

1. Meeting Materials

Documents:

[JUNE 23, 2016 ACTION AGENDA.PDF](#)
[JUNE 23, 2016 FINAL AGENDA.PDF](#)
[JUNE 23, 2016 TENTATIVE AGENDA.PDF](#)

START: 7:00 p.m.
END: 10:15 p.m.

TENTATIVE AGENDA

FINAL AGENDA

ACTION AGENDA

TOWN OF GREENWICH PLANNING AND ZONING COMMISSION

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

June 23, 2016

ACTION AGENDA WITH DECISIONS

Regular Members Present and Seated: Richard Maitland, Margarita Alban, Peter Levy (arrived after item one heard), Andrew Fox, and Nancy Ramer

Alternate Members Present: Dennis Yeskey (seated for item one for Levy), and Victoria Goss

Alternate Member Absent: Nicholas Macri

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. **IL Mandorlo, LLC**; application PLPZ 2016 00243 for a final coastal subdivision to transfer 23,500 sq. ft. of upland area from Parcel A to Parcel B of the two undeveloped tracts that comprise the address at 0 Indian Field Road (aka 602 Indian Field Road) on a property located at 0 Indian Field Road RA-2 zone. (Staff: MA) (**Must decide by 6/25/2016**) (Maximum extension available to 8/24/2016) (Page Number: 13)

Left Open – Extension Granted to August 3, 2016
Yeskey seated for Levy

2. **Yolanda Cortese**; application PLPZ 2016 00186 for a final subdivision approval to subdivide a 2.518 acre parcel into 2 lots containing 1.0587 acres and 1.0803 acres, respectively, with a .3775 acres open space parcel on property located at 41 Oak Street in the RA-1 zone. (Staff: MK) (**Must decide by 6/24/2016**) (Maximum extension available to 8/6/2016) (Page Number: 71)

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3. **Michael & Marina Varshisky**; application PLPZ 2016 00237 for a final site plan approval to remedy a violation of the dedicated mature tree area of the original Conyers Farm Subdivision which occurred in construction of applications PLPZ 2014 00421 and PLPZ 2014 00422 to demolish a portion of the house, construct a new 14,314 sq. ft. addition bringing the total building volume over 150,000 cubic feet on a 10.01 acres property located at 18 Hurlingham Drive in the RA-4 zone. (Staff: PL) (Must decide by 7/7/2016) (Maximum extension available to 9/10/2016) (Page Number: 123)

Left Open

4. **Silver Gwen II, LLC**; application PLPZ 2016 00210, for a final site plan, to excavate and create six parking spaces in the rear of the property, install landscaping and drainage improvements, for an existing six (6) unit building on a 10,000 sq. ft. property located at 60 Oak Ridge Street in the R-6 zone. (Staff: MK) (Must decide by 6/23/2016) (Maximum extension available to 8/27/2016) (Continued from the 5/17/2016 meeting) (Seated: Maitland, Alban, Levy, Fox, and Ramer) (Page Number: 157)

Motion to approve final site plan with modifications

Moved by Alban, seconded by Fox

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

5-0

5. **94FPC LLC**; application PLPZ 2016 00172 for a final coastal site plan to construct a new 6,720 sq. f.t residence, pool, patio areas, reconstruct the existing driveway and associated site work on a 2.09 acres property located at 94 Field Point Circle in the RA-2 zone. (Staff: MA) (Must decide by 6/24/2016) (Maximum extension available to 8/13/2016) (Continued from the 6/7/2016 meeting) (Seated: Maitland, Alban, Yeskey [for Levy], Fox, and Ramer)

Postponed – Extension Granted to July 20, 2016

6. **Gretchen E. Tatge Et al., (owner) and Jean Tatge Collis, Trustee, (applicant)**; application PLPZ 2016 00258, for a final subdivision, proposed to subdivide a 33,083 sq. ft. parcel into two 14,018 sq. ft. lots and an open space parcel of 4,963 sq. ft. equal to 15% of the total lot area on property located at 100 Hendrie Avenue in the R-12 zone. (Staff: MA) (Must decide by 7/2/2016) (Maximum extension available to 8/31/2016)

Postponed – Extension Granted to July 7, 2016

PUBLIC HEARING 7:15 PM

7. **Joanna Bronfman**; applications PLPZ 2016 00044 and PLPZ 2016 00045, for a final site plan and special permit, is seeking approval to operate a clinic on a 4.00 acres property located at 37 North Porchuck Road in the RA-4 zone. (Staff: CT) (Must close by 7/12/2016) (Maximum extension available to 7/16/2016) (Opened at the 6/7/2016 meeting, no testimony taken) (Page Number: 202)

Postponed by Applicant

8. **Susan Limoncelli**; applications PLPZ 2016 00206 and PLPZ 2016 00207, for a final site plan and special permit, to add a new 2 1/2 story addition to the rear of the existing two-family dwelling, removal of an existing exterior stair, add a new entry stair, and make no changes to the unit or bedroom count on a 7,514 sq. ft. property located at 16 Division Street in the R-6 zone. (Staff: CT) (**Must open by 6/23/2016**) (Maximum extension available to 8/27/2016) (Page Number: 291)

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 Ramer
5-0

9. **16 Hawthorne Street South, LLC**; applications PLPZ 2016 00221 and PLPZ 2016 00222, for a final site plan and special permit, to construct a two-unit building, and a three-unit residential building, with a total gross floor area of 12,291 sq. ft. proposed for both buildings, a new driveway, parking for 13 vehicles and related site and stormwater improvements on a 0.551 acre property located at 16 Hawthorne Street South in the R-6 zone. (Staff: CT) (**Must open by 6/23/2016**) (Maximum extension available to 8/27/2016) (Page Number: 324)

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 Ramer
5-0

10. **William J. Vizzo, Trustee**; applications PLPZ 2016 00254 and PLPZ 2016 00255, for a preliminary site plan and special permit, to demolish the existing two-family home and construct a new, two-family dwelling with associated site grading, drainage, utilities, and landscaping on a 8,790 sq. ft. property located at 66 Cos Cob Avenue in the R-6 zone. (Staff: MK) (Must open by 7/7/2016) (Maximum extension available to 9/10/2016) (Page Number: 384)

Application converted to a final site plan and special permit
Left Open – Extension Granted to August 3, 2016

11. **Riversedge Partners;** applications PLPZ 2016 00315 and PLPZ 2016 00316 for a final site plan and special permit, to consummate the division of the property previously considered under Site Plan and Special Permit #1234 and propose a division of the property under Section 6-17.2 on a 5.5658 acres property located at 200 Pemberwick Road in the GBO, LB and R-7 zones. (*Staff: PL*) (*Must open by 8/25/2016*) (*Maximum extension available to 10/29/2016*) (*Page Number: 429*)

Motion to approve final site plan and special permit with modifications
Moved by Alban, seconded by Fox
Voting in favor: Maitland, Alban, Levy, and Fox
Voting against: Ramer
4-1

REGULAR MEETING CONTINUED

12. **DISCUSSION ITEMS:**

- a. **1177 King Street Convent of Sacred Heart;** free-standing sign proposal (PLPZ 2016 00168) (*Page Number: 493*)

Commission approved as submitted.

13. **DECISION ITEMS:**

- (a) **Town of Greenwich Board of Education – New Lebanon School;** application PLPZ 2016 00142, for a special permit only, to demolish the existing New Lebanon School building and replace it with a new 61,230 sq. ft. school building, expand onsite parking to 85 parking spaces, expand parent pick up, drop-off and bus lane capacity, emergency access to the north side of the building, two playground areas, site lighting, landscaping, stormwater management and sewer improvements on a 7.6 acres property located at 25 Mead Ave in the R-6 zone. (*Staff: PL*) (*Must close by 7/9/2016*) (*Maximum extension granted*) (*Left open at the 3/31/2016 meeting and postponed at the 5/3/2016 meeting*) (*Seated: Ramer (for Heller), Maitland, Alban, Levy, and Fox*) (*Moved to final site plan at the 6/7/2016 meeting*) (*Seated: Maitland, Alban, Yeskey [for Levy], Fox, and Ramer*)

No Action Taken

- (b) **River Road Development LLC;** applications PLPZ 2016 00038 and PLPZ 2016 00039, for a final coastal site plan and special permit, to construct a 20,603 sq. ft. building, over 40,000 cubic feet in building volume, for a rowing club and related rowing and water dependent activities; replace the

existing docks and floats with new docks conducive to launching rowing vessels, construct 66 parking spaces and 3 handicapped parking spaces and associated site and stormwater drainage improvements on a 1.36 acre property located at 89 River Road in the WB zone. (Staff: PL) (Must decide by 8/11/2016) (Heard at the 3/8/2016, 5/3/2016 and 6/7/2016 meetings) (Closed at the 6/7/2016 meeting) (Seated: Maitland, Alban, Macri (for Levy), Fox, and Ramer)

