

1. Tentative Agenda

Documents:

[T-07-24-18 - FINAL.PDF](#)

2. Final Agenda

Documents:

[F-07-24-18 - FINAL.PDF](#)

3. Action Agenda

Documents:

[ACTION AGENDA F-07-24-18.PDF](#)

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

July 24, 2018

TENTATIVE AGENDA

REGULAR MEETING 7:00 PM

1. **St. Paul's Evangelical Lutheran Church, Inc.;** application PLPZ 2018 00238 for a final coastal subdivision to confirm that 292 Delavan Avenue and 0 William Street (Tax ID 04-1023/S) are separate building lots from the main St. Paul's Evangelical Lutheran Church property at 286 Delavan Avenue. The Subject Parcels are within the R-6 and R-MF zones. *(Staff: BD) (Must decide by 7/24/2018) (Extension to decide granted to 7/24/2018. Maximum extension available to 9/8/2018) (Continued from the 6/26/2018 meeting) (Seated: Maitland, Alban, Goss [for Levy], and Fox) (Recused: Macri)*
2. **Antoinette Delia;** application PLPZ 2018 00197 for a final site plan, to designate unit #3, an existing three-bedroom basement apartment, as a “set-aside development” pursuant to the Connecticut General Statutes Sec. 8-30g. The proposal is in response to a cease and desist order of the Town’s Zoning Enforcement Officer to validate this unit and no new construction is proposed as part of this application. The subject parcel is a 13,715 sq. ft. property located at 62 Byram Terrace Drive in the R-6 zone. *(Staff: PL) (Must decide by 9/8/2018) (Maximum extension granted) (Postponed at the 6/12/2018 and 6/26/2018 meetings)*
3. **Elizabeth B. Ruprecht & William F. Ruprecht;** application PLPZ 2018 00189 for a final subdivision to subdivide the two (2) parcels at 80 Sherwood Avenue and 0 Greenfield Place (Lot 1 of filed subdivision map #8463), totaling 7.4310-acres, into three (3) parcels where Parcel A would be 2.7527-acres, Parcel B would be 2.0727-acres, Parcel C would be 2.0020-acres, and an open space parcel of 0.6038-acres (equal to 15% of the 4.0201-acres of land not part of a previously approved subdivision) is proposed to be created in the RA-2 zone. *(Staff: SB) (Maximum extension to decide by 8/23/2018) (Postponed and listed on the 6/12/2018 agenda, but not heard)*

4. **Robert J. Natale, Jr.;** application PLPZ 2018 00206 for a final subdivision to subdivide the existing 18,509 sq. ft. property and create two (2) parcels where Parcel "X" will be 7,600 sq. ft., and Parcel "Y" will be 10,909 sq. ft., (including an accessway of 2,303 sq. ft.) on property located at 259 Pemberwick Road in the R-7 zone. *(Staff: MA) (Must decide by 8/25/2018) (Maximum extension to decide granted) (Continued from the 6/12/2018 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri)*
5. **Music & Arts;** application PLPZ 2018 00306 for a final site plan to add one-on-one music instruction, in four practice rooms, to a music sales retail use on a 0.183-acres property located at 22-28 West Putnam Avenue in the CGBR zone. *(Staff: MA) (Must decide by 8/30/2018) (Maximum extension to decide available to 11/3/2018)*
6. **Ali Fayed, Trustee/Pear Lane, LLC;** application PLPZ 2018 00252 for a final coastal subdivision for an equal area exchange of 557 sq. ft. between properties located at 50 and 52 Pear Lane in the RA-1 and RA-2 zones. *(Staff: MA) (Must decide by 7/25/2018) (Extension to decide granted to 7/25/18. Maximum extension available to 9/19/2018) (Continued from the 6/26/2018 meeting) (Seated: Maitland, Alban, Goss [for Levy], Fox, and Macri)*

