

1. Meeting Materials

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TENTATIVE AGENDA

FINAL AGENDA

ACTION AGENDA

TOWN OF GREENWICH PLANNING AND ZONING COMMISSION

Town Hall Meeting Room
101 Field Point Road, Greenwich, CT

January 9, 2018

FINAL AGENDA

REGULAR MEETING 7:00 PM

1. **Those Crazy Kids, LLC, 204 Otter Rock Road;** request for an extension of time in accordance with Section 6-279 of the Town of Greenwich Subdivision Regulations, for an additional ninety (90) days to file a mylar with the Town Clerk, for application PLPZ 201700415, a final coastal subdivision, approved at the October 17, 2017 meeting, to subdivide a 3.18-acre parcel into two parcels where parcel 1 would be 1.32-acres and parcel 2 would be 1.39-acres and a 0.4778-acre Open Space Parcel, which represents 15% of the total area of the property located at 204 Otter Rock Drive in the RA-1 and Coastal Overlay zones. *(Staff: MA) (Page Number: 14)*
2. **Timothy P. Palmer, Trustee, et al;** application PLPZ 2017 00527 for a final coastal site plan to construct a new 5,004 sq. ft. dwelling and pool within 100 feet of coastal resources on a 22,250 sq. ft. property located at 73 Willowmere Circle in the R-20 and Coastal Overlay Zones. *(Staff: MA) (Must decide by 1/13/2018) (Maximum extension available to 3/19/2018) (Postponed at the 11/30/2017 meeting) (Page Number: 15)*
3. **Quatro Partners LLC,** application PLPZ 2017 00550 for a final coastal site plan to demolish the existing dwelling, garage and pool, and construct and new dwelling, pool, pool patio, reconstruct the driveway and related site and drainage improvements on a 45,570 sq. ft. property located at 5 Meadow Place in the R-12 and Coastal Overlay Zones. *(Staff: MK) (Must decide by 1/13/2018) (Maximum extension to decide available to 3/19/2018) (Page Number: 92)*

PUBLIC HEARING 7:15 PM

4. **Matthew Mitchell;** applications PLPZ 2017 00532 and PLPZ 2017 00533, for a final site plan and special permit, to construct a 5,417 sq. ft. addition to the current residence, new patio areas, new driveway areas, a new septic system, and onsite drainage improvements on an 8.14-acres property located at 45 Burying Hill Road (designated Scenic Road) in the RA-4 zone. (Staff: MA) (**Must open by 1/13/2018**) (Maximum extension to open available to 3/19/2018) (Page Number: 170)
5. **David and Kristen Anderson;** applications PLPZ 2017 00530 and PLPZ 2017 00531, for a final site plan and special permit, to construct a residence on an unimproved parcel of land, including a pool house, swimming pool, two (2) gate houses, tennis court, and related site and drainage improvements on a 10.96-acres property located at 0 Upper Cross Road (aka 21 Upper Cross Road) in the RA-4 zone. (Staff: CT) (**Must open by 1/13/2018**) (Maximum extension to open available to 3/19/2018)

Applications PLPZ 2017 00530 and PLPZ 2017 00531 have been POSTPONED

6. **Milbank Land Company LLC;** applications PLPZ 2017 00551 and PLPZ 2017 00552, for a final site plan and special permit, to permit the conversion of a mixed use medical/office and residence to a general office (Use Group 2a) use, on a 15,817 sq. ft. property located at 46 Milbank Avenue in the R-6 HRO zone. (Staff: MA) (**Must open by 2/3/2018**) (Maximum extension to open available to 4/9/2018) (Page Number: 228)
7. **Old Track Properties, LLC;** applications PLPZ 2017 00522 and PLPZ 2017 00523, for a final site plan and special permit for a change of use from retail to office and expand the existing second floor office tenant space into space on the first floor on a 13,514 sq. ft. property located at 50 Old Field Point Road in the GBO zone. (Staff: MK) (**Must open by 1/13/2018**) (Maximum extension to open available to 3/19/2018) (Page Number: 295)
8. **Bianca 121 LLC;** applications PLPZ 2017 00363 and PLPZ 2017 00364, for a final site plan and special permit, for building additions and modifications to expand the 2nd and 3rd floor residential dwelling units, roof garden terrace and façade improvements to the building on a 6,250 sq. ft. property located at 121 Greenwich Avenue in the CGBR zone. (Staff: MK) (**Must close by 1/11/2018**) (Maximum extension to close granted to 1/11/2018) (Continued from the 10/3/2017 meeting) (Seated: Maitland, Alban, Goss [for Levy], Yeskey [for Fox], and Macri) (Page Number: 327)