No Action Taken

14. **APPROVAL OF MINUTES:**

15. **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:**

24 East Elm Street LLC; application PLPZ 2016 00074, for a re-zoning, to re-zone the property as a HO zone (as shown on a re-zoning map on file in the Town Clerk's Office) on a 0.309 acre property located at 24 East Elm Street in the CGB zone. (Staff: CT) (Must close by 7/9/2016) (Maximum extension granted) (Left Open at the 3/31/2016 meeting) (Seated: Ramer (for Heller), Maitland, Alban, Levy, and Fox)

24 East Elm Street LLC; applications PLPZ 2016 00072 and PLPZ 2016 00073, for a preliminary site plan and special permit, to: permit a zone change to an historic overlay per Section 6-109.1(5)(a); protect and preserve the exterior of the principal structure; construct a compatible addition to the rear of the building with the new addition to be used as office use and the existing building remaining as a retail use, on a 0.309 acre property located at 24 East Elm Street in the CGB zone. (Staff: CT) (Must close by 7/9/2016) (Maximum extension granted) (Left Open at the 3/31/2016 meeting) (Seated: Ramer (for Heller), Maitland, Alban, Levy, and Fox)

Clearwater Acquisitions, LLC record owners, for a final site plan and special permit, PLPZ 2016 00068 and PLPZ 2016 00069, to incorporate the existing building at 315 West Putnam Avenue into the existing building at 279 West Putnam Avenue and expand the existing automobile dealership use of Miller Motor Cars into the adjacent existing building space on properties located at 273-315 West Putnam Avenue in the GB zone. (Staff: PL) (Must close by 7/9/2016)

(Maximum extension granted) (Left Open at the 3/31/2016 meeting) (Seated: Ramer (for Heller), Maitland, Macri (for Alban), Levy, and Fox)

Miller Partners 321 LLC; applications PLPZ 2016 00070 and PLPZ 2016 00071, for a final site plan and special permit, to change the use of a building to an automobile dealership, make changes to the façade, interior, and permit vehicle access into the building from West Putnam Avenue on a 34,086 sq. ft. property located at 321 West Putnam Avenue in the GB zone. *(Staff: PL) (Must close by 7/9/2016) (Maximum extension granted) (Left Open at the 3/31/2016 meeting) (Seated: Ramer (for Heller), Maitland, Macri (for Alban), Levy, and Fox)*

Michael R. Natale, Jeffrey M. Natale, and Patrick J. Bria; Application PLPZ 2016 00123 for a final subdivision to subdivide an existing 17,680 sq. ft. property into two (2) parcels where Parcel X would be 8,977 sq. ft., Parcel Y would be 8,701 sq. ft. and a 2,652 sq. ft. conservation easement (equal to 15% of the total lot area) at property located at 67 Bible Street in the R-6 zone. *(Staff: MK) (Must decide by 7/2/2016) (Maximum extension granted) (Continued from the 4/19/2016 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri [for Ramer who recused])*

Michael R. Natale, Jeffrey M. Natale, and Patrick J. Bria; applications PLPZ 2016 00124 and PLPZ 2016 00125, for a final site plan and special permit, to construct a new two-family dwelling with three (3) bedrooms per unit, with new driveways, five (5) parking spaces (two garage, three outdoor), walkways, and drainage improvements on property located on proposed Parcel “X”, 8,977 sq. ft. in size, (pursuant to subdivision application PLPZ 2016 00123) at 67 Bible Street in the in the R-6 zone. *(Staff: MK) (Must open by 7/16/2016) (Maximum extension granted) (Postponed at the 4/19/2016 meeting)*

Michael R. Natale, Jeffrey M. Natale, and Patrick J. Bria; applications PLPZ 2016 00126 and PLPZ 2016 00127, for a final site plan and special permit, to construct a new two-family dwelling with three (3) bedrooms per unit, with new driveways, five (5) parking spaces (two garage, three outdoor), walkways, and drainage improvements on property located on Proposed Parcel “Y”, 8,701 sq. ft. in size, (pursuant to subdivision application PLPZ 2016 00123) at 67 Bible Street in the R-6 zone. *(Staff: MK) (Must open by 7/16/2016) (Maximum extension granted) (Postponed at the 4/19/2016 meeting)*

The Housing Authority for the Town of Greenwich - Armstrong Court; applications PLPZ 2016 00187 and PLPZ 2016 00188, for a final site plan and special permit, for: renovations to the six (6) existing multi-family buildings including enclosing in exterior balconies and walkways, converting existing flat roofs to pitched roofs, making interior renovations making 10% more of the units ADA accessible and eliminating all one bedroom units and merging them with existing units, changing the unit counts to 96 two bedroom and 36 three bedroom units; construction of six (6) new multi-family buildings with six (6) two-

bedroom and twelve (12) three-bedroom units; the creation of 57 additional parking spaces and associated site work, on a 14.998 acres property located at 0 Hamilton Avenue in the R-6 zone. *(Staff: PL) (Must open by 6/23/2016) (Maximum extension available to 8/27/2016) (Continued from the 6/7/2016 meeting) (Seated: Maitland, Alban, Yeskey [for Levy], Fox, and Ramer)*

Planning and Zoning Staff; application PLPZ 2016 00263, for a text amendment, to clarify language and only restrict liquor permits within CGB and CGBR zones for Section 6-194 LOCATION OF ALCOHOLIC ESTABLISHMENTS of the Town of Greenwich Building Zone Regulations as follows: **TEXT IN BOLD TO BE ADDED**, [TEXT IN BRACKETS TO BE DELETED] *(Staff: KD) (Must open by 7/21/2016) (Maximum extension available to 9/24/2016) (Postponed at the 6/7/2016 meeting)*

Sec. 6-194. LOCATION OF ALCOHOLIC ESTABLISHMENTS (11/17/97, 9/23/2014)

[(a) Every part of the location of such use in a building in which alcoholic beverages are consumed on the premises shall be (1,000) feet from any other location of such use in a building where alcoholic beverages are consumed on the premises under any class of permit as defined by the Liquor Control Act, except for restaurants with wine and beer or liquor permits in the GB Zone and LBR Zone or package store or grocery/beer permits.]

[(b) In the CGBR zone, the distance shall be at least four hundred (400) feet distant from any other location of such use in a building where alcoholic beverages are consumed on the premises under any class of permit except for package store or grocery/beer permits. Public areas of a tavern or restaurant selling alcoholic beverages under any permit as defined by the Liquor Control Act in the CGBR and CGIO zones are restricted to the ground floor of the building. (See Sec. 6-103.1 (B))]

(a) Within the CGB zone, there shall be at least one thousand (1,000) feet between commercial establishments where alcoholic beverages are sold under any class of permit defined under the Connecticut Liquor Control Act that permits alcohol consumption on the premises, which therefore excludes those establishments that sell alcohol under package store or grocery/beer permits.

(b) Within the CGBR zone, there shall be at least one thousand (400) feet between commercial establishments where alcoholic beverages are sold under any class of permit defined under the Connecticut Liquor Control Act that permits alcohol consumption on the premises, which therefore excludes those establishments that sell alcohol under package store or grocery/beer permits.

(c) **Public areas of a tavern or restaurant selling alcoholic beverages under any permit as defined by the Liquor Control Act in the CGBR and CGIO zones are restricted to the ground floor of the building (See Sec. 6-103.1 (B)).** For definitions of tavern, restaurant, café permit see the Connecticut Liquor Control Act.

(d) No Café Permits are permitted anywhere. No Club Liquor Licenses are permitted other than for Non-Profit Clubs.

Planning and Zoning Staff; application PLPZ 2016 00264, for a text amendment, to amend language for Section 6-127 HEIGHT EXCEPTIONS of the Town of Greenwich Building Zone Regulations as follows: **TEXT IN BOLD TO BE ADDED**, [TEXT IN BRACKETS TO BE DELETED] (*Staff: KD*) (*Must open by 7/21/2016*) (*Maximum extension available to 9/24/2016*) (*Postponed at the 6/7/2016 meeting*)

Sec. 6-127. HEIGHT EXCEPTIONS.

[The building height limitations of this Article shall not apply to church spires, belfries, radio towers, cupolas, domes, monuments, water towers, chimneys, flues, or flag poles; to a parapet wall extending not more than four (4) feet above the limiting height of the buildings on which it rests, provided, however, that the Planning and Zoning Commission, or their designee, after giving due consideration to the Standards of Sec. 6-15 and 6-17 and after consultation with the Architectural Review Committee, may authorize an increase in the height of any such parapet wall in the event such increase is desirable in order to make mechanical equipment less visible and make the proposed building architecturally more compatible with surrounding buildings or the surrounding streetscape; to ventilators, skylights, air conditioning equipment, water tanks, bulkheads, roof-mounted satellite earth stations subject to provisions of Sec. 6-140.1., necessary mechanical appurtenances and similar features not used for human occupancy and usually extended above the roof level, provided that the total area covered by all such features shall, with the exception of bulkheads for stair towers, be enclosed in a single structure not exceeding twenty-five percent (25%) of the roof area, height of such structure shall not be more than seventeen (17) feet above the roof level, and the structure shall be set back one (1) foot for each one (1) foot of height above roof level on those sides of the building having street frontage. (10/07/85)]

- (a) **The following exceptions apply to the maximum building height limitations of this Article:**
- (1) **Church spires, belfries, or radio towers: No height limits**
 - (2) **Solar panels on a flat roof: No more than (6) six feet above height limits**
 - (3) **Roof parapets: No more than four (4) feet above height limits**
 - (4) **Stair and elevator access to the roof: Shall be set back one (1) foot from the roof's edge for each one (1) foot of height above the roof**

level on all sides of the building. The requirements in side yards do not apply to structures in CGBR and LBR 1 and LBR 2. Height of stair access shall not exceed nine (9) feet. Height of elevator enclosure shall not exceed fifteen feet, six inches (15'6"). If there is a common lobby for stairs and elevator the combined area shall not exceed 300 square feet in size.