PUBLIC HEARING 7:15 PM

7. **Pear Lane, LLC;** applications PLPZ 2018 00253 and PLPZ 2018 00254, for a final coastal site plan and special permit, to construct a new 5,310 sq. ft. dwelling the result of which would exceed the 150,000 cubic feet threshold of Sec. 6-101(a) and make related site improvements on a 70,131 sq. ft. property located at 52 Pear Lane in the RA-1 zone. *(Staff: MA) (Must close by 7/31/2018) (Maximum extension to close available to 10/4/2018) (Continued from the 6/26/2018 meeting) (Seated: Maitland, Alban, Goss [for Levy], Fox, and Macri)*
8. **Planning and Zoning Staff;** application PLPZ 2018 00233, for a Zoning Text amendment, submitted pursuant to Section 6-22 of the Town of Greenwich Building Zone Regulations, and Section 8-3 of the Connecticut General Statutes, to amend Sections: 6-15(a)(1) and (2); 6-17(d)(1) through (12); 6-19(a)(4); 6-20(b), (c), (d), and (e); 6-94(a)(1),(5), (8), and (9); 6-94(b)(1) through (4); 6-95(a), (a)(2)(A), (a)(3), (a)(7), and (a)(8); 6-100; 6-101(a); 6-106(a); 6-108(c); 6-109(d)(5); and 6-205 Note 7 of the Town of Greenwich Building Zone Regulations. The Building Zoning Regulations currently specify when a particular use is subject to a special permit application subject to Planning and Zoning Commission review and approval, or a special exception subject to review and approval by the Zoning Board of Appeals. Application PLPZ 2018 00233 is a proposal to amend the aforementioned Sections such that all special exception uses would now be reclassified as special permit uses with the exception of

accessory uses in residential zones over a certain size (see Section 6-95(a)(2)(A)), which would still be handled by the Planning and Zoning Board of Appeals unless it is part of a special permit application already required per Section 6-101, then only a special permit is needed. The net effect of this would be that the outside resources available to the Planning and Zoning Commission would now be applied to the questions of use that had previously been characterized as special exception uses. These resources include analytical reports prepared by Planning and Zoning Staff, which include specific comments from Town Departments, reports from the Commission's Traffic Consultant, and public briefing meeting prior to the public hearings. This would also have the effect of significantly reducing the time it takes to go through the regulatory process from approximately nine (9) months to four (4) months. Lastly proposed, is a modification that would allow the Commission, under special permit applications, to permit a limited increase of FAR for special permit uses in residential zones, for those properties that also rezone to Historic Overlay to protect historic assets, and also for non-profit educational institutions. A complete copy of the proposed text amendments are on file and available in the Planning and Zoning Office, Greenwich Town Hall, 101 Field Point Road, Greenwich, CT 06830, and also on the Town of Greenwich's website at:
http://www.greenwichct.org/government/departments/planning_and_zoning/
(Staff: KD) (Continued from the 6/12/2018 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri)

The text amendment regarding the proposed FAR increases for educational institutions in residential zones has been withdrawn.

9. **Planning and Zoning Staff**; application PLPZ 2018 00309, for a Zoning Text Amendment, submitted pursuant to Section 6-22 of the Town of Greenwich Building Zone Regulations, and Section 8-3 of the Connecticut General Statutes, to amend Section 6-194 "LOCATION OF ALCOHOLIC ESTABLISHMENTS" subsection (a) subsection (2) as follows (text in **BOLD CAPITALS** to be added):

Section 6-194(a)(2) **CAFÉ PERMITS ARE PERMITTED FOR THEATRE AND CINEMA USES ONLY. ANY THEATRE OR CINEMA WHICH OPERATES IN THE TOWN OF GREENWICH WITH A CAFÉ PERMIT SHALL PROVIDE TYPICAL THEATRE/CINEMA CONCESSIONS, HOT MEALS, AND HAVE AN ADEQUATE AND SANITARY KITCHEN.** All other Café Permits are prohibited in every zone. (Staff: KD)