9. **Greenwich American, Inc. record owner, of 1 American Lane;** application PLPZ 2017 00569, for a text amendment per Section 6-22 of the Town of Greenwich Building Zone Regulations to amend Section 6-108 "Use Regulations for BEX-50 Zone" and subsections (a), (b)(1), (d)(2), (e), (e)(1), (e)(1)(a), (e)(1)(c), and (e)(1)(e) to allow "Office Uses", as defined in Section 6-5(a) (38.2), to include, "Medical Professionals" and "Healthcare Professionals" uses as defined in Section 6-5(a) (36.1) and (27.2), as permitted uses in the BEX-50 Zone. The proposed text amendment is as follows: (proposed text shown in **bold underscored**) (Staff: PL) (Must open by 2/3/2018) (Maximum extension to open available to 4/9/2018) (Page Number: 367)

(a) Statement of Purpose.

The purpose of the BEX-50 Zone is to provide an area for low density, business executive office **and office** uses in the triangle of land on northwest Greenwich which is separated from and denied access to the remainder of the Town by Interstate 684. It is the additional purpose of this zone to encourage campus-like landscaped setting which is protective of open space and environmental values, and produces a traffic impact commensurate with the capability of the road system to satisfactorily absorb it.

(b) Permitted Uses.

- (1) Executive Offices **and Office Uses (as defined in Section 6-5(a) of the Regulations)**, subject to the standards and requirements as set forth in item (e) below and other standards in these regulations.
- (2) Horticultural and wildlife reservations and natural park areas.
- (3) Cemeteries, provided that no location shall be approved any part of which is less than five hundred (500) feet from a residence.

(c) Permitted Uses by Special Exception of the Board of Appeals.

- (1) Churches, educational institutions not operated for commercial profit.
- (2) Public utility uses not including incidental service and storage yards.
- (3) Radio or TV stations and towers.

(d) Permitted Accessory Uses.

- (1) Customary uses incidental to the permitted principal use.
- (2) On lots developed for executive office **and office** uses, lodgings for the temporary accommodations of employees and visitors and living quarters for custodians and caretakers, provided that such lodgings and living quarters shall be limited to no more than twenty-five (25) persons; personal service facilities limited to the use of employees; and employee recreation facilities.

(e) Standards and Requirements.

The specific standards and requirements set forth below shall be applicable to all executive office **and office** uses established in the BEX-50 Zone;

(1) The executive office **and office use** occupancy per lot shall be governed by the following:

(a) The minimum lot size in BEX-50 zone shall be fifty (50) acres subject to (b) below executive office **and office** occupancy shall be limited in use to a maximum number of employees (as hereinafter defined), determined by the size of such lot measured in acres or fractions thereof, multiplied by a figure of 18 employees per acre. Support personnel such as maintenance, security and cafeteria personnel may be in addition to the 18 employees per acre provided the combined maximum number of employees does not exceed 20 employees per acre.

[subsection (e)(1)(b) to remain unchanged]

(c) On or before January 31 of each year, the owner of any such lot referred to in (a) above shall file or cause to be filed with the Zoning Enforcement Officer an affidavit certifying for each executive office **and office** occupancy as to the number of permanent and temporary full or part-time employees including support personnel actually occupying all buildings on such lot, and that such occupancy complies with the provisions of this section. The failure of such owner to so file or cause to be filed any affidavit required hereunder in a timely manner shall be deemed to be evidence of such owner's non-compliance with the employee limitation provisions of this Section 6-108(e)(1). The penalty provisions of Set. 6-202 of the Greenwich Building Zone Regulations and Sec. 8-12 of the Connecticut General Statutes shall be invoked for non-compliance

[subsection (e)(1)(d) to remain unchanged]

(e) In order to mitigate against traffic to and from every lot covered by this Section 6-108 overburdening roads in the Town during lunch hour, each lot developed for executive office **and office** use in the BEX-50 Zone shall contain on each such lot cafeteria facilities reasonably sufficient to provide lunches to all day-time employees of all users of executive office **and office use** space on such lot. The cafeteria facilities shall offer food, including hot meals, during ordinary lunch hours, which shall consist of at least 2 consecutive hours between 11:00 a.m. and 2:00 p.m. on every business day between Monday and Friday. The cafeteria facilities shall have seating capacity sufficient to serve lunch to all day-time employees of all users of executive office **and office use** space on such lot during the lunch hour period. It is the intent and purpose hereof that each employee of all such users, shall be able to purchase and eat lunch in at least one full service food facility on the lot. Vending machines, while not prohibited, shall not satisfy the full service requirement herein. For purposes of this subparagraph, the terms "cafeteria" and "cafeteria facilities" shall include all food service facilities on

the site, and to the extent that more than one of the executive office users operates a cafeteria on a lot, there shall be an aggregation of all such cafeterias to determine compliance with this subparagraph.