- (5) Facilities on a roof including but not limited to barbeques, planters and spas: Shall not exceed four (4) feet in height and shall be set back two (2) feet on all sides of the building for each one (1) foot of height. If such objects are screened by a four (4) foot parapet wall, the setback shall not apply.
- (6) Cupolas, domes, clerestories, chimneys, skylight, roof-mounted flags or flues:
 - (A) Height shall not be more than twenty five percent (25%) above the height limits.
 - (B) The cumulative square foot area of these structures shall not exceed 5% of the footprint of the roof area of the building on which it is located, or 100 square feet, whichever is less.
- (7) Necessary mechanical appurtenances: Shall not exceed 15 feet above the roof level, shall be set back one (1) foot for each one (1) foot of height above roof level on all sides of the building, shall not exceed twenty-five percent (25%) of the roof area, and shall be enclosed in a single structure.

Planning and Zoning Staff; application PLPZ 2016 00265, for a text amendment, to amend Section 6-14.1 COMMISSION REVIEW OF SITE PLAN APPLICATIONS and Section 6-17 AUTHORIZATION OF USE BY SPECIAL PERMIT of the Town of Greenwich Building Zone Regulations as follows: **TEXT IN BOLD TO BE ADDED**, [TEXT IN BRACKETS TO BE DELETED], (Staff: KD) (Must open by 7/21/2016) (Maximum extension available to 9/24/2016) (Postponed at the 6/7/2016 meeting)

Sec. 6-14.1. COMMISSION REVIEW OF SITE PLAN APPLICATIONS.

- [(e) Any site plan approval granted by the Commission, on which materially significant construction has not started within three years of such Commission approval, and is thereafter continued, shall become null and void. All construction must be completed within five years of such approval. Failure to complete all work within such five year period shall result in automatic expiration of the approval of such site plan. (2/7/2001)]
- (e) **Failure to complete all approved work under any site plan approval granted by the Commission within five years of the approval shall result in automatic expiration of the approval. The Commission may grant one or more extensions of time to complete all work not to exceed ten years from the date the site plan was approved.**

Sec. 6-17. AUTHORIZATION OF USE BY SPECIAL PERMIT.

[(f) Any special permit granted by the Commission and not exercised within a period of three (3) years from date of decision shall become null and void.]

(f) Any special permit granted by the Commission shall expire when the corresponding site plan approval expires as noted in Sec 6-14.1(e).

Planning and Zoning Staff; application PLPZ 2016 00266, for a text amendment, regarding Section 6-110(g)(4) INCENTIVES to provide additional incentives in the LBR-2 Zone and Section 6-110(h)(4)(i) RESALE RESTRICTIONS to direct the reference to the correct section of the Town of Greenwich Building Zone Regulations as follows: **TEXT IN BOLD TO BE ADDED**, [TEXT IN BRACKETS TO BE DELETED] (*Staff: KD*) (*Must open by 7/21/2016*) (*Maximum extension available to 9/24/2016*) (*Postponed at the 6/7/2016 meeting*)

6-110(g) Incentives

(4) For the LBR-2 business zone [no] **an** increase [in] **by one (1) story only over** the number of stories **otherwise allowed in this zone** shall be permitted **and** [but] an increase in the height of a building up to 40 feet, all as measured according to the requirements of the particular underlying business zone;

6-110(h)(4) Resale Restrictions:

i. For moderate-income dwelling units, the title to said property shall be restricted so as to maintain the unit in the moderate-income category for a period of 40 years beginning on the date of issue of the Certificate of Occupancy (the "Restriction Period"). Said restriction shall provide that in the event of any resale of the unit by the original owner or any successor owner during the Restriction Period, the maximum resale price shall be limited by the same [median income] guidelines and rules indicated in [(b)(3)] **6-110(h)(3)(ii)** above.

Post Road Iron Works, Inc., Carriero Family Ltd. Partnership, William S. Gasparrini and Janice S. Gasparrini and Carriero Family Ltd. Partnership, William S. Gasparrini and Carriero Family Ltd. Partnership, William S. Gasparrini et al; application PLPZ 2016 00016, for a text amendment, per Section 6-22 of the Town of Greenwich Building Zone Regulations to create a new housing opportunity development zone "(HODZ)" and create new regulatory language under and new Division of the Town's Building Zone Regulations (to be Division 22, Sections 6-210 through 6-216). (*Staff: KD*) (*Must close by 7/9/2016*) (*Maximum extension granted to 7/9/2016*) (*Continued from the 4/5/2016 meeting*) (*Seated: Maitland, Alban, Levy, Fox, and Ramer*) (*Complete text amendment language can be found in the office of Planning and Zoning*)

Application PLPZ 2016 00016 has been WITHDRAWN

Post Road Iron Works, Inc., Carriero Family Ltd. Partnership, William S. Gasparrini and Janice S. Gasparrini and Carriero Family Ltd. Partnership, William S. Gasparrini and Carriero Family Ltd. Partnership, William S. Gasparrini et al; application PLPZ 2016 00017 for a Zoning Map Amendment, to re-zone six (6) properties located at 345 West Putnam Avenue (Tax ID 07-1148/S), 37 Oak Street (Tax ID 07-1425), 26 Hemlock Drive (Tax ID 07-2033/S), 0 West Putnam Avenue (Tax ID 07-1135/S, 07-2190/S, and 07-1136/S) currently in the GB and RA-1 zones to the newly proposed HODZ zone (as shown on a rezoning map on file in the Town Clerk's Office) (pursuant to pending text amendment application PLPZ 2016 00016) per Sections 6-22 of the Town of Greenwich Building Zone Regulations. *(Staff: KD) (Must close by 7/9/2016) (Maximum extension granted to 7/9/2016) (Continued from the 4/5/2016 meeting) (Seated: Maitland, Alban, Levy, Fox, and Ramer)*

Application PLPZ 2016 00017 has been WITHDRAWN

Post Road Iron Works, Inc., Carriero Family Ltd. Partnership, William S. Gasparrini and Janice S. Gasparrini and Carriero Family Ltd. Partnership, William S. Gasparrini and Carriero Family Ltd. Partnership, William S. Gasparrini et al; applications PLPZ 2016 00015 and PLPZ 2016 00157 for a final site plan and special permit, to demolish the current buildings and construct a 397,485 sq. ft., 355 unit multi-family residential building with parking beneath for 559 vehicles, related site and stormwater drainage improvements, and where 30% of the proposed units (107 of the 355 total units) would be restricted affordable housing units for 40 years pursuant to Section 8-30g of the Connecticut General Statutes as a Set-Aside Affordable Housing Development and on six (6) properties located at 345 West Putnam Avenue (Tax ID 07-1148/S), 37 Oak Street (Tax ID 07-1425), 26 Hemlock Drive (Tax ID 07-2033/S), 0 West Putnam Avenue (Tax ID 07-1135/S, 07-2109/S and 07-1136/S) totaling 5.011 acres, currently in the GB and RA-1 zones and pursuant to pending text and zoning map amendment applications PLPZ 2016 00016 and PLPZ 2016 00017 for inclusion into a new zone entitled the Housing Opportunity Development Zone ("HODZ"). *(Staff: KD) (Must close by 7/9/2016) (Maximum extension granted to 7/9/2016) (Continued from the 4/5/2016 meeting) (Seated: Maitland, Alban, Levy, Fox, and Ramer)*

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

June 23, 2016

FINAL AGENDA

REGULAR MEETING 7:00 PM

1. **IL Mandorlo, LLC**; application PLPZ 2016 00243 for a final coastal subdivision to transfer 23,500 sq. ft. of upland area from Parcel A to Parcel B of the two undeveloped tracts that comprise the address at 0 Indian Field Road (aka 602 Indian Field Road) on a property located at 0 Indian Field Road RA-2 zone. (Staff: MA) (**Must decide by 6/25/2016**) (Maximum extension available to 8/24/2016) (Page Number: 13)
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Application PLPZ 2016 00172 has been POSTPONED

6. **Gretchen E. Tatge Et al., (owner) and Jean Tatge Collis, Trustee, (applicant)**; application PLPZ 2016 00258, for a final subdivision, proposed to subdivide a 33,083 sq. ft. parcel into two 14,018 sq. ft. lots and an open space parcel of 4,963 sq. ft. equal to 15% of the total lot area on property located at 100 Hendrie Avenue in the R-12 zone. (Staff: MA) (**Must decide by 7/2/2016**) (Maximum extension available to 8/31/2016)

