

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

Thursday
February 22, 2018

TENTATIVE AGENDA

REGULAR MEETING 7:00 PM

1. **Stephen P. and Maria R. Musante**; application PLPZ 2018 00032 for a final coastal site plan to demolish the existing structure and construct a new residence, driveway and associated stormwater and site improvements on a 12,072 sq. ft. property located at 30 Sunset Road in the R-12 zone. (Staff: PL) (Must decide by 4/5/2018) (Maximum extension available to 6/9/2018)
2. **Lot 2A 176 Hamilton LLC & Lot 2B 176 Hamilton LLC**; application PLPZ 2017 00582 for a final subdivision to consolidate Lot 2A and Lot 2B into one (1) consolidated 12,518 sq. ft. parcel on property located at 176 ½ Hamilton Avenue in the R-6 zone. (Staff: KD) (Must decide by 3/6/2018) (Extension to decide granted to 3/6/2018. Maximum extension available to 4/10/2018)
3. **Lot 2A 176 Hamilton LLC & Lot 2B 176 Hamilton LLC**; application PLPZ 2017 00583 for a final site plan to demolish the existing two (2) 2-family homes and redevelop the land with a ten (10) unit (all one bedroom) residential "set-aside development" pursuant to CGS 8-30g, with parking and associated site improvements on a consolidated parcel (pursuant to PLPZ 2017 00582) located at 176 ½ Hamilton Avenue in the R-6 zone. (Staff: KD) (Must decide by 3/6/2018) (Extension to decide granted to 3/6/2018. Maximum extension available to 4/21/2018)

PUBLIC HEARING 7:15 PM

4. **XL3, LLC**; applications PLPZ 2018 00003 and PLPZ 2018 00004, for a final coastal site plan and special permit, to construct a pool cabana the result of which would exceed the 150,000 cubic feet in volume threshold of Section 6-101(a) on a 3.78-acres property located at 40 Field Point Circle in the RA-2 zone. (Staff: PL) (Must open by 6/9/2018) (Maximum extension to open granted)

5. **David and Kristen Anderson**; applications PLPZ 2017 00530 and PLPZ 2017 00531, for a final site plan and special permit, to construct a residence on an unimproved parcel of land, including a pool house, swimming pool, two (2) gate houses, tennis court, and related site and drainage improvements on a 10.96-acres property located at 0 Upper Cross Road (aka 21 Upper Cross Road) in the RA-4 zone. (Staff: SB) (Must open by 3/19/2018) (Maximum extension to open granted) (Postponed at the 1/9/2018 meeting)

6. **Old Track Properties LLC**; application PLPZ 2018 00029, for a text amendment, per Section 6-22 of the Town of Greenwich Building Zone Regulations to amend Section 6-100 as it pertains to Use Group 2a office uses in the GB zone as follows: (**TEXT IN BOLD UNDERLINED TO BE ADDED.**) (Staff: MA) (Must open by 4/5/2018) (Maximum extension available to 6/9/2018)

6-100 USE GROUP 2a

Office space not exceeding 7,000 square feet gross floor area per lot., **except in the GB Zone. In the GB Zone only, office space not exceeding 10,000 square feet gross floor area per lot.**

7. **Old Track Properties, LLC**; applications PLPZ 2017 00522 and PLPZ 2017 00523, for a final site plan and special permit for a change of use from retail to office and expand the existing second floor office tenant space into space on the first floor on a 13,514 sq. ft. property located at 50 Old Field Point Road in the GB zone. (Staff: MA) (**Must close by 2/23/2018**) (Extension to close granted to 2/23/2018. Maximum extension to close available to 4/19/2018) (Continued from the 1/9/2018 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri)

8. **North Greenwich Associates, LLC**; application PLPZ 2017 00590, for a text amendment, per Section 6-22 of the Town of Greenwich Building Zone Regulations to amend Section 6-103 (G) regarding the permitted uses in the LBR-1 zone as follows: (**TEXT IN BOLD UNDERLINED TO BE ADDED.**) (Staff: MA) (Must open by 3/15/2018) (Maximum extension to open available to 5/19/2018)

6-103(G) Permitted Uses

Subject to (E) and (F) above the following uses are permitted:

Use Group 2a.

Use Group 3.

Use Group 8.

Sales Agencies of real estate, employment, insurance or travel firms shall be permitted only above floors having other uses of Use Group 8.