[remainder of this subsection to remain unchanged] [Section 6-108, Subsections (e)(1)(f), and (e)(2) through (e) (11) to remain unchanged]

REGULAR MEETING CONTINUED

10. **Greenwich American, Inc.;** application PLPZ 2017 000570 for a final site plan application to lease 5,024 sq. ft. of existing, first floor, office space in the main building to a professional medical office use where the proposed use is not currently permitted in the underlying BEX-50 Zone and is the subject of a zoning text amendment application (PLPZ 2017 00569) to permit said use on a 154.5367-acre property located at 1 American Lane in the BEX-50 Zone. *(Staff: PL) (Must decide by 2/3/2018) (Maximum extension to decide available to 4/9/2018) (Page Number: 394)*

11. **DISCUSSION ITEMS:**

12. **DECISION ITEMS:**

13. **APPROVAL OF MINUTES:**

November 30, 2017
December 12, 2017

14. **OTHER:**
 - a. Executive Session on pending litigation or personnel matters.
 - b. Other items as may properly come before the Commission.

**APPLICATIONS HEARD PREVIOUSLY THAT WILL BE HEARD ON
SUBSEQUENT MEETINGS:**

37 Day Road LLC; applications PLPZ 2017 00476 and PLPZ 2017 00477, for a final site plan and special permit, to remove and replace the existing pool and pool patio, reconstruct the existing cabana, and construct a new patio to the south of the existing residence the result of which would further exceed the 150,000 cubic feet threshold on a 5.09-acre property located at 37 Day Road in the RA-4 zone. *(Staff: MK) (Must open by 2/10/2018) (Maximum extension to open granted to 2/10/2018) (Postponed at the 11/30/2017 meeting)*

Greenwich Center for Hope & Renewal, and the Stanwich Congregational Church; applications PLPZ 2017 00460 and PLPZ 2017 00461, for a final site plan and special permit, for approval to permit the use of the former Stanwich Church property at 237 Taconic Road by a charitable institution providing faith-based counseling services on a 0.66-acre property located at 237 Taconic Road in the RA-4 zone. *(Staff: MK) (Must close by 3/10/2018) (Maximum extension to close granted to 3/10/2018) (Continued from the 11/30/17 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri)*

Benedict Court Development Company, LLC, record owner of 19 Benedict Place; application PLPZ 2017 00538, for a zoning text amendment to amend Division 9-Subdivision 3; Division 15; and Division 17 to codify certain location, characteristics, and land use objectives for those properties situated within the Central Greenwich Impact Overlay Zone ("CGIO Zone"); and to add new regulations to allow, by Special Permit, certain flexibility in area, height and bulk standards of the underlying zone as incentive zoning, in exchange for the provision of "Public Benefits" as articulated in the proposed zoning text amendments. The core objective of these proposed text amendments is to activate the CGIO Zone overlay as a positive, vital planning tool to enhance and sustain this district for the citizens of Greenwich in the 21st Century. The proposed NEW Section 6-115.1.1, INCENTIVE ZONING FOR CGIO MIXED-USE DEVELOPMENTS-RESIDENTIAL prohibits new buildings constructed under that regulation to be located in the CGBR Zone, which includes Greenwich Avenue. The Application includes a proposed amendment to BZR Division 15-Section 6-155 PARKING AND GARAGES FOR MULTI-FAMILY RESIDENTIAL PURPOSES, to establish a minimum standard of 1.25 parking space per residential dwelling unit in the CGIO Zone for multi-family housing developed pursuant to proposed NEW Section 6-115.1.1, INCENTIVE ZONING FOR CGIO MIXED-USE DEVELOPMENTS-RESIDENTIAL. ; and proposed amendments to BZR Division 17-Section 6-182 PLANTING REGULATIONS and add a new Section 6-181.1 ROOF PLANTINGS IN BUSINESS ZONES and new Diagram 11, ILLUSTRATION OF LIMITING FACTOR FOR DETERMINATION OF MAXIMUM INCREASE IN BUILDING HEIGHT

UNDER SECTION 6-115.1.1 (6) IN THE CGIO. The proposed text amendments are as follows (Text in **Bold Underscored** to be added. Text in [brackets] to be deleted): (Staff: PL) (Must close by 3/22/2018) (Maximum extension to close granted to 3/22/2018) (Continued from the 12/12/2017 meeting) (Seated: Maitland, Alban, Yeskey [for Levy], Fox, and Macri) (Full proposed text amendment can be found in the Planning and Zoning Office)