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PUBLIC HEARING 7:15 PM

7. **Joanna Bronfman**; applications PLPZ 2016 00044 and PLPZ 2016 00045, for a final site plan and special permit, is seeking approval to operate a clinic on a 4.00 acres property located at 37 North Porchuck Road in the RA-4 zone. (Staff: CT) (**Must close by 7/12/2016**) (Maximum extension available to 7/16/2016) (Opened at the 6/7/2016 meeting, no testimony taken) (Page Number: 202)
8. **Susan Limoncelli**; applications PLPZ 2016 00206 and PLPZ 2016 00207, for a final site plan and special permit, to add a new 2 1/2 story addition to the rear of the existing two-family dwelling, removal of an existing exterior stair, add a new entry stair, and make no changes to the unit or bedroom count on a 7,514 sq. ft. property located at 16 Division Street in the R-6 zone. (Staff: CT) (**Must open by 6/23/2016**) (Maximum extension available to 8/27/2016) (Page Number: 291)
9. **16 Hawthorne Street South, LLC**; applications PLPZ 2016 00221 and PLPZ 2016 00222, for a final site plan and special permit, to construct a two-unit building, and a three-unit residential building, with a total gross floor area of 12,291 sq. ft. proposed for both buildings, a new driveway, parking for 13 vehicles and related site and stormwater improvements on a 0.551 acre property located at 16 Hawthorne Street South in the R-6 zone. (Staff: CT) (**Must open by 6/23/2016**) (Maximum extension available to 8/27/2016) (Page Number: 324)

10. **William J. Vizzo, Trustee;** applications PLPZ 2016 00254 and PLPZ 2016 00255, for a preliminary site plan and special permit, to demolish the existing two-family home and construct a new, two-family dwelling with associated site grading, drainage, utilities, and landscaping on a 8,790 sq. ft. property located at 66 Cos Cob Avenue in the R-6 zone. (*Staff: MK*) (*Must open by 7/7/2016*) (*Maximum extension available to 9/10/2016*) (*Page Number: 384*)
11. **Riversedge Partners;** applications PLPZ 2016 00315 and PLPZ 2016 00316 for a final site plan and special permit, to consummate the division of the property previously considered under Site Plan and Special Permit #1234 and propose a division of the property under Section 6-17.2 on a 5.5658 acres property located at 200 Pemberwick Road in the GBO, LB and R-7 zones. (*Staff: PL*) (*Must open by 8/25/2016*) (*Maximum extension available to 10/29/2016*) (*Page Number: 429*)

REGULAR MEETING CONTINUED

12. DISCUSSION ITEMS:

- a. **1177 King Street Convent of Sacred Heart;** free-standing sign proposal (PLPZ 2016 00168) (*Page Number: 493*)

13. DECISION ITEMS:

- (a) **Town of Greenwich Board of Education – New Lebanon School;** application PLPZ 2016 00142, for a special permit only, to demolish the existing New Lebanon School building and replace it with a new 61,230 sq. ft. school building, expand onsite parking to 85 parking spaces, expand parent pick up, drop-off and bus lane capacity, emergency access to the north side of the building, two playground areas, site lighting, landscaping, stormwater management and sewer improvements on a 7.6 acres property located at 25 Mead Ave in the R-6 zone. (*Staff: PL*) (*Must close by 7/9/2016*) (*Maximum extension granted*) (*Left open at the 3/31/2016 meeting and postponed at the 5/3/2016 meeting*) (*Seated: Ramer (for Heller), Maitland, Alban, Levy, and Fox*) (*Moved to final site plan at the 6/7/2016 meeting*) (*Seated: Maitland, Alban, Yeskey [for Levy], Fox, and Ramer*)
- (b) **River Road Development LLC;** applications PLPZ 2016 00038 and PLPZ 2016 00039, for a final coastal site plan and special permit, to construct a 20,603 sq. ft. building, over 40,000 cubic feet in building volume, for a rowing club and related rowing and water dependent activities; replace the existing docks and floats with new docks conducive to launching rowing vessels, construct 66 parking spaces and 3 handicapped parking spaces and associated site and stormwater drainage improvements on a 1.36 acre property

located at 89 River Road in the WB zone. (Staff: PL) (Must decide by 8/11/2016)(Heard at the 3/8/2016, 5/3/16 and 6/7/16 meetings) (Closed at the 6/7/2016 meeting)(Seated: Maitland, Alban, Macri (for Levy), Fox, and Ramer)

14. **APPROVAL OF MINUTES:**

15. **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:

24 East Elm Street LLC; application PLPZ 2016 00074, for a re-zoning, to re-zone the property as a HO zone (as shown on a re-zoning map on file in the Town Clerk's Office) on a 0.309 acre property located at 24 East Elm Street in the CGB zone. (Staff: CT) (Must close by 7/9/2016) (Maximum extension granted) (Left Open at the 3/31/2016 meeting) (Seated: Ramer (for Heller), Maitland, Alban, Levy, and Fox)

24 East Elm Street LLC; applications PLPZ 2016 00072 and PLPZ 2016 00073, for a preliminary site plan and special permit, to: permit a zone change to an historic overlay per Section 6-109.1(5)(a); protect and preserve the exterior of the principal structure; construct a compatible addition to the rear of the building with the new addition to be used as office use and the existing building remaining as a retail use, on a 0.309 acre property located at 24 East Elm Street in the CGB zone. (Staff: CT) (Must close by 7/9/2016) (Maximum extension granted) (Left Open at the 3/31/2016 meeting) (Seated: Ramer (for Heller), Maitland, Alban, Levy, and Fox)

Clearwater Acquisitions, LLC record owners, for a final site plan and special permit, PLPZ 2016 00068 and PLPZ 2016 00069, to incorporate the existing building at 315 West Putnam Avenue into the existing building at 279 West Putnam Avenue and expand the existing automobile dealership use of Miller Motor Cars into the adjacent existing building space on properties located at 273-315 West Putnam Avenue in the GB zone. (Staff: PL) (Must close by 7/9/2016) (Maximum extension granted) (Left Open at the 3/31/2016 meeting) (Seated: Ramer (for Heller), Maitland, Macri (for Alban), Levy, and Fox)

Miller Partners 321 LLC; applications PLPZ 2016 00070 and PLPZ 2016 00071, for a final site plan and special permit, to change the use of a building to

an automobile dealership, make changes to the façade, interior, and permit vehicle access into the building from West Putnam Avenue on a 34,086 sq. ft. property located at 321 West Putnam Avenue in the GB zone. (Staff: PL) (Must close by 7/9/2016) (Maximum extension granted) (Left Open at the 3/31/2016 meeting) (Seated: Ramer (for Heller), Maitland, Macri (for Alban), Levy, and Fox)

Michael R. Natale, Jeffrey M. Natale, and Patrick J. Bria; Application PLPZ 2016 00123 for a final subdivision to subdivide an existing 17,680 sq. ft. property into two (2) parcels where Parcel X would be 8,977 sq. ft., Parcel Y would be 8,701 sq. ft. and a 2,652 sq. ft. conservation easement (equal to 15% of the total lot area) at property located at 67 Bible Street in the R-6 zone. (Staff: MK) (**Must decide by 7/2/2016**) (Maximum extension granted) (Continued from the 4/19/2016 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri [for Ramer who recused])

Michael R. Natale, Jeffrey M. Natale, and Patrick J. Bria; applications PLPZ 2016 00124 and PLPZ 2016 00125, for a final site plan and special permit, to construct a new two-family dwelling with three (3) bedrooms per unit, with new driveways, five (5) parking spaces (two garage, three outdoor), walkways, and drainage improvements on property located on proposed Parcel “X”, 8,977 sq. ft. in size, (pursuant to subdivision application PLPZ 2016 00123) at 67 Bible Street in the in the R-6 zone. (Staff: MK) (Must open by 7/16/2016) (Maximum extension granted) (Postponed at the 4/19/2016 meeting)

Michael R. Natale, Jeffrey M. Natale, and Patrick J. Bria; applications PLPZ 2016 00126 and PLPZ 2016 00127, for a final site plan and special permit, to construct a new two-family dwelling with three (3) bedrooms per unit, with new driveways, five (5) parking spaces (two garage, three outdoor), walkways, and drainage improvements on property located on Proposed Parcel “Y”, 8,701 sq. ft. in size, (pursuant to subdivision application PLPZ 2016 00123) at 67 Bible Street in the R-6 zone. (Staff: MK) (Must open by 7/16/2016) (Maximum extension granted) (Postponed at the 4/19/2016 meeting)

The Housing Authority for the Town of Greenwich - Armstrong Court; applications PLPZ 2016 00187 and PLPZ 2016 00188, for a final site plan and special permit, for: renovations to the six (6) existing multi-family buildings including enclosing in exterior balconies and walkways, converting existing flat roofs to pitched roofs, making interior renovations making 10% more of the units ADA accessible and eliminating all one bedroom units and merging them with existing units, changing the unit counts to 96 two bedroom and 36 three bedroom units; construction of six (6) new multi-family buildings with six (6) two-bedroom and twelve (12) three-bedroom units; the creation of 57 additional parking spaces and associated site work, on a 14.998 acres property located at 0 Hamilton Avenue in the R-6 zone. (Staff: PL) (Must open by 6/23/2016) (Maximum extension available to 8/27/2016) (Continued from the 6/7/2016 meeting) (Seated: Maitland, Alban, Yeskey [for Levy], Fox, and Ramer)

Planning and Zoning Staff; application PLPZ 2016 00263, for a text amendment, to clarify language and only restrict liquor permits within CGB and CGBR zones for Section 6-194 LOCATION OF ALCOHOLIC ESTABLISHMENTS of the Town of Greenwich Building Zone Regulations as follows: **TEXT IN BOLD TO BE ADDED**, [TEXT IN BRACKETS TO BE DELETED] (*Staff: KD*) (*Must open by 7/21/2016*) (*Maximum extension available to 9/24/2016*) (*Postponed at the 6/7/2016 meeting*)

Sec. 6-194. LOCATION OF ALCOHOLIC ESTABLISHMENTS (11/17/97, 9/23/2014)

[(a) Every part of the location of such use in a building in which alcoholic beverages are consumed on the premises shall be (1,000) feet from any other location of such use in a building where alcoholic beverages are consumed on the premises under any class of permit as defined by the Liquor Control Act, except for restaurants with wine and beer or liquor permits in the GB Zone and LBR Zone or package store or grocery/beer permits.]