Within existing buildings in the LBR-1 Zone, the following uses are permitted:

Fitness clubs; Group Fitness centers/gyms; Schools, both profit and non-profit; Day-Care Centers; Walk-in Medical Clinics; Sales Agencies of Real Estate or Insurance; and Art Galleries.

9. **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 11/30/2017 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri)*

REGULAR MEETING CONTINUED

10. **DISCUSSION ITEMS:**

11. **DECISION ITEMS:**

12. **APPROVAL OF MINUTES:**

January 30, 2018

13. **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:**

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)*

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. A complete copy of the proposed text amendments are on file in the Planning and Zoning Office, Greenwich Town Hall, 101 Field Point Road, Greenwich, CT 06830, and also on the Town website: http://www.greenwichct.org/News/Planning_and_Zoning/proposed_bzr_amendments/ *(Staff: PL) (Must close by 3/22/2018) (Maximum extension to close granted) (Continued from the 12/12/2017 and 1/30/2018 meetings) (Seated: Maitland, Alban, Levy, Fox, and Macri)*

TENTATIVE AGENDA

FINAL AGENDA

ACTION AGENDA

TOWN OF GREENWICH PLANNING AND ZONING COMMISSION

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

Thursday
February 22, 2018

ACTION AGENDA WITH DECISIONS

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

Regular Member Absent: Nicholas Macri

Alternate Member Present: Victoria Goss (seated for Macri)

Alternate Member Absent: Dennis Yeskey

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. **Stephen P. and Maria R. Musante;** application PLPZ 2018 00032 for a final coastal site plan to demolish the existing structure and construct a new residence, driveway and associated stormwater and site improvements on a 12,072 sq. ft. property located at 30 Sunset Road in the R-12 zone. (Staff: PL) (Must decide by 4/5/2018) (Maximum extension available to 6/9/2018)

Postponed by the Applicant

2. **Lot 2A 176 Hamilton LLC & Lot 2B 176 Hamilton LLC;** application PLPZ 2017 00582 for a final subdivision to consolidate Lot 2A and Lot 2B into one (1) consolidated 12,518 sq. ft. parcel on property located at 176 ½ Hamilton Avenue in the R-6 zone. (Staff: KD) (Must decide by 3/6/2018) (Extension to decide granted to 3/6/2018. Maximum extension available to 4/10/2018) (Page Number: 10)

Motion to find not a subdivision or re-subdivision

Moved by Alban, seconded by Fox

Voting in favor: Maitland, Alban, Levy, Fox, and Goss (for Macri)

5-0

3. **Lot 2A 176 Hamilton LLC & Lot 2B 176 Hamilton LLC;** application PLPZ 2017 00583 for a final site plan to demolish the existing two (2) 2-family homes and redevelop the land with a ten (10) unit (all one bedroom) residential "set-aside development" pursuant to CGS 8-30g, with parking and associated site improvements on a consolidated parcel (pursuant to PLPZ 2017 00582) located at 176 ½ Hamilton Avenue in the R-6 zone. *(Staff: KD) (Must decide by 3/6/2018) (Extension to decide granted to 3/6/2018. Maximum extension available to 4/21/2018) (Page Number: 43)*

Left Open – Extension Granted to 3/20/2018

PUBLIC HEARING 7:15 PM

4. **XL3, LLC;** applications PLPZ 2018 00003 and PLPZ 2018 00004, for a final coastal site plan and special permit, to construct a pool cabana the result of which would exceed the 150,000 cubic feet in volume threshold of Section 6-101(a) on a 3.78-acres property located at 40 Field Point Circle in the RA-2 zone. *(Staff: PL) (Must open by 6/9/2018) (Maximum extension to open granted)*

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5. **David and Kristen Anderson;** applications PLPZ 2017 00530 and PLPZ 2017 00531, for a final site plan and special permit, to construct a residence on an unimproved parcel of land, including a pool house, swimming pool, two (2) gate houses, tennis court, and related site and drainage improvements on a 10.96-acres property located at 0 Upper Cross Road (aka 21 Upper Cross Road) in the RA-4 zone. *(Staff: SB) (Must open by 3/19/2018) (Maximum extension to open granted) (Postponed at the 1/9/2018 meeting) (Page Number: 180)*

