1. Meeting Materials

Documents:

JULY 19, 2016 ACTION AGENDA.PDF
JULY 19, 2016 FINAL AGENDA.PDF
JULY 19, 2016 TENTATIVE AGENDA.PDF
TOWN OF GREENWICH
PLANNING AND ZONING COMMISSION

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

July 19, 2016

ACTION AGENDA
WITH DECISIONS

Regular Members Present and Seated: Richard Maitland, Margarita Alban, Peter Levy, Andrew Fox, and Nancy Ramer
Alternate Members Present: Nicholas Macri, Dennis Yeskey, and Victoria Goss
Staff Members Present: Katie DeLuca, Director Planning and Zoning/Zoning Enforcement Coordinator/Town Planner, and Patrick LaRow, Deputy Director Planning and Zoning/Assistant Town Planner

REGULAR MEETING 7:00 PM

1. Chester Woodfield LLC, application PLPZ 2016 00178, for a request for a 90-day extension for a final re-subdivision to subdivide the existing 11.482 acre parcel into two (2) lots of 6.338 acres and 3.422 acres with a proposed 1.722 acre Open Space Area on property located at 17 Fort Hills Lane in the RA-2 zone approved at the 4/19/2016 meeting. (Staff: PL) (Page Number: 17)

   Motion to approve 90-day extension to file mylar
   Moved by Alban, seconded by Fox
   Voting in favor: Maitland, Alban, Levy, Fox, and Ramer
   5-0

2. Eastend Restaurant; application PLPZ 2016 00272 for an outdoor dining permit for the placement of 4 tables and a total of 8 chairs in the front of the restaurant on the existing pedestrian sidewalk for seasonal outdoor dining on a property located at 409 Greenwich Avenue in the CGBR zone. (Staff: MK) (Must decide by 7/21/2016) (Maximum extension available to 9/24/2016) (Page Number: 28)

   Motion to approve seasonal outdoor dining with modifications
   Moved by Alban, seconded by Fox
   Voting in favor: Maitland, Alban, Levy, Fox, and Ramer
   5-0
3. **Aux Delices;** application PLPZ 2016 00276 for an outdoor dining permit for the placement of 3 tables and a total of 6 chairs on a restaurant patio for seasonal outdoor dining on a property located at 1075 East Putnam Avenue (Riverside) in the LBR-2 zone. *(Staff: MK) (Must decide by 7/21/2016) (Maximum extension available to 9/24/2016) (Page Number: 46)*

   Postponed by Applicant – Extension Granted

4. **Thomas E. and Nancy R. Ireland;** application PLPZ 2016 00294 for a preliminary subdivision to subdivide the property into a 29,402 sq. ft. lot and a 20,185 sq. ft. lot with a 7,439 sq. ft. open space easement area on property located at 45 Patterson Avenue in the R-20 zone. *(Staff: PL) (Must decide by 7/19/2016) (Maximum extension available to 9/17/2016)*

   Postponed – Extension Granted to September 10, 2016

5. **Michael M. Taylor, et al.;** application PLPZ 2016 00293 for a final site plan to remove two parking spaces out of service to install a concrete pad to support dumpsters on a 34,458 sq. ft. property located at 152 East Putnam Avenue, Cos Cob in the LBR-2 zone. *(Staff: PL) (Must decide by 8/11/2016) (Maximum extension available to 10/15/2016) (Page Number: 70)*

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6. **Aristide Achy-Brou & Ijeoma Akunyili;** application PLPZ 2016 00291 for a final subdivision to subdivide a 19,215 sq. ft. parcel into 7,879.8 sq. ft. lot and a 8,451.5 sq. ft. lot with two open space parcels of 2,318.7 sq. ft. and 565.4 sq. ft. on property located at 48 Sound Beach Avenue in the R-7 zone. *(Staff: MA) (Must decide by 7/19/2016) (Maximum extension available to 9/17/2016) (Page Number: 91)*

