

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 30, 2018

FINAL AGENDA

REGULAR MEETING 7:00 PM

1. **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: PL) (**Must decide by 1/30/2018**) (Extension to decide granted to 1/30/18. Maximum extension to decide available to 3/19/2018) (Continued from the 1/9/2018 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri) (Page Number: 36)

PUBLIC HEARING 7:05 PM

2. **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) (Page Number: 122)

AMEND Sec. 6-2 CLASSES OF ZONES

[HRO Historic Residential-Office]

AMEND Sec. 6-13 SITE PLAN APPROVAL REQUIRED BY PLANNING
AND ZONING COMMISSION

(10) Any construction or alteration of structure(s) within an HO zone.

REMOVE SECTIONS 6-109 and 6-109.1 as currently written and REPLACE

Sec. 6-109 as follows:

Sec. 6-109 HISTORIC OVERLAY ZONE (HO)

(a) Purposes

The purpose of a Historic Overlay Zone (“HO”) is to encourage the restoration, preservation, protection, enhancement, perpetuation and use of buildings and structures (hereinafter called “structures”) having historical or aesthetic value which represent or reflect elements of the Town’s cultural, social, economic, political and architectural history. Such preservation promotes the general health and welfare by protecting property values, fostering a sense of history and civic pride, preserving architectural heritage and protecting community character. This overlay zone does not imply or result in the establishment of an historic district as detailed in Section 7-147a-1 of the General Statutes.

(b) Procedure

- 1) **To create an HO zone requires approval from the Planning and Zoning Commission for a zone change. Any accompanying improvements to the property in an HO zone require a site plan and special permit application, which may be made by the Owner of the structure and its site or by the Planning and Zoning Commission on its own motion. All applications shall be referred to Historic District Commission and any other consultants the Planning and Zoning Commission may choose for evaluation and recommendations.**
- 2) **Application to request a zone change and/or site plan and special permit shall include the following additional materials to those noted under Section 6-14:**
 - (A) **A written Report noting the historic significance of the proposed property for rezoning and the rationale as to why the application should be granted. The report shall include the following:**
 - i. **A brief history of the property and structures including historical significance and/or historic events either local and regional or persons associated with the property. A general description of the building(s) on the property listed according to their known or estimated ages and their associated ownership history.**

- ii. Any relevant construction history including a chronology of original and subsequent alterations, any historical documentation (letters, diaries, vouchers, newspaper articles), physical investigation as necessary to clarify which construction events are historic (analysis of paint layers relative to construction events).
 - iii. A description of the architecture including all exterior features and materials that are character-defining and therefore significant, and which are intended for preservation in the course of project work.
 - iv. A description of the existing conditions including any damage, structural problems, materials deterioration and a description of the proposed priority for repair/stabilization. A description of the general and periodic maintenance proposed, recognizing that deferred maintenance is not an option for historic resources.
 - v. An archeological assessment may be required depending on the nature of the property, its site and setting.
 - vi. All proposed work and the preservation objectives.
 - vii. All support documentation specifically photographs.
- (B) Information as to the proposed use and density of the property.
- (C) Specific architectural and landscape plans showing how the building or buildings on said property will be preserved. No Certificate of Occupancy will be issued until the architectural and landscape plans have been satisfactorily completed pursuant to Section 6-16.1 of these Regulations.
- 3) In acting upon any rezoning, site plan or special permit, the Commission may take into consideration the recommendations of any Town agencies or outside specialists with which it consults, such as but not limited to the Historic District Commission, the Greenwich Historical Society and the Architectural Review Committee.

- 4) Within sixty-five days after the closing of the Public Hearing, the Commission may approve the application for rezoning, special permit and site plan review if the Commission finds that Sections 6-13 through 6-17 and 6-109(c) of these Regulations are met.
- 5) If the Commission finds that the standards of Section 6-109(c) of these Regulations are met but additionally finds, after evidence duly presented by the Owner, that there would be no reasonable use to which the property in question could be adapted under the HO Zone, it shall deny HO zoning.
- 6) No alteration of the exterior from that shown in the architectural plans or addition resulting in an increase in floor area will be permitted unless reapplication for a special permit and site plan review is made.
- 7) A site rezoned by the Commission to HO shall continue to bear its original zone designation with the initials HO appended to indicate the Historic Overlay Zone. All zoning regulations and controls applying to the underlying zone shall continue to govern the HO site except as amended by this section.
- 8) The significant structures or features of the site which caused the HO designation to be granted shall be permanently protected by a setting of suitable size, shape and treatment, as delineated on the approved site plan.
- 9) Any new construction shall be reviewed by consultants of the Commission's choosing to assure that the design, location and size of the new structures are compatible with and protective of the site's significant existing structures, features or natural resources, including those identified in any Environmental Assessment if required by the Planning and Zoning Commission.
- 10) As a condition of a Special Permit approval, the Owner shall grant a perpetual Declaration of Preservation Restriction pursuant to Connecticut General Statutes Section 47-42 a-c, enforceable by both the Historic District Commission and the Planning and Zoning of the Town of Greenwich, which shall provide for, among other things, the right of the holder of the restriction to perform repairs and charge the cost thereof to the Owner upon the Owner's failure to keep the exterior of the structure in good repair. A draft Declaration of Preservation Restrictions shall be provided with any application.

- 11) The Commission encourages property owners to seek designation of historic significance from local, state or federal organizations and to display appropriate historic plaques.

(c) Standards

When considering an application for an HO Zone, for preservation, restoration, rehabilitation or adaptive re-use, the property and its contributing structure or structures must have been existence prior to 1940, be architecturally or historically notable, and must meet the standards of Section 6-15 and Section 6-17 of these regulations. Furthermore, in determining whether to grant an HO, the Planning and Zoning Commission shall take into consideration the public health, safety and general welfare of the general public, and whether the applicant has met the following specific standards:

- 1) The property, inclusive of structure or structures (hereafter referred to as “property”) must possess integrity of location, design, setting, materials, and workmanship.
 - A. The property must embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master. It must possess high artistic values and represent significant distinguishable components that have yielded, or may be likely to yield, information important in prehistory or history; The property may be a unique estate setting significant to the Town’s history and worthy of preservation, and/or be associated with events that have made a significant contribution to the broad patterns of our history; and/or be associated with the lives of persons significant in our past.
- 2) The property must be used as it was historically, or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
- 3) The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
- 4) Each property must be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other buildings, shall not be undertaken.
- 5) Changes to a property that have acquired historic significance in their own right must be retained and preserved.

- 6) Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property must be preserved.
- 7) Deteriorated historic features must be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
- 8) Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
- 9) Archeological resources must be protected and preserved. If such resources must be disturbed, mitigation measures must be undertaken.
- 10) New additions, exterior alterations, or related new construction shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work must be differentiated from the old and must be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment.

(d) Incentives

To provide incentives to protect historic resources, the Planning and Zoning Commission may allow the following modifications of the Building Zone Regulations, subject to a site plan and special permit application and provided that the property is re-zoned to an HO, pursuant to the procedures noted in Section 6-109(b):

- 1) For structures on sites in the business zone, the Planning and Zoning Commission may authorize any use presently permitted in any of the business zones for the entire structure and may further authorize modifications of the maximum FAR for office use, coverage, setbacks, parking, and screening for the underlying zone in question; said Special Permit shall not authorize any addition to the structure which will cause the maximum FAR to be exceeded.
- 2) For structures on sites in the business zone greater than 20 acres, the Planning and Zoning Commission may authorize Use Group 2b or 2c Uses in proposed new construction provided that the area of such 2b or 2c use shall not be greater than the floor area used

for otherwise permitted uses in the historic structure or structures on which the HO zone was based.

- 3) For structures on sites in the RA-4, RA-2, RA-1, R-20, R-12, R-7 and the R-6 residential zones, the Planning and Zoning Commission may authorize additional dwelling units in existing buildings or structures and/or in new construction that is complementary and secondary to the historic structure(s), provided the total number of units shall not exceed the density determined by dividing the total lot area by the minimum lot size for the underlying zone, and multiplying the result, excluding fractions, by 1.50 in the RA-4, RA-2, RA-1, R-20, R-12 zones and by 1.2 in the R-7 and the R-6 residential zones. The Commission may consider any fraction of a unit as a whole unit. The difference between density permitted in the underlying zone and density permitted using the multiplier, is the number of bonus units. The Commission may also modify setbacks and/or green area requirements.

(A) When bonus units are proposed within the historic structures, or where bonus units would create developments without lot division lines, the Planning and Zoning Commission, after consultation from the Historic District Commission, shall determine neighborhood appropriateness based on:

- i. the number and proximity of single family detached dwellings;
- ii. the visible impact on the streetscape;
- iii. the number, character and proximity of other uses;
- iv. the amount and location of undeveloped land in the vicinity and the relationship of proposed development to the pattern of existing open space in the area;
- v. the proximity of other zones either more or less restrictive; and
- vi. other standards provided in this article and the standards contained in Sections 6-15 and 6-17.

(B) If the HO zone includes property or properties more than or equal to 5 acres in the R-7, R-12, and R-20 zones or more than or equal to 10 acres in the RA-1, RA-2, and RA-4 zones, unless the Commission pursuant to Section 6-23(c) finds a smaller area to be appropriate, the HO shall be

designed as a conservation zone pursuant to Division 3 of the regulations. In these instances, bonuses permitted under Section 6-29 would apply. In these instances, a site rezoned by the Commission to a Conservation Subdivision and an HO shall continue to bear the designation noted under Section 6-25 with the initials HO appended to indicate the Historic Overlay Zone.

- 4) For structures on sites in residential zones not more than 1,000 feet from a business zone boundary line, the Planning and Zoning Commission may authorize all uses permitted by right, or special exception for the most restrictive contiguous residential zone, or Office Uses. Permitted accessory uses are also permitted with the exception of the office of a resident professional person (Sec. 6-95(a)(1)). Parking requirements shall be as detailed in Division 15 of the Regulations. Parking in a front yard shall be discouraged. Height and Floor Area Ratio shall be the same as for the pre-existing residential zone. No more than 60% of the site shall be occupied by building, parking and drives.
- 5) For religious institutions existing as of the effective date of this amendment that are located in the CGIO Zone, the Planning and Zoning Commission may authorize, an FAR not to exceed 1.0. Further the Commission may authorize an increase in the number of stories, not to exceed four (excluding basements), and a building height not to exceed 50 feet.
- 6) The Commission may allow for the inclusion of the area of a privately owned road as part of lot area. Further, the Commission may allow for the treatment as a single lot for parcels that would be contiguous but for the separation by a privately owned road.

(e) Alterations and Additions

- 1) No reconstruction, alteration, demolition, or addition shall be made to the exterior of any existing structure nor shall any additional structure be constructed upon a site in the HO zone, unless there shall have been received a special permit upon application thereof from the Planning and Zoning Commission pursuant to Section 6-17 and 6-109. In issuing such special permit, the Commission shall consider the effects of the proposed work upon the protection, enhancement, perpetuation and use of the structure(s) which cause it to meet the standards set forth in Section 6-109(c). Comments shall be

- obtained from the Historic District Commission prior to any action by the Planning and Zoning Commission.
- 2) Minor work which is limited to a change in, addition to, or removal from the parts, elements or materials of the exterior of a structure, shall be excepted from the Special Permit requirement provided that a certificate of appropriateness is issued by the Historic District Commission.
 - 3) The requirement Section (e) shall not apply to any case where the Department of Buildings, the Fire Department, or the Department of Health shall direct that work be done to remedy conditions dangerous to life, health, or property. Where such condition is not of imminent danger, notice of not less than 8 days shall be sent to the Planning and Zoning Commission and the Historic District Commission prior to directing such work.
 - 4) Nothing in this regulation shall be construed to prevent the interior arrangements or alterations to the interior of a building unless the interior of a public building or the public space of a private building is specifically described and designated as historic.
- (f) Removal, Alteration, Modification or Addition Without a Special Permit.
- 1) If any structure or building is removed, altered, modified or added to after the granting of a HO zone or during the pendency of any application for HO zone before the Planning and Zoning Commission or if it is demolished by neglect, all zoning rights as defined below applicable to said site shall be reduced by 50% except that this shall not apply if the Commission has thereafter denied the HO zone for the site or if the Commission has granted Special Permit for the removal, alteration, modification or addition and further provided that, in the case of less than total removal of the building or structure, upon application for Special Permit pursuant to Section 6-17, the Commission may grant zoning rights between 50% and 100% of those specified for the underlying zone by these regulations. Zoning rights as used above shall include the following:
 - (A) the maximum floor area authorized
 - (B) the maximum building area authorized
 - (C) the maximum area covered by building, parking and drives

3. **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) (Page Number: 137)*
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 close by 2/13/2018) (Maximum extension to open available to 4/19/2018) (Continued from the 1/9/2018 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri) (Page Number: 169)*
5. **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 close by 2/13/2018) (Maximum extension to open available to 4/19/2018) (Continued from the 1/9/2018 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri) (Page Number: 238)*
6. **St. Agnes Roman Catholic Church Corp.;** applications PLPZ 2017 00494 and PLPZ 2017 00516, for a final site plan and special permit, to install ground mounted solar panel arrays in the front yard, the installation of light posts along the edges of the driveway and parking areas, and the proposed installation of a "future" generator along the front of the building, and landscaping to help screen the array on a 6.381-acres property located at 247 Stanwich Road in the RA-2 zone. *(Staff: PL) (Must open by 2/24/18) (Maximum extension available to open granted to 2/24/18) (Page Number: 311)*
7. **1162 East Putnam Avenue, LLC c/o Fareri Associates LP;** applications PLPZ 2017 00586 and PLPZ 2017 00587, for a final site plan and special permit, to renovate the two (2) existing buildings, expand the second floor of the building at 1162-1166 East Putnam Avenue, and re-stripe the parking areas and internal circulation on a 37,125 sq. ft. property located at 1154-1166 East Putnam Avenue in the LB zone. *(Staff: PL) (Must open by 3/15/2018) (Maximum extension to open available to 5/19/2018) (Page Number: 351)*

8. **75 Holly LLC**; applications PLPZ 2017 00588 and PLPZ 2017 00589, for a final site plan and special permit, to expand the parking lot by adding 77 parking spaces, increasing the total parking onsite to 452 standard spaces and 13 ADA compliant spaces, and confirm that adequate parking would exist for 72 medical professionals on a 4.47-acre property located at 75 Holly Hill Lane in the GBO zone. (Staff: MA) (Must open by 3/15/2018) (Maximum extension to open available to 5/19/2018) (Page Number: 412)
9. **5 Conyers Farm Drive LLC**; applications PLPZ 2017 00575 and PLPZ 2017 00576, for a final site plan and special permit, to construct a treehouse, the result of which would add additional building volume to a property which already exceeds the 150,000 cubic foot building volume threshold of Sec. 6-101(a) requiring a special permit, on a 12.77-acres property located at 5 Conyers Farm Drive in the RA-4 zone. (Staff: MA) (**Must open by 2/15/2018**) (Maximum extension to open available to 4/21/2018) (Page Number: 502)
10. **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 foot building volume threshold on a 5.09-acres property located at 37 Day Road in the RA-4 zone. (Staff: SB) (**Must open by 2/10/2018**) (Maximum extension to open granted) (Page Number: 524)
11. **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) (Continued from the 12/12/2017 meeting) (Seated: Maitland, Alban, Yeskey [for Levy], Fox, and Macri) (Page Number: 579)

Amend Sec. 6-100 “USE GROUPS FOR BUSINESS ZONES” as follows:

USE GROUP 3a

Dwelling units conforming to the provisions of Sec. 6-110.

USE GROUP 3b

Dwelling units in the CGIO Zone conforming to the provisions of Section 6-115.1.1. when authorized by Special Permit

Amend Sec. 6-103.1 “USE REGULATIONS AND SPECIAL REQUIREMENTS FOR THE CGBR ZONE” as follows:

(C) Permitted Uses.

Subject to (B) above the following uses are permitted: ...

Use Group **3a**

Amend Sec. 6-104.1 “USE REGULATIONS AND SPECIAL REQUIREMENTS FOR CGB ZONE” as follows:

(B) Permitted Uses....

Use Group **3a**

Use Group 3b

Amend Sec. 6-105 “USE REGULATIONS AND SPECIAL REQUIREMENTS FOR THE GB ZONE” as follows:

(a) Permitted Uses....

Use Group **3a**

Use Group 3b

Amend Sec. 6-106 “USE REGULATIONS AND SPECIAL REQUIREMENTS FOR THE GBO ZONE” as follows:

(a) Permitted Uses....