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 Goss *(for Macri)*
5-0

6. **Old Track Properties LLC**; application PLPZ 2018 00029, for a text amendment, per Section 6-22 of the Town of Greenwich Building Zone Regulations to amend Section 6-100 as it pertains to Use Group 2a office uses in the GB zone as follows: (**TEXT IN BOLD UNDERLINED TO BE ADDED.**) (Staff: MA) (Must open by 4/5/2018) (Maximum extension available to 6/9/2018) (Page Number: 251)

6-100 USE GROUP 2a

Office space not exceeding 7,000 square feet gross floor area per lot., **except in the GB Zone. In the GB Zone only, office space not exceeding 10,000 square feet gross floor area per lot.**

Motion to approve text amendment

Moved by Alban, seconded by Fox

Voting in favor: Maitland, Alban, Levy, Fox, and Goss (for Macri)

5-0

7. **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: MA) (**Must close by 2/23/2018**) (Extension to close granted to 2/23/2018. Maximum extension to close available to 4/19/2018) (Continued from the 1/9/2018 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri) (Page Number: 262)

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 Goss (for Macri)

5-0

8. **North Greenwich Associates, LLC**; application PLPZ 2017 00590, for a text amendment, per Section 6-22 of the Town of Greenwich Building Zone Regulations to amend Section 6-103 (G) regarding the permitted uses in the LBR-1 zone as follows: (**TEXT IN BOLD UNDERLINED TO BE ADDED.**) (Staff: MA) (Must open by 3/15/2018) (Maximum extension to open available to 5/19/2018) (Page Number: 294)

6-103(G) Permitted Uses

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Use Group 8.

Sales Agencies of real estate, employment, insurance or travel firms shall be permitted only above floors having other uses of Use Group 8.

Within existing buildings in the LBR-1 Zone, the following uses are permitted:

Fitness clubs; Group Fitness centers/gyms; Day-Care Centers; Walk-in Medical Clinics; Sales Agencies of Real Estate or Insurance; Art Galleries; and Schools, both profit and non-profit. If the School use requires student drop-off, then a special permit application is required.

Motion to approve text amendments with modifications

Moved by Alban, seconded by Fox

Voting in favor: Maitland, Alban, Levy, Fox, and Goss (*for Macri*)

5-0

9. **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 11/30/2017 meeting*) (*Seated: Maitland, Alban, Levy, Fox, and Macri*) (*Page Number: 318*)

Left Open

REGULAR MEETING CONTINUED

10. **DISCUSSION ITEMS:**

11. **DECISION ITEMS:**

12. **APPROVAL OF MINUTES:**

January 30, 2018

Motion to approve minutes of January 30, 2018

Moved by Fox, seconded by Levy

Voting in favor: Maitland, Alban, Levy, Fox, and Goss (*for Macri*)

5-0

13. **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
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Withdrawn by Applicant

(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.

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[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-acre 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)*

Withdrawn by Applicant

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. A complete copy of the proposed text amendments are on file in the Planning and Zoning Office, Greenwich Town Hall, 101 Field Point Road, Greenwich, CT 06830, and also on the Town website:
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Town Hall Meeting Room
101 Field Point Road, Greenwich, CT

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February 22, 2018

FINAL AGENDA

REGULAR MEETING 7:00 PM

1. **Stephen P. and Maria R. Musante;** application PLPZ 2018 00032 for a final coastal site plan to demolish the existing structure and construct a new residence, driveway and associated stormwater and site improvements on a 12,072 sq. ft. property located at 30 Sunset Road in the R-12 zone. *(Staff: PL) (Must decide by 4/5/2018) (Maximum extension available to 6/9/2018)*

Application PLPZ 2018 00032 has been POSTPONED by the Applicant

2. **Lot 2A 176 Hamilton LLC & Lot 2B 176 Hamilton LLC;** application PLPZ 2017 00582 for a final subdivision to consolidate Lot 2A and Lot 2B into one (1) consolidated 12,518 sq. ft. parcel on property located at 176 ½ Hamilton Avenue in the R-6 zone. *(Staff: KD) (Must decide by 3/6/2018) (Extension to decide granted to 3/6/2018. Maximum extension available to 4/10/2018) (Page Number: 10)*
3. **Lot 2A 176 Hamilton LLC & Lot 2B 176 Hamilton LLC;** application PLPZ 2017 00583 for a final site plan to demolish the existing two (2) 2-family homes and redevelop the land with a ten (10) unit (all one bedroom) residential "set-aside development" pursuant to CGS 8-30g, with parking and associated site improvements on a consolidated parcel (pursuant to PLPZ 2017 00582) located at 176 ½ Hamilton Avenue in the R-6 zone. *(Staff: KD) (Must decide by 3/6/2018) (Extension to decide granted to 3/6/2018. Maximum extension available to 4/21/2018) (Page Number: 43)*