10. **Nisha Hurst**; applications PLPZ 2018 00314 and PLPZ 2018 00315, for a final site plan and special permit, to modify approved final site plan and special permit, PLPZ 2015 00201 and PLPZ 2015 00202, to amend site grading and amend the building's plans the result of which would increase the overall building volume of the site and further exceed the 150,000 cubic foot building volume threshold of Section 6-101(a) on a 4.9466-acres property located at 489 North Street in the RA-2 zone. (Staff: PL) (Must open by 8/30/2018) (Maximum extension to open available to 11/3/2018)
11. **J&J Greenwich, LLC**; applications PLPZ 2018 00269 and PLPZ 2018 00270, for a final site plan and special permit, to revise the mixed-use building with moderate-income housing units previously approved by the Planning and Zoning Commission under Final Site Plan and Special Permit applications PLPZ 2017 00195 and PLPZ 2017 00196 by: increasing the amount of floor area dedicated to residential use on the 2nd floor; reduce the overall square footage of the approved building by 30 sq. ft. reduce the overall size of the proposed underground parking structure, and reduce the overall parking of the site by 15 parking spaces on properties located at 5 Sheephill Road and 1137 East Putnam Avenue in the LB zone. (Staff: JP) (Must close by 8/14/2018) (Maximum extension to close available to 10/18/2018) (Continued from the 7/10/2018 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri)
12. **Michael J. Banks**; applications PLPZ 2018 00136 and PLPZ 2018 00137, for a final coastal site plan and special permit, to construct a new mixed-use building with a moderate income housing unit with general site improvements to the site which include four (4) surface parking spaces, two (2) spaces interior to the building and one ADA compliant surface parking space. The proposed building would house retail space and a jobbing establishment on the first floor, and four (4) one-bedroom units on the second floor, one (1) of which would be deed restricted as a moderate income unit per Section 6-110 of the Town's Building Zone Regulations on a 4,984 sq. ft. property located at 4 Armonk Street in the LBR-2 zone. (Staff: PL) (Must close by 8/9/2018) (Maximum extension to close granted) (Continued from the 5/1/2018, 5/31/2018 and 7/10/2018 meetings) (Seated: Maitland, Alban, Levy, Hardman (for Fox), and Yeskey (for Macri))
13. **Rockhill Real Estate VII LP**; application PLPZ 2018 00184, for a Zoning Map Amendment, to re-zone the property at 15 Oak Ridge Street from R-6 to P-zone (as shown on a zoning map on file in the Town Clerk's office) on property located at 15 Oak Ridge Street in the R-6 zone. (Staff: PL) (Must close by 7/25/2018) (Maximum extension to close available to 9/20/2018) (Continued from the 6/12/2018 and 7/10/2018 meetings) (Seated: Maitland, Alban, Levy, Fox, and Macri)

REGULAR MEETING CONTINUED

14. **Rockhill Real Estate VII LP**; applications PLPZ 2018 00183, for a final site plan, to demolish the existing dwelling and construct a parking lot on a property located at 15 Oak Ridge Street and subject to re-zoning PLPZ 2018 00184 which would re-designate the property from the R-6 to a “P” zone. *(Staff: PL) (Must decide by 7/25/2018) (Extension to decide granted to 7/25/2018. Maximum extension to decide available to 9/8/2018) (Continued from the 6/12/2018 and 7/10/2018 meetings) (Seated: Maitland, Alban, Levy, Fox, and Macri)*
15. **Rockhill Real Estate VII LP**; applications PLPZ 2018 00181, for a final site plan, to demolish the existing building and construct a new two-story motor vehicle sales and service building for Greenwich Lamborghini on a property located at 300 West Putnam Avenue in the GB zone. *(Staff: PL) (Must decide by 7/25/2018) (Extension to decide granted to 7/25/2018. Maximum extension to decide available to 9/8/2018) (Continued from the 6/12/2018 and 7/10/2018 meetings) (Seated: Maitland, Alban, Levy, Fox, and Macri)*
16. **DISCUSSION ITEMS:**
17. **DECISION ITEMS:**
18. **APPROVAL OF MINUTES:**

July 10, 2018
19. **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:**

Tiger Venture LLC; applications PLPZ 2018 00108 and PLPZ 2018 00112, for a final site plan and special permit, to construct a new residence, pool, pool patio, tennis court, driveway and related site and stormwater improvements the result of which would exceed the 150,000 cubic feet in volume threshold on a 4.299-acres property located at 24 Meeting House Road in the RA-4 zone. *(Staff: JP) (Must open by 8/11/2018) (Maximum extension to open granted) (Postponed at the 5/1/2018 meeting)*

John Margenot; application PLPZ 2018 00205 for a final coastal site plan to construct additions to the home increasing the gross floor area from 2,576 sq. ft. to 5,053 sq. ft. and make renovations to an existing two-family dwelling on a 9,443 sq. ft. property located at 29 Davenport Avenue in the R-6 zone. *(Staff: PL) (Must decide by 9/8/2018) (Maximum extension granted) (Postponed at the 6/12/2018 meeting were it listed on the 6/12/2018 agenda, but not heard)*

Palmer Island LLC; application PLPZ 2018 00250 for a final coastal subdivision to divide a 67,605.38 sq. ft. property located at 10 South End Court and create two lots where Lot 1 would equal 18,940.25 sq. ft., and Lot 2 would equal 19,673.77 sq. ft., and an open space area of 20,077.13 sq. ft. (equal to 29.7% of the total zoning lot area) in the R-12 zone. *(Staff: MA) (Extension granted to 8/8/2018) (Maximum extension to decide available to 9/18/2018) (Continued from the 6/12/2018 and 7/10/2018 meetings) (Seated: Maitland, Alban, Levy, Fox, and Macri)*

