APPLICATION SUMMARY:
The applicant is requesting temporary outdoor dining approval to permit 34 temporary seasonal outdoor dining seats at an existing restaurant at Ruby & Bella’s per Sec. 6-5, 6-13, 6-14, 6-15, 6-100, 6-103.1, 6-205 at 265 Greenwich Avenue in the CGBR and CGIO zones.

ISSUES/RECOMMENDATIONS:
1. ZEO – Issued comments dated 5/31/21 indicating endorsement.
2. Highway – The applicant has received Highway approval for to occupy four parking spaces with the use of the barriers to create a node. Six of the tables would be within the node. Eleven tables would be on the sidewalk. Highway has noted the approval and the node is already in place, but payment has not been received by Planning and Zoning.
3. Health – The applicant still needs to submit to the Health department for approval.
4. Police – Awaiting comments.
5. Seats – The applicant is proposing a total of 34 outdoor seats with 17 tables of 2 seats each.
6. The hours of operation are Tuesday through Saturday 11:30 am to 10 pm and Sunday 11 am to 3 pm.
7. Temporary outdoor dining was approved for this property for the 2021 season for 24 tables with a total of 48 chairs occupying the sidewalk and 8 parking spaces. The proposal for 2022 has been reduced to 34 seats and occupying the sidewalk and 4 parking spaces.

DEPARTMENT COMMENTS:
Zoning Enforcement – See Attached
Health – See Attached
APPLICATION DETAILS:
Existing Conditions:
The property is located at 265 Greenwich Avenue in the CGBR and CGIO zones.

Proposal:
The applicant, Ruby & Bella’s, proposes to provide 34 seats for seasonal outdoor dining located within four parking spots blocked off by barricades, referred to as a “node” and within the sidewalk area directly in front of the restaurant. This node has been approved by the Highway Division. The proposal would maintain at least six feet of clearance for accessibility.

The applicant has provided liability insurance but it has not been signed off by the Director of Risk Management yet.

Zoning:
The property is located on Greenwich Avenue in the CGBR and CGIO zones and therefore exempt from parking requirements. It is located within the front and rear building lines on Greenwich Avenue.

APPLICABLE ZONING REGULATIONS:
§6-5. Definitions
§6-13. Site Plan approval required.
§6-14. Site Plan procedure
§6-15. Site Plan Standards.
§6-100. Use Groups
§6-103.1. CGBR Zone
§6-205. Schedule of required open spaces, limiting height and bulk of buildings.
We are waiting on a submittal from them – as yet nothing has been received

Michael

Hi Michael,
Has this been reviewed by the Health department?

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

Hello All,
We received this application administratively but it is now on the agenda for the next P&Z Commission meeting. Could you please review and provide comments by next Thursday, June 2nd?
It is for outdoor dining at 265 Greenwich Avenue.

265 Greenwich Avenue - PLPZ 2022 00170
Thank you,

Bianca Dygert
Planner II
Hi All,

This has been approved by Highway – any application that we have received and approved would have a price/node information and this information is on the shared spreadsheet. This 265 Greenwich Ave has nodes already in place.

Thanks,

Fran

---

Hello All,

We received this application administratively but it is now on the agenda for the next P&Z Commission meeting. Could you please review and provide comments by next Thursday, June 2nd?

It is for outdoor dining at 265 Greenwich Avenue.

265 Greenwich Avenue - PLPZ 2022 00170
Thank you,

Bianca Dygert
Planner II

Town of Greenwich
Land Use - Planning & Zoning
101 Field Point Road
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Bianca.Dygert@greenwichct.org

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

TEMPORARY OUTDOOR DINING APPLICATION (per HB 5271)

☐ Outdoor Dining on Private Property
☒ Outdoor Dining on Town Property (e.g. sidewalks, parking spaces)
(check one)

1. Restaurant name and address: Ruby & Bella's, 265 Greenwich Ave, Greenwich, CT 06830

2. Name and phone of Applicant: Adam Simensky, 917-992-2496

3. Name of Property Administrator*: Adam Simensky

4. Phone of Property Administrator: 917-992-2496

5. Email: adam.simensky@hbc.com

*Contact for any issues that may arise throughout the dining season.

