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May 24, 2022

Ms. Margarita T. Alban, Chairperson
Planning & Zoning Commission
Town of Greenwich
101 Field Point Road
Greenwich, CT 06830

Re: Hearing for Site Plan and Special Permit by KYMA
Greenwich & MH Cohen Realty, LLC, 8 and 10 Lewis Street

Dear Ms. Alban and Members of the Planning and Zoning Commission,

Reference is hereby made to the above-captioned Site Plan and Special Permit application pending in front of the Greenwich Planning and Zoning Commission (the “Commission”) for property located at 8 and 10 Lewis Street wherein the applicants propose an application for Site Plan and Special Permit, PLPZ 2022 00161.

As you may remember, we own and operate the property located at 39 Lewis Street, across the street from the proposed location. We wrote to you pertaining to this applicant’s previous application, and we wrote in connection with the pre-application review for PLPZ 2022 00161. We have reviewed the preliminary site plan approval for this application, along with the staff report for the currently pending final review, and we remain gravely concerned about the deleterious effects the proposed over-sized use will have on this area of downtown.

Despite the Commission’s clear suggestions contained in the preliminary site plan approval dated March 15, 2022, the applicant has submitted for final review a plan that does not reflect that direction, particularly section 4, 5 and 6 and the March 15 letter. The Commission’s suggestions included that “4. Employees shall park at an off-site location with ride arrangements; 5. Any special events shall be limited to 50 seats; 6. The seating for the restaurant shall not exceed 125 at lunch and 175 at dinner.” This application still calls for 225 dinner seats, 225 lunch seats on weekend days, special event seating of 100 and no provision for off-site parking for employees. Furthermore, the application presents the “special event” seating as being allowed in addition to the regular meal seating, when any special event seating must be counted toward the allowed daily total.

We continue to be very concerned about the seating capacity given the size of the proposed project and the complete lack of available parking spaces in the adjacent municipal lot. We remain concerned for our tenants and our neighboring businesses who rely on the publically available parking.

We reiterate our concern that the proposed size of use assumes the previous use by the gym was at capacity. The cited need for 130 parking spaces for the previous use was never even reached by the gym when it was in operation. Using 130 parking spaces as an assumed safe metric is inappropriate because, as we know as the neighbors of the property, the users of the gym did not ever utilize that number of parking spaces at any given time. That many parking spaces, equivalent to what the applicant now proposes, were not used by the gym. And as can be clearly seen by the pictures we have provided to the Commission in previous letters, along with the updated pictures we enclose herewith, even the Commission's lowest suggested capacity of 125 seats cannot be accommodated in the adjacent municipal lot and surrounding retail area.

We also continue to have concerns about the assumptions being made by the applicant on when the proposed "dinnertime" 225 patron seating capacity will be accommodated in the adjacent parking area. There seems to be an assumption that dinner patrons will not overlap with retail parking patrons, or employee parking for the area establishments, which does not reflect normal shopping patterns. Furthermore, the applicant's proposed seating capacity of 225 for Sunday is still grossly in excess of what can be accommodated in the area, especially given the fact that Sunday is a busy shopping day on Greenwich Avenue.

The Commission is well within its rights to insist on limitations for this overly large proposed project, including requiring evidence of off-site parking for employees. The applicant is asking the Commission to allow an overburdening of neighborhood and community resources. The town and the neighbors will, in essence, be providing the missing parking for this application. When there are no parking spaces for the existing, right-sized neighborhood restaurants, patrons will skip their reservations. When there are no parking spaces for the existing merchants, shoppers will avoid this area and shop elsewhere. We are frankly concerned about the size of the project the Commission has already suggested in the March 15 letter; the even larger project the applicant proposes is an outrageous burden on the town and their neighbors.