Planning and Zoning Staff; application PLPZ 2017 00541, for a text amendment, to amend Sections 6-2, 6-5(a), 6-107, 6-158 of the Town's Building Zone Regulations as it pertains to properties in the Waterfront Business (WB) Zone and add Diagrams 12 through 17 as recommended by the WB Zone Study with the core objectives of the proposed text amendments to provide incentives for enhanced public access to the water by requiring water dependent uses and by allowing, under Special Permit, non-water-dependent uses. The language of which is on file in the Town of Greenwich Planning and Zoning Office and as found on the Town of Greenwich Planning and Zoning Department website at: http://www.greenwichct.org/government/departments/planning_and_zoning/ (Staff: PL) (Postponed at the 12/12/2017 meeting)

Planning and Zoning Staff; application PLPZ 2017 00549, for a text amendment, to amend Sections 6-2 CLASSES OF ZONES, 6-13 SITE PLAN APPROVAL REQUIRED BY PLANNING AND ZONING COMMISSION, 6-109 HRO ZONE STANDARDS AND REQUIREMENTS and 6-109.1, HISTORIC OVERLAY ZONE (HO) into one new and comprehensive Historic Overlay Zone Regulations that contains incentives from both of the original text and new language as follows (Text in **Bold Underscored** to be added. Text in [brackets] to be deleted): (Staff: KD) (Continued from the 12/12/2017 meeting) (Seated: Maitland, Alban, Yeskey [for Levy], Fox, and Macri) (Full proposed text amendment can be found in the Planning and Zoning Office)

R.F.K. Greenwich Enterprises, Inc.; applications PLPZ 2017 00443 and PLPZ 2017 00444, for a final coastal site plan and special permit, to construct an 855 sq. ft. addition expanding the second floor above the south "porch" of Building #3 to increase the space of the cardio training area on a 5.5-acres property located at 49 River Road in the WB zone. (Staff: PL) (Must close by 2/17/2018) (Maximum extension to close granted) (Continued from the 11/9/2017 meeting) (Seated: Maitland, Alban, Levy, Yeskey [for Fox], and Macri) (Postponed at the 12/12/2017 meeting)

CRK, LLC; application PLPZ 2017 00435, for a zoning map amendment, to re-zone a property from the R-7 to the HRO zone, (as shown on a re-zoning map on file in the Town Clerk's office) for property located at 50 River Road, Cos Cob in the R-7 zone. (Staff: PL) (Must close by 2/17/2018) (Maximum extension to close granted) (Continued from the 11/9/2017 meeting) (Seated: Maitland, Alban, Levy, Yeskey [for Fox], and Macri) (Postponed at the 12/12/2017 meeting)

CRK, LLC; applications PLPZ 2017 00433 and PLPZ 2017 00434, for a final coastal site plan and special permit, to retain the existing building and construct an addition to the building for four (4) squash courts, employee housing on the third floor of the existing building, and the continuation of the basement apartment for employee housing on a 25,443 sq. ft. property located at 50 River Road, Cos Cob in the R-7 zone. (Staff: PL) (Must close by 2/17/2018) (Maximum extension to close granted) (Continued from the 11/9/2017 meeting) (Seated: Maitland, Alban, Levy, Yeskey [for Fox], and Macri) (Postponed at the 12/12/2017 meeting)

330 Railroad Avenue, LLC, application PLPZ 2017 00468, for a zoning text amendment, to amend Section 6-167(a) “Height Restrictions” under Division 16. “Signs”, of the Town of Greenwich Building Zone Regulations as follows: (Text in **bold** to be added, text in ~~strike through~~ to be removed) (Staff: MK) (**Must close by 1/25/2018**) (Maximum extension to close granted to 1/25/2018) (Continued from the 10/17/2017 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri) (Postponed at the 11/30/2017 meeting)

Application PLPZ 2017 00468 has been WITHDRAWN

Sec. 6-167. HEIGHT RESTRICTIONS.