[(b) In the CGBR zone, the distance shall be at least four hundred (400) feet distant from any other location of such use in a building where alcoholic beverages are consumed on the premises under any class of permit except for package store or grocery/beer permits. Public areas of a tavern or restaurant selling alcoholic beverages under any permit as defined by the Liquor Control Act in the CGBR and CGIO zones are restricted to the ground floor of the building. (See Sec. 6-103.1 (B))]

(a) Within the CGB zone, there shall be at least one thousand (1,000) feet between commercial establishments where alcoholic beverages are sold under any class of permit defined under the Connecticut Liquor Control Act that permits alcohol consumption on the premises, which therefore excludes those establishments that sell alcohol under package store or grocery/beer permits.

(b) Within the CGBR zone, there shall be at least one thousand (400) feet between commercial establishments where alcoholic beverages are sold under any class of permit defined under the Connecticut Liquor Control Act that permits alcohol consumption on the premises, which therefore excludes those establishments that sell alcohol under package store or grocery/beer permits.

(c) Public areas of a tavern or restaurant selling alcoholic beverages under any permit as defined by the Liquor Control Act in the CGBR and CGIO zones are restricted to the ground floor of the building (See Sec. 6-103.1 (B)). For definitions of tavern, restaurant, café permit see the Connecticut Liquor Control Act.

(d) No Café Permits are permitted anywhere. No Club Liquor Licenses are permitted other than for Non-Profit Clubs.

Planning and Zoning Staff; application PLPZ 2016 00264, for a text amendment, to amend language for Section 6-127 HEIGHT EXCEPTIONS of the Town of Greenwich Building Zone Regulations as follows: **TEXT IN BOLD TO BE ADDED**, [TEXT IN BRACKETS TO BE DELETED] (*Staff: KD*) (*Must open by 7/21/2016*) (*Maximum extension available to 9/24/2016*) (*Postponed at the 6/7/2016 meeting*)

Sec. 6-127. HEIGHT EXCEPTIONS.

[The building height limitations of this Article shall not apply to church spires, belfries, radio towers, cupolas, domes, monuments, water towers, chimneys, flues, or flag poles; to a parapet wall extending not more than four (4) feet above the limiting height of the buildings on which it rests, provided, however, that the Planning and Zoning Commission, or their designee, after giving due consideration to the Standards of Sec. 6-15 and 6-17 and after consultation with the Architectural Review Committee, may authorize an increase in the height of any such parapet wall in the event such increase is desirable in order to make mechanical equipment less visible and make the proposed building architecturally more compatible with surrounding buildings or the surrounding streetscape; to ventilators, skylights, air conditioning equipment, water tanks, bulkheads, roof-mounted satellite earth stations subject to provisions of Sec. 6-140.1., necessary mechanical appurtenances and similar features not used for human occupancy and usually extended above the roof level, provided that the total area covered by all such features shall, with the exception of bulkheads for stair towers, be enclosed in a single structure not exceeding twenty-five percent (25%) of the roof area, height of such structure shall not be more than seventeen (17) feet above the roof level, and the structure shall be set back one (1) foot for each one (1) foot of height above roof level on those sides of the building having street frontage. (10/07/85)]

- (a) **The following exceptions apply to the maximum building height limitations of this Article:**
- (1) **Church spires, belfries, or radio towers: No height limits**
 - (2) **Solar panels on a flat roof: No more than (6) six feet above height limits**
 - (3) **Roof parapets: No more than four (4) feet above height limits**
 - (4) **Stair and elevator access to the roof: Shall be set back one (1) foot from the roof's edge for each one (1) foot of height above the roof level on all sides of the building. The requirements in side yards do not apply to structures in CGBR and LBR 1 and LBR 2. Height of stair access shall not exceed nine (9) feet. Height of elevator enclosure shall not exceed fifteen feet, six inches (15'6"). If there is a common lobby for stairs and elevator the combined area shall not exceed 300 square feet in size.**

- (5) **Facilities on a roof including but not limited to barbecues, planters and spas: Shall not exceed four (4) feet in height and shall be set back two (2) feet on all sides of the building for each one (1) foot of height. If such objects are screened by a four (4) foot parapet wall, the setback shall not apply.**
- (6) **Cupolas, domes, clerestories, chimneys, skylight, roof-mounted flags or flues:**
 - (A) **Height shall not be more than twenty five percent (25%) above the height limits.**
 - (B) **The cumulative square foot area of these structures shall not exceed 5% of the footprint of the roof area of the building on which it is located, or 100 square feet, whichever is less.**
- (7) **Necessary mechanical appurtenances: Shall not exceed 15 feet above the roof level, shall be set back one (1) foot for each one (1) foot of height above roof level on all sides of the building, shall not exceed twenty-five percent (25%) of the roof area, and shall be enclosed in a single structure.**

Planning and Zoning Staff; application PLPZ 2016 00265, for a text amendment, to amend Section 6-14.1 COMMISSION REVIEW OF SITE PLAN APPLICATIONS and Section 6-17 AUTHORIZATION OF USE BY SPECIAL PERMIT of the Town of Greenwich Building Zone Regulations as follows: **TEXT IN BOLD TO BE ADDED**, [TEXT IN BRACKETS TO BE DELETED], (Staff: KD) (Must open by 7/21/2016) (Maximum extension available to 9/24/2016) (Postponed at the 6/7/2016 meeting)

Sec. 6-14.1. COMMISSION REVIEW OF SITE PLAN APPLICATIONS.

[(e) Any site plan approval granted by the Commission, on which materially significant construction has not started within three years of such Commission approval, and is thereafter continued, shall become null and void. All construction must be completed within five years of such approval. Failure to complete all work within such five year period shall result in automatic expiration of the approval of such site plan. (2/7/2001)]

- (e) **Failure to complete all approved work under any site plan approval granted by the Commission within five years of the approval shall result in automatic expiration of the approval. The Commission may grant one or more extensions of time to complete all work not to exceed ten years from the date the site plan was approved.**

Sec. 6-17. AUTHORIZATION OF USE BY SPECIAL PERMIT.

[(f) Any special permit granted by the Commission and not exercised within a period of three (3) years from date of decision shall become null and void.]

- (f) **Any special permit granted by the Commission shall expire when the corresponding site plan approval expires as noted in Sec 6-14.1(e).**

Planning and Zoning Staff; application PLPZ 2016 00266, for a text amendment, regarding Section 6-110(g)(4) INCENTIVES to provide additional incentives in the LBR-2 Zone and Section 6-110(h)(4)(i) RESALE RESTRICTIONS to direct the reference to the correct section of the Town of Greenwich Building Zone Regulations as follows: **TEXT IN BOLD TO BE ADDED**, [TEXT IN BRACKETS TO BE DELETED] (*Staff: KD*) (*Must open by 7/21/2016*) (*Maximum extension available to 9/24/2016*) (*Postponed at the 6/7/2016 meeting*)

6-110(g) Incentives

(4) For the LBR-2 business zone [no] **an** increase [in] **by one (1) story only over** the number of stories **otherwise allowed in this zone** shall be permitted **and** [but] an increase in the height of a building up to 40 feet, all as measured according to the requirements of the particular underlying business zone;

6-110(h)(4) Resale Restrictions:

i. For moderate-income dwelling units, the title to said property shall be restricted so as to maintain the unit in the moderate-income category for a period of 40 years beginning on the date of issue of the Certificate of Occupancy (the "Restriction Period"). Said restriction shall provide that in the event of any resale of the unit by the original owner or any successor owner during the Restriction Period, the maximum resale price shall be limited by the same [median income] guidelines and rules indicated in [(b)(3)] **6-110(h)(3)(ii)** above.