Use Group 3a
Use Group 3b

Amend Sec. 6-110 “USE REGULATIONS AND SPECIAL REQUIREMENTS FOR DWELLING UNITS PERMITTED IN THE BUSINESS ZONES (**Use Group 3a**)”, as follows:

(d) **Special Requirements:**

(1) For CGBR and LBR-2 zones, dwelling units shall be permitted only when above floors having uses of Use Groups permitted in said zones other than Use Group 3a

Amend Sec. 6-155 “PARKING AND GARAGES FOR MULTI-FAMILY RESIDENTIAL PURPOSES” as follows:

4. Multi-family dwelling units constructed pursuant to Sec. 6-115.1.1: 1.25 spaces per dwelling unit, and all required parking spaces may be located within a garage.

ADD

Sec. 6-181.1 “ROOFTOP PLANTINGS IN BUSINESS ZONES”

The purpose of rooftop plantings is to reduce the heat island effect of a building, and, if desired, provide active or passive use by the building's occupants.

(a) **Planting Specifications:**

- i. **Rooftop planting beds, whether raised or in pits, shall have a minimum depth able to support the selected plant materials in hardened conditions.**
- ii. **A growing media (e.g., soil, mulch, sand or gravel) shall be employed that is most suitable for the selected plant materials in accordance with industry standards.**

(b) **Plant Materials:**

- i. **Selected plantings shall be hardy to one colder USDA Zone than the USDA Zone typical to Greenwich.**
- ii. **Preferred are plantings that require only temporary irrigation for the first 12 months after installation, and are not dependent upon irrigation thereafter.**

iii. **Groundcover plants and shrubs must be of sufficient size and number at time of installation so that the intended landscape condition shown on the submitted plans will be achieved within three (3) years of planting.**

iv. **Native and non-invasive plants are recommended.**

(c) **Installation and Maintenance:**

i. **Plant materials must be installed to current nursery industry standards, and properly supported to ensure survival.**

ii. **The location of rooftop planting beds shall allow for access for maintenance purposes.**

iii. **Rooftop plantings must be continuously maintained in a healthy state for ongoing compliance with the property's Site Plan, Special Permit, or Special Exception approval(s), as applicable. Dead plantings must be replaced in kind within six (6) months.**

Amend Sec. 6-182 "PLANTING REGULATIONS" as follows:

(a) All planting materials used to carry out the intention of this Article shall be of species and varieties **compatible with topographic conditions on the property. Use of native, non-invasive species is encouraged.** [as approved by the Tree Warden.]

[(b) Planting materials shall be shown on site plans submitted to the Building Department and shall be referred for approval to the Tree Warden.]

(b) For uses and activities requiring Site Plan approval under Sec. 6-13, planting materials shall be shown on the site plan submitted to the Planning and Zoning Commission. The Commission shall refer said plan to the Architectural Review Committee and/or the Tree Warden for an advisory review.

ADD

Sec. 6-115 "CENTRAL GREENWICH IMPACT OVERLAY ZONE (CGIO)"

Location, and Description.

The CGIO Zone is an overlay district and represents the core of the Town's central business district. It includes portions of the CGBR, CGB, and GBO Zones, as shown on the TOWN OF GREENWICH BUILDING ZONE MAP, as amended from time to time, and Plate 22,

CENTRAL GREENWICH IMPACT OVERLAY ZONE Effective: March 1, 1982, of the BUSINESS ZONE MAP ATLAS on file in the office of the Greenwich Town Clerk.

The CGIO has the Town's highest concentration of commercial floor area and impervious coverage. It contains a broad range of building types, indicative of the eras and purposes for which they were originally built. It includes the Greenwich Avenue Historic District and the Greenwich Municipal Center Historic District, both listed on the National Register of Historic Places. Also located in the CGIO Zone are Town Hall, the Board of Education, the main Library, and Police and Fire Stations; houses of worship; and a number of Pre- and Post-War higher density multi-family buildings. Additionally, the CGIO Zone includes the Greenwich Metro-North Train Station, with express service to and from New York City. It also has direct access from the region's two major arterials, U.S. Route 1 and Interstate 95.

In sum, the CGIO Zone remains a desirable location for corporate offices, entertainment and leisure activities. The CGIO Zone is poised to encourage mixed-use development for the dual benefits of sustaining the economic vitality of the Greenwich Avenue retail corridor and of attracting and retaining new residents downtown to begin to reverse the decades-long decline in the number of downtown residents. However, public infrastructure and amenities, the roadway network and parking, and open space are limited resources in this district. Businesses already heavily depend on the supply of public parking spaces in the district for patrons and employees. This special mix of opportunities and challenges makes the CGIO Zone overlay a vital tool for administering sound land use planning for this district in the 21st Century.

ADD

Sec 6-115.1 INCENTIVE ZONING REGULATIONS FOR CGIO ZONE.

(A) General Purpose and Objectives.

In addition to the stated purposes in Section 6-102, the purpose of this regulation is to enhance and sustain the downtown core as a vital, mixed-use, pedestrian- oriented environment in the 21st century. It provides a means to seek efficiencies in the use of land and energy to lessen the environmental impact of the Town's built environment, and increase landscaped open space; to add new housing attractive to persons of varying ages and income levels within walking distance of local retail and service establishments, Town services, and rail and bus lines; and to maximize the opportunity afforded by the train station to reduce the need for parking for commuters, employees and visitors. This regulation also seeks to encourage private developments

to provide "Public Benefits", defined below, that are in addition to, and would otherwise not be required by, the mandatory base standards for development in the underlying zone.

To achieve these planning objectives, the Planning and Zoning Commission may, by Special Permit, allow proposed mixed-use redevelopment of larger parcels within the CGIO Zone certain flexibility in the area, height, and bulk standards of the underlying zone, in exchange for provision of one or more "Public Benefits" within or proximate to the CGIO Zone as set forth in Section 6-115.1.1 INCENTIVE ZONING FOR CGIO MIXED-USE DEVELOPMENTS-RESIDENTIAL of these regulations.

(B) Definition of "Public Benefit".

As used in Sections 6-115.1 and 6-115.1.1 of these regulations, "Public Benefit" shall mean a permanent facility or improvement that meets the planning policies and goals of the municipal Plan of Conservation and Development, proposed and provided in conjunction with a development project in the CGIO Zone, and is in excess of the minimum requirements of the underlying zone. "Public Benefits" include "Affordable Housing Units", "Historic Preservation", "Indoor Community Space", "Public Infrastructure Improvements", "Public Parking", and "Public Outdoor Amenity Space", as defined in Section 6-115.1.1 of these regulations.

(C) Review Procedure.

- 1. A development proposal made pursuant to this regulation shall require Site Plan and Special Permit approval by the Planning and Zoning Commission pursuant to Sections 6-13 through 6-15, and Section 6-17 of these regulations.**
- 2. Pre-Application Review. An informational workshop shall be convened by the Director of Planning and Zoning to include the Zoning Enforcement Officer, Department of Public Works Commissioner, Town Engineer, Sewer Superintendent, Conservation Director, and other appropriate town agency staff at which the applicant shall present a conceptual plan for the proposed development for discussion. This meeting shall be held prior to any formal submission of application to any Town Agency.**
- 3. Application Contents. In addition to the plans, reports, and other documents required under Sections 6-14 PROCEDURE APPLICATIONS FOR SITE PLAN REVIEW, and 6-17**

AUTHORIZATION OF USE BY SPECIAL PERMIT, the following items shall be submitted:

- (a) **At time of Preliminary Site Plan and Special Permit Application:**
- i. **A zoning narrative describing the proposed development, including the types of uses and its principal structures and facilities, and proposed Public Benefits;**
 - ii. **A statement of proposal consistency with the Town's Plan of Conservation and Development, Section 6-15 Site Plan Standards, Section 6-17d Special Permit Standards, and the stated objectives of Sections 6-115.1 and 6-115.1.1, as applicable;**
 - iii. **A zoning data table providing the area, height, and bulk standards of the underlying zone(s) per Section 6-205(b), the requested zoning incentive(s), and proposed conditions;**
 - iv. **A chart listing the USGBC LEED technical and criteria-based standards from the LEED building rating system most appropriate to the proposal, and how the proposal will meet the intent of such standards;**
 - v. **Evidence that an existing historic building or structure to be retained as a Public Benefit as part of the proposed development is listed on, or is eligible to be listed on, the National Register of Historic Places or State Register of Historic Places; and**
- (b) **At time of Final Site Plan and Special Permit Applications:**
- i. **An Affordability Plan for a CGIO Mixed-Use-Residential development;**
 - ii. **A copy of the Architectural Review Committee's advisory report;**
 - iii. **If applicable, a copy of the Historic District Commission's advisory report; and**
 - iv. **Any additional information requested by the Commission during the Preliminary Site Plan Review process.**

4. Municipal Improvement. If a Municipal Improvement is required by the proposed development plan, the Board of Selectmen shall refer the request for a Municipal Improvement to the Commission prior to the applicant's submission of the Final Site Plan and Special Permit Applications for the project. Submission of a request for Municipal Improvement at time of Preliminary Site Plan review is encouraged, but not required.
5. Advisory Reviews.
 - a. Advisory review by the Architectural Review Committee of proposed exterior alterations, new construction, landscaping and site lighting shall be concluded prior to the submission of Final Site Plan and Special Permit Applications for the development.
 - b. For Zoning Tracts abutting or across the street from the Greenwich Avenue Historic District or the Greenwich Municipal Center Historic District, advisory review by the Historic District Commission of proposed building exterior alterations and new building construction shall be concluded prior to the submission of Final Site Plan and Special Permit Applications for the proposed development.
 - c. Advisory review by the Historic District Commission of a development plan that includes an HISTORIC PRESERVATION Public Benefit, as defined in Section 6-115.1.1. 2.(g) of these regulations shall be concluded prior to the submission of a Final Site Plan and Special Permit Applications for the development.
6. Following Approval. See Section 6-115.1.1 of these regulations.

ADD

SECTION 6-115.1.1 INCENTIVE ZONING FOR CGIO MIXED-USE DEVELOPMENTS - RESIDENTIAL

(1) Purpose and Objectives.

This regulation is intended to establish, enhance and sustain the downtown core as a dynamic, mixed-use, pedestrian-oriented environment for the 21st century by increasing the supply of multi-family housing in the CGIO Zone. It provides zoning incentives to induce private-sector owners to redevelop larger tracts in the CGIO Zone with higher density residential, or mixed-

use buildings that include residential units, open space, and public amenities, with plans that are determined by the Planning and Zoning Commission to be clearly superior in sustainable building and site design to a development conforming to the mandatory base standards of the underlying zone. Additionally, it seeks to expand the local residential population to support downtown merchants. The Commission may, by Special Permit, allow flexibility of certain standards set forth in Section 6-205(b) for the underlying zone upon finding that the proposal is consistent with one or more of the following planning objectives:

- (a) **Provides Affordable Housing Units, as defined under Section (2) (b), below, to mitigate the shortage of dwelling units available to Moderate Income Households, as described under Section (2) (b), below;**
- (b) **Increases the diversity of attractive housing opportunities and types for various ages and income levels in areas in close proximity to mass-transit, Route 1, I-95, and within walking distance of retail, personal service, entertainment, and municipal facilities;**
- (c) **Includes a plan that provides physical and functional cohesiveness of site components, and an urban design that provides an appropriate spatial transition of building heights, setbacks, architectural massing, for the surrounding built environment;**
- (d) **Increases the public parking supply, particularly long-term parking for employees of retail and service establishments in the CGIO Zone;**
- (e) **Provides a development plan that is pedestrian-oriented rather than automobile-centric;**
- (f) **Includes attractive streetscapes with convenient and safe pedestrian linkages from the Town's existing sidewalk network to Greenwich Avenue, public transit, Town parks and civic buildings;**
- (g) **Increases public open space in the CGIO Zone, to provide passive or active recreational opportunities not currently available in the downtown; and**
- (h) **Encourages a more efficient development of land resulting in economies of total impervious coverage, stormwater**

discharge, traffic impacts, and consumption of natural and energy resources.

(2) **Definitions of terms used in this regulation:**

(Definition titles in all CAPS are "Public Benefits" as defined under Section 6-115.1 (B))

- (a) **"Affordable Housing": Housing as defined in CGS Section 8-39a, in effect at time of Final Site Plan Application.**
- (b) **"AFFORDABLE HOUSING UNIT": A dwelling unit that must be held for the duration of the Restriction Period described in Section (2)(n), below. Any person or family to whom such Affordable Housing Units may be rented or sold must be a "Moderate Income Household," as that term is defined in Section (2) (h), below. An AFFORDABLE HOUSING UNIT is permitted under Sec. 6-100, Use Group 3b.**
- (c) **"CGIO Zone (Central Greenwich Impact Overlay Zone)": An overlay zone depicted on Plate 22, CENTRAL GREENWICH IMPACT OVERLAY ZONE Effective: March 1, 1982, of the BUSINESS ZONE MAP ATLAS, Town of Greenwich Planning and Zoning Commission.**
- (d) **"CGS": The Connecticut General Statutes, as amended.**
- (e) **"Energy-Efficient Design": The integrated application and use of land, materials, and operational systems designed to qualify for voluntary certification under the most current USGBC LEED Building Design and Construction (BD+C) rating system.**
- (f) **"Historic Building or Structure": A building or structure of special historical, architectural, or cultural value to the Town constructed prior to 1950 that is listed, or is eligible to be listed on the National Register 10 of Historic Places or State Register of Historic Places either as an individual building or structure or as a contributing building to an historic district.**
- (g) **"HISTORIC PRESERVATION": The retention, rehabilitation, and adaptive-reuse of an existing building or structure constructed prior to 1950, as part of the development plan for the Zoning Tract.**

- (h) **"INDOOR COMMUNITY SPACE": A portion of a building at grade level, that is made available, free of charge, to responsible civic associations or non-profit groups for the conduct of meetings, art exhibits, or educational programs.**
- (i) **"Median Income": Median Income is as defined under CGS Section 8-30g(a)(7), in effect at the time of application.**
- (j) **"Moderate Income Household": Moderate Income Household shall mean a person or persons, related or unrelated, living together as a single family or housekeeping unit, which persons and families pay thirty percent or less of income for housing, and where such income is equal to or less than eighty percent of the Median Income as defined in Section (2) (g), above.**
- (k) **"PUBLIC INFRASTRUCTURE IMPROVEMENTS": The addition of, or improvement to public infrastructure facilities which may include, but not limited to the following: sanitary sewer; stormwater management; roadway and pedestrian improvements; relocation of overhead utility lines to underground; and traffic controls.**
- (l) **"Public Land": Municipal land owned by the Town of Greenwich.**
- (m) **"PUBLIC PARKING": A parking area available to the public, with or without payment of a fee, that is or will be owned and operated by the Town of Greenwich. The Public Parking may be located in a building.**
- (n) **"PUBLIC OUTDOOR AMENITY SPACE": A minimum 10,000 square feet of contiguous land within the CGIO Zone, or a minimum of 20,000 square feet of contiguous land if located within one-half (0.5) miles of the CGIO Zone boundary, improved and maintained as passive or active outdoor recreational space for use by the general public. A PUBLIC OUTDOOR AMENITY SPACE located outside the CGIO Zone shall be substantive in nature, such as a playing field. A PUBLIC OUTDOOR AMENITY SPACE may be provided on land owned by the Town of Greenwich, subject to review and authorization of a Municipal Improvement pursuant to CGS Section 8-24 and Section 99 of the Town Charter.**

- (o) **"Public Benefit": See Section 6-115.1 (B) of the regulations.**
- (p) **"Restriction Period": A period of forty (40) years, commencing at time of initial occupancy, during which an AFFORDABLE HOUSING UNIT shall be held for sale or rental as described in Section (2)(b), above.**
- (q) **"Street Frontage": See Section 6-5(a), Definition (48) of the regulations.**
- (r) **"USGBC LEED": The United States Green Building Council Leadership in Energy and Environmental Design, which has developed sets of voluntary technical and criteria-based standards with the objective to increase the efficiency with which buildings use energy, and natural resources and materials to reduce building impacts on public health and the environment during the building's lifecycle.**
- (s) **"Zoning Tract": The total lot area of a single lot, or combination of contiguous lots or land, owned or controlled by the applicant. The area of private property to be deed restricted or conveyed for public purposes, e.g., public parking, parks, streets, pedestrian paths, shall be included in the Zoning Tract.**

(3) Eligibility Criteria.