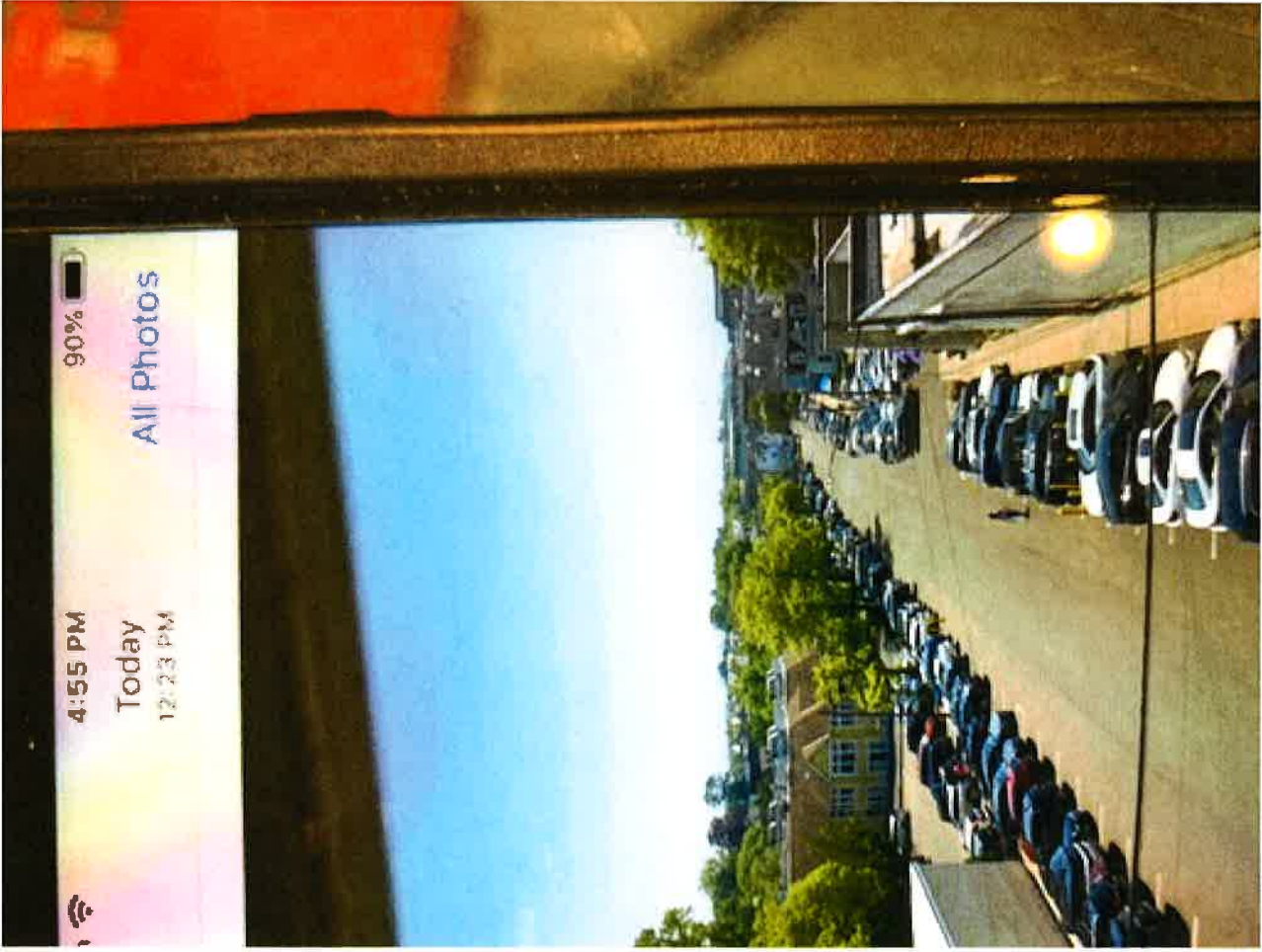
Respectfully,

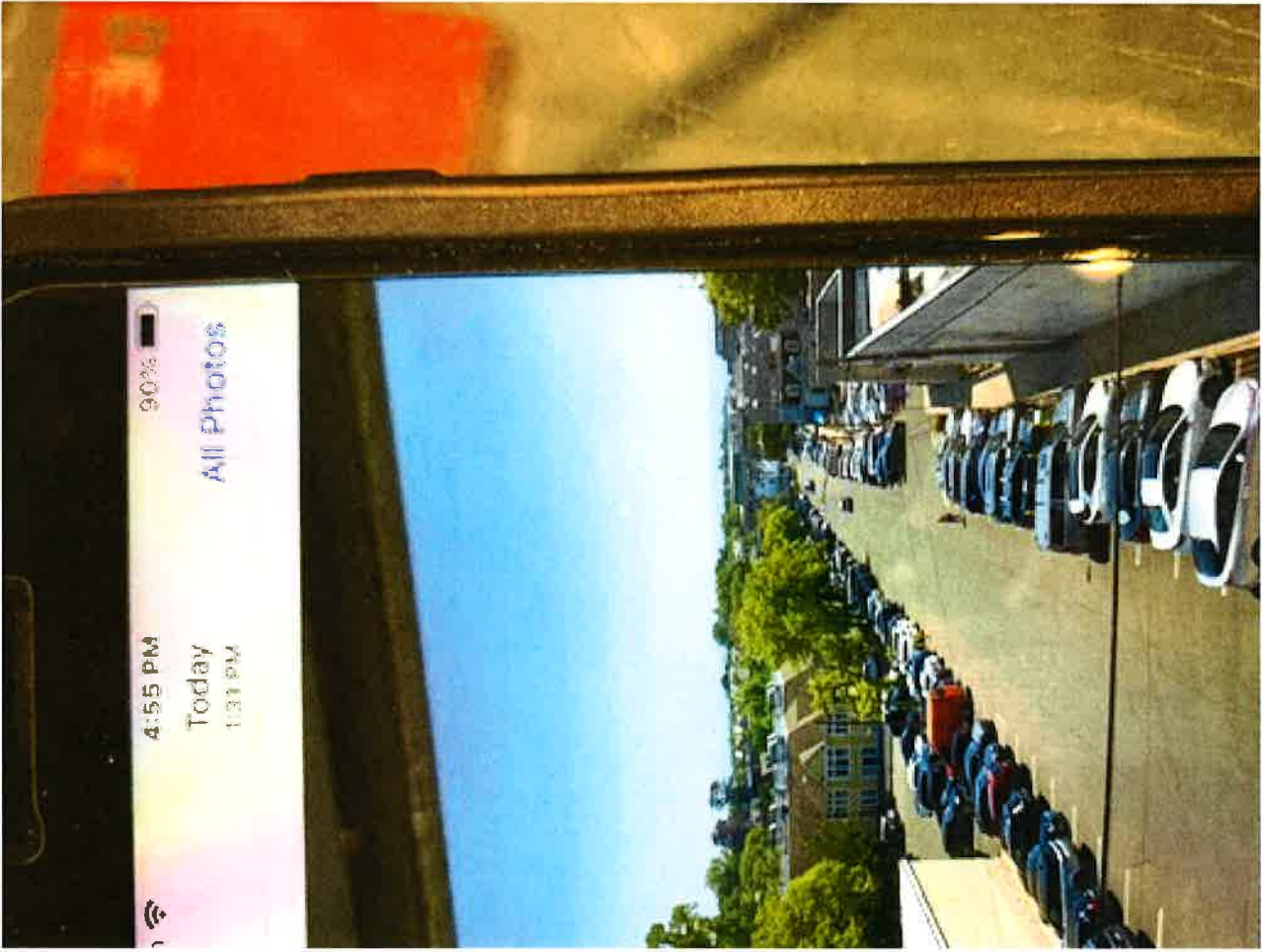


