

EXPLANATION AND STATEMENT OF NEED

A. CURRENT ZONING

The HDD (Historic Downtown District) was created to accommodate the properties at 2, 8 and 18 Post Road West (Buildings E, F and G on the attached drawings) and, for reasons not fully understood by the applicant, the buildings at 6 and 12 Wilton Road (Buildings C and D on the attached drawings) were also included in the zone, despite the fact that Building C is not historic in nature.

The buildings at 16 and 20 Wilton Road and the parking structure on the west side of Wilton Road, which form a part of the parcel which applicant's client has contracted to purchase, are in the GBD (General Business District).

The HDD Regulations (Chapter 30), as currently written, only permit office use to the extent of 10% of the gross floor area above the ground floor, effectively requiring that the ground floor be reserved for retail and/or restaurant use. These restrictions were imposed at a time when it was contemplated that the Inn at National Hall would continue to occupy most of the gross square footage above the ground floor and were not relaxed when the space occupied by the Inn was proposed to be converted to residential condominiums. But the Inn, which has for some time been operating at a loss, is no longer a viable business and the retail/restaurant space on the ground floor of 2 and 8 Post Road West, which has proved to be unattractive to potential tenants, is now and for some time has been almost entirely vacant. Two restaurants – both run by experienced operators – and a specialty pizza parlor at 6 Wilton Road have failed to survive at these locations, as have a number of office and retail establishments.

B. CURRENT USAGE AND VACANCY RATE

At present, the only occupants in this entire development, both in the HDD and GBD, (excepting the Inn at National Hall), are as follows:

20 Wilton Road (GBD), second floor: Peter Coppola Salon, occupying 4,667 gross square feet and paying only partial rent;

16 Wilton Road (GBD), first and second floor: Bank of New York, occupying 6,077 gross square feet;

12 Wilton Road (HDD), first floor: Signorello, occupying 1,760 gross square feet and not paying rent;

12 Wilton Road (HDD), second floor: Mortgage Opportunity Group, occupying 1,764 gross square feet;

6 Wilton Road (HDD), first floor: Poggenpohl, occupying 1,598 gross square feet and paying only partial rent;

6 Wilton Road (HDD), second floor: National Hall Capital, occupying 1,598 gross square feet; and,
18 Post Road West (HDD), first and second floor: L'Antiquaire, occupying 2,132 gross square feet.

So, in all, (not counting the Inn) only 19,596 gross square feet out of a total of 46,186 gross square feet in the entire development – both in the GBD and the HDD - are occupied and only 11,571 gross square feet are paying full rent, an effective vacancy rate of 75%. In the HDD, only 8,852 gross square feet are occupied out of a total of 31,193 gross square feet and of those, only 5,494 gross square feet are paying full rent, an effective vacancy rate of 82%.

As an aside, we note that the ground floor of the building on the south side of Post Road West, facing the subject properties, has also experienced significant turnover in retail tenants and is not fully occupied at this time.

We also note that the building at 18 Post Road West is separately owned and not a part of the contemplated purchase.

C. EXPLANATION AND BENEFIT OF PROPOSED TEXT CHANGE

While we understand and appreciate the Commission's desire to promote retail and restaurant uses on the west side of the river and along the riverfront, those goals have proved conclusively to be unattainable under present zoning, and particularly so in the current economic climate. Nevertheless, we are proposing that not less than 10% of the space in the HDD, (3,119 gross square feet out of a total of 31,193) be reserved for retail and/or restaurant use, in furtherance of the Commission's desire to locate such uses at the property.

We believe that increased flexibility in the choice and location of tenants will dramatically improve the viability of the properties in question, by helping to assure their occupancy and thereby generating revenue which can and will be used to maintain the historic structures which are otherwise likely to fall into disrepair.