- (a) **Location. The Zoning Tract shall be located within the CGIO Zone.**
- (b) **Minimum Acreage. The Zoning Tract shall be a minimum of one (1) acre (43,560 square feet) of contiguous land entirely located in the CGIO Zone, inclusive of the area of any existing private streets or rights-of-way.**
- (c) **Minimum Residential Floor Area, Gross. A minimum of 60 percent (60%) of the total Floor Area, Gross of the development shall be devoted to residential use.**
- (d) **The approved site, excluding Public Land and any off-site easements on land of others that are part of the approved site plan, shall constitute a single lot prior to issuance of an administrative Zoning Permit.**

- (e) **The proposed development shall include a minimum of two (2) Public Benefit improvements.**
 - (f) **Any proposed buildings must be set back a minimum of 125 feet from the Greenwich Avenue right-of-way, and located outside the CGBR Zone.**
 - (g) **The new PUBLIC PARKING shall be located within the CGIO Zone. The PUBLIC PARKING facility's pedestrian portal shall be sited in close proximity to the nearest, most direct pedestrian route to Greenwich Avenue;**
 - (h) **The PUBLIC OUTDOOR AMENITY SPACE shall be located within the CGIO Zone, or within a half-mile (0.5 miles) of the CGIO Zone boundary, on land owned by the Town of Greenwich, or on land or other recognized real property interest that can be conveyed to the Town of Greenwich. No portion of the minimum open space required on the Zoning Tract pursuant to Section 6-205(b) of the regulations for the underlying zone, as may be modified by the Planning and Zoning Commission pursuant to Section 6-115.1.1 (6) Zoning Standard - Maximum Building Coverage Area below, shall be used to meet the minimum 10,000 square feet of contiguous land area dedicated for improvement and use as a PUBLIC OUTDOOR AMENITY SPACE.**
- (4) **Uses.**
- (a) **Permitted uses shall be the same as for the underlying zone.**
 - (b) **PUBLIC PARKING is a permitted use.**
 - (c) **Notwithstanding any other provision of these regulations, floor area devoted to Use Group 3b uses may not be converted to any other Use Group and may not be used for resident professional offices unless a Special Permit and a Site Plan approval have been granted by the Commission.**
- (5) **Parking and Loading Facilities. Parking and loading spaces shall be provided in accordance with Division 15 of these regulations. All parking spaces may be located within a garage.**
- (6) **Modification of area, height and bulk area requirements. Notwithstanding other applicable provisions of the Building Zone Regulations, upon request by the applicant, the Commission may,**

by Special Permit, authorize one or more modifications to the area, height, and bulk standards set forth in Section 6-205(b) for the underlying zone, upon a determination that the proposed Public Benefit provided to qualify for the zoning incentive meets a) the applicable standards of Section 6-17d, and b) the Objectives set forth in Section 6-115.1A., and Section 6-115.1.1 (1) of these regulations. Any authorized increase in maximum building height shall not result in a total building height that (a) exceeds the number of feet of the height of the tallest adjacent existing building as of the effective date of this regulation fronting on the same street as the principal street frontage of a building in the Zoning Tract, or (b) is directly across the street from a building in the Zoning Tract, whichever is greater. For purposes of this regulation, an existing building "directly across the street" shall be on a lot whose Street Frontage line is directly opposite the Street Frontage line of the Zoning Tract for a minimum distance of thirty (30) lineal feet. See the "LIMITING FACTOR" shown on DIAGRAM 11 to these regulations. The maximum total Floor Area, Gross ("FAR") authorized for the Zoning Tract under this regulation shall not exceed 3.3 FAR.

For the proposal to be eligible for one or more modifications to the area, height, and bulk requirements in Section 6-205(b), the development plan must meet the following additional qualifying criteria, as applicable:

- (a) No new buildings or portions thereof shall be located in the CGBR Zone.
- (b) All building elevations in excess of 120 linear feet facing a public street shall be required to provide variation in its horizontal and/or vertical plane by an inset or projection in the exterior wall of a minimum of two (2) feet for a horizontal distance of at least eight (8) feet to ensure a diverse street wall facade, and to promote the pedestrian scale of the overall development.
- (c) The proposed INDOOR COMMUNITY SPACE shall be a minimum of 3,000 square feet and accommodate not less than fifty (50) people in fixed or portable seating; be readily accessible at grade from the street or pedestrian walks; and be available for public use, by reservation approved by the building's manager, on weekdays from 9:00A.M. to 5:30P.M., for not less than fifteen (15) days of each month.
- (d) The proposed PUBLIC PARKING Public Benefit shall

equal a minimum of 30 percent (30%) of the total proposed parking spaces in the development, with the total number of public parking spaces provided not to exceed 100 spaces. The PUBLIC PARKING must be located within the CGIO Zone.

- (e) The proposed PUBLIC OUTDOOR AMENITY SPACE(s), if located within the CGIO Zone shall comprise a minimum of 10,000 square feet or, if located within one-half (0.5) miles of the CGIO Zone boundary a minimum of 20,000 square feet, with a minimum of 70 percent (70%) of pervious coverage. A PUBLIC OUTDOOR AMENITY SPACE may be provided on land owned by the Town of Greenwich, subject to review and authorization of a Municipal Improvement pursuant to CGS Section 8-24 and Section 99. of the Town Charter.
- (f) The proposed building(s) shall incorporate Energy-Efficient Design comprised of improvements that are USGBC LEED-certifiable under the most appropriate LEED building rating system, as may be amended from time to time. The Planning and Zoning Commission shall not require the applicant to apply for, or receive LEED certification as a condition of Site Plan and Special Permit approvals.
- (g) The proposed PUBLIC INFRASTRUCTURE IMPROVEMENTS shall be located in the CGIO Zone, or within a half-mile (0.5 miles) of its boundary.

Zoning Standard: Maximum Building Height.

<u>Public Benefit</u>	<u>Zoning Incentive (Zoning Standard of Underlying Zone "A" plus)</u>	
	<u>Stories</u>	<u>Feet</u>
<u>AFFORDABLE HOUSING UNITS</u>	<u>"A" + 1 Story</u>	<u>Max. 47.5 Feet</u>
<u>PUBLIC PARKING</u>	<u>"A" + 1 Story</u>	<u>"A" + 12 Feet</u>
<u>PUBLIC OUTDOOR AMENITY SPACE</u>	<u>"A" + 1 Story</u>	<u>"A" + 12 Feet and + 1 Story</u>

<u>PUBLIC INFRASTRUCTURE IMPROVEMENTS</u>	<i>[Placeholder; TBD in consultation w/ DPW]</i>	<i>[Placeholder; TBD in consultation w/ DPW]</i>

Zoning Standard – Maximum Building Coverage Area.

<u>Public Benefit(s)</u>	<u>Zoning Incentive (Zoning Standard of Underlying Zone “A” plus)</u>
<u>AFFORDABLE HOUSING UNITS</u>	<u>Exempt from “A”</u>
<u>PUBLIC PARKING</u>	<u>“A” + 50%</u>
<u>INDOOR COMMUNITY SPACE</u>	<u>“A” + 5%</u>
<u>PUBLIC INFRASTRUCTURE IMPROVEMENTS</u>	<u>[Placeholder; TBD in consultation w/ DPW]</u>

Zoning Standard - Maximum Lot Coverage. The Commission may increase the maximum lot coverage permitted in the underlying zone upon a determination that the scale of the proposed building or buildings is compatible with the surrounding uses, and sufficient landscaping and screening is provided to enhance the residential component of the development and to screen outdoor refuse, utilities such as transformers, storage and parking areas from public view pursuant to Division 17, Sections 6-179, 6-180, and 6-181 of these regulations.

Zoning Standard – Floor Area, Gross (as defined in Section 6-5(a), Definition (22) of the Building Zone Regulations).

<u>Public Benefit(s)</u>	<u>Zoning Incentive (Zoning Standard of Underlying Zone “A” plus)</u>
<u>AFFORDABLE HOUSING UNITS</u>	<u>“A” + 0.6</u>
<u>HISTORIC PRESERVATION</u>	<u>“A” + 0.13 for every 5,000 SF of adaptively reused floor area</u>
<u>PUBLIC PARKING</u>	<u>“A” + 1.25</u>
<u>PUBLIC OUTDOOR AMENITY SPACE</u>	<u>“A” + 1.0</u>
<u>PUBLIC INFRASTRUCTURE IMPROVEMENTS</u>	<u>[Placeholder; TBD in consultation w/ DPW]</u>

- (7) **Affordability Plan. An Application for Special Permit for a development that includes Affordable Housing, with Affordable Housing Units as one of the Public Benefits offered shall, at time of Final Site Plan Application, include an Affordability Plan that complies with the requirements of CGS Section 8-30g(b), in effect as of the time of application.**
- (8) **Review Procedure. A development proposal made pursuant to this regulation shall also require Preliminary and Final Site Plan and Special Permit review and approval by the Planning and Zoning Commission pursuant to Sections 6-13 through 6-15, and Section 6-17 respectively, of these regulations. See Section 6-115.1. (C) of these regulations for review procedures and application requirements.**
- (9) **Following Approval.**
- (a) **Prior to the submission of construction documents for a Zoning Permit, the applicant shall submit a design affidavit from the architect of record confirming that the planned improvements, as designed, incorporate the Energy-Efficient Design practices represented by the applicant in its Final Site Plan and Special Permit Applications.**
- (b) **Prior to the issuance of a Certificate of Occupancy for the approved development, the owner of the Zoning Tract shall execute a perpetual preservation easement pursuant to CGS Sections 47-42a through 47-42c for the exterior of any Historic Building or Structure that is part of an HISTORIC PRESERVATION Public Benefit approved by the Planning and Zoning Commission. Such easement shall be enforceable by the both the Historic District Commission and the Town of Greenwich, which shall provide for the right of the holder of the easement to perform repairs and charge the cost thereof to the owner upon the owner's failure to maintain the exterior of the historic building or structure in good repair, and may include other provisions outlined by the Planning and Zoning Commission in its Final Site Plan and Special Permit approvals.**
- (c) **The developer, owner, or manager of the Affordable Housing units shall provide an annual certification to the Planning and Zoning Commission or its designated agent of continuing compliance with the Affordability Plan.**

ADD NEW **DIAGRAM 11** (as found on file in the Planning and Zoning Office)

12. **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: PL) (Must close by 2/13/2018) (Maximum extension to open available to 4/19/2018) (Continued from the 1/9/2018 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri)

Applications PLPZ 2017 00522 and PLPZ 2017 00523 have been POSTPONED - Extension Granted to 2/23/2018

REGULAR MEETING CONTINUED

13. **DISCUSSION ITEMS:**

14. **DECISION ITEMS:**

15. **APPROVAL OF MINUTES:**

January 9, 2018

16. **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:

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)

WITHDRAWN BY APPLICANT

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)

WITHDRAWN BY APPLICANT

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: PL) (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)

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: PL) (Must open by 3/19/2018) (Maximum extension to open granted) (Postponed at the 1/9/2018 meeting)

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 close by 4/19/2018) (Maximum extension to close granted) (Continued from the 1/9/2018 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri)

(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]

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 4/9/2018) (Maximum extension to decide available to 4/9/2018) (Continued from the 1/9/2018 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri)*

START: _____
END: _____

TENTATIVE AGENDA

FINAL AGENDA

ACTION AGENDA

TOWN OF GREENWICH PLANNING AND ZONING COMMISSION

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

January 30, 2018

TENTATIVE AGENDA

REGULAR MEETING 7:00 PM

1. **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: PL*) (**Must decide by 1/30/2018**) (*Extension to decide granted to 1/30/18. Maximum extension to decide available to 3/19/2018*) (*Continued from the 1/9/2018 meeting*) (*Seated: Maitland, Alban, Levy, Fox, and Macri*)

PUBLIC HEARING 7:05 PM

2. **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*)

AMEND Sec. 6-2 CLASSES OF ZONES

[HRO Historic Residential-Office]

AMEND Sec. 6-13 SITE PLAN APPROVAL REQUIRED BY PLANNING
AND ZONING COMMISSION

(10) Any construction or alteration of structure(s) within an HO zone.

REMOVE SECTIONS 6-109 and 6-109.1 as currently written and REPLACE

Sec. 6-109 as follows:

Sec. 6-109 HISTORIC OVERLAY ZONE (HO)

(a) Purposes

The purpose of a Historic Overlay Zone (“HO”) is to encourage the restoration, preservation, protection, enhancement, perpetuation and use of buildings and structures (hereinafter called “structures”) having historical or aesthetic value which represent or reflect elements of the Town’s cultural, social, economic, political and architectural history. Such preservation promotes the general health and welfare by protecting property values, fostering a sense of history and civic pride, preserving architectural heritage and protecting community character. This overlay zone does not imply or result in the establishment of an historic district as detailed in Section 7-147a-1 of the General Statutes.

(b) Procedure

- 1) **To create an HO zone requires approval from the Planning and Zoning Commission for a zone change. Any accompanying improvements to the property in an HO zone require a site plan and special permit application, which may be made by the Owner of the structure and its site or by the Planning and Zoning Commission on its own motion. All applications shall be referred to Historic District Commission and any other consultants the Planning and Zoning Commission may choose for evaluation and recommendations.**
- 2) **Application to request a zone change and/or site plan and special permit shall include the following additional materials to those noted under Section 6-14:**
 - (A) **A written Report noting the historic significance of the proposed property for rezoning and the rationale as to why the application should be granted. The report shall include the following:**
 - i. **A brief history of the property and structures including historical significance and/or historic events either local and regional or persons associated with the property. A general description of the building(s) on the property listed according to their known or estimated ages and their associated ownership history.**

- ii. Any relevant construction history including a chronology of original and subsequent alterations, any historical documentation (letters, diaries, vouchers, newspaper articles), physical investigation as necessary to clarify which construction events are historic (analysis of paint layers relative to construction events).
 - iii. A description of the architecture including all exterior features and materials that are character-defining and therefore significant, and which are intended for preservation in the course of project work.
 - iv. A description of the existing conditions including any damage, structural problems, materials deterioration and a description of the proposed priority for repair/stabilization. A description of the general and periodic maintenance proposed, recognizing that deferred maintenance is not an option for historic resources.
 - v. An archeological assessment may be required depending on the nature of the property, its site and setting.
 - vi. All proposed work and the preservation objectives.
 - vii. All support documentation specifically photographs.
- (B) Information as to the proposed use and density of the property.
- (C) Specific architectural and landscape plans showing how the building or buildings on said property will be preserved. No Certificate of Occupancy will be issued until the architectural and landscape plans have been satisfactorily completed pursuant to Section 6-16.1 of these Regulations.
- 3) In acting upon any rezoning, site plan or special permit, the Commission may take into consideration the recommendations of any Town agencies or outside specialists with which it consults, such as but not limited to the Historic District Commission, the Greenwich Historical Society and the Architectural Review Committee.

- 4) Within sixty-five days after the closing of the Public Hearing, the Commission may approve the application for rezoning, special permit and site plan review if the Commission finds that Sections 6-13 through 6-17 and 6-109(c) of these Regulations are met.
- 5) If the Commission finds that the standards of Section 6-109(c) of these Regulations are met but additionally finds, after evidence duly presented by the Owner, that there would be no reasonable use to which the property in question could be adapted under the HO Zone, it shall deny HO zoning.
- 6) No alteration of the exterior from that shown in the architectural plans or addition resulting in an increase in floor area will be permitted unless reapplication for a special permit and site plan review is made.
- 7) A site rezoned by the Commission to HO shall continue to bear its original zone designation with the initials HO appended to indicate the Historic Overlay Zone. All zoning regulations and controls applying to the underlying zone shall continue to govern the HO site except as amended by this section.
- 8) The significant structures or features of the site which caused the HO designation to be granted shall be permanently protected by a setting of suitable size, shape and treatment, as delineated on the approved site plan.
- 9) Any new construction shall be reviewed by consultants of the Commission's choosing to assure that the design, location and size of the new structures are compatible with and protective of the site's significant existing structures, features or natural resources, including those identified in any Environmental Assessment if required by the Planning and Zoning Commission.
- 10) As a condition of a Special Permit approval, the Owner shall grant a perpetual Declaration of Preservation Restriction pursuant to Connecticut General Statutes Section 47-42 a-c, enforceable by both the Historic District Commission and the Planning and Zoning of the Town of Greenwich, which shall provide for, among other things, the right of the holder of the restriction to perform repairs and charge the cost thereof to the Owner upon the Owner's failure to keep the exterior of the structure in good repair. A draft Declaration of Preservation Restrictions shall be provided with any application.

- 11) The Commission encourages property owners to seek designation of historic significance from local, state or federal organizations and to display appropriate historic plaques.