Robin Hill LLC & Smokey Hill LLC; application PLPZ 2018 00195 for a preliminary subdivision to transfer 47,516 sq. ft. of land from the parcel at 7 John Street to 25 Buckfield Lane in the RA-4 zone. *(Staff: BD) (Must decide by 8/11/2018) (Maximum extension to decide granted to 8/11/2018) (Maximum available to 8/21/2018) (Continued from the 6/12/2018 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri)*

Smokey Hill LLC; application PLPZ 2018 00196 for a preliminary subdivision, to create two (2) parcels of land from an 8.311-acres parcel of land (as proposed to be amended by subdivision application PLPZ 2018 00195) where Lot No. 1 would equal 4.001-acres and Lot No.2 would equal 4.310-acres (4.000 acres less accessway) with an open space easement area of 1.247 acres on a property located at 25 Buckfield Lane in the RA-4 zone. *(Staff: BD) (Must decide by 8/11/2018) (Maximum extension to decide granted to 8/11/2018) (Maximum available to 8/21/2018) (Continued from the 6/12/2018 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri)*

START: _____
END: _____

TENTATIVE AGENDA

FINAL AGENDA

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TOWN OF GREENWICH PLANNING AND ZONING COMMISSION

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

July 24, 2018
FINAL AGENDA

REGULAR MEETING 7:00 PM

1. **257 Bruce Park Avenue, LLC;** 257 Bruce Park Avenue, request for an extension of time in accordance with Section 6-279 of the Town of Greenwich Subdivision Regulations, for an additional ninety (90) days to file a mylar with the Town Clerk, for application PLPZ 2018 00024, approved at the April 17, 2018 meeting, for a final subdivision to subdivide the 20,033 sq. ft. property located at 257 Bruce Park Avenue in the R-6 zone into two lots where Lot 1 would equal 7,500 sq. ft., Lot 2 would equal 7714 sq. ft. (less the 2,245 sq. ft. access way), an open space parcel of 2,574 sq. ft. and an open space easement of 431 sq. ft., which together would equal 15% of the total lot area. *(Staff: MA) (Page Number: 13)*
2. **St. Paul's Evangelical Lutheran Church, Inc.;** application PLPZ 2018 00238 for a final coastal subdivision to confirm that 292 Delavan Avenue and 0 William Street (Tax ID 04-1023/S) are separate building lots from the main St. Paul's Evangelical Lutheran Church property at 286 Delavan Avenue. The Subject Parcels are within the R-6 and R-MF zones. *(Staff: BD) (Must decide by 7/24/2018) (Extension to decide granted to 7/24/2018. Maximum extension available to 9/8/2018) (Continued from the 6/26/2018 meeting) (Seated: Maitland, Alban, Goss [for Levy], and Fox) (Recused: Macri) (Page Number: 14)*
3. **Antoinette Delia;** application PLPZ 2018 00197 for a final site plan, to designate unit #3, an existing three-bedroom basement apartment, as a “set-aside development” pursuant to the Connecticut General Statutes Sec. 8-30g. The proposal is in response to a cease and desist order of the Town’s Zoning Enforcement Officer to validate this unit and no new construction is proposed as part of this application. The subject parcel is a 13,715 sq. ft. property located at 62 Byram Terrace Drive in the R-6 zone. *(Staff: PL) (Must decide by 9/8/2018) (Maximum extension granted) (Postponed at the 6/12/2018 and 6/26/2018 meetings)*