   Left Open – Extension Granted to August 3, 2016

7. **Carmine Santoro, The Estate of Joan Santoro (Santora), Barbara Santoro Wilson, and Deborah Ann Santoro;** application PLPZ 2016 00310 for a final subdivision to subdivide a 29,381 sq. ft. property into two (2) 11,317 sq. ft. lots and a 6,747 sq. ft. open-space parcel on property located at 51 Sheephill Road in the R-7 zone. *(Staff: MA) (Must decide by 7/26/2016) (Maximum extension available to 9/24/2016) (Page Number: 167)*

   Left Open – Maximum Extension Granted to September 24, 2016
8. **94FPC LLC;** application PLPZ 2016 00172 for a final coastal site plan to construct a new 6,720 sq. ft 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 7/20/2016) (Extension granted to 7/20/16. 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: 271)*

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

9. **Robert S.E. Stone;** application PLPZ 2016 00319 for a final subdivision to subdivide a 36,103 sq. ft. property into a 15,343 sq. ft. lot and a 15,344 sq. ft. lot with a 5,415 sq. ft. open space parcel on property located at 50 Lockwood Avenue in the R-12 zone. *(Staff: PL) (Must decide by 8/6/2016) (Maximum extension available to 10/5/2016) (Page Number: 407)*

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**PUBLIC HEARING 7:15 PM**

10. **392 Davis Avenue LLC;** applications PLPZ 2016 00295 and PLPZ 2016 00296, for a final coastal site plan and special permit, to maintain the existing single-family residence and construct a new two-family residential building with associated site improvements and stormwater controls on a 21,413 sq. ft. property located at 392 Davis Avenue in the R-6 zone. *(Staff: MK) (Must open by 8/11/2016) (Maximum extension available to 10/15/2016) (Page Number: 485)*

   Motion to approve final coastal site plan and special permit with modifications
   Moved by Alban, seconded by Fox
   Voting in favor: Maitland, Alban, Levy, Fox, and Ramer
   5-0
11. **Urisha P. Smith et al.;** applications PLPZ 2016 00268 and PLPZ 2016 00269 for a final site plan and special permit, for modifications to site plan and special permit PLPZ 2014 00357 and PLPZ 2014 00358 for interior renovations of an attic living space, two additional rooms, and a bathroom to a two-family residence on a 0.17 acre property located at 46 Rodwell Avenue in the R-6 zone. (Staff: CT) *(Must open by 7/21/2016)* *(Maximum extension available to 9/24/2016)* *(Page Number: 546)*

   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
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12. **Tiong Sin and Judy Ong;** applications PLPZ 2016 00330 and PLPZ 2016 00331, for a final site plan and special permit, to construct a new open air pergola on a previously approved pool terrace where all structures on the site are in excess of 150,000 cubic feet in volume on a 5.76 acres property located at 633 North Street in the RA-2 zone. (Staff: MA) *(Must open by 8/25/2016)* *(Maximum extension available to 10/29/2016)* *(Page Number: 600)*

   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
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13. **Christopher M. and Francesca J. Santomero;** applications PLPZ 2016 00333 and PLPZ 2016 00334, for a final site plan and special permit to construct a basement and first floor addition to the existing residence and relocate a transform, the result of which would further exceed the 150,000 cubic feet building volume threshold, on a 6.3328 acres property located at 46 Vineyard Lane in the RA-2 zone. (Staff: MK) *(Must open by 8/25/2016)* *(Maximum extension available to 10/29/2016)* *(Page Number: 629)*

   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
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14. **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) (Page Number: 685)

Motion to approve text amendment
Moved by Alban, seconded by Fox
Voting in favor: Maitland, Alban, Levy, Fox, and Ramer
5-0

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. Excluded from this provision are those establishments that sell alcohol under package store or grocery/beer permits.

(b) Within the CGBR zone, there shall be at least four hundred (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. Excluded from this provision are 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.

15. 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) (Page Number: 692)

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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. These requirements do not apply to the side of structures in CGBR and LBR-1 and LBR-2 where no side yard setback exists. The height of a stair access shall not exceed nine (9) feet. The height of an 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.

(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.

16. 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) (Page Number: 698)

   Motion to approve text amendment
   Moved by Alban, seconded by Fox
   Voting in favor: Maitland, Alban, Levy, Fox, and Ramer
   5-0

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 pursuant to Sec 6-14.1(e).