(c) Standards

When considering an application for an HO Zone, for preservation, restoration, rehabilitation or adaptive re-use, the property and its contributing structure or structures must have been existence prior to 1940, be architecturally or historically notable, and must meet the standards of Section 6-15 and Section 6-17 of these regulations. Furthermore, in determining whether to grant an HO, the Planning and Zoning Commission shall take into consideration the public health, safety and general welfare of the general public, and whether the applicant has met the following specific standards:

- 1) The property, inclusive of structure or structures (hereafter referred to as “property”) must possess integrity of location, design, setting, materials, and workmanship.
 - A. The property must embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master. It must possess high artistic values and represent significant distinguishable components that have yielded, or may be likely to yield, information important in prehistory or history; The property may be a unique estate setting significant to the Town’s history and worthy of preservation, and/or be associated with events that have made a significant contribution to the broad patterns of our history; and/or be associated with the lives of persons significant in our past.
- 2) The property must be used as it was historically, or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
- 3) The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
- 4) Each property must be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other buildings, shall not be undertaken.
- 5) Changes to a property that have acquired historic significance in their own right must be retained and preserved.

- 6) Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property must be preserved.
- 7) Deteriorated historic features must be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
- 8) Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
- 9) Archeological resources must be protected and preserved. If such resources must be disturbed, mitigation measures must be undertaken.
- 10) New additions, exterior alterations, or related new construction shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work must be differentiated from the old and must be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment.

(d) Incentives

To provide incentives to protect historic resources, the Planning and Zoning Commission may allow the following modifications of the Building Zone Regulations, subject to a site plan and special permit application and provided that the property is re-zoned to an HO, pursuant to the procedures noted in Section 6-109(b):

- 1) For structures on sites in the business zone, the Planning and Zoning Commission may authorize any use presently permitted in any of the business zones for the entire structure and may further authorize modifications of the maximum FAR for office use, coverage, setbacks, parking, and screening for the underlying zone in question; said Special Permit shall not authorize any addition to the structure which will cause the maximum FAR to be exceeded.
- 2) For structures on sites in the business zone greater than 20 acres, the Planning and Zoning Commission may authorize Use Group 2b or 2c Uses in proposed new construction provided that the area of such 2b or 2c use shall not be greater than the floor area used

for otherwise permitted uses in the historic structure or structures on which the HO zone was based.

- 3) For structures on sites in the RA-4, RA-2, RA-1, R-20, R-12, R-7 and the R-6 residential zones, the Planning and Zoning Commission may authorize additional dwelling units in existing buildings or structures and/or in new construction that is complementary and secondary to the historic structure(s), provided the total number of units shall not exceed the density determined by dividing the total lot area by the minimum lot size for the underlying zone, and multiplying the result, excluding fractions, by 1.50 in the RA-4, RA-2, RA-1, R-20, R-12 zones and by 1.2 in the R-7 and the R-6 residential zones. The Commission may consider any fraction of a unit as a whole unit. The difference between density permitted in the underlying zone and density permitted using the multiplier, is the number of bonus units. The Commission may also modify setbacks and/or green area requirements.

(A) When bonus units are proposed within the historic structures, or where bonus units would create developments without lot division lines, the Planning and Zoning Commission, after consultation from the Historic District Commission, shall determine neighborhood appropriateness based on:

- i. the number and proximity of single family detached dwellings;
- ii. the visible impact on the streetscape;
- iii. the number, character and proximity of other uses;
- iv. the amount and location of undeveloped land in the vicinity and the relationship of proposed development to the pattern of existing open space in the area;
- v. the proximity of other zones either more or less restrictive; and
- vi. other standards provided in this article and the standards contained in Sections 6-15 and 6-17.

(B) If the HO zone includes property or properties more than or equal to 5 acres in the R-7, R-12, and R-20 zones or more than or equal to 10 acres in the RA-1, RA-2, and RA-4 zones, unless the Commission pursuant to Section 6-23(c) finds a smaller area to be appropriate, the HO shall be

designed as a conservation zone pursuant to Division 3 of the regulations. In these instances, bonuses permitted under Section 6-29 would apply. In these instances, a site rezoned by the Commission to a Conservation Subdivision and an HO shall continue to bear the designation noted under Section 6-25 with the initials HO appended to indicate the Historic Overlay Zone.

- 4) For structures on sites in residential zones not more than 1,000 feet from a business zone boundary line, the Planning and Zoning Commission may authorize all uses permitted by right, or special exception for the most restrictive contiguous residential zone, or Office Uses. Permitted accessory uses are also permitted with the exception of the office of a resident professional person (Sec. 6-95(a)(1)). Parking requirements shall be as detailed in Division 15 of the Regulations. Parking in a front yard shall be discouraged. Height and Floor Area Ratio shall be the same as for the pre-existing residential zone. No more than 60% of the site shall be occupied by building, parking and drives.
- 5) For religious institutions existing as of the effective date of this amendment that are located in the CGIO Zone, the Planning and Zoning Commission may authorize, an FAR not to exceed 1.0. Further the Commission may authorize an increase in the number of stories, not to exceed four (excluding basements), and a building height not to exceed 50 feet.
- 6) The Commission may allow for the inclusion of the area of a privately owned road as part of lot area. Further, the Commission may allow for the treatment as a single lot for parcels that would be contiguous but for the separation by a privately owned road.

(e) Alterations and Additions

- 1) No reconstruction, alteration, demolition, or addition shall be made to the exterior of any existing structure nor shall any additional structure be constructed upon a site in the HO zone, unless there shall have been received a special permit upon application thereof from the Planning and Zoning Commission pursuant to Section 6-17 and 6-109. In issuing such special permit, the Commission shall consider the effects of the proposed work upon the protection, enhancement, perpetuation and use of the structure(s) which cause it to meet the standards set forth in Section 6-109(c). Comments shall be

- obtained from the Historic District Commission prior to any action by the Planning and Zoning Commission.
- 2) Minor work which is limited to a change in, addition to, or removal from the parts, elements or materials of the exterior of a structure, shall be excepted from the Special Permit requirement provided that a certificate of appropriateness is issued by the Historic District Commission.
 - 3) The requirement Section (e) shall not apply to any case where the Department of Buildings, the Fire Department, or the Department of Health shall direct that work be done to remedy conditions dangerous to life, health, or property. Where such condition is not of imminent danger, notice of not less than 8 days shall be sent to the Planning and Zoning Commission and the Historic District Commission prior to directing such work.
 - 4) Nothing in this regulation shall be construed to prevent the interior arrangements or alterations to the interior of a building unless the interior of a public building or the public space of a private building is specifically described and designated as historic.
- (f) Removal, Alteration, Modification or Addition Without a Special Permit.
- 1) If any structure or building is removed, altered, modified or added to after the granting of a HO zone or during the pendency of any application for HO zone before the Planning and Zoning Commission or if it is demolished by neglect, all zoning rights as defined below applicable to said site shall be reduced by 50% except that this shall not apply if the Commission has thereafter denied the HO zone for the site or if the Commission has granted Special Permit for the removal, alteration, modification or addition and further provided that, in the case of less than total removal of the building or structure, upon application for Special Permit pursuant to Section 6-17, the Commission may grant zoning rights between 50% and 100% of those specified for the underlying zone by these regulations. Zoning rights as used above shall include the following:
 - (A) the maximum floor area authorized
 - (B) the maximum building area authorized
 - (C) the maximum area covered by building, parking and drives

3. **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*)
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 close by 2/13/2018**) (*Maximum extension to open available to 4/19/2018*) (*Continued from the 1/9/2018 meeting*) (*Seated: Maitland, Alban, Levy, Fox, and Macri*)
5. **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 close by 2/13/2018**) (*Maximum extension to open available to 4/19/2018*) (*Continued from the 1/9/2018 meeting*) (*Seated: Maitland, Alban, Levy, Fox, and Macri*)
6. **St. Agnes Roman Catholic Church Corp.;** applications PLPZ 2017 00494 and PLPZ 2017 00516, for a final site plan and special permit, to install ground mounted solar panel arrays in the front yard, the installation of light posts along the edges of the driveway and parking areas, and the proposed installation of a "future" generator along the front of the building, and landscaping to help screen the array on a 6.381-acres property located at 247 Stanwich Road in the RA-2 zone. (Staff: PL) (**Must open by 2/24/18**) (*Maximum extension available to open granted to 2/24/18*)
7. **1162 East Putnam Avenue, LLC c/o Fareri Associates LP;** applications PLPZ 2017 00586 and PLPZ 2017 00587, for a final site plan and special permit, to renovate the two (2) existing buildings, expand the second floor of the building at 1162-1166 East Putnam Avenue, and re-stripe the parking areas and internal circulation on a 37,125 sq. ft. property located at 1154-1166 East Putnam Avenue in the LB zone. (Staff: PL) (**Must open by 3/15/2018**) (*Maximum extension to open available to 5/19/2018*)

8. **75 Holly LLC**; applications PLPZ 2017 00588 and PLPZ 2017 00589, for a final site plan and special permit, to expand the parking lot by adding 77 parking spaces, increasing the total parking onsite to 452 standard spaces and 13 ADA compliant spaces, and confirm that adequate parking would exist for 72 medical professionals on a 4.47-acre property located at 75 Holly Hill Lane in the GBO zone. (Staff: MA) (Must open by 3/15/2018) (Maximum extension to open available to 5/19/2018)
9. **5 Conyers Farm Drive LLC**; applications PLPZ 2017 00575 and PLPZ 2017 00576, for a final site plan and special permit, to construct a treehouse, the result of which would add additional building volume to a property which already exceeds the 150,000 cubic foot building volume threshold of Sec. 6-101(a) requiring a special permit, on a 12.77-acres property located at 5 Conyers Farm Drive in the RA-4 zone. (Staff: MA) (Must open by 2/15/2018) (Maximum extension to open available to 4/21/2018)
10. **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 foot building volume threshold on a 5.09-acres property located at 37 Day Road in the RA-4 zone. (Staff: SB) (Must open by 2/10/2018) (Maximum extension to open granted)
11. **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)

Amend Sec. 6-100 “USE GROUPS FOR BUSINESS ZONES” as follows:

USE GROUP **3a**

Dwelling units conforming to the provisions of Sec. 6-110.

USE GROUP 3b

Dwelling units in the CGIO Zone conforming to the provisions of Section 6-115.1.1. when authorized by Special Permit

Amend Sec. 6-103.1 “USE REGULATIONS AND SPECIAL REQUIREMENTS FOR THE CGBR ZONE” as follows:

(C) Permitted Uses.

Subject to (B) above the following uses are permitted: ...

Use Group **3a**

Amend Sec. 6-104.1 “USE REGULATIONS AND SPECIAL REQUIREMENTS FOR CGB ZONE” as follows:

(B) Permitted Uses....

Use Group **3a**

Use Group 3b

Amend Sec. 6-105 “USE REGULATIONS AND SPECIAL REQUIREMENTS FOR THE GB ZONE” as follows:

(a) Permitted Uses....

Use Group **3a**

Use Group 3b

Amend Sec. 6-106 “USE REGULATIONS AND SPECIAL REQUIREMENTS FOR THE GBO ZONE” as follows:

(a) Permitted Uses....

Use Group 3a
Use Group 3b

Amend Sec. 6-110 “USE REGULATIONS AND SPECIAL REQUIREMENTS FOR DWELLING UNITS PERMITTED IN THE BUSINESS ZONES (**Use Group 3a**)”, as follows:

(d) **Special Requirements:**

(1) For CGBR and LBR-2 zones, dwelling units shall be permitted only when above floors having uses of Use Groups permitted in said zones other than Use Group 3a

Amend Sec. 6-155 “PARKING AND GARAGES FOR MULTI-FAMILY RESIDENTIAL PURPOSES” as follows:

4. Multi-family dwelling units constructed pursuant to Sec. 6-115.1.1: 1.25 spaces per dwelling unit, and all required parking spaces may be located within a garage.

ADD

Sec. 6-181.1 “ROOFTOP PLANTINGS IN BUSINESS ZONES”

The purpose of rooftop plantings is to reduce the heat island effect of a building, and, if desired, provide active or passive use by the building's occupants.

(a) **Planting Specifications:**

- i. **Rooftop planting beds, whether raised or in pits, shall have a minimum depth able to support the selected plant materials in hardened conditions.**
- ii. **A growing media (e.g., soil, mulch, sand or gravel) shall be employed that is most suitable for the selected plant materials in accordance with industry standards.**

(b) **Plant Materials:**

- i. **Selected plantings shall be hardy to one colder USDA Zone than the USDA Zone typical to Greenwich.**
- ii. **Preferred are plantings that require only temporary irrigation for the first 12 months after installation, and are not dependent upon irrigation thereafter.**

iii. **Groundcover plants and shrubs must be of sufficient size and number at time of installation so that the intended landscape condition shown on the submitted plans will be achieved within three (3) years of planting.**

iv. **Native and non-invasive plants are recommended.**

(c) **Installation and Maintenance:**

i. **Plant materials must be installed to current nursery industry standards, and properly supported to ensure survival.**

ii. **The location of rooftop planting beds shall allow for access for maintenance purposes.**

iii. **Rooftop plantings must be continuously maintained in a healthy state for ongoing compliance with the property's Site Plan, Special Permit, or Special Exception approval(s), as applicable. Dead plantings must be replaced in kind within six (6) months.**

Amend Sec. 6-182 "PLANTING REGULATIONS" as follows:

(a) All planting materials used to carry out the intention of this Article shall be of species and varieties **compatible with topographic conditions on the property. Use of native, non-invasive species is encouraged.** [as approved by the Tree Warden.]

[(b) Planting materials shall be shown on site plans submitted to the Building Department and shall be referred for approval to the Tree Warden.]

(b) For uses and activities requiring Site Plan approval under Sec. 6-13, planting materials shall be shown on the site plan submitted to the Planning and Zoning Commission. The Commission shall refer said plan to the Architectural Review Committee and/or the Tree Warden for an advisory review.

ADD

Sec. 6-115 "CENTRAL GREENWICH IMPACT OVERLAY ZONE (CGIO)"

Location, and Description.

The CGIO Zone is an overlay district and represents the core of the Town's central business district. It includes portions of the CGBR, CGB, and GBO Zones, as shown on the TOWN OF GREENWICH BUILDING ZONE MAP, as amended from time to time, and Plate 22,

CENTRAL GREENWICH IMPACT OVERLAY ZONE Effective: March 1, 1982, of the BUSINESS ZONE MAP ATLAS on file in the office of the Greenwich Town Clerk.

The CGIO has the Town's highest concentration of commercial floor area and impervious coverage. It contains a broad range of building types, indicative of the eras and purposes for which they were originally built. It includes the Greenwich Avenue Historic District and the Greenwich Municipal Center Historic District, both listed on the National Register of Historic Places. Also located in the CGIO Zone are Town Hall, the Board of Education, the main Library, and Police and Fire Stations; houses of worship; and a number of Pre- and Post-War higher density multi-family buildings. Additionally, the CGIO Zone includes the Greenwich Metro-North Train Station, with express service to and from New York City. It also has direct access from the region's two major arterials, U.S. Route 1 and Interstate 95.

In sum, the CGIO Zone remains a desirable location for corporate offices, entertainment and leisure activities. The CGIO Zone is poised to encourage mixed-use development for the dual benefits of sustaining the economic vitality of the Greenwich Avenue retail corridor and of attracting and retaining new residents downtown to begin to reverse the decades-long decline in the number of downtown residents. However, public infrastructure and amenities, the roadway network and parking, and open space are limited resources in this district. Businesses already heavily depend on the supply of public parking spaces in the district for patrons and employees. This special mix of opportunities and challenges makes the CGIO Zone overlay a vital tool for administering sound land use planning for this district in the 21st Century.

ADD

Sec 6-115.1 INCENTIVE ZONING REGULATIONS FOR CGIO ZONE.

(A) General Purpose and Objectives.

In addition to the stated purposes in Section 6-102, the purpose of this regulation is to enhance and sustain the downtown core as a vital, mixed-use, pedestrian- oriented environment in the 21st century. It provides a means to seek efficiencies in the use of land and energy to lessen the environmental impact of the Town's built environment, and increase landscaped open space; to add new housing attractive to persons of varying ages and income levels within walking distance of local retail and service establishments, Town services, and rail and bus lines; and to maximize the opportunity afforded by the train station to reduce the need for parking for commuters, employees and visitors. This regulation also seeks to encourage private developments

to provide "Public Benefits", defined below, that are in addition to, and would otherwise not be required by, the mandatory base standards for development in the underlying zone.

To achieve these planning objectives, the Planning and Zoning Commission may, by Special Permit, allow proposed mixed-use redevelopment of larger parcels within the CGIO Zone certain flexibility in the area, height, and bulk standards of the underlying zone, in exchange for provision of one or more "Public Benefits" within or proximate to the CGIO Zone as set forth in Section 6-115.1.1 INCENTIVE ZONING FOR CGIO MIXED-USE DEVELOPMENTS-RESIDENTIAL of these regulations.