(a) Free-standing signs, including posts, **when located outside the required front and street side yard**, shall not exceed a height of ten (10) feet in a residential zone, **and** ~~or~~ fifteen (15) feet overall in a business zone above the surface of the ground where located. ~~There shall be a clear space underneath a free-standing sign~~ **free-standing signs, including posts, when** located within the required front ~~or street side yard in a business zone so that the sign will not interfere with the vision of a driver approaching a~~ **and street intersection. Side yard shall:**

- 1. not exceed a height of six (6) feet and shall be located so as to comply with Sections 6-126, 6-166(b) and Section 6-167 of the Town of Greenwich Building Zone Regulations and the DPW Roadway Design Manual of all driveways on the property and at all street intersections adjacent to the property; or**
- 2. not exceed a height of fifteen (15) feet and have** ~~The clear space beneath the sign of shall be~~ at least seven (7) feet four (4) inches; measured above the center line of the intersecting street as measured in Section 6-126, to the bottom of the sign.

Sight distances at all driveways and intersections adjoin the property and sign location on the property must be shown on a plan prepared by an Engineer certified in the State of Connecticut and provided to any reviewing Agency or Department to confirm compliance with Sections 6-126, 6-166(b) and this Section 6-167 of the Town of

Greenwich Building Zone Regulations. Said plans must include the statement:

“The sight lines, sign distances and sign location shown here complies with the standards contained in the Town of Greenwich Roadway Design Manual and Standard Construction Details prepared by the Engineering Division of the Department of Public Works and with the standards of Sections 6-126, 6-166(b) and 6-167 of the Town of Greenwich Building Zone Regulations.”

(b) Window and wall signs shall not exceed four (4) feet in height.

START: _____
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TOWN OF GREENWICH PLANNING AND ZONING COMMISSION

Town Hall Meeting Room
101 Field Point Road, Greenwich, CT

January 9, 2018
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 - (2) Horticultural and wildlife reservations and natural park areas.
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- (c) Permitted Uses by Special Exception of the Board of Appeals.
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- (e) Standards and Requirements.
- The specific standards and requirements set forth below shall be applicable to all executive office **and office** uses established in the BEX-50 Zone;
- (1) The executive office **and office use** occupancy per lot shall be governed by the following:
 - (a) The minimum lot size in BEX-50 zone shall be fifty (50) acres subject to (b) below executive office **and office** occupancy shall be limited in use to a maximum number of employees (as hereinafter defined), determined by the size of such lot measured in acres or fractions thereof, multiplied by a figure of 18 employees per acre. Support personnel such as maintenance, security and cafeteria personnel may be in addition to the 18 employees per acre provided the combined maximum number of employees does not exceed 20 employees per acre.
[subsection (e)(1)(b) to remain unchanged]
- (c) On or before January 31 of each year, the owner of any such lot referred to in (a) above shall file or cause to be filed with the Zoning Enforcement Officer an affidavit certifying for each executive office **and office** occupancy as to the number of permanent and temporary full or part-time employees including support personnel actually occupying all buildings on such lot, and that such occupancy complies with the provisions of this section. The failure of such owner to so file or cause to be filed any affidavit required hereunder in a timely manner shall be deemed to be evidence of such owner's non-compliance with the employee limitation provisions of this Section 6-

108(e)(1). The penalty provisions of Set. 6-202 of the Greenwich Building Zone Regulations and Sec. 8-12 of the Connecticut General Statutes shall be invoked for non-compliance

[subsection (e)(1)(d) to remain unchanged]

- (e) In order to mitigate against traffic to and from every lot covered by this Section 6-108 overburdening roads in the Town during lunch hour, each lot developed for executive office **and office** use in the BEX-50 Zone shall contain on each such lot cafeteria facilities reasonably sufficient to provide lunches to all day-time employees of all users of executive office **and office use** space on such lot. The cafeteria facilities shall offer food, including hot meals, during ordinary lunch hours, which shall consist of at least 2 consecutive hours between 11:00 a.m. and 2:00 p.m. on every business day between Monday and Friday. The cafeteria facilities shall have seating capacity sufficient to serve lunch to all day-time employees of all users of executive office **and office use** space on such lot during the lunch hour period. It is the intent and purpose hereof that each employee of all such users, shall be able to purchase and eat lunch in at least one full service food facility on the lot. Vending machines, while not prohibited, shall not satisfy the full service requirement herein. For purposes of this subparagraph, the terms “cafeteria” and “cafeteria facilities” shall include all food service facilities on the site, and to the extent that more than one of the executive office users operates a cafeteria on a lot, there shall be an aggregation of all such cafeterias to determine compliance with this subparagraph.

[remainder of this subsection to remain unchanged] [Section 6-108, Subsections (e)(1)(f), and (e)(2) through (e) (11) to remain unchanged]

REGULAR MEETING CONTINUED

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November 30, 2017
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- a. Executive Session on pending litigation or personnel matters.
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Application PLPZ 2017 00468 has been WITHDRAWN

Sec. 6-167. HEIGHT RESTRICTIONS.