6. Number of employees at peak hours: 20

7. Number of Merchant Parking Permits (if any):
https://www.greenwichct.gov/1883/Central-Greenwich---Merchant-Parking-Per

8. Name of Property Owner: THURLES LLC

9. Phone and E-mail of Property Owner: 23 Spring Street, Riverside CT 06878

10. TEMPORARY CERTIFICATE - Any approval granted for the 2022 outdoor dining area is temporary pursuant to HB 5271. The outdoor dining period runs April 1 through November 1, 2022 unless amended by the Commission. All proposals must comply with State Building Code and use of sidewalks and any pathways must comply with the physical accessibility guidelines, as applicable, under 103 the federal Americans with Disabilities Act, 42 USC 12101, et seq.

11. All information submitted with this application is true and accurate to the best of your knowledge. The applicant understands that this application is to be considered complete only when all information and documents outlined under "Standards and Submissions" have been submitted. In addition, by signing below, the applicant confirms their understanding that under no circumstances shall any permit for new outdoor dining and/or modified outdoor dining permitted extend beyond April 30, 2023.

Date: 4-5-22

Signature of Applicant/Business owner

Date: 4-11-22

Signature of Property Owner

Temporary Outdoor Dining 2022
Application for Highway Permit

NO PLANS ACCEPTED UNTIL P&Z APPROVAL HAS BEEN COMPLETED, if necessary.

JOB ADDRESS: 265 Greenwich Avenue

DESCRIPTION OF WORK: Outdoor Dining, Temporary

OWNERS NAME: THURLES, LLC
ADDRESS: 23 Spring Street
Riverside, CT 06878

CONTACT NAME: Adam Simensky
ADDRESS: 225 Liberty Street, New York, NY 10281

EMAIL ADDRESS: adam.simensky@hbc.com

CELL PHONE #: 917-992-2496

ALL WORK WITHIN THE TOWN RIGHT-OF-WAY REQUIRES REVIEW AND A CURRENT HIGHWAY PERMIT

NO PERMANENT STRUCTURES or PLANTING to be INSTALLED on TOWN RIGHT-OF-WAY

ALL IMPROVEMENTS IN THE RIGHT-OF-WAY MUST MEET TOWN OF GREENWICH STANDARDS

The following items MUST be included on your plan and submitted with this application for all types of work:

I. One (1) completed Highway Permit Application Form; Five (5) sets, Hard Copies of Plans; One (1) Hard Copy of Drainage Summary Report, (Required for New Construction, Drainage and Dewatering), One (1) DVD containing Site Plans & Details and Drainage Summary Report of the Proposed Openings or Drainage Entrance. SUBMITTING ONLINE ONLY ONED DIGITAL COPY OF EACH IS NEEDED.

NOTE: If Planning & Zoning approval is required, approval must be obtained prior to submission of Application for Highway Permit

a. Drawing submitted must be at least 8½" x 11".

b. Site plan required for ALL NEW Construction, A-2 survey (required for Zoning) and site plan with elevation and property line depicted, certified by Licensed Professional Engineer and Land Surveyor.

c. Drawing is to be to scale.

d. Street Name and House Number must be clearly indicated.

e. North arrow to be indicated.

f. Nearest intersection and approximate distance or number and distance from nearest utility pole must be indicated.

g. Location, size and type of trees on Town right-of-way.

h. Indicate existing catch basins, manholes, culverts, guard rails, curbing, sidewalks, signs, traffic control devices and on street parking for fronting property.

i. All work in right-of-way shall be in accordance with Town of Greenwich Standard Detail.

j. Must provide Pedestrian Bypass Plan

k. If Street Material Parking Spaces are required, written approval from Highway must be provided to Parking Services Dept.

l. Highway Permit shall be approved prior to Building Permit being issued.