(B) Definition of "Public Benefit".

As used in Sections 6-115.1 and 6-115.1.1 of these regulations, "Public Benefit" shall mean a permanent facility or improvement that meets the planning policies and goals of the municipal Plan of Conservation and Development, proposed and provided in conjunction with a development project in the CGIO Zone, and is in excess of the minimum requirements of the underlying zone. "Public Benefits" include "Affordable Housing Units", "Historic Preservation", "Indoor Community Space", "Public Infrastructure Improvements", "Public Parking", and "Public Outdoor Amenity Space", as defined in Section 6-115.1.1 of these regulations.

(C) Review Procedure.

1. A development proposal made pursuant to this regulation shall require Site Plan and Special Permit approval by the Planning and Zoning Commission pursuant to Sections 6-13 through 6-15, and Section 6-17 of these regulations.
2. Pre-Application Review. An informational workshop shall be convened by the Director of Planning and Zoning to include the Zoning Enforcement Officer, Department of Public Works Commissioner, Town Engineer, Sewer Superintendent, Conservation Director, and other appropriate town agency staff at which the applicant shall present a conceptual plan for the proposed development for discussion. This meeting shall be held prior to any formal submission of application to any Town Agency.
3. Application Contents. In addition to the plans, reports, and other documents required under Sections 6-14 PROCEDURE APPLICATIONS FOR SITE PLAN REVIEW, and 6-17

AUTHORIZATION OF USE BY SPECIAL PERMIT, the following items shall be submitted:

- (a) **At time of Preliminary Site Plan and Special Permit Application:**
- i. **A zoning narrative describing the proposed development, including the types of uses and its principal structures and facilities, and proposed Public Benefits;**
 - ii. **A statement of proposal consistency with the Town's Plan of Conservation and Development, Section 6-15 Site Plan Standards, Section 6-17d Special Permit Standards, and the stated objectives of Sections 6-115.1 and 6-115.1.1, as applicable;**
 - iii. **A zoning data table providing the area, height, and bulk standards of the underlying zone(s) per Section 6-205(b), the requested zoning incentive(s), and proposed conditions;**
 - iv. **A chart listing the USGBC LEED technical and criteria-based standards from the LEED building rating system most appropriate to the proposal, and how the proposal will meet the intent of such standards; Evidence that an existing historic building or structure to be retained as a Public Benefit as part of the proposed development is listed on, or is eligible to be listed on, the National Register of Historic Places or State Register of Historic Places; and**
- (b) **At time of Final Site Plan and Special Permit Applications:**
- i. **An Affordability Plan for a CGIO Mixed-Use-Residential development;**
 - ii. **A copy of the Architectural Review Committee's advisory report;**
 - iii. **If applicable, a copy of the Historic District Commission's advisory report; and**
 - iv. **Any additional information requested by the Commission during the Preliminary Site Plan Review process.**

4. Municipal Improvement. If a Municipal Improvement is required by the proposed development plan, the Board of Selectmen shall refer the request for a Municipal Improvement to the Commission prior to the applicant's submission of the Final Site Plan and Special Permit Applications for the project. Submission of a request for Municipal Improvement at time of Preliminary Site Plan review is encouraged, but not required.
5. Advisory Reviews.
 - a. Advisory review by the Architectural Review Committee of proposed exterior alterations, new construction, landscaping and site lighting shall be concluded prior to the submission of Final Site Plan and Special Permit Applications for the development.
 - b. For Zoning Tracts abutting or across the street from the Greenwich Avenue Historic District or the Greenwich Municipal Center Historic District, advisory review by the Historic District Commission of proposed building exterior alterations and new building construction shall be concluded prior to the submission of Final Site Plan and Special Permit Applications for the proposed development.
 - c. Advisory review by the Historic District Commission of a development plan that includes an HISTORIC PRESERVATION Public Benefit, as defined in Section 6-115.1.1. 2.(g) of these regulations shall be concluded prior to the submission of a Final Site Plan and Special Permit Applications for the development.
6. Following Approval. See Section 6-115.1.1 of these regulations.

ADD

SECTION 6-115.1.1 INCENTIVE ZONING FOR CGIO MIXED-USE DEVELOPMENTS - RESIDENTIAL

(1) **Purpose and Objectives.**

This regulation is intended to establish, enhance and sustain the downtown core as a dynamic, mixed-use, pedestrian-oriented environment for the 21st century by increasing the supply of multi-family housing in the CGIO Zone. It provides zoning incentives to induce private-sector owners to redevelop larger tracts in the CGIO Zone with higher density residential, or mixed-use buildings that include residential units, open space, and public

amenities, with plans that are determined by the Planning and Zoning Commission to be clearly superior in sustainable building and site design to a development conforming to the mandatory base standards of the underlying zone. Additionally, it seeks to expand the local residential population to support downtown merchants. The Commission may, by Special Permit, allow flexibility of certain standards set forth in Section 6-205(b) for the underlying zone upon finding that the proposal is consistent with one or more of the following planning objectives:

- (a) **Provides Affordable Housing Units, as defined under Section (2) (b), below, to mitigate the shortage of dwelling units available to Moderate Income Households, as described under Section (2) (b), below;**
- (b) **Increases the diversity of attractive housing opportunities and types for various ages and income levels in areas in close proximity to mass-transit, Route 1, I-95, and within walking distance of retail, personal service, entertainment, and municipal facilities;**
- (c) **Includes a plan that provides physical and functional cohesiveness of site components, and an urban design that provides an appropriate spatial transition of building heights, setbacks, architectural massing, for the surrounding built environment;**
- (d) **Increases the public parking supply, particularly long-term parking for employees of retail and service establishments in the CGIO Zone;**
- (e) **Provides a development plan that is pedestrian-oriented rather than automobile-centric;**
- (f) **Includes attractive streetscapes with convenient and safe pedestrian linkages from the Town's existing sidewalk network to Greenwich Avenue, public transit, Town parks and civic buildings;**
- (g) **Increases public open space in the CGIO Zone, to provide passive or active recreational opportunities not currently available in the downtown; and**
- (h) **Encourages a more efficient development of land resulting in economies of total impervious coverage, stormwater discharge, traffic impacts, and consumption of natural and**

energy resources.

(2) **Definitions of terms used in this regulation:**

(Definition titles in all CAPS are "Public Benefits" as defined under Section 6-115.1 (B))

- (a) **"Affordable Housing": Housing as defined in CGS Section 8-39a, in effect at time of Final Site Plan Application.**
- (b) **"AFFORDABLE HOUSING UNIT": A dwelling unit that must be held for the duration of the Restriction Period described in Section (2)(n), below. Any person or family to whom such Affordable Housing Units may be rented or sold must be a "Moderate Income Household," as that term is defined in Section (2) (h), below. An AFFORDABLE HOUSING UNIT is permitted under Sec. 6-100, Use Group 3b.**
- (c) **"CGIO Zone (Central Greenwich Impact Overlay Zone)": An overlay zone depicted on Plate 22, CENTRAL GREENWICH IMPACT OVERLAY ZONE Effective: March 1, 1982, of the BUSINESS ZONE MAP ATLAS, Town of Greenwich Planning and Zoning Commission.**
- (d) **"CGS": The Connecticut General Statutes, as amended.**
- (e) **"Energy-Efficient Design": The integrated application and use of land, materials, and operational systems designed to qualify for voluntary certification under the most current USGBC LEED Building Design and Construction (BD+C) rating system.**
- (f) **"Historic Building or Structure": A building or structure of special historical, architectural, or cultural value to the Town constructed prior to 1950 that is listed, or is eligible to be listed on the National Register 10 of Historic Places or State Register of Historic Places either as an individual building or structure or as a contributing building to an historic district.**
- (g) **"HISTORIC PRESERVATION": The retention, rehabilitation, and adaptive-reuse of an existing building or structure constructed prior to 1950, as part of the development plan for the Zoning Tract.**

- (h) **"INDOOR COMMUNITY SPACE": A portion of a building at grade level, that is made available, free of charge, to responsible civic associations or non-profit groups for the conduct of meetings, art exhibits, or educational programs.**
- (i) **"Median Income": Median Income is as defined under CGS Section 8-30g(a)(7), in effect at the time of application.**
- (j) **"Moderate Income Household": Moderate Income Household shall mean a person or persons, related or unrelated, living together as a single family or housekeeping unit, which persons and families pay thirty percent or less of income for housing, and where such income is equal to or less than eighty percent of the Median Income as defined in Section (2) (g), above.**
- (k) **"PUBLIC INFRASTRUCTURE IMPROVEMENTS": The addition of, or improvement to public infrastructure facilities which may include, but not limited to the following: sanitary sewer; stormwater management; roadway and pedestrian improvements; relocation of overhead utility lines to underground; and traffic controls.**
- (l) **"Public Land": Municipal land owned by the Town of Greenwich.**
- (m) **"PUBLIC PARKING": A parking area available to the public, with or without payment of a fee, that is or will be owned and operated by the Town of Greenwich. The Public Parking may be located in a building.**
- (n) **"PUBLIC OUTDOOR AMENITY SPACE": A minimum 10,000 square feet of contiguous land within the CGIO Zone, or a minimum of 20,000 square feet of contiguous land if located within one-half (0.5) miles of the CGIO Zone boundary, improved and maintained as passive or active outdoor recreational space for use by the general public. A PUBLIC OUTDOOR AMENITY SPACE located outside the CGIO Zone shall be substantive in nature, such as a playing field. A PUBLIC OUTDOOR AMENITY SPACE may be provided on land owned by the Town of Greenwich, subject to review and authorization of a Municipal Improvement pursuant to CGS Section 8-23 and Section 99 of the Town Charter.**

- (o) **"Public Benefit": See Section 6-115.1 (B) of the regulations.**
- (p) **"Restriction Period": A period of forty (40) years, commencing at time of initial occupancy, during which an AFFORDABLE HOUSING UNIT shall be held for sale or rental as described in Section (2)(b), above.**
- (q) **"Street Frontage": See Section 6-5(a), Definition (48) of the regulations.**
- (r) **"USGBC LEED": The United States Green Building Council Leadership in Energy and Environmental Design, which has developed sets of voluntary technical and criteria-based standards with the objective to increase the efficiency with which buildings use energy, and natural resources and materials to reduce building impacts on public health and the environment during the building's lifecycle.**
- (s) **"Zoning Tract": The total lot area of a single lot, or combination of contiguous lots or land, owned or controlled by the applicant. The area of private property to be deed restricted or conveyed for public purposes, e.g., public parking, parks, streets, pedestrian paths, shall be included in the Zoning Tract.**

(3) Eligibility Criteria.

- (a) **Location. The Zoning Tract shall be located within the CGIO Zone.**
- (b) **Minimum Acreage. The Zoning Tract shall be a minimum of one (1) acre (43,560 square feet) of contiguous land entirely located in the CGIO Zone, inclusive of the area of any existing private streets or rights-of-way.**
- (c) **Minimum Residential Floor Area, Gross. A minimum of 60 percent (60%) of the total Floor Area, Gross of the development shall be devoted to residential use.**
- (d) **The approved site, excluding Public Land and any off-site easements on land of others that are part of the approved site plan, shall constitute a single lot prior to issuance of an administrative Zoning Permit.**
- (e) **The proposed development shall include a minimum of two**

(2) Public Benefit improvements.

- (f) **Any proposed buildings must be set back a minimum of 125 feet from the Greenwich Avenue right-of-way, and located outside the CGBR Zone.**
- (g) **The new PUBLIC PARKING shall be located within the CGIO Zone. The PUBLIC PARKING facility's pedestrian portal shall be sited in close proximity to the nearest, most direct pedestrian route to Greenwich Avenue;**
- (h) **The PUBLIC OUTDOOR AMENITY SPACE shall be located within the CGIO Zone, or within a half-mile (0.5 miles) of the CGIO Zone boundary, on land owned by the Town of Greenwich, or on land or other recognized real property interest that can be conveyed to the Town of Greenwich. No portion of the minimum open space required on the Zoning Tract pursuant to Section 6-205(b) of the regulations for the underlying zone, as may be modified by the Planning and Zoning Commission pursuant to Section 6-115.1.1 (6) Zoning Standard - Maximum Building Coverage Area below, shall be used to meet the minimum 10,000 square feet of contiguous land area dedicated for improvement and use as a PUBLIC OUTDOOR AMENITY SPACE.**

(4) Uses.

- (a) **Permitted uses shall be the same as for the underlying zone.**
 - (b) **PUBLIC PARKING is a permitted use.**
 - (c) **Notwithstanding any other provision of these regulations, floor area devoted to Use Group 3b uses may not be converted to any other Use Group and may not be used for resident professional offices unless a Special Permit and a Site Plan approval have been granted by the Commission.**
- (5) Parking and Loading Facilities. Parking and loading spaces shall be provided in accordance with Division 15 of these regulations. All parking spaces may be located within a garage.**
- (6) Modification of area, height and bulk area requirements. Notwithstanding other applicable provisions of the Building Zone Regulations, upon request by the applicant, the Commission may, by Special Permit, authorize one or more modifications to the**

area, height, and bulk standards set forth in Section 6-205(b) for the underlying zone, upon a determination that the proposed Public Benefit provided to qualify for the zoning incentive meets a) the applicable standards of Section 6-17d, and b) the objectives set forth in Section 6-115.1A., and Section 6-115.1.1 (1) of these regulations. Any authorized increase in maximum building height shall not result in a total building height that (a) exceeds the number of feet of the height of the tallest adjacent existing building as of the effective date of this regulation fronting on the same street as the principal street frontage of a building in the Zoning Tract, or (b) is directly across the street from a building in the Zoning Tract. whichever is greater. For purposes of this regulation, an existing building "directly across the street" shall be on a lot whose Street Frontage line is directly opposite the Street Frontage line of the Zoning Tract for a minimum distance of thirty (30) lineal feet. See the "LIMITING FACTOR" shown on DIAGRAM 11 to these regulations. The maximum total Floor Area, Gross ("FAR") authorized for the Zoning Tract under this regulation shall not exceed 3.3 FAR.

For the proposal to be eligible for one or more modifications to the area, height, and bulk requirements in Section 6-205(b), the development plan must meet the following additional qualifying criteria, as applicable:

- (a) **No new buildings or portions thereof shall be located in the CGBR Zone.**
- (b) **All building elevations in excess of 120 linear feet facing a public street shall be required to provide variation in its horizontal and/or vertical plane by an inset or projection in the exterior wall of a minimum of two (2) feet for a horizontal distance of at least eight (8) feet to ensure a diverse street wall facade, and to promote the pedestrian scale of the overall development.**
- (c) **The proposed INDOOR COMMUNITY SPACE shall be a minimum of 3,000 square feet and accommodate not less than fifty (50) people in fixed or portable seating; be readily accessible at grade from the street or pedestrian walks; and be available for public use, by reservation approved by the building's manager, on weekdays from 9:00A.M. to 5:30P.M., for not less than fifteen (15) days of each month.**
- (d) **The proposed PUBLIC PARKING Public Benefit shall equal a minimum of 30 percent (30%) of the total proposed**

parking spaces in the development, with the total number of public parking spaces provided not to exceed 100 spaces. The PUBLIC PARKING must be located within the CGIO Zone, or within a half-mile (0.5 miles) of the CGIO boundary.

- (e) **The proposed PUBLIC OUTDOOR AMENITY SPACE(s), if located within the CGIO Zone shall comprise a minimum of 10,000 square feet or, if located within one-half (0.5) miles of the CGIO Zone boundary a minimum of 20,000 square feet, with a minimum of 70 percent (70%) of pervious coverage. A Public Outdoor Amenity Space may be provided on land owned by the Town of Greenwich, subject to review and authorization of a Municipal Improvement pursuant to CGS Section 8-23 and Section 99. of the Town Charter.**
- (f) **The proposed building(s) shall incorporate Energy-Efficient Design comprised of improvements that are USGBC LEED-certifiable under the most appropriate LEED building rating system, as may be amended from time to time. The Planning and Zoning Commission shall not require the applicant to apply for, or receive LEED certification as a condition of Site Plan and Special Permit approvals.**
- (g) **The proposed PUBLIC INFRASTRUCTURE IMPROVEMENTS shall be located in the CGIO Zone, or within a half-mile (0.5 miles) of its boundary.**

Zoning Standard: Maximum Building Height.