17. 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)(Page Number: 702)

Motion to approve text amendment
Moved by Alban, seconded by Fox
Voting in favor: Maitland, Alban, Levy, Fox, and Ramer
5-0

6-110(g) Incentives

(4) [For] In the LBR-2 business zone [no] an increase [in] by one (1) story 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 may be permitted; [, 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.

**REGULAR MEETING CONTINUED**

18. **DISCUSSION ITEMS:**

19. **DECISION ITEMS:**

(a) **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)* *(Maximum extension available to 8/20/2016)* *(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)*

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

(b) **Greenwich Country Day School:** application PLPZ 2016 00257, for a **special permit only**, for: the demolition and reconstruction of a large portion of the existing Middle School Building; rehabilitation and renovation of the Warner House which is the front portion of the existing middle school; interior renovations of the existing Dining Hall/Library Building; and associated site infrastructure and landscaping improvements on a 41.5 acres property located at 401 Old Church Road in the RA-1 zone. *(Staff: PL)* *(Must decide by 9/9/2016)* *(Maximum extension available to 11/13/2016)* *(Moved to final at the 7/6/2016 meeting, no action on special permit)* *(Seated: Maitland, Alban, Goss (for Levy), Macri (for Fox who recused) and Ramer)*

   No Action
(c)  **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 decide by 9/9/2016) (Maximum extension available to 9/17/2016) (Continued from the 4/5/2016, 5/17/2016, and 6/21/2016 meetings) (Seated: Maitland, Alban, Macri [for Levy at the 6/21/2016 meeting], Fox, and Ramer) (Closed at the 7/6/2016 meeting, no action taken) (Seated 7/6/2016: Maitland, Alban, Macri [for Levy], Fox, and Ramer)*

No Action

20.  **APPROVAL OF MINUTES:**

June 23, 2016

Motion to approve minutes of June 23, 2016
Moved by Fox, seconded by Ramer
Voting in favor: Maitland, Alban, Levy, Fox, and Ramer
5-0

July 6, 2016

No Action on the minutes of July 6, 2016

21.  **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:

**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 8/2/2016)* (Maximum extension available to 8/24/2016) *(Continued from the 6/23/2016 meeting)* *(Seated: Maitland, Alban, Yeskey [for Levy], Fox, and Ramer)*

**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 8/3/2016)* (Maximum extension available to 8/6/2016) *(Continued from the 6/23/2016 meeting)* *(Seated: Maitland, Alban, Levy, Fox, and Ramer)*

**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 9/10/2016)* (Maximum extension granted) *(Continued from the 6/23/2016 meeting)* *(Seated: Maitland, Alban, Levy, Fox, and Ramer)*

**William J. Vizzo, Trustee;** applications PLPZ 2016 00254 and PLPZ 2016 00255, for a final 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 close by 8/3/2016)* (Extension granted to 8/3/2016 Maximum extension available to 10/1/2016) *(Continued from the 6/23/2016 meeting where it was converted from a preliminary to a final)* *(Seated: Maitland, Alban, Levy, Fox, and Ramer)*
TOWN OF GREENWICH  
PLANNING AND ZONING COMMISSION  

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

July 19, 2016  

FINAL AGENDA  

REGULAR MEETING 7:00 PM  

1. Chester Woodfield LLC; application PLPZ 2016 00178, for a request for a 90-day extension for a final re-subdivision to subdivide the existing 11.482 acre parcel into two (2) lots of 6.338 acres and 3.422 acres with a proposed 1.722 acre Open Space Area on property located at 17 Fort Hills Lane in the RA-2 zone approved at the 4/19/2016 meeting. (Staff: PL) (Page Number: 17)  

2. Eastend Restaurant; application PLPZ 2016 00272 for an outdoor dining permit for the placement of 4 tables and a total of 8 chairs in the front of the restaurant on the existing pedestrian sidewalk for seasonal outdoor dining on a property located at 409 Greenwich Avenue in the CGBR zone. (Staff: MK) (Must decide by 7/21/2016) (Maximum extension available to 9/24/2016) (Page Number: 28)  