Post Road Iron Works, Inc., Carriero Family Ltd. Partnership, William S. Gasparrini and Janice S. Gasparrini and Carriero Family Ltd. Partnership, William S. Gasparrini and Carriero Family Ltd. Partnership, William S. Gasparrini et al; application PLPZ 2016 00016, for a text amendment, per Section 6-22 of the Town of Greenwich Building Zone Regulations to create a new housing opportunity development zone "(HODZ)" and create new regulatory language under and new Division of the Town's Building Zone Regulations (to be Division 22, Sections 6-210 through 6-216). (*Staff: KD*) (*Must close by 7/9/2016*) (*Maximum extension granted to 7/9/2016*) (*Continued from the 4/5/2016 meeting*) (*Seated: Maitland, Alban, Levy, Fox, and Ramer*) (*Complete text amendment language can be found in the office of Planning and Zoning*)

Application PLPZ 2016 00016 has been WITHDRAWN

Post Road Iron Works, Inc., Carriero Family Ltd. Partnership, William S. Gasparrini and Janice S. Gasparrini and Carriero Family Ltd. Partnership, William S. Gasparrini and Carriero Family Ltd. Partnership, William S. Gasparrini et al; application PLPZ 2016 00017 for a Zoning Map Amendment, to re-zone six (6) properties located at 345 West Putnam Avenue (Tax ID 07-1148/S), 37 Oak Street (Tax ID 07-1425), 26 Hemlock Drive (Tax ID 07-2033/S),

0 West Putnam Avenue (Tax ID 07-1135/S, 07-2190/S, and 07-1136/S) currently in the GB and RA-1 zones to the newly proposed HODZ zone (as shown on a rezoning map on file in the Town Clerk's Office) (pursuant to pending text amendment application PLPZ 2016 00016) per Sections 6-22 of the Town of Greenwich Building Zone Regulations. *(Staff: KD) (Must close by 7/9/2016) (Maximum extension granted to 7/9/2016) (Continued from the 4/5/2016 meeting) (Seated: Maitland, Alban, Levy, Fox, and Ramer)*

Application PLPZ 2016 00017 has been WITHDRAWN

Post Road Iron Works, Inc., Carriero Family Ltd. Partnership, William S. Gasparrini and Janice S. Gasparrini and Carriero Family Ltd. Partnership, William S. Gasparrini and Carriero Family Ltd. Partnership, William S. Gasparrini et al; applications PLPZ 2016 00015 and PLPZ 2016 00157 for a final site plan and special permit, to demolish the current buildings and construct a 397,485 sq. ft., 355 unit multi-family residential building with parking beneath for 559 vehicles, related site and stormwater drainage improvements, and where 30% of the proposed units (107 of the 355 total units) would be restricted affordable housing units for 40 years pursuant to Section 8-30g of the Connecticut General Statutes as a Set-Aside Affordable Housing Development and on six (6) properties located at 345 West Putnam Avenue (Tax ID 07-1148/S) , 37 Oak Street (Tax ID 07-1425), 26 Hemlock Drive (Tax ID 07-2033/S), 0 West Putnam Avenue (Tax ID 07-1135/S, 07-2109/S and 07-1136/S) totaling 5.011 acres, currently in the GB and RA-1 zones and pursuant to pending text and zoning map amendment applications PLPZ 2016 00016 and PLPZ 2016 00017 for inclusion into a new zone entitled the Housing Opportunity Development Zone ("HODZ"). *(Staff: KD) (Must close by 7/9/2016) (Maximum extension granted to 7/9/2016) (Continued from the 4/5/2016 meeting) (Seated: Maitland, Alban, Levy, Fox, and Ramer)*

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

June 23, 2016

TENTATIVE AGENDA

REGULAR MEETING 7:00 PM

1. **IL Mandorlo, LLC**; application PLPZ 2016 00243 for a final coastal subdivision to transfer 23,500 sq. ft. of upland area from Parcel A to Parcel B of the two undeveloped tracts that comprise the address at 0 Indian Field Road (aka 602 Indian Field Road) on a property located at 0 Indian Field Road RA-2 zone. (Staff: MA) (**Must decide by 6/25/2016**) (Maximum extension available to 8/24/2016) (Page Number:)
2. **Yolanda Cortese**; application PLPZ 2016 00186 for a final subdivision approval to subdivide a 2.518 acre parcel into 2 lots containing 1.0587 acres and 1.0803 acres, respectively, with a .3775 acres set aside on property located at 41 Oak Street in the RA-1 zone. (Staff: MK) (**Must decide by 6/24/2016**) (Maximum extension available to 8/6/2016) (Page Number:)
3. **Michael & Marina Varshisky**; application PLPZ 2016 00237 for a final site plan approval to remedy a violation of the dedicated mature tree area of the original Conyers Farm Subdivision which occurred in construction of applications PLPZ 2014 00421 and PLPZ 2014 00422 to demolish a portion of the house, construct a new 14,314 sq. ft. addition bringing the total building volume over 150,000 cubic feet on a 10.01 acres property located at 18 Hurlingham Drive in the RA-4 zone. (Staff: PL) (**Must decide by 7/7/2016**) (Maximum extension available to 9/10/2016) (Page Number:)
4. **Silver Gwen II, LLC**; application PLPZ 2016 00210, for a final site plan, to excavate and create six parking spaces in the rear of the property, install landscaping and drainage improvements, for an existing six (6) unit building on a 10,000 sq. ft. property located at 60 Oak Ridge Street in the R-6 zone. (Staff: MK) (**Must decide by 6/23/2016**) (Maximum extension available to 8/27/2016) (Continued from the 5/17/2016 meeting) (Seated: Maitland, Alban, Levy, Fox, and Ramer) (Page Number:)

5. **94FPC LLC**; application PLPZ 2016 00172 for a final coastal site plan to construct a new 6,720 sq. f.t residence, pool, patio areas, reconstruct the existing driveway and associated site work on a 2.09 acres property located at 94 Field Point Circle in the RA-2 zone. (Staff: MA) (**Must decide by 6/24/2016**) (Maximum extension available to 8/13/2016) (Continued from the 6/7/2016 meeting) (Seated: Maitland, Alban, Yeskey [for Levy], Fox, and Ramer) (Page Number:)
6. **Gretchen E. Tatge Et al., (owner) and Jean Tatge Collis, Trustee, (applicant)**; application PLPZ 2016 00258, for a final subdivision, proposed to subdivide a 33,083 sq. ft. parcel into two 14,018 sq. ft. lots and an open space parcel of 4,963 sq. ft. equal to 15% of the total lot area on property located at 100 Hendrie Avenue in the R-12 zone. (Staff: MA) (**Must decide by 7/2/2016**) (Maximum extension available to 8/31/2016) (Page Number:)

PUBLIC HEARING 7:15 PM

7. **Joanna Bronfman**; applications PLPZ 2016 00044 and PLPZ 2016 00045, for a final site plan and special permit, is seeking approval to operate a clinic on a 4.00 acres property located at 37 North Porchuck Road in the RA-4 zone. (Staff: CT) (**Must close by 7/12/2016**) (Maximum extension available to 7/16/2016) (Opened at the 6/7/2016 meeting, no testimony taken) (Page Number:)
8. **Susan Limoncelli**; applications PLPZ 2016 00206 and PLPZ 2016 00207, for a final site plan and special permit, to add a new 2 1/2 story addition to the rear of the existing two-family dwelling, removal of an existing exterior stair, add a new entry stair, and make no changes to the unit or bedroom count on a 7,514 sq. ft. property located at 16 Division Street in the R-6 zone. (Staff: CT) (**Must open by 6/23/2016**) (Maximum extension available to 8/27/2016) (Page Number:)
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10. **William J. Vizzo, Trustee**; applications PLPZ 2016 00254 and PLPZ 2016 00255, for a preliminary site plan and special permit, to demolish the existing two-family home and construct a new, two-family dwelling with associated site grading, drainage, utilities, and landscaping on a 8,790 sq. ft. property located at 66 Cos Cob Avenue in the R-6 zone. (Staff: MK) (**Must open by 7/7/2016**) (Maximum extension available to 9/10/2016) (Page Number:)

11. **Riversedge Partners;** applications PLPZ 2016 00315 and PLPZ 2016 00316 for a final site plan and special permit, to consummate the division of the property previously considered under Site Plan and Special Permit #1234 and propose a division of the property under Section 6-17.2 on a 5.5658 acres property located at 200 Pemberwick Road in the GBO, LB and R-7 zones. (Staff: PL) (Must open by 8/25/2016) (Maximum extension available to 10/29/2016) (Page Number:)