<u>Public Benefit</u>	<u>Zoning Incentive (Zoning Standard of Underlying Zone "A" plus)</u>	
	<u>Stories</u>	<u>Feet</u>
<u>AFFORDABLE HOUSING UNITS</u>	<u>"A" + 1 Story</u>	<u>"A" + 12 Feet</u>
<u>PUBLIC PARKING</u>	<u>"A" + 1 Story</u>	<u>"A" + 12 Feet</u>
<u>PUBLIC OUTDOOR AMENITY SPACE</u>	<u>"A" + 1 Story</u>	<u>"A" + 12 Feet and + 1 Story</u>

<u>INDOOR COMMUNITY SPACE</u>	<u>None</u>	<u>“A” + 4 Feet</u>
<u>PUBLIC INFRASTRUCTURE IMPROVEMENTS</u>	<i>[Placeholder; TBD in consultation w/ DPW]</i>	<i>[Placeholder; TBD in consultation w/ DPW]</i>

Zoning Standard – Maximum Building Coverage Area.

<u>Public Benefit(s)</u>	<u>Zoning Incentive (Zoning Standard of Underlying Zone “A” plus)</u>
<u>AFFORDABLE HOUSING UNITS</u>	<u>Exempt from “A”</u>
<u>PUBLIC PARKING</u>	<u>“A” + 50%</u>
<u>INDOOR COMMUNITY SPACE</u>	<u>“A” + 5%</u>
<u>PUBLIC INFRASTRUCTURE IMPROVEMENTS</u>	<u>[Placeholder; TBD in consultation w/ DPW]</u>

Zoning Standard - Maximum Lot Coverage. The Commission may increase the maximum lot coverage permitted in the underlying zone upon a determination that the scale of the proposed building or buildings is compatible with the surrounding uses, and sufficient landscaping and screening is provided to enhance the residential component of the development and to screen outdoor refuse, utilities such as transformers, storage and parking areas from public view pursuant to Division 17, Sections 6-179, 6-180, and 6-181 of these regulations.

Zoning Standard – Floor Area, Gross (as defined in Section 6-5(a), Definition (22) of the Building Zone Regulations).

<u>Public Benefit(s)</u>	<u>Zoning Incentive (Zoning Standard of Underlying Zone “A” plus)</u>
<u>HISTORIC PRESERVATION</u>	<u>“A” + 0.13 for every 5,000 SF of adaptively reused floor area</u>
<u>AFFORDABLE HOUSING UNITS</u>	<u>“A” + 1.25</u>
<u>PUBLIC PARKING</u>	<u>“A” + 1.0</u>

<u>PUBLIC OUTDOOR AMENITY SPACE</u>	<u>“A” + 1.0</u>
<u>PUBLIC INFRASTRUCTURE IMPROVEMENTS</u>	<u>[Placeholder; TBD in consultation w/ DPW]</u>

- (7) **Affordability Plan. An Application for Special Permit for a development that includes Affordable Housing, with Affordable Housing Units as one of the Public Benefits offered shall, at time of Final Site Plan Application, include an Affordability Plan that complies with the requirements of CGS Section 8-30g(b), in effect as of the time of application.**
- (8) **Review Procedure. A development proposal made pursuant to this regulation shall also require Preliminary and Final Site Plan and Special Permit review and approval by the Planning and Zoning Commission pursuant to Sections 6-13 through 6-15, and Section 6-17 respectively of these regulations. See Section 6-115.1. (C) of these regulations for review procedures and application requirements.**
- (9) **Following Approval.**
- (a) **Prior to the submission of construction documents for a Zoning Permit, the applicant shall submit a design affidavit from the architect of record confirming that the planned improvements, as designed, meet the criteria of the USGBC LEED rating system(s) identified by the applicant in its Final Site Plan and Special Permit Applications and approved by the Planning and Zoning Commission as an ENERGY-EFFICIENT DESIGN Public Benefit.**
- (b) **Prior to the issuance of a Certificate of Occupancy for the approved development, the owner of the Zoning Tract shall execute a perpetual preservation easement pursuant to CGS Sections 47-42a through 47-42c for the exterior of any Historic Building or Structure that is part of an HISTORIC PRESERVATION Public Benefit approved by the Planning and Zoning Commission. Such easement shall be enforceable by the both the Historic District Commission and the Town of Greenwich, which shall provide for the right of the holder of the easement to perform repairs and charge the cost thereof to the owner upon the owner’s failure to maintain the exterior of the historic building or structure in good repair, and may include other provisions outlined by the Planning and Zoning Commission in its Final Site Plan and Special Permit approvals.**
- (c) **The developer, owner, or manager of the Affordable Housing units shall provide an annual certification to the Planning and Zoning**

Commission or its designated agent of continuing compliance with the Affordability Plan.

ADD NEW **DIAGRAM 11** (as found on file in the Planning and Zoning Office)

12. **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: PL) (Must close by 2/13/2018) (Maximum extension to open available to 4/19/2018) (Continued from the 1/9/2018 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri)

REGULAR MEETING CONTINUED

13. **DISCUSSION ITEMS:**

14. **DECISION ITEMS:**

15. **APPROVAL OF MINUTES:**

January 9, 2018

16. **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:**

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)

WITHDRAWN BY APPLICANT

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)

WITHDRAWN BY APPLICANT

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: PL) (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)

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: PL) (Must open by 3/19/2018) (Maximum extension to open granted) (Postponed at the 1/9/2018 meeting)

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 close by 4/19/2018) (Maximum extension to close granted) (Continued from the 1/9/2018 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri)

(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]

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 4/9/2018) (Maximum extension to decide available to 4/9/2018) (Continued from the 1/9/2018 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri)*

TOWN OF GREENWICH PLANNING AND ZONING COMMISSION

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

January 30, 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 (arrived for item #11)

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. **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: PL*) (**Must decide by 1/30/2018**) (*Extension to decide granted to 1/30/18. Maximum extension to decide available to 3/19/2018*) (*Continued from the 1/9/2018 meeting*) (*Seated: Maitland, Alban, Levy, Fox, and Macri*) (*Page Number: 36*)

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

PUBLIC HEARING 7:05 PM

2. **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*) (*Page Number: 122*)

Motion to approve text amendment as presented

Moved by Alban, seconded by Fox

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

5-0

AMEND Sec. 6-2 CLASSES OF ZONES
[HRO Historic Residential-Office]

AMEND Sec. 6-13 SITE PLAN APPROVAL REQUIRED BY PLANNING
AND ZONING COMMISSION

(10) Any construction or alteration of structure(s) within an HO zone.

REMOVE SECTIONS 6-109 and 6-109.1 as currently written and REPLACE
Sec. 6-109 as follows:

Sec. 6-109 HISTORIC OVERLAY ZONE (HO)

(a) **Purposes**

The purpose of a Historic Overlay Zone (“HO”) is to encourage the restoration, preservation, protection, enhancement, perpetuation and use of buildings and structures (hereinafter called “structures”) having historical or aesthetic value which represent or reflect elements of the Town’s cultural, social, economic, political and architectural history. Such preservation promotes the general health and welfare by protecting property values, fostering a sense of history and civic pride, preserving architectural heritage and protecting community character. This overlay zone does not imply or result in the establishment of an historic district as detailed in Section 7-147a-1 of the General Statutes.

(b) **Procedure**

- 1) **To create an HO zone requires approval from the Planning and Zoning Commission for a zone change. Any accompanying improvements to the property in an HO zone require a site plan and special permit application, which may be made by the Owner of the structure and its site or by the Planning and Zoning Commission on its own motion. All applications shall be referred to Historic District**

Commission and any other consultants the Planning and Zoning Commission may choose for evaluation and recommendations.

2) Application to request a zone change and/or site plan and special permit shall include the following additional materials to those noted under Section 6-14:

(A) A written Report noting the historic significance of the proposed property for rezoning and the rationale as to why the application should be granted. The report shall include the following:

- i. A brief history of the property and structures including historical significance and/or historic events either local and regional or persons associated with the property. A general description of the building(s) on the property listed according to their known or estimated ages and their associated ownership history.
- ii. Any relevant construction history including a chronology of original and subsequent alterations, any historical documentation (letters, diaries, vouchers, newspaper articles), physical investigation as necessary to clarify which construction events are historic (analysis of paint layers relative to construction events).
- iii. A description of the architecture including all exterior features and materials that are character-defining and therefore significant, and which are intended for preservation in the course of project work.
- iv. A description of the existing conditions including any damage, structural problems, materials deterioration and a description of the proposed priority for repair/stabilization. A description of the general and periodic maintenance proposed, recognizing that deferred maintenance is not an option for historic resources, shall be noted in the Declaration of Restrictions filed on the Greenwich Land Records as part of the improvement.
- v. An archeological assessment may be required depending on the nature of the property, its site and setting.
- vi. All proposed work and the preservation objectives.
- vii. All support documentation specifically photographs.

(B) Information as to the proposed use and density of the property.

(C) Specific architectural and landscape plans showing how the building or buildings on said property will be preserved. No Zoning Permit will be issued until the architectural and

landscape plans have been approved pursuant to Section 6-16.1 of these Regulations.

- 3) **In acting upon any rezoning, site plan or special permit, the Commission may take into consideration the recommendations of any Town agencies or outside specialists with which it consults, such as but not limited to the Historic District Commission, the Greenwich Historical Society and the Architectural Review Committee.**
- 4) **Within sixty-five days after the closing of the Public Hearing, the Commission shall take action on the application for rezoning, special permit and site plan review if the Commission finds that Sections 6-13 through 6-17 and 6-109(c) of these Regulations are met.**
- 5) **If the Commission finds that the standards of Section 6-109(c) of these Regulations are met but additionally finds, after evidence duly presented by the Owner, that there would be no reasonable use to which the property in question could be adapted under the HO Zone, it shall deny HO zoning.**
- 6) **No alteration of the exterior from that shown in the architectural plans or addition resulting in an increase in floor area will be permitted unless reapplication for a special permit and site plan review is made.**
- 7) **A site rezoned by the Commission to HO shall continue to bear its original zone designation with the initials HO appended to indicate the Historic Overlay Zone. All zoning regulations and controls applying to the underlying zone shall continue to govern the HO site except as amended by this section.**
- 8) **The significant structures or features of the site which caused the HO designation to be granted shall be permanently protected by a setting of suitable size, shape and treatment, as delineated on the approved site plan.**
- 9) **Any new construction shall be reviewed by consultants of the Commission's choosing to assure that the design, location and size of the new structures are compatible with and protective of the site's significant existing structures, features or natural resources, including those identified in any Environmental Assessment if required by the Planning and Zoning Commission.**
- 10) **As a condition of a Special Permit approval, the Owner shall grant a perpetual Declaration of Preservation Restriction pursuant to Connecticut General Statutes Section 47-42 a-c, enforceable by both the Historic District Commission and the Planning and Zoning of the Town of Greenwich, which shall provide for, among other things, the**

right of the holder of the restriction to perform repairs and charge the cost thereof to the Owner upon the Owner's failure to keep the exterior of the structure in good repair. A draft Declaration of Preservation Restrictions shall be provided with any application.

- 11) **The Commission encourages property owners to seek designation of historic significance from local, state or federal organizations and to display appropriate historic plaques.**

(c) **Standards**

When considering an application for an HO Zone, for preservation, restoration, rehabilitation or adaptive re-use, the property and its contributing structure or structures must have been existence prior to 1940, be architecturally or historically notable, and must meet the standards of Section 6-15 and Section 6-17 of these regulations. Furthermore, in determining whether to grant an HO, the Planning and Zoning Commission shall take into consideration the public health, safety and general welfare of the general public, and whether the applicant has met the following specific standards:

- 1) **The property, inclusive of structure or structures (hereafter referred to as "property") must possess integrity of location, design, setting, materials, and workmanship.**
 - A. **The property must embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master. It must possess high artistic values and represent significant distinguishable components that have yielded, or may be likely to yield, information important in prehistory or history; The property may be a unique estate setting significant to the Town's history and worthy of preservation, and/or be associated with events that have made a significant contribution to the broad patterns of our history; and/or be associated with the lives of persons significant in our past.**
- 2) **The property must be used as it was historically, or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.**
- 3) **The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.**
- 4) **Each property must be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other buildings, shall not be undertaken.**
- 5) **Changes to a property that have acquired historic significance in their own right must be retained and preserved.**

- 6) Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property must be preserved.
- 7) Deteriorated historic features must be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
- 8) Chemical or physical treatments, if appropriate, will be undertaken using the least destructive means possible. Treatments that cause damage to historic materials shall not be used.
- 9) Archeological resources must be protected and preserved. If such resources must be disturbed, mitigation measures must be undertaken.
- 10) New additions, exterior alterations, or related new construction shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work must be differentiated from the old and must be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment.

(d) Incentives

To provide incentives to protect historic resources, the Planning and Zoning Commission may allow the following modifications of the Building Zone Regulations, subject to a site plan and special permit application and provided that the property is re-zoned to an HO, pursuant to the procedures noted in Section 6-109(b):

- 1) For structures on sites in the business zone, the Planning and Zoning Commission may authorize any use presently permitted in any of the business zones for the entire structure and may further authorize modifications of the maximum FAR for office use, coverage, setbacks, parking, and screening for the underlying zone in question; said Special Permit shall not authorize any addition to the structure which will cause the maximum FAR to be exceeded.
- 2) For structures on sites in the business zone greater than 20 acres, the Planning and Zoning Commission may authorize Use Group 2b or 2c Uses in proposed new construction provided that the area of such 2b or 2c use shall not be greater than the floor area used for otherwise permitted uses in the historic structure or structures on which the HO zone was based.

- 3) For structures on sites in the RA-4, RA-2, RA-1, R-20, R-12, R-7 and the R-6 residential zones, the Planning and Zoning Commission may authorize additional dwelling units in existing buildings or structures and/or in new construction that is complementary and secondary to the historic structure(s), provided the total number of units shall not exceed the density determined by dividing the total lot area by the minimum lot size for the underlying zone, and multiplying the result, excluding fractions, by 1.50 in the RA-4, RA-2, RA-1, R-20, R-12 zones and by 1.2 in the R-7 and the R-6 residential zones. The Commission may consider any fraction of a unit as a whole unit. The difference between density permitted in the underlying zone and density permitted using the multiplier, is the number of bonus units. The Commission may also modify setbacks and/or green area requirements.
- (A) When bonus units are proposed within the historic structures, or where bonus units would create developments without lot division lines, the Planning and Zoning Commission, after consultation from the Historic District Commission, shall determine neighborhood appropriateness based on:
- i. the number and proximity of single family detached dwellings;
 - ii. the visible impact on the streetscape;
 - iii. the number, character and proximity of other uses;
 - iv. the amount and location of undeveloped land in the vicinity and the relationship of proposed development to the pattern of existing open space in the area;
 - v. the proximity of other zones either more or less restrictive; and
 - vi. other standards provided in this article and the standards contained in Sections 6-15 and 6-17.
- 4) For structures on sites in the RA-4 or RA-2 residential zone, the Planning and Zoning Commission may authorize additional FAR up to 25% and for structures on sites in the RA-1, R-20, R-12, or R-7 residential zones, the Planning and Zoning Commission may authorize additional FAR up to 15% in existing buildings or structures and/or in new construction that is complementary and secondary to the historic structure(s);
- 5) For structures on sites in residential zones not more than 1,000 feet from a business zone boundary line, the Planning and Zoning Commission may authorize all uses permitted by right, or special exception for the most restrictive contiguous residential zone, or Office Uses. Permitted accessory uses are also permitted with the exception of the office of a

resident professional person (Sec. 6-95(a)(1)). Parking requirements shall be as detailed in Division 15 of the Regulations. Parking in a front yard shall be discouraged. Height and Floor Area Ratio shall be the same as for the pre-existing residential zone. No more than 60% of the site shall be occupied by building, parking and drives.

- 6) For religious institutions existing as of the effective date of this amendment that are located in the CGIO Zone, the Planning and Zoning Commission may authorize, an FAR not to exceed 1.0. Further the Commission may authorize an increase in the number of stories, not to exceed four (excluding basements), and a building height not to exceed 50 feet.
- 7) The Commission may allow for the inclusion of the area of a privately owned road as part of lot area. Further, the Commission may allow for the treatment as a single lot for parcels that would be contiguous but for the separation by a privately owned road.