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13. **Christopher M. and Francesca J. Santomero;** applications PLPZ 2016 00333 and PLPZ 2016 00334, for a final site plan and special permit to construct a basement and first floor addition to the existing residence and relocate a transform, the result of which would further exceed the 150,000 cubic feet building volume threshold, on a 6.3328 acres property located at 46 Vineyard Lane in the RA-2 zone. *(Staff: MK) (Must open by 8/25/2016) (Maximum extension available to 10/29/2016) (Page Number: 629)*

14. **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) (Page Number: 685)*

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. Excluded from this provision are those establishments that sell alcohol under package store or grocery/beer permits.

(b) Within the CGBR zone, there shall be at least four hundred (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. Excluded from this provision are 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.

15. 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) (Page Number: 692)

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. These requirements do not apply to the side of structures in CGBR and LBR-1 and LBR-2 where no side yard setback exists. The height of a stair access shall not exceed nine (9) feet. The height of an 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.
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.
16. **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) (Page Number: 969)

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 pursuant to Sec 6-14.1(e).

17. **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) (Page Number: 702)**

6-110(g) Incentives

(4) [For] In the LBR-2 business zone [no] an increase [in] by one (1) story 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
may be permitted; [, 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.

REGULAR MEETING CONTINUED

18. DISCUSSION ITEMS:

19. DECISION ITEMS:

(a) 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) (Maximum extension available to 8/20/2016) (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)

(b) Greenwich Country Day School; application PLPZ 2016 00257, for a special permit only, for: the demolition and reconstruction of a large portion of the existing Middle School Building; rehabilitation and renovation of the Warner House which is the front portion of the existing middle school; interior renovations of the existing Dining Hall/Library Building; and associated site infrastructure and landscaping improvements on a 41.5 acres property located at 401 Old Church Road in the RA-1 zone. (Staff: PL) (Must decide by 9/9/2016) (Maximum extension available to 11/13/2016) (Moved to final at the 7/6/2016 meeting, no action on special permit) (Seated: Maitland, Alban, Goss (for Levy), Macri (for Fox who recused) and Ramer)
(c) **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 decide by 9/9/2016) (Maximum extension available to 9/17/2016) (Continued from the 4/5/2016, 5/17/2016, and 6/21/2016 meetings) (Seated: Maitland, Alban, Macri [for Levy at the 6/21/2016 meeting], Fox, and Ramer) (Closed at the 7/6/2016 meeting, no action taken) (Seated 7/6/2016: Maitland, Alban, Macri [for Levy], Fox, and Ramer)

20. **APPROVAL OF MINUTES:**

   June 23, 2016
   July 6, 2016

21. **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:**

**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 8/2/2016) (Maximum extension available to
8/24/2016) (Continued from the 6/23/2016 meeting) (Seated: Maitland, Alban, Yeskey [for Levy], Fox, and Ramer)

**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 8/3/2016) (Maximum extension available to 8/6/2016) (Continued from the 6/23/2016 meeting) (Seated: Maitland, Alban, Levy, Fox, and Ramer)*

**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 9/10/2016) (Maximum extension granted) (Continued from the 6/23/2016 meeting) (Seated: Maitland, Alban, Levy, Fox, and Ramer)*

**William J. Vizzo, Trustee;** applications PLPZ 2016 00254 and PLPZ 2016 00255, for a final 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 close by 8/3/2016) (Extension granted to 8/3/2016 Maximum extension available to 10/1/2016) (Continued from the 6/23/2016 meeting where it was converted from a preliminary to a final) (Seated: Maitland, Alban, Levy, Fox, and Ramer)*
TOWN OF GREENWICH
PLANNING AND ZONING COMMISSION

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

July 19, 2016

TENTATIVE AGENDA

REGULAR MEETING 7:00PM

1. Chester Woodfield LLC; application PLPZ 2016 00178, for a request for a 90-day extension for a final re-subdivision to subdivide the existing 11.482 acre parcel into two (2) lots of 6.338 acres and 3.422 acres with a proposed 1.722 acre Open Space Area on property located at 17 Fort Hills Lane in the RA-2 zone approved at the 4/19/2016 meeting. (Staff: PL) (Page Number: )