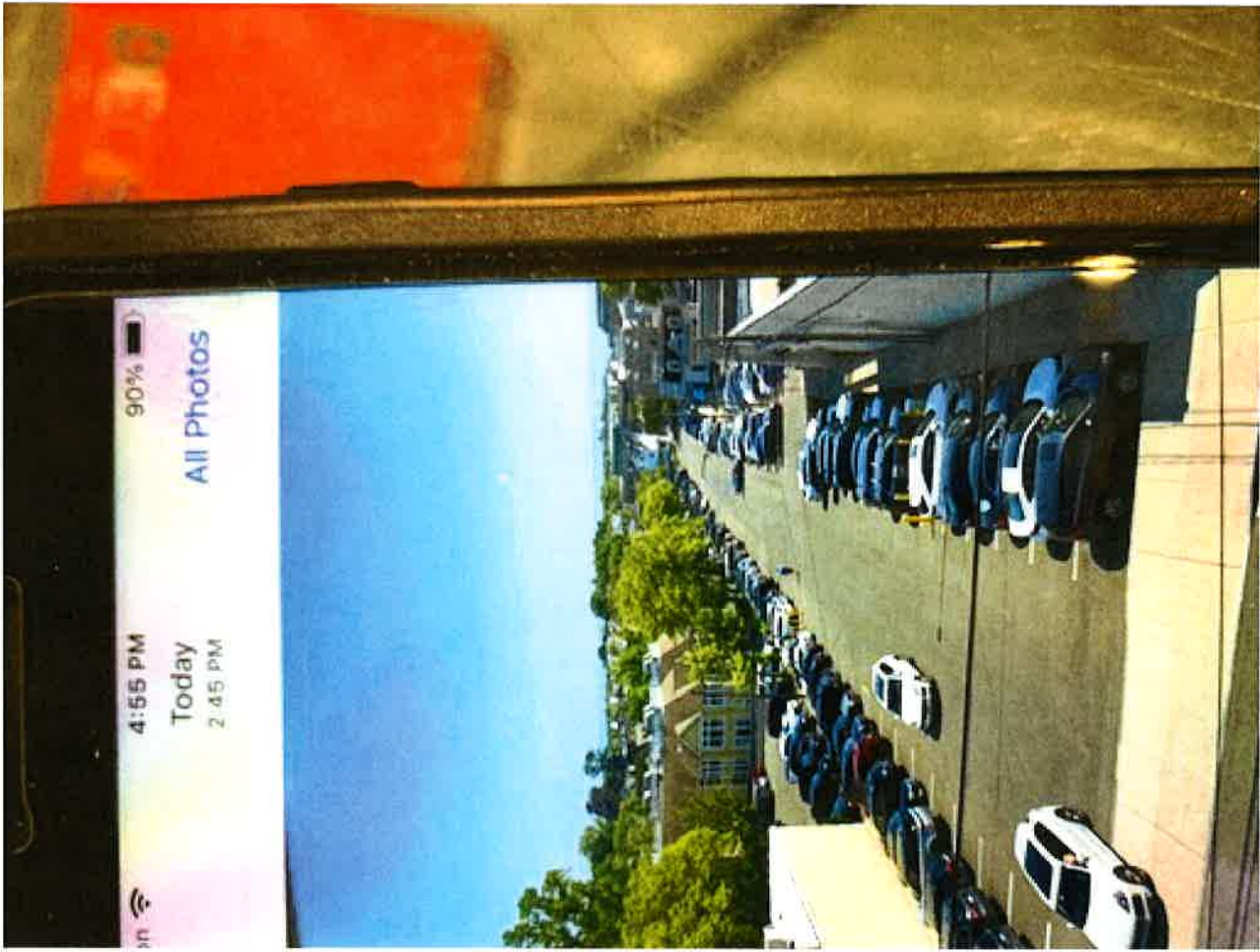
Claudia Leitenberger

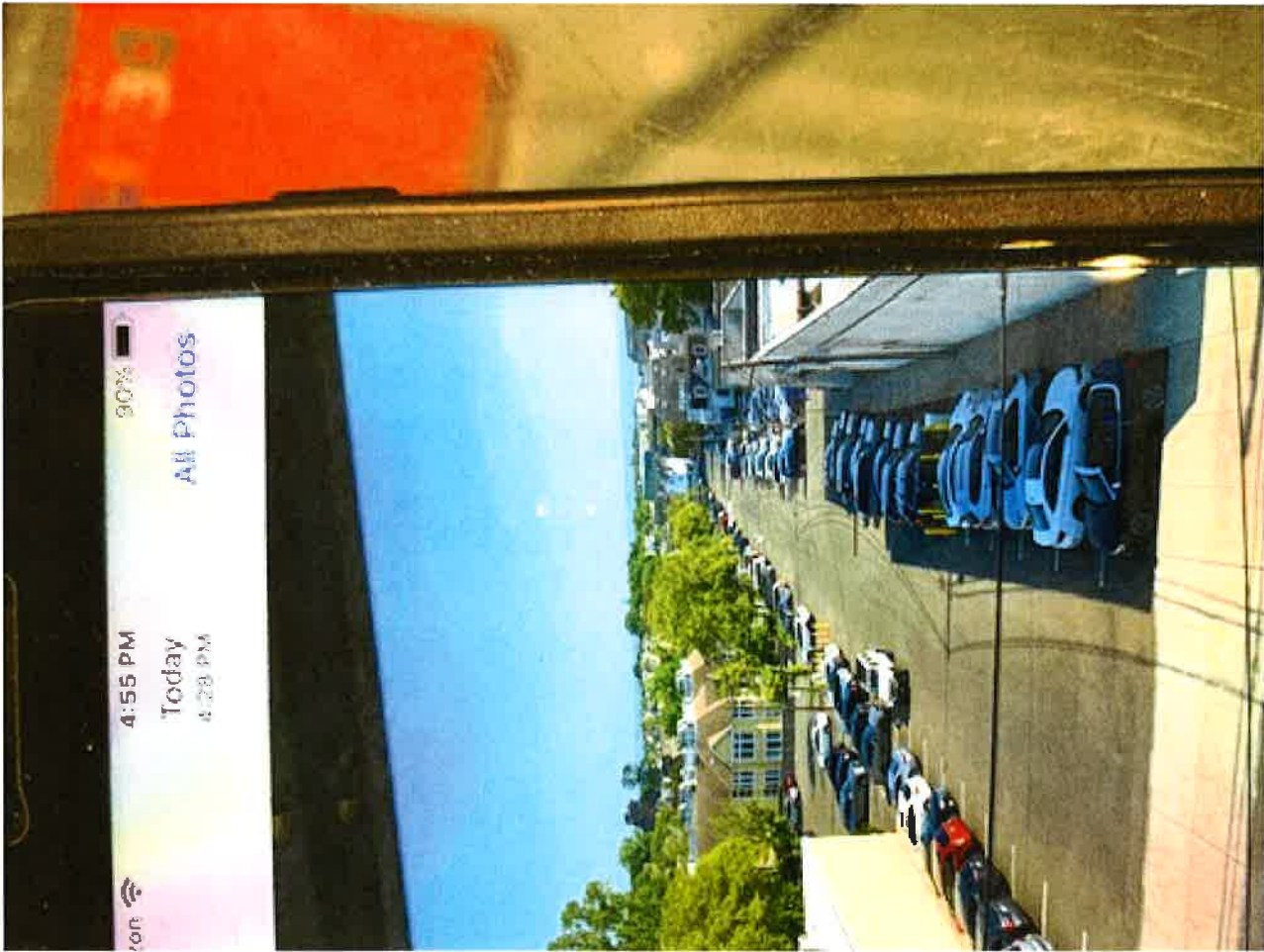
ATC LLC
As agent for
39 Lewis Street LLC

Cc: Ms. Katie Deluca (via e-mail)
Ms. Bianca Dygert (via e-mail)









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