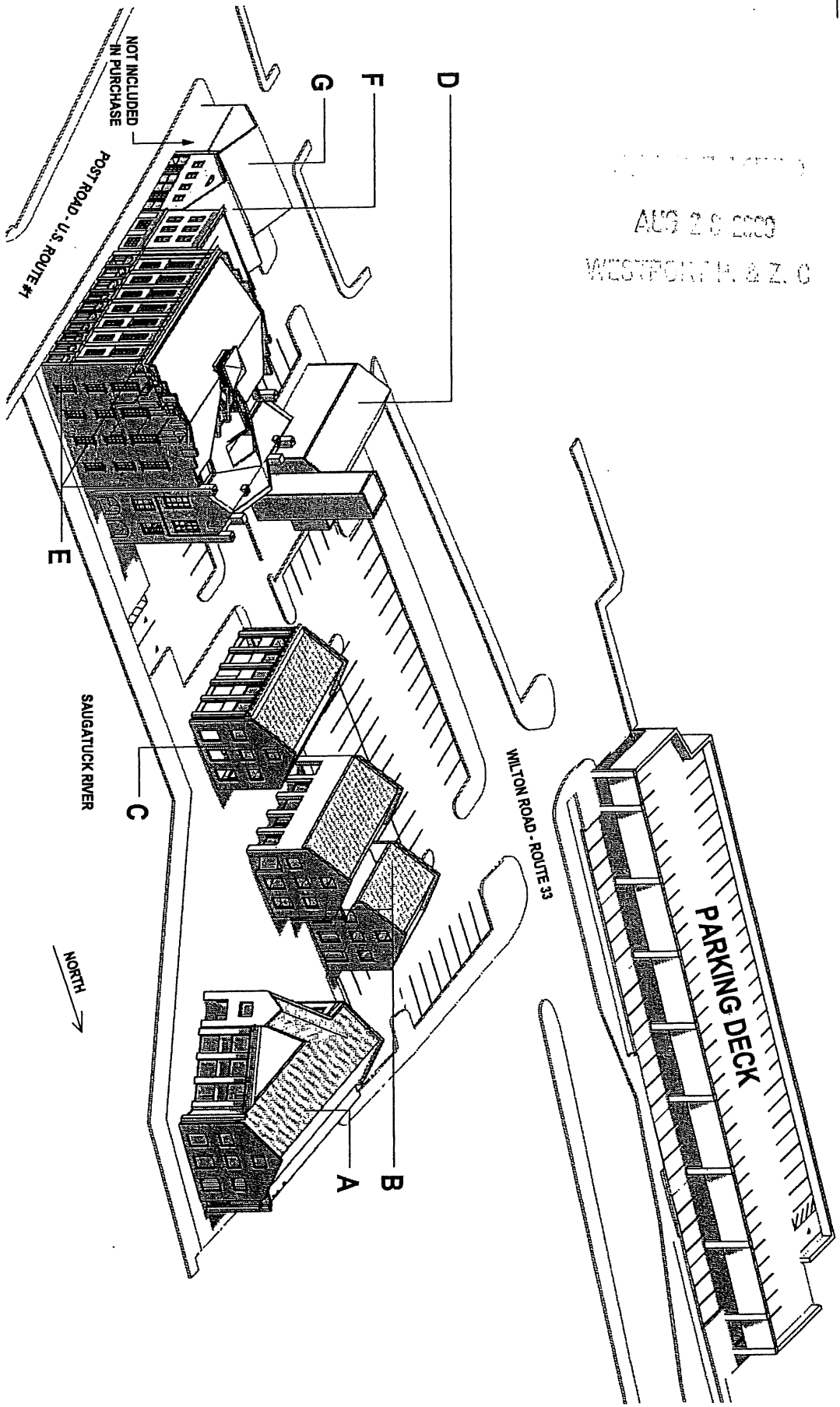
In addition, in our view, increased flexibility in the choice and location of tenants would actually promote the Commission's objectives and the purpose of the HDD by populating the development with office workers and others who would begin to build the "critical mass" required to support retail and restaurant uses on the west side of the river.

However laudable the intentions of the Commission have been, the history of these properties demonstrates persuasively that to insist upon retail uses in a majority of the space while discouraging office and other uses, is to put the cart

before the horse; and to follow the same failed strategy expecting a different result is unwise in the extreme and is not in the best interest of the Town.