REGULAR MEETING CONTINUED

12. **DISCUSSION ITEMS:**

13. **DECISION ITEMS:**

- (a) **Town of Greenwich Board of Education – New Lebanon School;** application PLPZ 2016 00142, for a special permit only, to demolish the existing New Lebanon School building and replace it with a new 61,230 sq. ft. school building, expand onsite parking to 85 parking spaces, expand parent pick up, drop-off and bus lane capacity, emergency access to the north side of the building, two playground areas, site lighting, landscaping, stormwater management and sewer improvements on a 7.6 acres property located at 25 Mead Ave in the R-6 zone. (Staff: PL) (Must close by 7/9/2016) (Maximum extension granted) (Left open at the 3/31/2016 meeting and postponed at the 5/3/2016 meeting) (Seated: Ramer (for Heller), Maitland, Alban, Levy, and Fox) (Moved to final site plan at the 6/7/2016 meeting) (Seated: Maitland, Alban, Yeskey [for Levy], Fox, and Ramer)
- (b) **River Road Development LLC;** applications PLPZ 2016 00038 and PLPZ 2016 00039, for a final coastal site plan and special permit, to construct a 20,603 sq. ft. building, over 40,000 cubic feet in building volume, for a rowing club and related rowing and water dependent activities; replace the existing docks and floats with new docks conducive to launching rowing vessels, construct 66 parking spaces and 3 handicapped parking spaces and associated site and stormwater drainage improvements on a 1.36 acre property located at 89 River Road in the WB zone. (Staff: PL) (Must decide by 8/11/2016)(Heard at the 3/8/2016, 5/3/16 and 6/7/16 meetings) (Closed at the 6/7/2016 meeting)(Seated: Maitland, Alban, Macri (for Levy), Fox, and Ramer)

14. **APPROVAL OF MINUTES:**

15. **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:**

24 East Elm Street LLC; application PLPZ 2016 00074, for a re-zoning, to re-zone the property as a HO zone (as shown on a re-zoning map on file in the Town Clerk's Office) on a 0.309 acre property located at 24 East Elm Street in the CGB zone. *(Staff: CT) (Must close by 7/9/2016) (Maximum extension granted) (Left Open at the 3/31/2016 meeting) (Seated: Ramer (for Heller), Maitland, Alban, Levy, and Fox)*

24 East Elm Street LLC; applications PLPZ 2016 00072 and PLPZ 2016 00073, for a preliminary site plan and special permit, to: permit a zone change to an historic overlay per Section 6-109.1(5)(a); protect and preserve the exterior of the principal structure; construct a compatible addition to the rear of the building with the new addition to be used as office use and the existing building remaining as a retail use, on a 0.309 acre property located at 24 East Elm Street in the CGB zone. *(Staff: CT) (Must close by 7/9/2016) (Maximum extension granted) (Left Open at the 3/31/2016 meeting) (Seated: Ramer (for Heller), Maitland, Alban, Levy, and Fox)*

Clearwater Acquisitions, LLC record owners, for a final site plan and special permit, PLPZ 2016 00068 and PLPZ 2016 00069, to incorporate the existing building at 315 West Putnam Avenue into the existing building at 279 West Putnam Avenue and expand the existing automobile dealership use of Miller Motor Cars into the adjacent existing building space on properties located at 273-315 West Putnam Avenue in the GB zone. *(Staff: PL) (Must close by 7/9/2016) (Maximum extension granted) (Left Open at the 3/31/2016 meeting) (Seated: Ramer (for Heller), Maitland, Macri (for Alban), Levy, and Fox)*

Miller Partners 321 LLC; applications PLPZ 2016 00070 and PLPZ 2016 00071, for a final site plan and special permit, to change the use of a building to an automobile dealership, make changes to the façade, interior, and permit vehicle access into the building from West Putnam Avenue on a 34,086 sq. ft. property located at 321 West Putnam Avenue in the GB zone. *(Staff: PL) (Must close by 7/9/2016) (Maximum extension granted) (Left Open at the 3/31/2016 meeting) (Seated: Ramer (for Heller), Maitland, Macri (for Alban), Levy, and Fox)*

Michael R. Natale, Jeffrey M. Natale, and Patrick J. Bria; Application PLPZ 2016 00123 for a final subdivision to subdivide an existing 17,680 sq. ft. property into two (2) parcels where Parcel X would be 8,977 sq. ft., Parcel Y would be

8,701 sq. ft. and a 2,652 sq. ft. conservation easement (equal to 15% of the total lot area) at property located at 67 Bible Street in the R-6 zone. (Staff: MK) (**Must decide by 7/2/2016**) (Maximum extension granted) (Continued from the 4/19/2016 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri [for Ramer who recused])

Michael R. Natale, Jeffrey M. Natale, and Patrick J. Bria; applications PLPZ 2016 00124 and PLPZ 2016 00125, for a final site plan and special permit, to construct a new two-family dwelling with three (3) bedrooms per unit, with new driveways, five (5) parking spaces (two garage, three outdoor), walkways, and drainage improvements on property located on proposed Parcel “X”, 8,977 sq. ft. in size, (pursuant to subdivision application PLPZ 2016 00123) at 67 Bible Street in the in the R-6 zone. (Staff: MK) (Must open by 7/16/2016) (Maximum extension granted) (Postponed at the 4/19/2016 meeting)

Michael R. Natale, Jeffrey M. Natale, and Patrick J. Bria; applications PLPZ 2016 00126 and PLPZ 2016 00127, for a final site plan and special permit, to construct a new two-family dwelling with three (3) bedrooms per unit, with new driveways, five (5) parking spaces (two garage, three outdoor), walkways, and drainage improvements on property located on Proposed Parcel “Y”, 8,701 sq. ft. in size, (pursuant to subdivision application PLPZ 2016 00123) at 67 Bible Street in the R-6 zone. (Staff: MK) (Must open by 7/16/2016) (Maximum extension granted) (Postponed at the 4/19/2016 meeting)

The Housing Authority for the Town of Greenwich - Armstrong Court; applications PLPZ 2016 00187 and PLPZ 2016 00188, for a final site plan and special permit, for: renovations to the six (6) existing multi-family buildings including enclosing in exterior balconies and walkways, converting existing flat roofs to pitched roofs, making interior renovations making 10% more of the units ADA accessible and eliminating all one bedroom units and merging them with existing units, changing the unit counts to 96 two bedroom and 36 three bedroom units; construction of six (6) new multi-family buildings with six (6) two-bedroom and twelve (12) three-bedroom units; the creation of 57 additional parking spaces and associated site work, on a 14.998 acres property located at 0 Hamilton Avenue in the R-6 zone. (Staff: PL) (Must open by 6/23/2016) (Maximum extension available to 8/27/2016) (Continued from the 6/7/2016 meeting) (Seated: Maitland, Alban, Yeskey [for Levy], Fox, and Ramer)

Planning and Zoning Staff; application PLPZ 2016 00263, for a text amendment, to clarify language and only restrict liquor permits within CGB and CGBR zones for Section 6-194 LOCATION OF ALCOHOLIC ESTABLISHMENTS of the Town of Greenwich Building Zone Regulations as follows: **TEXT IN BOLD TO BE ADDED**, [TEXT IN BRACKETS TO BE DELETED] (Staff: KD) (Must open by 7/21/2016) (Maximum extension available to 9/24/2016) (Postponed at the 6/7/2016 meeting)

Sec. 6-194. LOCATION OF ALCOHOLIC ESTABLISHMENTS (11/17/97, 9/23/2014)

[(a) Every part of the location of such use in a building in which alcoholic beverages are consumed on the premises shall be (1,000) feet from any other location of such use in a building where alcoholic beverages are consumed on the premises under any class of permit as defined by the Liquor Control Act, except for restaurants with wine and beer or liquor permits in the GB Zone and LBR Zone or package store or grocery/beer permits.]

[(b) In the CGBR zone, the distance shall be at least four hundred (400) feet distant from any other location of such use in a building where alcoholic beverages are consumed on the premises under any class of permit except for package store or grocery/beer permits. Public areas of a tavern or restaurant selling alcoholic beverages under any permit as defined by the Liquor Control Act in the CGBR and CGIO zones are restricted to the ground floor of the building. (See Sec. 6-103.1 (B))]

(a) Within the CGB zone, there shall be at least one thousand (1,000) feet between commercial establishments where alcoholic beverages are sold under any class of permit defined under the Connecticut Liquor Control Act that permits alcohol consumption on the premises, which therefore excludes those establishments that sell alcohol under package store or grocery/beer permits.

(b) Within the CGBR zone, there shall be at least one thousand (400) feet between commercial establishments where alcoholic beverages are sold under any class of permit defined under the Connecticut Liquor Control Act that permits alcohol consumption on the premises, which therefore excludes those establishments that sell alcohol under package store or grocery/beer permits.

(c) Public areas of a tavern or restaurant selling alcoholic beverages under any permit as defined by the Liquor Control Act in the CGBR and CGIO zones are restricted to the ground floor of the building (See Sec. 6-103.1 (B)). For definitions of tavern, restaurant, café permit see the Connecticut Liquor Control Act.

(d) No Café Permits are permitted anywhere. No Club Liquor Licenses are permitted other than for Non-Profit Clubs.

Planning and Zoning Staff; application PLPZ 2016 00264, for a text amendment, to amend language for Section 6-127 HEIGHT EXCEPTIONS of the Town of Greenwich Building Zone Regulations as follows: **TEXT IN BOLD TO BE ADDED**, [TEXT IN BRACKETS TO BE DELETED] (*Staff: KD*) (*Must open by 7/21/2016*) (*Maximum extension available to 9/24/2016*) (*Postponed at the 6/7/2016 meeting*)

Sec. 6-127. HEIGHT EXCEPTIONS.