PUBLIC HEARING 7:15 PM

4. **XL3, LLC**; applications PLPZ 2018 00003 and PLPZ 2018 00004, for a final coastal site plan and special permit, to construct a pool cabana the result of which would exceed the 150,000 cubic feet in volume threshold of Section 6-101(a) on a 3.78-acres property located at 40 Field Point Circle in the RA-2 zone. (Staff: PL) (Must open by 6/9/2018) (Maximum extension to open granted)

Applications PLPZ 2018 00003 and PLPZ 2018 00004 have been POSTPONED by the Applicant

5. **David and Kristen Anderson**; applications PLPZ 2017 00530 and PLPZ 2017 00531, for a final site plan and special permit, to construct a residence on an unimproved parcel of land, including a pool house, swimming pool, two (2) gate houses, tennis court, and related site and drainage improvements on a 10.96-acres property located at 0 Upper Cross Road (aka 21 Upper Cross Road) in the RA-4 zone. (Staff: SB) (Must open by 3/19/2018) (Maximum extension to open granted) (Postponed at the 1/9/2018 meeting) (Page Number: 180)
6. **Old Track Properties LLC**; application PLPZ 2018 00029, for a text amendment, per Section 6-22 of the Town of Greenwich Building Zone Regulations to amend Section 6-100 as it pertains to Use Group 2a office uses in the GB zone as follows: (**TEXT IN BOLD UNDERLINED TO BE ADDED.**) (Staff: MA) (Must open by 4/5/2018) (Maximum extension available to 6/9/2018) (Page Number: 251)

6-100 USE GROUP 2a

Office space not exceeding 7,000 square feet gross floor area per lot., **except in the GB Zone. In the GB Zone only, office space not exceeding 10,000 square feet gross floor area per lot.**

7. **Old Track Properties, LLC**; applications PLPZ 2017 00522 and PLPZ 2017 00523, for a final site plan and special permit for a change of use from retail to office and expand the existing second floor office tenant space into space on the first floor on a 13,514 sq. ft. property located at 50 Old Field Point Road in the GB zone. (Staff: MA) (**Must close by 2/23/2018**) (Extension to close granted to 2/23/2018. Maximum extension to close available to 4/19/2018) (Continued from the 1/9/2018 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri) (Page Number: 262)
8. **North Greenwich Associates, LLC**; application PLPZ 2017 00590, for a text amendment, per Section 6-22 of the Town of Greenwich Building Zone Regulations to amend Section 6-103 (G) regarding the permitted uses in the LBR-1 zone as follows: (**TEXT IN BOLD UNDERLINED TO BE ADDED.**) (Staff: MA) (Must open by 3/15/2018) (Maximum extension to open available to 5/19/2018) (Page Number: 294)

6-103(G) Permitted Uses

Subject to (E) and (F) above the following uses are permitted:

Use Group 2a.

Use Group 3.

Use Group 8.

Sales Agencies of real estate, employment, insurance or travel firms shall be permitted only above floors having other uses of Use Group 8.

Within existing buildings in the LBR-1 Zone, the following uses are permitted:

Fitness clubs; Group Fitness centers/gyms; Schools, both profit and non-profit; Day-Care Centers; Walk-in Medical Clinics; Sales Agencies of Real Estate or Insurance; and Art Galleries.

9. **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 11/30/2017 meeting*) (*Seated: Maitland, Alban, Levy, Fox, and Macri*) (*Page Number: 318*)

REGULAR MEETING CONTINUED

10. **DISCUSSION ITEMS:**

11. **DECISION ITEMS:**

12. **APPROVAL OF MINUTES:**

January 30, 2018

13. **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:**

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-acre 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)*

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. A complete copy of the proposed text amendments are on file in the Planning and Zoning Office, Greenwich Town Hall, 101 Field Point Road, Greenwich, CT 06830, and also on the Town website:

http://www.greenwichct.org/News/Planning_and_Zoning/proposed_bzr_amendments/ (Staff: PL) (Must close by 3/22/2018) (Maximum extension to close granted) (Continued from the 12/12/2017 and 1/30/2018 meetings) (Seated: Maitland, Alban, Levy, Fox, and Macri)