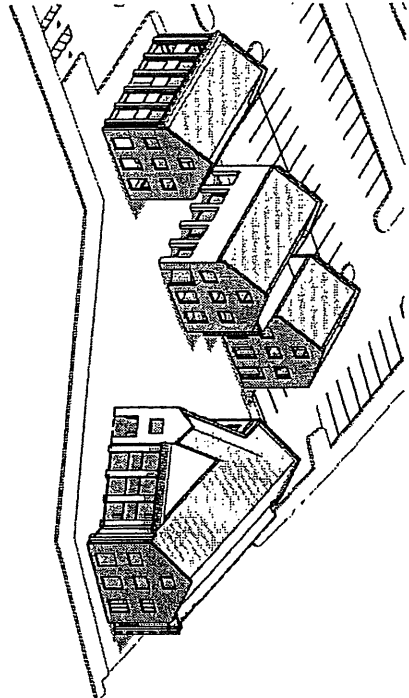
As the regulations are presently written, allowing only 10% of the gross floor area above the ground floor to be used for offices, it is difficult to imagine what uses would be permitted in the remaining 90% of that square footage, other than the hotel or residential uses, which have already proved unsuccessful.

WESTPORT H. & Z. C.
AUG 28 2009



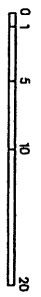
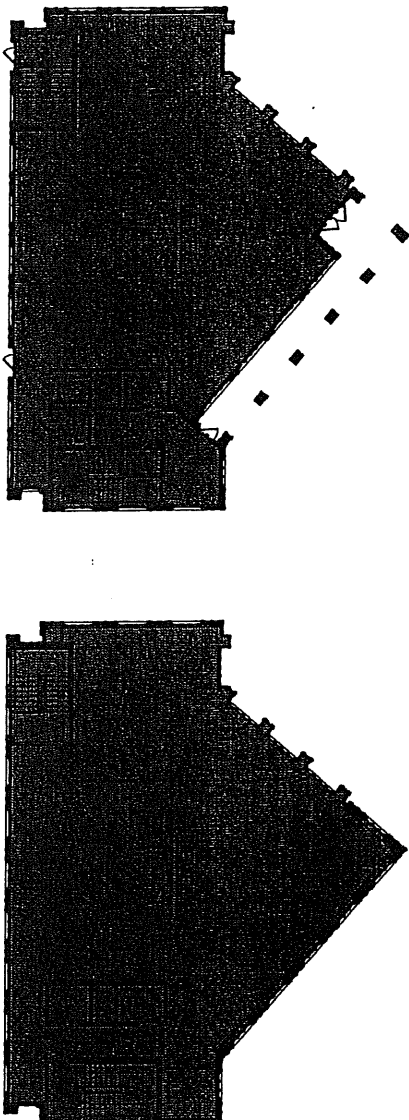
SITE DIAGRAM
GREENFIELD
07/20/09
Scale:

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architecture
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GROSS - BUILDING A

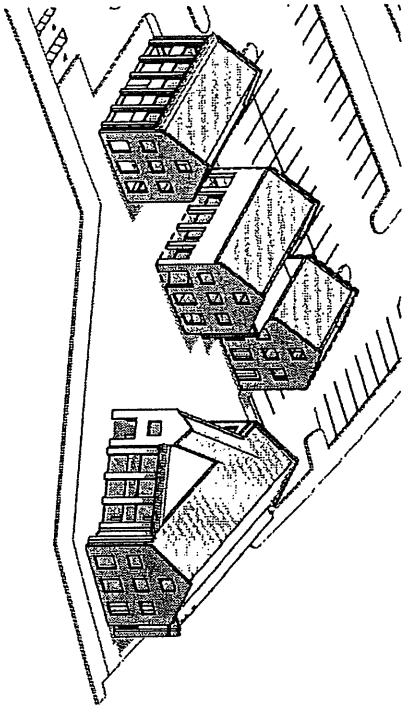
LEVEL 1	4249 SF
LEVEL 2	4647 SF
	8996 SF