(a) Free-standing signs, including posts, **when located outside the required front and street side yard**, shall not exceed a height of ten (10) feet in a residential zone, **and** ~~or~~ fifteen (15) feet overall in a business zone above the surface of the ground where located. ~~There shall be a clear space underneath a free-standing sign~~ **free-standing signs, including posts, when** located within the required front ~~or street side yard in a business zone so that the sign will not interfere with the vision of a driver approaching a~~ **and street intersection. Side yard shall:**

1. **not exceed a height of six (6) feet and shall be located so as to comply with Sections 6-126, 6-166(b) and Section 6-167 of the Town of Greenwich Building Zone Regulations and the DPW Roadway Design Manual of all driveways on the property and at all street intersections adjacent to the property; or**
2. **not exceed a height of fifteen (15) feet and have** ~~The clear space beneath the sign of shall be~~ **at least seven (7) feet four (4) inches,** measured above the center line of the intersecting street as measured in Section 6-126, to the bottom of the sign.

Sight distances at all driveways and intersections adjoin the property and sign location on the property must be shown on a plan prepared by an Engineer certified in the State of Connecticut and provided to any reviewing Agency or Department to confirm compliance with Sections 6-126, 6-166(b) and this Section 6-167 of the Town of Greenwich Building Zone Regulations. Said plans must include the statement:

“The sight lines, sign distances and sign location shown here complies with the standards contained in the Town of Greenwich Roadway Design Manual and Standard Construction Details prepared by the Engineering Division of the Department of Public Works and with the standards of Sections 6-126, 6-166(b) and 6-167 of the Town of Greenwich Building Zone Regulations.”

(b) Window and wall signs shall not exceed four (4) feet in height.

TOWN OF GREENWICH PLANNING AND ZONING COMMISSION

Town Hall Meeting Room
101 Field Point Road, Greenwich, CT

January 9, 2018

ACTION AGENDA WITH DECISIONS

Regular Members Present and Seated: Richard Maitland, Margarita Alban, Peter Levy, Andrew Fox, and Nicholas Macri

Alternate Member Present: Dennis Yeskey, and Victoria Goss

Staff Members Present: Katie DeLuca, Director Planning and Zoning/Zoning Enforcement Coordinator/Town Planner, and Patrick LaRow, Deputy Director Planning and Zoning/Assistant Town Planner

REGULAR MEETING 7:00 PM

1. **Those Crazy Kids, LLC, 204 Otter Rock Road;** request for an extension of time in accordance with Section 6-279 of the Town of Greenwich Subdivision Regulations, for an additional ninety (90) days to file a mylar with the Town Clerk, for application PLPZ 201700415, a final coastal subdivision, approved at the October 17, 2017 meeting, to subdivide a 3.18-acre parcel into two parcels where parcel 1 would be 1.32-acres and parcel 2 would be 1.39-acres and a 0.4778-acre Open Space Parcel, which represents 15% of the total area of the property located at 204 Otter Rock Drive in the RA-1 and Coastal Overlay zones. (Staff: MA) (Page Number: 14)

Motion to approve extension of time to file the mylar for an additional 90 days

Moved by Alban, seconded by Fox

Voting in favor: Maitland, Alban, Levy, Fox, and Macri

5-0

2. **Timothy P. Palmer, Trustee, et al;** application PLPZ 2017 00527 for a final coastal site plan to construct a new 5,004 sq. ft. dwelling and pool within 100 feet of coastal resources on a 22,250 sq. ft. property located at 73 Willowmere Circle in the R-20 and Coastal Overlay Zones. (Staff: MA) (**Must decide by 1/13/2018**) (Maximum extension available to 3/19/2018) (Postponed at the 11/30/2017 meeting) (Page Number: 15)

Motion to approve final coastal site plan with modifications
Moved by Alban, seconded by Fox
Voting in favor: Maitland, Alban, Levy, Fox, and Macri
5-0

3. **Quatro Partners LLC,** application PLPZ 2017 00550 for a final coastal site plan to demolish the existing dwelling, garage and pool, and construct and new dwelling, pool, pool patio, reconstruct the driveway and related site and drainage improvements on a 45,570 sq. ft. property located at 5 Meadow Place in the R-12 and Coastal Overlay Zones. (Staff: MK) (**Must decide by 1/13/2018**) (Maximum extension to decide available to 3/19/2018) (Page Number: 92)