Copies of Town of Greenwich Standards are available in the DPW - Engineering Division.

II. Additional requirement for DRIVEWAY:

• DRIVEWAY Application must include Completed Application form, Drainage Speed Distance, Sight Line Profile and Drainage Widths at Property Line and Roadway.

• DRAINAGE SUMMARY REPORT to be submitted with application for DRIVEWAY, One (1) Hard Copy and One (1) DVD

DRIVEWAY Checklist: IF APPLYING ONLINE ONLY ONE (1) DIGITAL COPY IS NEEDED

a. Sight Distance to left and right of the driveway is to be indicated. Certified site plan from a Connecticut Licensed Land Surveyor required for NEW construction.

b. Must conform to driveway frontage requirements. (NOTE: if there is 50 feet or less frontage, only one driveway opening is permitted).

c. Indicate width of driveway at property and roadway.

d. Indicate profile of the driveway from the edge of the road minimum 20 feet into driveway.

Profile shall be a plus grade of 3% to 6% for first five (5) feet.

e. Indicate type of curbing, if any, to be instilled. Curbing and stone masons must be kept back 5 feet from the edge of the road with a 5-foot asphalt apron.

f. Permit application must provide detailed information of how excess runoff water will affect Town right-of-way.

II. Type of finish pavement is to be indicated.

III. Additional requirement for DRAINAGE:

Trenches and excavation in right-of-way shall be permanently repaired prior to issuance of Certificate of Occupancy

a. If private drains are to be connected to the Town system, a drawing of the private drain, size and type of pipe and source of water must be provided.

b. If drainage lines are to be connected to the Town system, a complete drainage plan showing catch basins, manholes, size and type of pipe for the entire property, must be provided.

c. Highway Inspector to be notified of final completion and repair for approval.

d. Two (2) copies of Drainage Summary Report by Connecticut Professionally Licensed Engineer must be provided. One (1) DVD and One (1) hard copy. IF APPLYING ONLINE ONLY ONE (1) DIGITAL COPY IS NEEDED.

IV. Before any excavation work and with this application, you must provide:

"Call Before You Dig" Ticket Number:
(To obtain number, call Toll Free – 811 or on line at www.811call.com)

Signature of Permittee/Applicant: Adam Simensky

(Place type or print name)

Date: 4-5-22

Rev. 10/2020
Introduction
Ruby & Bella’s is an existing restaurant located at 257-265 Greenwich Avenue, Greenwich, CT (the “Property”). Ruby & Bella’s respectfully requests approval for temporary outdoor dining located on the Property adjacent to the building for the 2022 season. The proposal includes seventeen (17) tables, each with two (2) chairs for a total of 34 outdoor dining seats. Eleven (11) two-top tables will be located on the sidewalk closest to the building and the remaining six (6) two-top tables will occupy all or portion of five (5) parking spaces that are directly in front of Ruby & Bella’s. Pedestrian travel aisles greater than 6 feet in width have been maintained.

a. Employee Training and Preparation
All wait staff will be trained and maintain the safety protocols set forth by the Connecticut Department of Economic and Community Development. Ruby & Bella’s successfully trained its staff in this manner in the 2021 temporary outdoor dining season.

b. Implementation of Safety Measures
The restaurant’s patrons will be protected from vehicular traffic with the use of barriers that will be leased from the Highway Department. Ruby & Bella’s successfully operated an outdoor dining area in the 2021 temporary outdoor dining season utilizing the barriers leased from the Highway Department.

c. Minimize Disturbance to Nearby Uses
Both floors of the building at 257 – 265 Greenwich Avenue are occupied by a restaurant use. In addition, a restaurant occupies the building immediately adjacent to Ruby & Bella’s and no use conflicts or disturbances exist.
d. Hours of Operation
The hours of operation of the outdoor dining area will be Tuesday through Saturday from 11:30 AM to 10:00 PM, and Sunday from 11AM to 3:00 PM.