(e) Alterations and Additions

- 1) No reconstruction, alteration, demolition, or addition shall be made to the exterior of any existing structure nor shall any additional structure be constructed upon a site in the HO zone, unless there shall have been received a special permit upon application thereof from the Planning and Zoning Commission pursuant to Section 6-17 and 6-109. In issuing such special permit, the Commission shall consider the effects of the proposed work upon the protection, enhancement, perpetuation and use of the structure(s) which cause it to meet the standards set forth in Section 6-109(c). Comments shall be obtained from the Historic District Commission prior to any action by the Planning and Zoning Commission.
- 2) Minor work which is limited to a change in, addition to, or removal from the parts, elements or materials of the exterior of a structure, shall be excepted from the Special Permit requirement provided that a certificate of appropriateness is issued by the Historic District Commission.
- 3) The requirement Section (e) shall not apply to any case where the Department of Buildings, the Fire Department, or the Department of Health shall direct that work be done to remedy conditions dangerous to life, health, or property. Where such condition is not of imminent danger, notice of not less than 8 days shall be sent to the Planning and Zoning Commission and the Historic District Commission prior to directing such work.
- 4) Nothing in this regulation shall be construed to prevent the interior arrangements or alterations to the interior of a building unless the

interior of a public building or the public space of a private building is specifically described and designated as historic.

(f) Removal, Alteration, Modification or Addition Without a Special Permit.

1) If any structure or building is removed, altered, modified or added to after the granting of a HO zone or during the pendency of any application for HO zone before the Planning and Zoning Commission or if it is demolished by neglect, all zoning rights as defined below applicable to said site shall be reduced by 50% except that this shall not apply if the Commission has thereafter denied the HO zone for the site or if the Commission has granted Special Permit for the removal, alteration, modification or addition and further provided that, in the case of less than total removal of the building or structure, upon application for Special Permit pursuant to Section 6-17, the Commission may grant zoning rights between 50% and 100% of those specified for the underlying zone by these regulations. Zoning rights as used above shall include the following:

- (A) the maximum floor area authorized.**
- (B) the maximum building area authorized.**
- (C) the maximum area covered by building, parking and drives.**

3. **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) (Page Number: 137)*

Motion to approve final coastal 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

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 close by 2/13/2018) (Maximum extension to open available to 4/19/2018) (Continued from the 1/9/2018 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri) (Page Number: 169)*

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

5. **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 close by 2/13/2018) (Maximum extension to open available to 4/19/2018) (Continued from the 1/9/2018 meeting) (Seated: Maitland, Alban, Levy, Yeskey (for Fox), and Macri) (Page Number: 238)*

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 who recused)*, and Macri
5-0

6. **St. Agnes Roman Catholic Church Corp.;** applications PLPZ 2017 00494 and PLPZ 2017 00516, for a final site plan and special permit, to install ground mounted solar panel arrays in the front yard, the installation of light posts along the edges of the driveway and parking areas, and the proposed installation of a "future" generator along the front of the building, and landscaping to help screen the array on a 6.381-acres property located at 247 Stanwich Road in the RA-2 zone. *(Staff: PL) (Must open by 2/24/18) (Maximum extension available to open granted to 2/24/18) (Page Number: 311)*

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

7. **1162 East Putnam Avenue, LLC c/o Fareri Associates LP;** applications PLPZ 2017 00586 and PLPZ 2017 00587, for a final site plan and special permit, to renovate the two (2) existing buildings, expand the second floor of the building at 1162-1166 East Putnam Avenue, and re-stripe the parking areas and internal circulation on a 37,125 sq. ft. property located at 1154-1166 East Putnam Avenue in the LB zone. *(Staff: PL) (Must open by 3/15/2018) (Maximum extension to open available to 5/19/2018) (Page Number: 351)*

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

8. **75 Holly LLC;** applications PLPZ 2017 00588 and PLPZ 2017 00589, for a final site plan and special permit, to expand the parking lot by adding 77 parking spaces, increasing the total parking onsite to 452 standard spaces and 13 ADA compliant spaces, and confirm that adequate parking would exist for 72 medical professionals on a 4.47-acre property located at 75 Holly Hill Lane in the GBO zone. *(Staff: MA) (Must open by 3/15/2018) (Maximum extension to open available to 5/19/2018) (Page Number: 412)*

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

9. **5 Conyers Farm Drive LLC;** applications PLPZ 2017 00575 and PLPZ 2017 00576, for a final site plan and special permit, to construct a treehouse, the result of which would add additional building volume to a property which already exceeds the 150,000 cubic foot building volume threshold of Sec. 6-101(a) requiring a special permit, on a 12.77-acres property located at 5 Conyers Farm Drive in the RA-4 zone. *(Staff: MA) (Must open by 2/15/2018) (Maximum extension to open available to 4/21/2018) (Page Number: 502)*

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

10. **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 foot building volume threshold on a 5.09-acres property located at 37 Day Road in the RA-4 zone. (Staff: SB) (**Must open by 2/10/2018**) (Maximum extension to open granted) (Page Number: 524)

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

11. **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) (Continued from the 12/12/2017 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri) (Page Number: 579)

Left Open

Amend Sec. 6-100 “USE GROUPS FOR BUSINESS ZONES” as follows:

USE GROUP 3a

Dwelling units conforming to the provisions of Sec. 6-110.

USE GROUP 3b

Dwelling units in the CGIO Zone conforming to the provisions of Section 6-115.1.1. when authorized by Special Permit

Amend Sec. 6-103.1 “USE REGULATIONS AND SPECIAL REQUIREMENTS FOR THE CGBR ZONE” as follows:

(C) Permitted Uses.

Subject to (B) above the following uses are permitted: ...

Use Group 3a

Amend Sec. 6-104.1 “USE REGULATIONS AND SPECIAL REQUIREMENTS FOR CGB ZONE” as follows:

(B) Permitted Uses....

Use Group 3a

Use Group 3b

Amend Sec. 6-105 “USE REGULATIONS AND SPECIAL REQUIREMENTS FOR THE GB ZONE” as follows:

(a) Permitted Uses....

Use Group 3a

Use Group 3b

Amend Sec. 6-106 “USE REGULATIONS AND SPECIAL REQUIREMENTS FOR THE GBO ZONE” as follows:

(a) Permitted Uses....

Use Group 3a

Use Group 3b

Amend Sec. 6-110 “USE REGULATIONS AND SPECIAL REQUIREMENTS FOR DWELLING UNITS PERMITTED IN THE BUSINESS ZONES (**Use Group 3a**)”, as follows:

(d) Special Requirements:

(1) For CGBR and LBR-2 zones, dwelling units shall be permitted only when above floors having uses of Use Groups permitted in said zones other than Use Group 3a

Amend Sec. 6-155 "PARKING AND GARAGES FOR MULTI-FAMILY RESIDENTIAL PURPOSES" as follows:

4. Multi-family dwelling units constructed pursuant to Sec. 6-115.1.1: 1.25 spaces per dwelling unit, and all required parking spaces may be located within a garage.

ADD

Sec. 6-181.1 "ROOFTOP PLANTINGS IN BUSINESS ZONES"

The purpose of rooftop plantings is to reduce the heat island effect of a building, and, if desired, provide active or passive use by the building's occupants.

(a) **Planting Specifications:**

- i. **Rooftop planting beds, whether raised or in pits, shall have a minimum depth able to support the selected plant materials in hardened conditions.**
- ii. **A growing media (e.g., soil, mulch, sand or gravel) shall be employed that is most suitable for the selected plant materials in accordance with industry standards.**

(b) **Plant Materials:**

- i. **Selected plantings shall be hardy to one colder USDA Zone than the USDA Zone typical to Greenwich.**
- ii. **Preferred are plantings that require only temporary irrigation for the first 12 months after installation, and are not dependent upon irrigation thereafter.**
- iii. **Groundcover plants and shrubs must be of sufficient size and number at time of installation so that the intended landscape condition shown on the submitted plans will be achieved within three (3) years of planting.**

- iv. **Native and non-invasive plants are recommended.**

(c) **Installation and Maintenance:**

- i. **Plant materials must be installed to current nursery industry standards, and properly supported to ensure survival.**
- ii. **The location of rooftop planting beds shall allow for access for maintenance purposes.**
- iii. **Rooftop plantings must be continuously maintained in a healthy state for ongoing compliance with the property's Site Plan, Special Permit, or Special Exception approval(s), as applicable. Dead plantings must be replaced in kind within six (6) months.**

Amend Sec. 6-182 "PLANTING REGULATIONS" as follows:

(a) All planting materials used to carry out the intention of this Article shall be of species and varieties **compatible with topographic conditions on the property. Use of native, non-invasive species is encouraged.** [as approved by the Tree Warden.]

[(b) Planting materials shall be shown on site plans submitted to the Building Department and shall be referred for approval to the Tree Warden.]

(b) For uses and activities requiring Site Plan approval under Sec. 6-13, planting materials shall be shown on the site plan submitted to the Planning and Zoning Commission. The Commission shall refer said plan to the Architectural Review Committee and/or the Tree Warden for an advisory review.

ADD

Sec. 6-115 "CENTRAL GREENWICH IMPACT OVERLAY ZONE (CGIO)"

Location, and Description.

The CGIO Zone is an overlay district and represents the core of the Town's central business district. It includes portions of the CGBR, CGB, and GBO Zones, as shown on the TOWN OF GREENWICH BUILDING ZONE MAP, as amended from time to time, and Plate 22, CENTRAL GREENWICH IMPACT OVERLAY ZONE Effective: March 1, 1982, of the BUSINESS ZONE MAP ATLAS on file in the office of the Greenwich Town Clerk.

The CGIO has the Town's highest concentration of commercial floor area and impervious coverage. It contains a broad range of building types, indicative of the eras and purposes for which they were originally built. It includes the Greenwich Avenue Historic District

and the Greenwich Municipal Center Historic District, both listed on the National Register of Historic Places. Also located in the CGIO Zone are Town Hall, the Board of Education, the main Library, and Police and Fire Stations; houses of worship; and a number of Pre- and Post-War higher density multi-family buildings. Additionally, the CGIO Zone includes the Greenwich Metro-North Train Station, with express service to and from New York City. It also has direct access from the region's two major arterials, U.S. Route 1 and Interstate 95.

In sum, the CGIO Zone remains a desirable location for corporate offices, entertainment and leisure activities. The CGIO Zone is poised to encourage mixed-use development for the dual benefits of sustaining the economic vitality of the Greenwich Avenue retail corridor and of attracting and retaining new residents downtown to begin to reverse the decades-long decline in the number of downtown residents. However, public infrastructure and amenities, the roadway network and parking, and open space are limited resources in this district. Businesses already heavily depend on the supply of public parking spaces in the district for patrons and employees. This special mix of opportunities and challenges makes the CGIO Zone overlay a vital tool for administering sound land use planning for this district in the 21st Century.

ADD

Sec 6-115.1 INCENTIVE ZONING REGULATIONS FOR CGIO ZONE.

(A) General Purpose and Objectives.

In addition to the stated purposes in Section 6-102, the purpose of this regulation is to enhance and sustain the downtown core as a vital, mixed-use, pedestrian- oriented environment in the 21st century. It provides a means to seek efficiencies in the use of land and energy to lessen the environmental impact of the Town's built environment, and increase landscaped open space; to add new housing attractive to persons of varying ages and income levels within walking distance of local retail and service establishments, Town services, and rail and bus lines; and to maximize the opportunity afforded by the train station to reduce the need for parking for commuters, employees and visitors. This regulation also seeks to encourage private developments to provide "Public Benefits", defined below, that are in addition to, and would otherwise not be required by, the mandatory base standards for development in the underlying zone.

To achieve these planning objectives, the Planning and Zoning Commission may, by Special Permit, allow proposed mixed-use redevelopment of larger parcels within the CGIO Zone certain flexibility in the area, height, and bulk standards of the underlying

zone, in exchange for provision of one or more "Public Benefits" within or proximate to the CGIO Zone as set forth in Section 6-115.1.1 INCENTIVE ZONING FOR CGIO MIXED-USE DEVELOPMENTS-RESIDENTIAL of these regulations.

(B) Definition of "Public Benefit".

As used in Sections 6-115.1 and 6-115.1.1 of these regulations, "Public Benefit" shall mean a permanent facility or improvement that meets the planning policies and goals of the municipal Plan of Conservation and Development, proposed and provided in conjunction with a development project in the CGIO Zone, and is in excess of the minimum requirements of the underlying zone. "Public Benefits" include "Affordable Housing Units", "Historic Preservation", "Indoor Community Space", "Public Infrastructure Improvements", "Public Parking", and "Public Outdoor Amenity Space", as defined in Section 6-115.1.1 of these regulations.

(C) Review Procedure.

- 1. A development proposal made pursuant to this regulation shall require Site Plan and Special Permit approval by the Planning and Zoning Commission pursuant to Sections 6-13 through 6-15, and Section 6-17 of these regulations.**
- 2. Pre-Application Review. An informational workshop shall be convened by the Director of Planning and Zoning to include the Zoning Enforcement Officer, Department of Public Works Commissioner, Town Engineer, Sewer Superintendent, Conservation Director, and other appropriate town agency staff at which the applicant shall present a conceptual plan for the proposed development for discussion. This meeting shall be held prior to any formal submission of application to any Town Agency.**
- 3. Application Contents. In addition to the plans, reports, and other documents required under Sections 6-14 PROCEDURE APPLICATIONS FOR SITE PLAN REVIEW, and 6-17 AUTHORIZATION OF USE BY SPECIAL PERMIT, the following items shall be submitted:**
 - (a) At time of Preliminary Site Plan and Special Permit Application:**
 - i. A zoning narrative describing the proposed development, including the types of uses and its principal structures and facilities, and proposed Public**

Benefits;

- ii. **A statement of proposal consistency with the Town's Plan of Conservation and Development, Section 6-15 Site Plan Standards, Section 6-17d Special Permit Standards, and the stated objectives of Sections 6-115.1 and 6-115.1.1, as applicable;**
- iii. **A zoning data table providing the area, height, and bulk standards of the underlying zone(s) per Section 6-205(b), the requested zoning incentive(s), and proposed conditions;**
- iv. **A chart listing the USGBC LEED technical and criteria-based standards from the LEED building rating system most appropriate to the proposal, and how the proposal will meet the intent of such standards;**
- v. **Evidence that an existing historic building or structure to be retained as a Public Benefit as part of the proposed development is listed on, or is eligible to be listed on, the National Register of Historic Places or State Register of Historic Places; and**

(b) At time of Final Site Plan and Special Permit Applications:

- i. **An Affordability Plan for a CGIO Mixed-Use-Residential development;**
 - ii. **A copy of the Architectural Review Committee's advisory report;**
 - iii. **If applicable, a copy of the Historic District Commission's advisory report; and**
 - iv. **Any additional information requested by the Commission during the Preliminary Site Plan Review process.**
4. **Municipal Improvement. If a Municipal Improvement is required by the proposed development plan, the Board of Selectmen shall refer the request for a Municipal Improvement to the Commission prior to the applicant's submission of the Final Site Plan and Special Permit Applications for the project. Submission of a request for Municipal Improvement at time of Preliminary Site Plan review is encouraged, but not required.**

5. Advisory Reviews.

- a. Advisory review by the Architectural Review Committee of proposed exterior alterations, new construction, landscaping and site lighting shall be concluded prior to the submission of Final Site Plan and Special Permit Applications for the development.
- b. For Zoning Tracts abutting or across the street from the Greenwich Avenue Historic District or the Greenwich Municipal Center Historic District, advisory review by the Historic District Commission of proposed building exterior alterations and new building construction shall be concluded prior to the submission of Final Site Plan and Special Permit Applications for the proposed development.
- c. Advisory review by the Historic District Commission of a development plan that includes an HISTORIC PRESERVATION Public Benefit, as defined in Section 6-115.1.1. 2.(g) of these regulations shall be concluded prior to the submission of a Final Site Plan and Special Permit Applications for the development.

6. Following Approval. See Section 6-115.1.1 of these regulations.

ADD

SECTION 6-115.1.1 INCENTIVE ZONING FOR CGIO MIXED-USE DEVELOPMENTS - RESIDENTIAL

(1) Purpose and Objectives.