[The building height limitations of this Article shall not apply to church spires, belfries, radio towers, cupolas, domes, monuments, water towers, chimneys, flues, or flag poles; to a parapet wall extending not more than four (4) feet above the limiting height of the buildings on which it rests, provided, however, that the Planning and Zoning Commission, or their designee, after giving due consideration to the Standards of Sec. 6-15 and 6-17 and after consultation with the Architectural Review Committee, may authorize an increase in the height of any such parapet wall in the event such increase is desirable in order to make mechanical equipment less visible and make the proposed building architecturally more compatible with surrounding buildings or the surrounding streetscape; to ventilators, skylights, air conditioning equipment, water tanks, bulkheads, roof-mounted satellite earth stations subject to provisions of Sec. 6-140.1., necessary mechanical appurtenances and similar features not used for human occupancy and usually extended above the roof level, provided that the total area covered by all such features shall, with the exception of bulkheads for stair towers, be enclosed in a single structure not exceeding twenty-five percent (25%) of the roof area, height of such structure shall not be more than seventeen (17) feet above the roof level, and the structure shall be set back one (1) foot for each one (1) foot of height above roof level on those sides of the building having street frontage. (10/07/85)]

- (a) **The following exceptions apply to the maximum building height limitations of this Article:**
- (1) **Church spires, belfries, or radio towers: No height limits**
 - (2) **Solar panels on a flat roof: No more than (6) six feet above height limits**
 - (3) **Roof parapets: No more than four (4) feet above height limits**
 - (4) **Stair and elevator access to the roof: Shall be set back one (1) foot from the roof's edge for each one (1) foot of height above the roof level on all sides of the building. The requirements in side yards do not apply to structures in CGBR and LBR 1 and LBR 2. Height of stair access shall not exceed nine (9) feet. Height of elevator enclosure shall not exceed fifteen feet, six inches (15'6"). If there is a common lobby for stairs and elevator the combined area shall not exceed 300 square feet in size.**
 - (5) **Facilities on a roof including but not limited to barbeques, planters and spas: Shall not exceed four (4) feet in height and shall be set back two (2) feet on all sides of the building for each one (1) foot of height. If such objects are screened by a four (4) foot parapet wall, the setback shall not apply.**
 - (6) **Cupolas, domes, clerestories, chimneys, skylight, roof-mounted flags or flues:**
 - (A) **Height shall not be more than twenty five percent (25%) above the height limits.**

- (B) **The cumulative square foot area of these structures shall not exceed 5% of the footprint of the roof area of the building on which it is located, or 100 square feet, whichever is less.**
- (7) **Necessary mechanical appurtenances: Shall not exceed 15 feet above the roof level, shall be set back one (1) foot for each one (1) foot of height above roof level on all sides of the building, shall not exceed twenty-five percent (25%) of the roof area, and shall be enclosed in a single structure.**

Planning and Zoning Staff; application PLPZ 2016 00265, for a text amendment, to amend Section 6-14.1 COMMISSION REVIEW OF SITE PLAN APPLICATIONS and Section 6-17 AUTHORIZATION OF USE BY SPECIAL PERMIT of the Town of Greenwich Building Zone Regulations as follows: **TEXT IN BOLD TO BE ADDED, [TEXT IN BRACKETS TO BE DELETED]**, (Staff: KD) (Must open by 7/21/2016) (Maximum extension available to 9/24/2016) (Postponed at the 6/7/2016 meeting)

Sec. 6-14.1. COMMISSION REVIEW OF SITE PLAN APPLICATIONS.

- [(e) Any site plan approval granted by the Commission, on which materially significant construction has not started within three years of such Commission approval, and is thereafter continued, shall become null and void. All construction must be completed within five years of such approval. Failure to complete all work within such five year period shall result in automatic expiration of the approval of such site plan. (2/7/2001)]
- (e) **Failure to complete all approved work under any site plan approval granted by the Commission within five years of the approval shall result in automatic expiration of the approval. The Commission may grant one or more extensions of time to complete all work not to exceed ten years from the date the site plan was approved.**

Sec. 6-17. AUTHORIZATION OF USE BY SPECIAL PERMIT.

- [(f) Any special permit granted by the Commission and not exercised within a period of three (3) years from date of decision shall become null and void.]
- (f) **Any special permit granted by the Commission shall expire when the corresponding site plan approval expires as noted in Sec 6-14.1(e).**

Planning and Zoning Staff; application PLPZ 2016 00266, for a text amendment, regarding Section 6-110(g)(4) INCENTIVES to provide additional incentives in the LBR-2 Zone and Section 6-110(h)(4)(i) RESALE RESTRICTIONS to direct the reference to the correct section of the Town of Greenwich Building Zone Regulations as follows: **TEXT IN BOLD TO BE ADDED, [TEXT IN BRACKETS TO BE DELETED]** (Staff: KD) (Must open by 7/21/2016) (Maximum extension available to 9/24/2016) (Postponed at the 6/7/2016 meeting)

6-110(g) Incentives

(4) For the LBR-2 business zone [no] **an** increase [in] **by one (1) story only over** the number of stories **otherwise allowed in this zone** shall be permitted **and** [but] an increase in the height of a building up to 40 feet, all as measured according to the requirements of the particular underlying business zone;

6-110(h)(4) Resale Restrictions:

i. For moderate-income dwelling units, the title to said property shall be restricted so as to maintain the unit in the moderate-income category for a period of 40 years beginning on the date of issue of the Certificate of Occupancy (the “Restriction Period”). Said restriction shall provide that in the event of any resale of the unit by the original owner or any successor owner during the Restriction Period, the maximum resale price shall be limited by the same [median income] guidelines and rules indicated in [(b)(3)] **6-110(h)(3)(ii)** above.

Post Road Iron Works, Inc., Carriero Family Ltd. Partnership, William S. Gasparrini and Janice S. Gasparrini and Carriero Family Ltd. Partnership, William S. Gasparrini and Carriero Family Ltd. Partnership, William S. Gasparrini et al; application PLPZ 2016 00016, for a text amendment, per Section 6-22 of the Town of Greenwich Building Zone Regulations to create a new housing opportunity development zone “(HODZ)” and create new regulatory language under and new Division of the Town’s Building Zone Regulations (to be Division 22, Sections 6-210 through 6-216). (*Staff: KD*) (*Must close by 7/9/2016*) (*Maximum extension granted to 7/9/2016*) (*Continued from the 4/5/2016 meeting*) (*Seated: Maitland, Alban, Levy, Fox, and Ramer*) (*Complete text amendment language can be found in the office of Planning and Zoning*)

Post Road Iron Works, Inc., Carriero Family Ltd. Partnership, William S. Gasparrini and Janice S. Gasparrini and Carriero Family Ltd. Partnership, William S. Gasparrini and Carriero Family Ltd. Partnership, William S. Gasparrini et al; application PLPZ 2016 00017 for a Zoning Map Amendment, to re-zone six (6) properties located at 345 West Putnam Avenue (Tax ID 07-1148/S), 37 Oak Street (Tax ID 07-1425), 26 Hemlock Drive (Tax ID 07-2033/S), 0 West Putnam Avenue (Tax ID 07-1135/S, 07-2190/S, and 07-1136/S) currently in the GB and RA-1 zones to the newly proposed HODZ zone (as shown on a rezoning map on file in the Town Clerk’s Office) (pursuant to pending text amendment application PLPZ 2016 00016) per Sections 6-22 of the Town of Greenwich Building Zone Regulations. (*Staff: KD*) (*Must close by 7/9/2016*) (*Maximum extension granted to 7/9/2016*) (*Continued from the 4/5/2016 meeting*) (*Seated: Maitland, Alban, Levy, Fox, and Ramer*)

Post Road Iron Works, Inc., Carriero Family Ltd. Partnership, William S. Gasparrini and Janice S. Gasparrini and Carriero Family Ltd. Partnership, William S. Gasparrini and Carriero Family Ltd. Partnership, William S.

Gasparrini et al; applications PLPZ 2016 00015 and PLPZ 2016 00157 for a final site plan and special permit, to demolish the current buildings and construct a 397,485 sq. ft., 355 unit multi-family residential building with parking beneath for 559 vehicles, related site and stormwater drainage improvements, and where 30% of the proposed units (107 of the 355 total units) would be restricted affordable housing units for 40 years pursuant to Section 8-30g of the Connecticut General Statutes as a Set-Aside Affordable Housing Development and on six (6) properties located at 345 West Putnam Avenue (Tax ID 07-1148/S) , 37 Oak Street (Tax ID 07-1425), 26 Hemlock Drive (Tax ID 07-2033/S), 0 West Putnam Avenue (Tax ID 07-1135/S, 07-2109/S and 07-1136/S) totaling 5.011 acres, currently in the GB and RA-1 zones and pursuant to pending text and zoning map amendment applications PLPZ 2016 00016 and PLPZ 2016 00017 for inclusion into a new zone entitled the Housing Opportunity Development Zone (“HODZ”).
(Staff: KD) (Must close by 7/9/2016) (Maximum extension granted to 7/9/2016) (Continued from the 4/5/2016 meeting) (Seated: Maitland, Alban, Levy, Fox, and Ramer)