e. Environmental Impacts and Management
No negative environmental impacts are expected during the dining season. The dining areas will be illuminated and there will be no outdoor cooking. Ruby & Bella’s successfully operated in this location in the 2021 temporary outdoor dining season.
OUTDOOR SEATING PLAN  265 GREENWICH AVENUE

TREE WELLS
OUTDOOR SEATING PLAN 265 GREENWICH AVENUE

TREE WELLS
Outdoor Dining
on Town of Greenwich Property
Insurance Requirement Agreement:

**Insurance Requirements:** Any applicant that proposes using Town property for outdoor dining purposes, shall procure and maintain insurance of the types and amounts checked in paragraphs A through C below for all temporary operations.

- **A.** General Liability, in a primary policy or combination of primary and excess, with minimum coverages for combined bodily injury and property damage liability of $5,000,000 general aggregate, $5,000,000 per occurrence including:
  - 2. Town as additional insured. Applicant’s insurance must be primary and non-contributory.
  - 3. Liquor legal liability (if serving alcohol) - with limits to follow the General Liability and Excess policies.

- **B.** Workers' Compensation and Employer's Liability, with minimum coverages as provided by Connecticut State Statutes.

- **C.** CERTIFICATE HOLDER: TOWN OF GREENWICH
  ATTN: RISK MANAGEMENT DEPT. (Also fill in on ACORD Certificate of Insurance)
  101 Field Point Road, Greenwich, CT 06830.

The Acord certificate of insurance form must be executed by your insurance agent/broker and returned to this office. The most current Acord form should be used for insurance documentation purposes. Company name and address must conform on all documents including insurance documentation. It is required that the agent/broker note the individual insurance companies providing coverage, rather than the insurance group, on the Acord form. The business name and a brief description must be inserted in the “Description of Operations” field. It must be confirmed on the Acord Form that the Town of Greenwich is endorsed as an additional insured by having the appropriate box checked off and stating such in the “Description of Operations” field.

The Applicant shall be responsible for maintaining the above insurance coverages in force to secure all of the Applicant’s obligations to the Town as listed here and in the attached application for temporary outdoor dining/retail sales with an insurance company or companies with an AM Best Rating of A:VII or better, licensed to write such insurance in Connecticut or as acceptable to the Risk Manager, Town of Greenwich.

---

**YF GREENWICH LLC**

Business Name

**ADAM SIMENSKY**

Business Owner

Megan A. Damato, Esq.
Director of Risk Management

4-5-22

Date

4-5-22

Date
**CERTIFICATE OF LIABILITY INSURANCE**

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONJECTS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

**PRODUCER**
Willis Towers Watson Northeast, Inc.
c/o 26 Century Blvd
F.O. Box 305191
Nashville, TN 372305191 USA

**INSURED**
YF Greenwich LLC
225 Liberty Street
New York, NY 10281

**CONTACT NAME:** Willis Towers Watson Certificate Center
**PHONE (A/C, No. Ext.):** 1-877-945-7378
**FAX (A/C, No):** 1-888-467-2378
**E-MAIL ADDRESS:** certificates@willis.com

**INSURER(S) AFFORDING COVERAGE**
- **INSURER A:** Safety National Casualty Corporation
  - **ADDL INSD:** 15105
  - **E-MAIL:** ALLIEDWW@SNCC.COM
  - **PHONE:** 1-800-725-5000

- **INSURER B:** Allied World Assurance Company US Inc
  - **ADDL INSD:** 19489
  - **E-MAIL:** YFD@AWA.COM
  - **PHONE:** 1-888-351-0310

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**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)**

Certificate Holder is included as an Additional Insured as respects to General Liability. General Liability policy shall be Primary and Non-contributory with any other insurance in force for or which may be purchased by Additional Insured.

**CERTIFICATE HOLDER**

Town of Greenwich
Attn: Risk Management
101 Field Point Road
Greenwich, CT 06830

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

**AUTHORIZED REPRESENTATIVE**

[Signature]

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