This regulation is intended to establish, enhance and sustain the downtown core as a dynamic, mixed-use, pedestrian-oriented environment for the 21st century by increasing the supply of multi-family housing in the CGIO Zone. It provides zoning incentives to induce private-sector owners to redevelop larger tracts in the CGIO Zone with higher density residential, or mixed-use buildings that include residential units, open space, and public amenities, with plans that are determined by the Planning and Zoning Commission to be clearly superior in sustainable building and site design to a development conforming to the mandatory base standards of the underlying zone. Additionally, it seeks to expand the local residential population to support downtown merchants. The Commission may, by Special Permit, allow flexibility of certain standards set forth in Section 6-205(b) for the

underlying zone upon finding that the proposal is consistent with one or more of the following planning objectives:

- (a) **Provides Affordable Housing Units, as defined under Section (2) (b), below, to mitigate the shortage of dwelling units available to Moderate Income Households, as described under Section (2) (b), below;**
 - (b) **Increases the diversity of attractive housing opportunities and types for various ages and income levels in areas in close proximity to mass-transit, Route 1, I-95, and within walking distance of retail, personal service, entertainment, and municipal facilities;**
 - (c) **Includes a plan that provides physical and functional cohesiveness of site components, and an urban design that provides an appropriate spatial transition of building heights, setbacks, architectural massing, for the surrounding built environment;**
 - (d) **Increases the public parking supply, particularly long-term parking for employees of retail and service establishments in the CGIO Zone;**
 - (e) **Provides a development plan that is pedestrian-oriented rather than automobile-centric;**
 - (f) **Includes attractive streetscapes with convenient and safe pedestrian linkages from the Town's existing sidewalk network to Greenwich Avenue, public transit, Town parks and civic buildings;**
 - (g) **Increases public open space in the CGIO Zone, to provide passive or active recreational opportunities not currently available in the downtown; and**
 - (h) **Encourages a more efficient development of land resulting in economies of total impervious coverage, stormwater discharge, traffic impacts, and consumption of natural and energy resources.**
- (2) **Definitions of terms used in this regulation:**
- (Definition titles in all CAPS are "Public Benefits" as defined under Section 6-115.1 (B))**

- (a) **“Affordable Housing”: Housing as defined in CGS Section 8-39a, in effect at time of Final Site Plan Application.**
- (b) **"AFFORDABLE HOUSING UNIT": A dwelling unit that must be held for the duration of the Restriction Period described in Section (2)(n), below. Any person or family to whom such Affordable Housing Units may be rented or sold must be a "Moderate Income Household," as that term is defined in Section (2) (h), below. An AFFORDABLE HOUSING UNIT is permitted under Sec. 6-100, Use Group 3b.**
- (c) **"CGIO Zone (Central Greenwich Impact Overlay Zone)": An overlay zone depicted on Plate 22, CENTRAL GREENWICH IMPACT OVERLAY ZONE Effective: March 1, 1982, of the BUSINESS ZONE MAP ATLAS, Town of Greenwich Planning and Zoning Commission.**
- (d) **"CGS": The Connecticut General Statutes, as amended.**
- (e) **"Energy-Efficient Design": The integrated application and use of land, materials, and operational systems designed to qualify for voluntary certification under the most current USGBC LEED Building Design and Construction (BD+C) rating system.**
- (f) **“Historic Building or Structure”: A building or structure of special historical, architectural, or cultural value to the Town constructed prior to 1950 that is listed, or is eligible to be listed on the National Register 10 of Historic Places or State Register of Historic Places either as an individual building or structure or as a contributing building to an historic district.**
- (g) **“HISTORIC PRESERVATION”: The retention, rehabilitation, and adaptive-reuse of an existing building or structure constructed prior to 1950, as part of the development plan for the Zoning Tract.**
- (h) **"INDOOR COMMUNITY SPACE": A portion of a building at grade level, that is made available, free of charge, to responsible civic associations or non-profit groups for the conduct of meetings, art exhibits, or educational programs.**
- (i) **"Median Income": Median Income is as defined under**

CGS Section 8-30g(a)(7), in effect at the time of application.

- (j) **"Moderate Income Household": Moderate Income Household shall mean a person or persons, related or unrelated, living together as a single family or housekeeping unit, which persons and families pay thirty percent or less of income for housing, and where such income is equal to or less than eighty percent of the Median Income as defined in Section (2) (g), above.**
- (k) **"PUBLIC INFRASTRUCTURE IMPROVEMENTS": The addition of, or improvement to public infrastructure facilities which may include, but not limited to the following: sanitary sewer; stormwater management; roadway and pedestrian improvements; relocation of overhead utility lines to underground; and traffic controls.**
- (l) **"Public Land": Municipal land owned by the Town of Greenwich.**
- (m) **"PUBLIC PARKING": A parking area available to the public, with or without payment of a fee, that is or will be owned and operated by the Town of Greenwich. The Public Parking may be located in a building.**
- (n) **"PUBLIC OUTDOOR AMENITY SPACE": A minimum 10,000 square feet of contiguous land within the CGIO Zone, or a minimum of 20,000 square feet of contiguous land if located within one-half (0.5) miles of the CGIO Zone boundary, improved and maintained as passive or active outdoor recreational space for use by the general public. A PUBLIC OUTDOOR AMENITY SPACE located outside the CGIO Zone shall be substantive in nature, such as a playing field. A PUBLIC OUTDOOR AMENITY SPACE may be provided on land owned by the Town of Greenwich, subject to review and authorization of a Municipal Improvement pursuant to CGS Section 8-24 and Section 99 of the Town Charter.**
- (o) **"Public Benefit": See Section 6-115.1 (B) of the regulations.**
- (p) **"Restriction Period": A period of forty (40) years, commencing at time of initial occupancy, during which an AFFORDABLE HOUSING UNIT shall be held for sale or rental as described in Section (2)(b), above.**

- (q) **“Street Frontage”: See Section 6-5(a), Definition (48) of the regulations.**
- (r) **"USGBC LEED": The United States Green Building Council Leadership in Energy and Environmental Design, which has developed sets of voluntary technical and criteria-based standards with the objective to increase the efficiency with which buildings use energy, and natural resources and materials to reduce building impacts on public health and the environment during the building's lifecycle.**
- (s) **"Zoning Tract": The total lot area of a single lot, or combination of contiguous lots or land, owned or controlled by the applicant. The area of private property to be deed restricted or conveyed for public purposes, e.g., public parking, parks, streets, pedestrian paths, shall be included in the Zoning Tract.**

(3) Eligibility Criteria.

- (a) **Location. The Zoning Tract shall be located within the CGIO Zone.**
- (b) **Minimum Acreage. The Zoning Tract shall be a minimum of one (1) acre (43,560 square feet) of contiguous land entirely located in the CGIO Zone, inclusive of the area of any existing private streets or rights-of-way.**
- (c) **Minimum Residential Floor Area, Gross. A minimum of 60 percent (60%) of the total Floor Area, Gross of the development shall be devoted to residential use.**
- (d) **The approved site, excluding Public Land and any off-site easements on land of others that are part of the approved site plan, shall constitute a single lot prior to issuance of an administrative Zoning Permit.**
- (e) **The proposed development shall include a minimum of two (2) Public Benefit improvements.**
- (f) **Any proposed buildings must be set back a minimum of 125 feet from the Greenwich Avenue right-of-way, and located outside the CGBR Zone.**
- (g) **The new PUBLIC PARKING shall be located within the**

CGIO Zone. The PUBLIC PARKING facility's pedestrian portal shall be sited in close proximity to the nearest, most direct pedestrian route to Greenwich Avenue;

- (h) **The PUBLIC OUTDOOR AMENITY SPACE shall be located within the CGIO Zone, or within a half-mile (0.5 miles) of the CGIO Zone boundary, on land owned by the Town of Greenwich, or on land or other recognized real property interest that can be conveyed to the Town of Greenwich. No portion of the minimum open space required on the Zoning Tract pursuant to Section 6-205(b) of the regulations for the underlying zone, as may be modified by the Planning and Zoning Commission pursuant to Section 6-115.1.1 (6) Zoning Standard - Maximum Building Coverage Area below, shall be used to meet the minimum 10,000 square feet of contiguous land area dedicated for improvement and use as a PUBLIC OUTDOOR AMENITY SPACE.**
- (4) **Uses.**
- (a) **Permitted uses shall be the same as for the underlying zone.**
- (b) **PUBLIC PARKING is a permitted use.**
- (c) **Notwithstanding any other provision of these regulations, floor area devoted to Use Group 3b uses may not be converted to any other Use Group and may not be used for resident professional offices unless a Special Permit and a Site Plan approval have been granted by the Commission.**
- (5) **Parking and Loading Facilities. Parking and loading spaces shall be provided in accordance with Division 15 of these regulations. All parking spaces may be located within a garage.**
- (6) **Modification of area, height and bulk area requirements. Notwithstanding other applicable provisions of the Building Zone Regulations, upon request by the applicant, the Commission may, by Special Permit, authorize one or more modifications to the area, height, and bulk standards set forth in Section 6-205(b) for the underlying zone, upon a determination that the proposed Public Benefit provided to qualify for the zoning incentive meets a) the applicable standards of Section 6-17d, and b) the Objectives set forth in Section 6-115.1A., and Section 6-115.1.1 (1) of these regulations. Any authorized increase in maximum building height shall not result in a total building height that (a)**

exceeds the number of feet of the height of the tallest adjacent existing building as of the effective date of this regulation fronting on the same street as the principal street frontage of a building in the Zoning Tract, or (b) is directly across the street from a building in the Zoning Tract, whichever is greater. For purposes of this regulation, an existing building "directly across the street" shall be on a lot whose Street Frontage line is directly opposite the Street Frontage line of the Zoning Tract for a minimum distance of thirty (30) lineal feet. See the "LIMITING FACTOR" shown on DIAGRAM 11 to these regulations. The maximum total Floor Area, Gross ("FAR") authorized for the Zoning Tract under this regulation shall not exceed 3.3 FAR.

For the proposal to be eligible for one or more modifications to the area, height, and bulk requirements in Section 6-205(b), the development plan must meet the following additional qualifying criteria, as applicable:

- (a) **No new buildings or portions thereof shall be located in the CGBR Zone.**
- (b) **All building elevations in excess of 120 linear feet facing a public street shall be required to provide variation in its horizontal and/or vertical plane by an inset or projection in the exterior wall of a minimum of two (2) feet for a horizontal distance of at least eight (8) feet to ensure a diverse street wall facade, and to promote the pedestrian scale of the overall development.**
- (c) **The proposed INDOOR COMMUNITY SPACE shall be a minimum of 3,000 square feet and accommodate not less than fifty (50) people in fixed or portable seating; be readily accessible at grade from the street or pedestrian walks; and be available for public use, by reservation approved by the building's manager, on weekdays from 9:00A.M. to 5:30P.M., for not less than fifteen (15) days of each month.**
- (d) **The proposed PUBLIC PARKING Public Benefit shall equal a minimum of 30 percent (30%) of the total proposed parking spaces in the development, with the total number of public parking spaces provided not to exceed 100 spaces. The PUBLIC PARKING must be located within the CGIO Zone.**
- (e) **The proposed PUBLIC OUTDOOR AMENITY SPACE(s), if located within the CGIO Zone shall comprise a minimum**

of 10,000 square feet or, if located within one-half (0.5) miles of the CGIO Zone boundary a minimum of 20,000 square feet, with a minimum of 70 percent (70%) of pervious coverage. A PUBLIC OUTDOOR AMENITY SPACE may be provided on land owned by the Town of Greenwich, subject to review and authorization of a Municipal Improvement pursuant to CGS Section 8-24 and Section 99. of the Town Charter.

- (f) **The proposed building(s) shall incorporate Energy-Efficient Design comprised of improvements that are USGBC LEED-certifiable under the most appropriate LEED building rating system, as may be amended from time to time. The Planning and Zoning Commission shall not require the applicant to apply for, or receive LEED certification as a condition of Site Plan and Special Permit approvals.**
- (g) **The proposed PUBLIC INFRASTRUCTURE IMPROVEMENTS shall be located in the CGIO Zone, or within a half-mile (0.5 miles) of its boundary.**

Zoning Standard: Maximum Building Height.

<u>Public Benefit</u>	<u>Zoning Incentive (Zoning Standard of Underlying Zone “A” plus)</u>	
	<u>Stories</u>	<u>Feet</u>
<u>AFFORDABLE HOUSING UNITS</u>	<u>“A” + 1 Story</u>	<u>Max. 47.5 Feet</u>
<u>PUBLIC PARKING</u>	<u>“A” + 1 Story</u>	<u>“A” + 12 Feet</u>
<u>PUBLIC OUTDOOR AMENITY SPACE</u>	<u>“A” + 1 Story</u>	<u>“A” + 12 Feet and + 1 Story</u>
<u>PUBLIC INFRASTRUCTURE IMPROVEMENTS</u>	<u>[Placeholder; TBD in consultation w/ DPW]</u>	<u>[Placeholder; TBD in consultation w/ DPW]</u>

Zoning Standard – Maximum Building Coverage Area.

<u>Public Benefit(s)</u>	<u>Zoning Incentive (Zoning Standard of Underlying Zone “A” plus)</u>
<u>AFFORDABLE HOUSING UNITS</u>	<u>Exempt from “A”</u>
<u>PUBLIC PARKING</u>	<u>“A” + 50%</u>
<u>INDOOR COMMUNITY SPACE</u>	<u>“A” + 5%</u>
<u>PUBLIC INFRASTRUCTURE IMPROVEMENTS</u>	<u>[Placeholder; TBD in consultation w/ DPW]</u>

Zoning Standard - Maximum Lot Coverage. The Commission may increase the maximum lot coverage permitted in the underlying zone upon a determination that the scale of the proposed building or buildings is compatible with the surrounding uses, and sufficient landscaping and screening is provided to enhance the residential component of the development and to screen outdoor refuse, utilities such as transformers, storage and parking areas from public view pursuant to Division 17, Sections 6-179, 6-180, and 6-181 of these regulations.

Zoning Standard – Floor Area, Gross (as defined in Section 6-5(a), Definition (22) of the Building Zone Regulations).

<u>Public Benefit(s)</u>	<u>Zoning Incentive (Zoning Standard of Underlying Zone “A” plus)</u>
<u>AFFORDABLE HOUSING UNITS</u>	<u>“A” + 0.6</u>
<u>HISTORIC PRESERVATION</u>	<u>“A” + 0.13 for every 5,000 SF of adaptively reused floor area</u>
<u>PUBLIC PARKING</u>	<u>“A” + 1.25</u>
<u>PUBLIC OUTDOOR AMENITY SPACE</u>	<u>“A” + 1.0</u>
<u>PUBLIC INFRASTRUCTURE IMPROVEMENTS</u>	<u>[Placeholder; TBD in consultation w/ DPW]</u>

- (7) Affordability Plan. An Application for Special Permit for a development that includes Affordable Housing, with Affordable Housing Units as one of the Public Benefits offered shall, at time of Final Site Plan Application, include an Affordability Plan that complies with the requirements of CGS Section 8-30g(b), in effect as of the time of application.

- (8) **Review Procedure. A development proposal made pursuant to this regulation shall also require Preliminary and Final Site Plan and Special Permit review and approval by the Planning and Zoning Commission pursuant to Sections 6-13 through 6-15, and Section 6-17 respectively, of these regulations. See Section 6-115.1. (C) of these regulations for review procedures and application requirements.**
- (9) **Following Approval.**
- (a) **Prior to the submission of construction documents for a Zoning Permit, the applicant shall submit a design affidavit from the architect of record confirming that the planned improvements, as designed, incorporate the Energy-Efficient Design practices represented by the applicant in its Final Site Plan and Special Permit Applications.**
- (b) **Prior to the issuance of a Certificate of Occupancy for the approved development, the owner of the Zoning Tract shall execute a perpetual preservation easement pursuant to CGS Sections 47-42a through 47-42c for the exterior of any Historic Building or Structure that is part of an HISTORIC PRESERVATION Public Benefit approved by the Planning and Zoning Commission. Such easement shall be enforceable by the both the Historic District Commission and the Town of Greenwich, which shall provide for the right of the holder of the easement to perform repairs and charge the cost thereof to the owner upon the owner's failure to maintain the exterior of the historic building or structure in good repair, and may include other provisions outlined by the Planning and Zoning Commission in its Final Site Plan and Special Permit approvals.**
- (c) **The developer, owner, or manager of the Affordable Housing units shall provide an annual certification to the Planning and Zoning Commission or its designated agent of continuing compliance with the Affordability Plan.**

ADD NEW **DIAGRAM 11** (as found on file in the Planning and Zoning Office)

12. **Old Track Properties, LLC**; applications PLPZ 2017 00522 an 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: PL) (Must close by 2/13/2018) (Maximum extension to open available to 4/19/2018) (Continued from the 1/9/2018 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri)

Postponed - Extension Granted to 2/23/2018

REGULAR MEETING CONTINUED

13. **DISCUSSION ITEMS:**

14. **DECISION ITEMS:**

15. **APPROVAL OF MINUTES:**

January 9, 2018

Motion to approve minutes of January 9, 2018

Moved by Fox, seconded by Macri

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

5-0

16. **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:

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)

WITHDRAWN BY APPLICANT

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)

WITHDRAWN BY APPLICANT

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: PL) (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)*

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: PL) (Must open by 3/19/2018) (Maximum extension to open granted) (Postponed at the 1/9/2018 meeting)*

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 close by 4/19/2018) (Maximum extension to close granted) (Continued from the 1/9/2018 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri)*

(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]

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 4/9/2018) (Maximum extension to decide available to 4/9/2018) (Continued from the 1/9/2018 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri)*