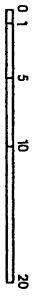
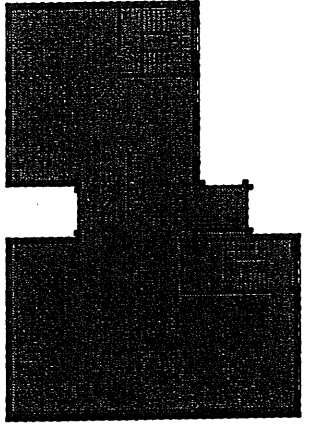
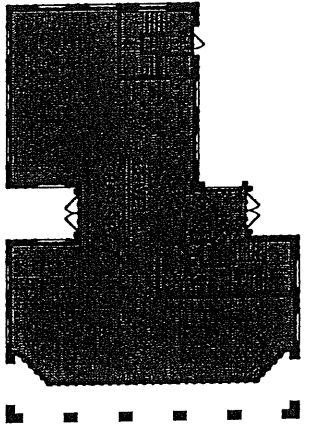
BUILDING "A"
GREENFIELD

08/21/09
 Scale: 1" = 20'-0"

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GROSS - BUILDING B
LEVEL 1 289 SF
LEVEL 2 328 SF
607 SF

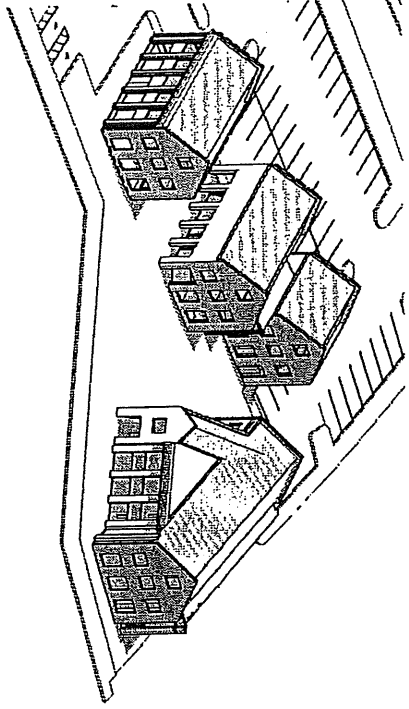


BUILDING "B"
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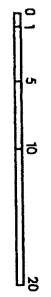
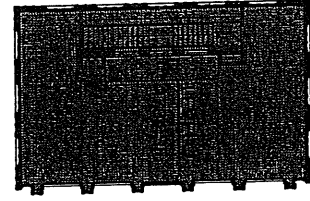
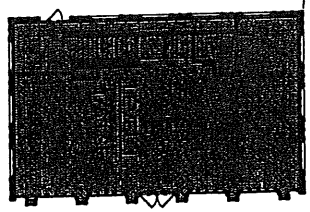
08/21/09

Scale: 1" = 20'-0"

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GROSS - BUILDING C
 LEVEL 1 1760 SF
 LEVEL 2 1764 SF
 3524 SF

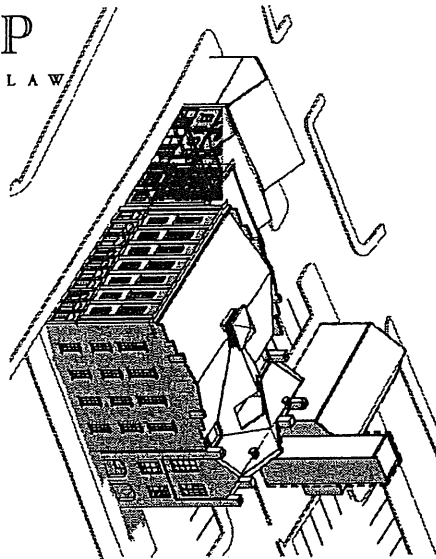


BUILDING "C"
GREENFIELD
 08/11/09

Scale: 1" = 20'-0"

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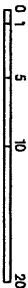