Left Open – Extension to decide granted to January 30, 2018

PUBLIC HEARING 7:15 PM

4. **Matthew Mitchell;** applications PLPZ 2017 00532 and PLPZ 2017 00533, for a final site plan and special permit, to construct a 5,417 sq. ft. addition to the current residence, new patio areas, new driveway areas, a new septic system, and onsite drainage improvements on an 8.14-acres property located at 45 Burying Hill Road (designated Scenic Road) in the RA-4 zone. (Staff: MA) (**Must open by 1/13/2018**) (Maximum extension to open available to 3/19/2018) (Page Number: 170)

Left Open

5. **David and Kristen Anderson;** applications PLPZ 2017 00530 and PLPZ 2017 00531, for a final site plan and special permit, to construct a residence on an unimproved parcel of land, including a pool house, swimming pool, two (2) gate houses, tennis court, and related site and drainage improvements on a 10.96-acres property located at 0 Upper Cross Road (aka 21 Upper Cross Road) in the RA-4 zone. (Staff: CT) (**Must open by 1/13/2018**) (Maximum extension to open available to 3/19/2018)

Postponed – Extension to open granted

6. **Milbank Land Company LLC**; applications PLPZ 2017 00551 and PLPZ 2017 00552, for a final site plan and special permit, to permit the conversion of a mixed use medical/office and residence to a general office (Use Group 2a) use, on a 15,817 sq. ft. property located at 46 Milbank Avenue in the R-6 HRO zone. (Staff: MA) (Must open by 2/3/2018) (Maximum extension to open available to 4/9/2018) (Page Number: 228)

Left Open

7. **Old Track Properties, LLC**; applications PLPZ 2017 00522 and PLPZ 2017 00523, for a final site plan and special permit for a change of use from retail to office and expand the existing second floor office tenant space into space on the first floor on a 13,514 sq. ft. property located at 50 Old Field Point Road in the GB zone. (Staff: MK) (**Must open by 1/13/2018**) (Maximum extension to open available to 3/19/2018) (Page Number: 295)

Left Open

8. **Bianca 121 LLC**; applications PLPZ 2017 00363 and PLPZ 2017 00364, for a final site plan and special permit, for building additions and modifications to expand the 2nd and 3rd floor residential dwelling units, roof garden terrace and façade improvements to the building on a 6,250 sq. ft. property located at 121 Greenwich Avenue in the CGBR zone. (Staff: MK) (**Must close by 1/11/2018**) (Maximum extension to close granted to 1/11/2018) (Continued from the 10/3/2017 meeting) (Seated: Maitland, Alban, Levy, Yeskey [for Fox], and Macri) (Page Number: 327)

Motion to approve final site plan and special permit with modifications
Moved by Alban, seconded by Yeskey
Voting in favor: Maitland, Alban, Levy, Yeskey (for Fox), and Macri
5-0

9. **Greenwich American, Inc. record owner, of 1 American Lane**; application PLPZ 2017 00569, for a text amendment per Section 6-22 of the Town of Greenwich Building Zone Regulations to amend Section 6-108 "Use Regulations for BEX-50 Zone" and subsections (a), (b)(1), (d)(2), (e), (e)(1), (e)(1)(a), (e)(1)(c), and (e)(1)(e) to allow "Office Uses", as defined in Section 6-5(a) (38.2), to include, "Medical Professionals" and "Healthcare Professionals" uses as defined in Section 6-5(a) (36.1) and (27.2), as permitted uses in the BEX-50 Zone. The proposed text amendment is as follows: (proposed text shown in **bold underscored**) (Staff: PL) (Must open by 2/3/2018) (Maximum extension to open available to 4/9/2018) (Page Number: 367)

Left Open – Extension to close granted to 4/19/2018

(a) Statement of Purpose.

The purpose of the BEX-50 Zone is to provide an area for low density, business executive office **and office** uses in the triangle of land on northwest Greenwich which is separated from and denied access to the remainder of the Town by Interstate 684. It is the additional purpose of this zone to encourage campus-like landscaped setting which is protective of open space and environmental values, and produces a traffic impact commensurate with the capability of the road system to satisfactorily absorb it.

(b) Permitted Uses.

- (1) Executive Offices **and Office Uses (as defined in Section 6-5(a) of the Regulations)**, subject to the standards and requirements as set forth in item (e) below and other standards in these regulations.
- (2) Horticultural and wildlife reservations and natural park areas.
- (3) Cemeteries, provided that no location shall be approved any part of which is less than five hundred (500) feet from a residence.

(c) Permitted Uses by Special Exception of the Board of Appeals.

- (1) Churches, educational institutions not operated for commercial profit.
- (2) Public utility uses not including incidental service and storage yards.
- (3) Radio or TV stations and towers.