2. Eastend Restaurant; application PLPZ 2016 00272 for an outdoor dining permit for the placement of 4 tables and a total of 8 chairs in the front of the restaurant on the existing pedestrian sidewalk for seasonal outdoor dining on a property located at 409 Greenwich Avenue in the CGBR zone. (Staff: MK) (Must decide by 7/21/2016) (Maximum extension available to 9/24/2016) (Page Number: )

3. Aux Delices; application PLPZ 2016 00276 for an outdoor dining permit for the placement of 3 tables and a total of 6 chairs on a restaurant patio for seasonal outdoor dining on a property located at 1075 East Putnam Avenue (Riverside) in the LBR-2 zone. (Staff: MK) (Must decide by 7/21/2016) (Maximum extension available to 9/24/2016) (Page Number: )

4. Thomas E. and Nancy R. Ireland; application PLPZ 2016 00294 for a preliminary subdivision to subdivide the property into a 29,402 sq. ft. lot and a 20,185 sq. ft. lot with a 7,439 sq. ft. open space easement area on property located at 45 Patterson Avenue in the R-20 zone. (Staff: PL) (Must decide by 7/19/2016) (Maximum extension available to 9/17/2016) (Page Number: )

5. Michael M. Taylor, Et al.; application PLPZ 2016 00293 for a final site plan to remove two parking spaces out of service to install a concrete pad to support dumpsters on a 34,458 sq. ft. property located at 152 East Putnam Avenue, Cos Cob in the LBR-2 zone. (Staff: PL) (Must decide by 8/11/2016) (Maximum extension available to 10/15/2016) (Page Number: )
6. **Aristide Achy-Brou & Ijeoma Akunyili;** application PLPZ 2016 00291 for a **final subdivision** to subdivide a 19,215 sq. ft. parcel into 7,879.8 sq. ft. lot and a 8,451.5 sq. ft. lot with two open space parcels of 2,318.7 sq. ft. and 565.4 sq. ft. on property located at 48 Sound Beach Avenue in the R-7 zone. *(Staff: MA) (Must decide by 7/19/2016) (Maximum extension available to 9/17/2016) (Page Number:)*

7. **Carmine Santoro, The Estate of Joan Santoro (Santora), Barbara Santoro Wilson, and Deborah Ann Santoro;** application PLPZ 2016 00310 for a **final subdivision** to subdivide a 29,381 sq. ft. property into two (2) 11,317 sq. ft. lots and a 6,747 sq. ft. open-space parcel on property located at 51 Sheep Hill Road in the R-7 zone. *(Staff: MA) (Must decide by 7/26/2016) (Maximum extension available to 9/24/2016) (Page Number:)*

8. **94FPC LLC;** application PLPZ 2016 00172 for a **final coastal site plan** to construct a new 6,720 sq. ft 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 7/20/2016) (Extension granted to 7/20/16. 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:)*

9. **Robert S.E. Stone;** application PLPZ 2016 00319 for a **final subdivision** to subdivide a 36,103 sq. ft. property into a 15,343 sq. ft. lot and a 15,344 sq. ft. lot with a 5,415 sq. ft. open-space parcel on property located at 50 Lockwood Avenue in the R-12 zone. *(Staff: PL) (Must decide by 8/6/2016) (Maximum extension available to 10/5/2016) (Page Number:)*

**PUBLIC HEARING 7:15 PM**

10. **392 Davis Avenue LLC;** applications PLPZ 2016 00295 and PLPZ 2016 00296, for a **final coastal site plan and special permit,** to maintain the existing single-family residence and construct a new two-family residential building with associated site improvements and stormwater controls on a 21,413 sq. ft. property located at 392 Davis Avenue in the R-6 zone. *(Staff: MK) (Must open by 8/11/2016) (Maximum extension available to 10/15/2016) (Page Number:)*