BUILDING "D"
GREENFIELD
08/21/09

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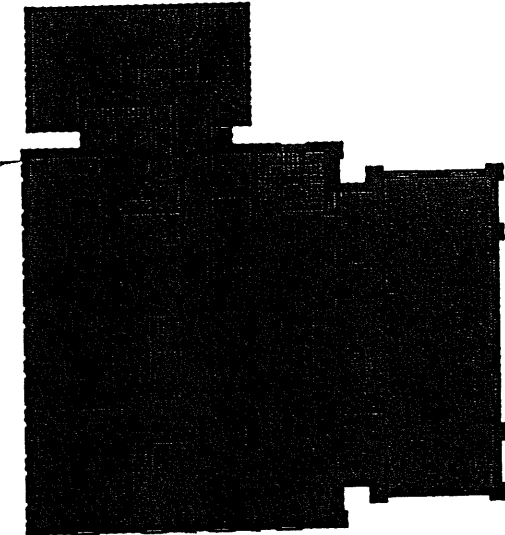
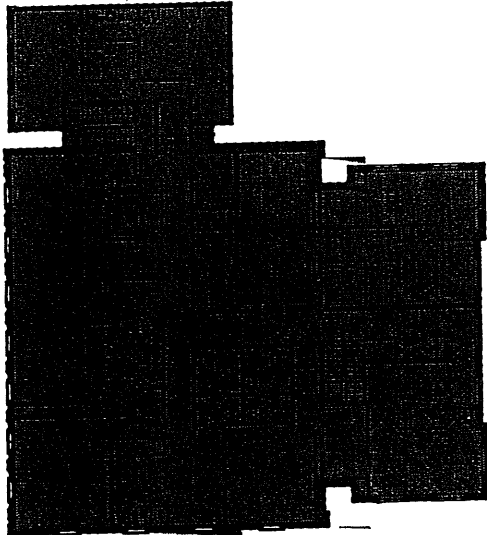
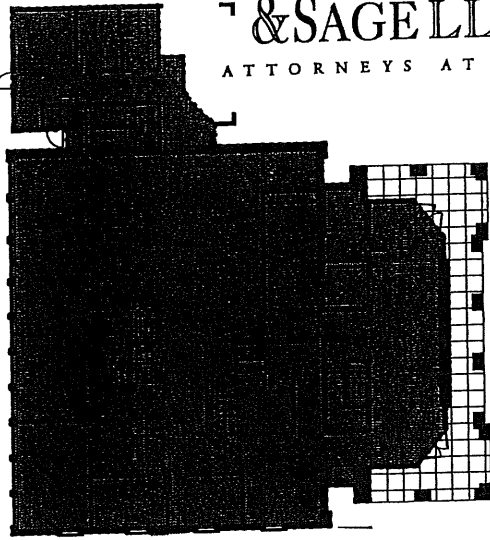
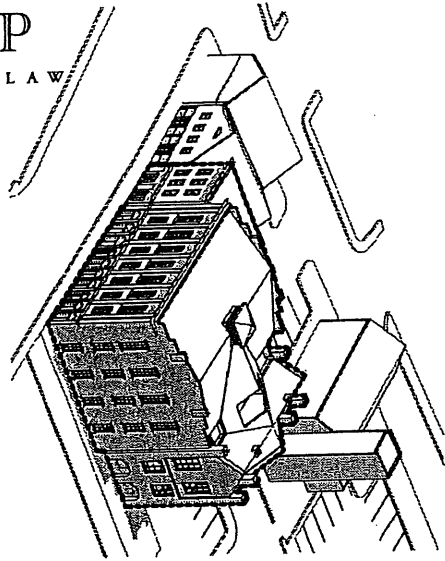
GROSS - BUILDING D

LEVEL 1	1598 SF
LEVEL 2	1598 SF
	3196 SF



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BUILDING "E"
GREENFIELD
08/11/09

Scale: 1" = 20'-0"