(d) Permitted Accessory Uses.

- (1) Customary uses incidental to the permitted principal use.
- (2) On lots developed for executive office **and office** uses, lodgings for the temporary accommodations of employees and visitors and living quarters for custodians and caretakers, provided that such lodgings and living quarters shall be limited to no more than twenty-five (25) persons; personal service facilities limited to the use of employees; and employee recreation facilities.

(e) Standards and Requirements.

The specific standards and requirements set forth below shall be applicable to all executive office **and office** uses established in the BEX-50 Zone;

- (1) The executive office **and office use** occupancy per lot shall be governed by the following:
 - (a) The minimum lot size in BEX-50 zone shall be fifty (50) acres subject to (b) below executive office **and office** occupancy shall be limited in use to a maximum number of employees (as hereinafter defined), determined by the size of such lot measured in acres or fractions thereof, multiplied by a figure of 18 employees per acre. Support personnel such as maintenance, security and cafeteria personnel may be in addition to the 18 employees per acre provided the combined maximum number of employees does not exceed 20 employees per acre.

[subsection (e)(1)(b) to remain unchanged]

- (c) On or before January 31 of each year, the owner of any such lot referred to in (a) above shall file or cause to be filed with the Zoning Enforcement Officer an affidavit certifying for each executive office **and office** occupancy as to the number of permanent and temporary full or part-time employees including support personnel actually occupying all buildings on such lot, and that such occupancy complies with the provisions of this section. The failure of such owner to so file or cause to be filed any affidavit required hereunder in a timely manner shall be deemed to be evidence of such owner's non-compliance with the employee limitation provisions of this Section 6-108(e)(1). The penalty provisions of Set. 6-202 of the Greenwich Building Zone Regulations and Sec. 8-12 of the Connecticut General Statutes shall be invoked for non-compliance

[subsection (e)(1)(d) to remain unchanged]

- (e) In order to mitigate against traffic to and from every lot covered by this Section 6-108 overburdening roads in the Town during lunch hour, each lot developed for executive office **and office** use in the BEX-50 Zone shall contain on each such lot cafeteria facilities reasonably sufficient to provide lunches to all day-time employees of all users of executive office **and office use** space on such lot. The cafeteria facilities shall offer food, including hot meals, during ordinary lunch hours, which shall consist of at least 2 consecutive hours between 11:00 a.m. and 2:00 p.m. on every business day between Monday and Friday. The cafeteria facilities shall have seating capacity sufficient to serve lunch to all day-time employees of all users of executive office **and office use** space on such lot during the lunch hour period. It is the intent and purpose hereof that each employee of all such users, shall be able to purchase and eat lunch in at least one full service food facility on the lot. Vending machines, while not prohibited, shall not satisfy the full service requirement herein. For purposes of this subparagraph, the terms "cafeteria" and "cafeteria facilities" shall include all food service facilities on the site, and to the extent that more than one of the executive office users operates a cafeteria on a lot, there shall be an aggregation of all such cafeterias to determine compliance with this subparagraph.

[remainder of this subsection to remain unchanged] [Section 6-108, Subsections (e)(1)(f), and (e)(2) through (e) (11) to remain unchanged]

REGULAR MEETING CONTINUED

10. **Greenwich American, Inc.;** application PLPZ 2017 000570 for a final site plan application to lease 5,024 sq. ft. of existing, first floor, office space in the main building to a professional medical office use where the proposed use is not currently permitted in the underlying BEX-50 Zone and is the subject of a zoning text amendment application (PLPZ 2017 00569) to permit said use on a 154.5367-acres property located at 1 American Lane in the BEX-50 Zone. *(Staff: PL) (Must decide by 2/3/2018) (Maximum extension to decide available to 4/9/2018) (Page Number: 394)*

Left Open – Extension to decide granted to 3/15/2018

11. **DISCUSSION ITEMS:**

12. **DECISION ITEMS:**

13. **APPROVAL OF MINUTES:**

November 30, 2017

Motion to approve minutes of November 30, 2017

Moved by Fox, seconded by Macri

Voting in favor: Maitland, Alban, Levy, Fox, and Macri

5-0

December 12, 2017

Motion to approve minutes of December 12, 2017

Moved by Fox, seconded by Macri

Voting in favor: Maitland, Alban, Levy, Fox, and Macri

5-0

14. **OTHER:**

- a. Executive Session on pending litigation or personnel matters. - None
- b. Other items as may properly come before the Commission. - None

**APPLICATIONS HEARD PREVIOUSLY THAT WILL BE HEARD ON
SUBSEQUENT MEETINGS:**

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