ Inland Wetlands and Watercourses Agency Review / Approval Required
□ Scenic Road Designation

* THIS APPLICATION IS FOR OUTDOOR DINING CHAIRS AND TABLES ON EXISTING STRUCTURES AND PRIVATE DRIVEWAY. NO STRUCTURES ARE BEING PROPOSED.

To be completed by P&Z staff only:
Check # __________________________ Check Amount: $ __________________________
Application # __________________________
pzSitePlanApp 2020
Application Signature Page

Property Address: 35 Church Street, Greenwich

Property Owner 1: James Carrera
Address: 36 Sherwood Place
Email: Carrera@HLLRE.COM
Cell Phone: 203.912.4257
Other Phone: 
Signature: 
Date: 3-10-21

Property Owner 2:
Address:
Email: 
Cell Phone: 
Other Phone: 
Signature: 
Date: 

Property Owner 3:
Address:
Email: 
Cell Phone: 
Other Phone: 
Signature: 
Date: 

Property Owner 4:
Address:
Email: 
Cell Phone: 
Other Phone: 
Signature: 
Date: 

Applicant:
Address:
Email: 
Cell Phone: 
Other Phone: 
Signature: 
Date: 

Authorized Agent:
Address:
Email: 
Cell Phone: 
Other Phone: 
Signature: 
Date: 

pzSignaturePage 2020
Thursday, March 11, 2021

SEASONAL OUTDOOR DINING APPLICATION --

Section 12:

Requesting a Seasonal Outdoor Dining Permit at Townhouse, located at 35 Church Street, Greenwich, CT 06830. This application is being submitted for the seated outdoor dining use of a pre-existing patio on the western side of the building and on a private drive located on the the north side of the building. These areas will contain tables, chairs and umbrellas to be used solely for seated dining, during the allotted months set forth by the Town of Greenwich. There will be no construction of any kind, both areas are fully functional and ready for outdoor dining use. Protective traffic bollards will be placed on either side of the drive.
Thursday, March 11, 2021

To Whom it May Concern:

Notice is hereby given that Townhouse has filed an application with the Town of Greenwich Planning and Zoning Commission for Seasonal Outdoor Dining approval for 35 Church Street, Greenwich, CT 06830.

This application is being submitted to have seated outdoor dining on the front patio and side of the building.

Further information concerning this application may be obtained by contacting the Planning and Zoning Commission at 203.622.7894.

Sincerely,

[Signature]
Dana Cifone
NORTH EXTERIOR ELEVATION AS-BUILT

SCALE: 3/16" = 1'-0"

OUTDOOR SEATING
Townhouse: 35 Church Street, Greenwich, CT

480 sq ft

OUTDOOR PATIO
TOWNHOUSE: EXISTING STRUCTURE

TOWNHOUSE: 35 CHURCH STREET, GREENWICH

864 SQ FT

KITCHEN DOOR
Hi Katie,

I recently was advised by Townhouse that they are applying with the Town of Greenwich for Seasonal Outdoor dining in the front side patio at 35 Church St.

I for one, am happy that they have survived this difficult year, seeing so many establishments closing their doors. I support restaurants and want them to thrive.

We have been in discussions before regarding the noise level past 11 pm on at their restaurant last year. Town & Country condominium association (where I live directly across the street) has 100 units (100 homes). Our population is well over 150 people. Not all of the units face the restaurant but half do. Mine being the closest to their front doors.

If the Town of Greenwich is to grant them permission, I would ask they do so with strict requirements of having a hard stop at 11pm for all outdoor seating. If patrons are still there and they usually are on weekends as proven by last year, they must be asked to go inside the restaurant to continue to drink and eat. Windows should also be closed to minimize the noise level outside.

Also, patrons should be encouraged not to hang out in front of the restaurant after 11 pm.

I am a Board member of this condominium association and as such, receive many complaints about the noise level across the street. I try to be balanced in my response to complaints but need to know that the management and owners of Townhouse are respectful of the neighborhood and will be on top of the restrictions placed.

I thank you again for listening to other tax payers, all 100 of us across the street. By all means if you have any questions, send me an email,

Regards,

Francine Gingras
20 Church Sr, Apt B4
Greenwich, Ct
06830