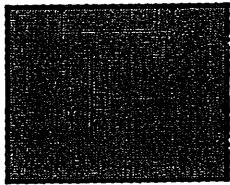
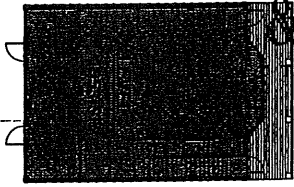
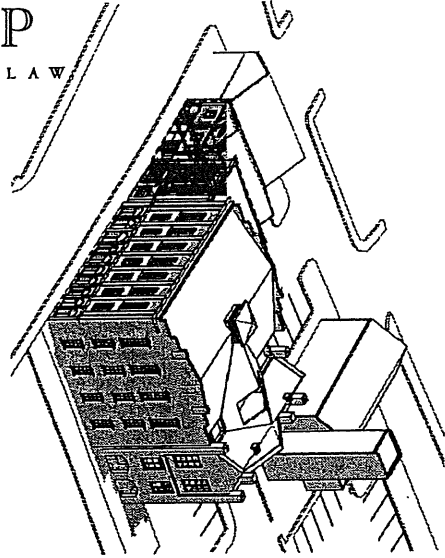
GROSS - BUILDING E

LEVEL 1	6003 SF
LEVEL 2	6855 SF
LEVEL 3	687 SF
	7693 SF

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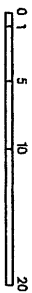
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BUILDING "F"
GREENFIELD

08/21/09
Scale: 1" = 20'-0"

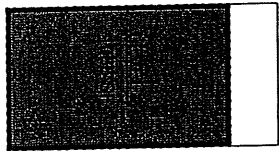
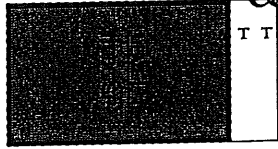
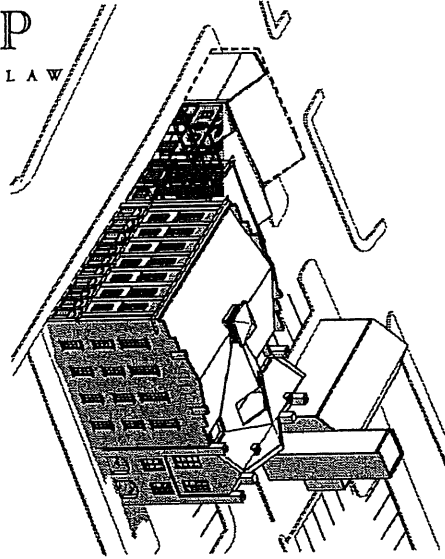
GROSS - BUILDING F	
LEVEL 1	1353 SF
LEVEL 2	1313 SF
	2666 SF



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08/21/09
**BUILDING "G"
GREENFIELD**

Scale: 1" = 20'-0"

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ARCHITECTURE
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GROSS - BUILDING G	
LEVEL 1	1066 SF
LEVEL 2	1066 SF
	2132 SF

HALLORAN & SAGE

ARCHITECTS
PLANNERS
INTERIORS

Grand total: 49184 SF

GROSS SF SUMMARY

BUILDING A
LEVEL 1 4249 SF
LEVEL 2 4667 SF
8916 SF

BUILDING B
LEVEL 1 2819 SF
LEVEL 2 3258 SF
6077 SF

BUILDING C
LEVEL 1 740 SF
LEVEL 2 764 SF
1504 SF

BUILDING D
LEVEL 1 1598 SF
LEVEL 2 1598 SF
3196 SF

BUILDING E
LEVEL 1 6003 SF
LEVEL 2 6855 SF
12858 SF

BUILDING F
LEVEL 1 1353 SF
LEVEL 2 1313 SF
2666 SF

BUILDING G
LEVEL 1 1046 SF
LEVEL 2 1044 SF
2090 SF

SUMMARY GREENFIELD

Scale:

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Tenant History

2-8 Post Road West

Old Bridge Grill
Zanghi's Restaurant
Miramar
Washington Mutual

10 Post Road West

Taylor's Floral Arts
Morelock Antiques

6 Wilton Road

DeRosa's Brick Oven Pizza
Poggenpohl

12 Wilton Road

Westbank Food Shop
Unidentified "Deli"
Persnickety
Portico
Red Curb
Signorello

16 Wilton Road

Bar Method
Lotte Burke

20 Wilton Road

Judith Jackson
Peter Coppola