

June 24, 2020

**Via Certified Mail, Return Receipt Requested**

Planning and Zoning Commission  
Town of Chester  
203 Middlesex Avenue  
Chester, CT 06412

Attention: Chairman Jon Lavy  
Secretary Bettie Perreault  
Zoning Enforcement Officer Judy Brown

Subject: Removal of restrictions in Special Exception  
56 Middlesex Avenue LLC

Dear Members of the Chester Planning and Zoning Commission (PZC):

Please consider this letter as a formal request to appear before your Commission at the July 9, 2020 meeting, at which time I intend to ask that certain restrictions placed on 56 Middlesex Avenue as a part of a Special Exception be removed so I can successfully market this Chester landmark property for use as a food service facility.

The special restrictions placed on the property in 2011 are so severe as to discourage any party from leasing or purchasing the property for use as a market, market/restaurant or restaurant. At present, the special restrictions specifically prohibit any form of restaurant or consumption of food on the premises.

56 Middlesex Avenue has been a highly-visible commercial location in Chester for more than 100 years. It has been a livery service, full service auto repair and sales facility, bicycle shop, outboard motor repair shop, indoor bazaar featuring vintage items and artwork, and a grocery/market. Its location is at the intersection of CT Route 154 (Middlesex Avenue), intersection and head of Main Street, Railroad Avenue and Old Depot Road. It is a highly visible, heavily travelled and historically viable commercially developable intersection, which includes commercial buildings on the southwest and northwest corners, 56 Middlesex Avenue and the St. Joseph's Church rectory. The Town's Veterans' Memorial abuts Route 154, 56 Middlesex Avenue and Railroad Avenue.

In July 2019, PZC approved use of 56 Middlesex Avenue as a vodka distillery. That plan has ended and the potential developer has terminated those plans.

I purchased 56 Middlesex Avenue in 2010 committed to renovate and upgrade the building with state-of-the-art, energy-efficient equipment in anticipation of having a market with limited seating for consumption of food. Although I was investing many hundreds of thousands of dollars, I accepted extraordinarily restrictive conditions no other similar business in Chester has placed upon it. I wrongly believed that despite extraordinary restrictions, a food market could be successful. I now realize that in accepting those restrictions, I doomed those plans.

Other potential operators of food-related businesses who have considered 56 Middlesex Avenue have confirmed the restrictions are impossible for a successful market.

Enclosed with this correspondence, please find the October 27, 2011 Special Exception Approval, Memorandum of Decision. I am asking that the restrictions related to storage of refuse (#4); hours of operation (#11); number of employees (#12); hours for deliveries (#13); seating, consumption of food on the site (#14); use of kitchen (#17); and product line (#18) all be removed.

This request is made with the understanding that whoever next comes forward with a firm plan to use the property will have to return to the PZC for a new Special Exception. However, they would not have to invest additional time and money in connection with these restrictions, and they should be more encouraged to invest and create jobs in Chester at 56 Middlesex Avenue. As a practical matter, any one of the referenced restrictions make it virtually impossible for a food-related business to operate at 56 Middlesex Avenue.

Thank you in advance for your consideration of this request. I look forward to meeting with the Commission on July 9. I also look forward to the opportunity to bring this now-dormant property back to being a part of Chester's economic growth and future.

Sincerely,

Peter Kehayias

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