11. **Smith Et al. @ Rodwell;** applications PLPZ 2016 00268 and PLPZ 2016 00269 for a **final site plan and special permit,** for modifications to site plan and special permit PLPZ 2014 00357 and PLPZ 2014 00358 for interior renovations of an attic living space, two additional rooms, and a bathroom to a two-family residence on a 0.17 acre property located at 46 Rodwell Avenue in the R-6 zone. *(Staff: CT) (Must open by 7/21/2016) (Maximum extension available to 9/24/2016) (Page Number:)*
12. **Tiong Sin and Judy Ong**; applications PLPZ 2016 00330 and PLPZ 2016 00331, for a final site plan and special permit, to construct a new open air pergola on a previously approved pool terrace where all structures on the site are in excess of 150,000 cubic feet in volume on a 5.76 acres property located at 633 North Street in the RA-2 zone. *(Staff: MA) (Must open by 8/25/2016) (Maximum extension available to 10/29/2016) (Page Number: )*  

13. **Christopher M. and Francesca J. Santomero**; applications PLPZ 2016 00333 and PLPZ 2016 00334, for a final site plan and special permit to construct a basement and first floor addition to the existing residence and relocate a transform, the result of which would further exceed the 150,000 cubic feet building volume threshold, on a 6.3328 acres property located at 46 Vineyard Lane in the RA-2 zone. *(Staff: MK) (Must open by 8/25/2016) (Maximum extension available to 10/29/2016) (Page Number: )*  

14. **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) (Page Number: )*  

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. Excluded from this provision are those establishments that sell alcohol under package store or grocery/beer permits.
(b) Within the CGBR zone, there shall be at least four hundred (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. Excluded from this provision are 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.

15. **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) (Page Number: )**

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)]
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. These requirements do not apply to the side of structures in CGBR and LBR-1 and LBR-2 where no side yard setback exists. The height of a stair access shall not exceed nine (9) feet. The height of an 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.
6. Cupolas, domes, clerestories, chimneys, skylight, roof-mounted flags or flues:
   - Height shall not be more than twenty five percent (25%) above the height limits.
   - 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.

16. 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) (Page Number: )

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
T-07-19-16
Page 6 of 9

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 pursuant to Sec 6-14.1(e).

17. 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)(Page Number: )

6-110(g) Incentives

(4) [For] In the LBR-2 business zone [no] an increase [in] by one (1) story
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
may be permitted; [, 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.
18. DISCUSSION ITEMS:

19. DECISION ITEMS:

(a) 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) (Maximum extension available to 8/20/2016) (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)

(b) Greenwich Country Day School; application PLPZ 2016 00257, for a special permit only, for: the demolition and reconstruction of a large portion of the existing Middle School Building; rehabilitation and renovation of the Warner House which is the front portion of the existing middle school; interior renovations of the existing Dining Hall/Library Building; and associated site infrastructure and landscaping improvements on a 41.5 acres property located at 401 Old Church Road in the RA-1 zone. (Staff: PL) (Must decide by 9/9/2016) (Maximum extension available to 11/13/2016) (Moved to final at the 7/6/2016 meeting, no action on special permit) (Seated: Maitland, Alban, Goss (for Levy), Macri (for Fox who recused) and Ramer)

(c) 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 SetAside 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

20. **APPROVAL OF MINUTES:**

   June 23, 2016
   July 6, 2016

21. **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:**

**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 8/2/2016) (Maximum extension available to 8/24/2016) (Continued from the 6/23/2016 meeting) (Seated: Maitland, Alban, Yeskey [for Levy], Fox, and Ramer)

**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 8/3/2016) (Maximum extension available to 8/6/2016) (Continued from the 6/23/2016 meeting) (Seated: Maitland, Alban, Levy, Fox, and Ramer)
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 9/10/2016) (Maximum extension granted) (Continued from the 6/23/2016 meeting) (Seated: Maitland, Alban, Levy, Fox, and Ramer)

William J. Vizzo, Trustee; applications PLPZ 2016 00254 and PLPZ 2016 00255, for a final 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 close by 8/3/2016) (Extension granted to 8/3/2016 Maximum extension available to 10/1/2016) (Continued from the 6/23/2016 meeting where it was converted from a preliminary to a final) (Seated: Maitland, Alban, Levy, Fox, and Ramer)