PLPZ 2018 00197 has been POSTPONED by Applicant

4. **Elizabeth B. Ruprecht & William F. Ruprecht;** application PLPZ 2018 00189 for a final subdivision to subdivide the two (2) parcels at 80 Sherwood Avenue and 0 Greenfield Place (Lot 1 of filed subdivision map #8463), totaling 7.4310-acres, into three (3) parcels where Parcel A would be 2.7527-acres, Parcel B would be 2.0727-acres, Parcel C would be 2.0020-acres, and an open space parcel of 0.6038-acres (equal to 15% of the 4.0201-acres of land not part of a previously approved subdivision) is proposed to be created in the RA-2 zone. *(Staff: SB) (Maximum extension to decide by 8/23/2018) (Postponed and listed on the 6/12/2018 agenda, but not heard) (Page Number: 193)*
5. **Robert J. Natale, Jr.;** application PLPZ 2018 00206 for a final subdivision to subdivide the existing 18,509 sq. ft. property and create two (2) parcels where Parcel "X" will be 7,600 sq. ft., and Parcel "Y" will be 10,909 sq. ft., (including an accessway of 2,303 sq. ft.) on property located at 259 Pemberwick Road in the R-7 zone. *(Staff: MA) (Must decide by 8/25/2018) (Maximum extension to decide granted) (Continued from the 6/12/2018 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri) (Page Number: 263)*
6. **Music & Arts;** application PLPZ 2018 00306 for a final site plan to add one-on-one music instruction, in four practice rooms, to a music sales retail use on a 0.183-acres property located at 22-28 West Putnam Avenue in the CGBR zone. *(Staff: MA) (Must decide by 8/30/2018) (Maximum extension to decide available to 11/3/2018) (Page Number: 352)*
7. **Ali Fayed, Trustee/Pear Lane, LLC;** application PLPZ 2018 00252 for a final coastal subdivision for an equal area exchange of 557 sq. ft. between properties located at 50 and 52 Pear Lane in the RA-1 and RA-2 zones. *(Staff: MA) (Must decide by 7/25/2018) (Extension to decide granted to 7/25/18. Maximum extension available to 9/19/2018) (Continued from the 6/26/2018 meeting) (Seated: Maitland, Alban, Goss [for Levy], Fox, and Macri)*

PLPZ 2018 00252 has been POSTPONED – Extension granted, must decide by 8/8/2018

PUBLIC HEARING 7:15 PM

8. **Pear Lane, LLC**; applications PLPZ 2018 00253 and PLPZ 2018 00254, for a final coastal site plan and special permit, to construct a new 5,310 sq. ft. dwelling the result of which would exceed the 150,000 cubic feet threshold of Sec. 6-101(a) and make related site improvements on a 70,131 sq. ft. property located at 52 Pear Lane in the RA-1 zone. (*Staff: MA*) (**Must close by 7/31/2018**) (*Maximum extension to close available to 10/4/2018*) (*Continued from the 6/26/2018 meeting*) (*Seated: Maitland, Alban, Goss [for Levy], Fox, and Macri*)

PLPZ 2018 00253 and PLPZ 2018 00254 has been POSTPONED – Extension granted, must close by 8/8/2018

9. **Planning and Zoning Staff**; application PLPZ 2018 00233, for a Zoning Text amendment, submitted pursuant to Section 6-22 of the Town of Greenwich Building Zone Regulations, and Section 8-3 of the Connecticut General Statutes, to amend Sections: 6-15(a)(1) and (2); 6-17(d)(1) through (12); 6-19(a)(4); 6-20(b), (c), (d), and (e); 6-94(a)(1),(5), (8), and (9); 6-94(b)(1) through (4); 6-95(a), (a)(2)(A), (a)(3), (a)(7), and (a)(8); 6-100; 6-101(a); 6-106(a); 6-108(c); 6-109(d)(5); and 6-205 Note 7 of the Town of Greenwich Building Zone Regulations. The Building Zoning Regulations currently specify when a particular use is subject to a special permit application subject to Planning and Zoning Commission review and approval, or a special exception subject to review and approval by the Zoning Board of Appeals. Application PLPZ 2018 00233 is a proposal to amend the aforementioned Sections such that all special exception uses would now be reclassified as special permit uses with the exception of accessory uses in residential zones over a certain size (see Section 6-95(a)(2)(A)), which would still be handled by the Planning and Zoning Board of Appeals unless it is part of a special permit application already required per Section 6-101, then only a special permit is needed. The net effect of this would be that the outside resources available to the Planning and Zoning Commission would now be applied to the questions of use that had previously been characterized as special exception uses. These resources include analytical reports prepared by Planning and Zoning Staff, which include specific comments from Town Departments, reports from the Commission's Traffic Consultant, and public briefing meeting prior to the public hearings. This would also have the effect of significantly reducing the time it takes to go through the regulatory process from approximately nine (9) months to four (4) months. Lastly proposed, is a modification that would allow the Commission, under special permit applications, to permit a limited increase of FAR for special permit uses in residential zones, for those properties that also rezone to Historic Overlay to protect historic assets, and also for non-profit educational institutions. A complete copy of the proposed text amendments are on file and available in the Planning and Zoning Office, Greenwich Town Hall, 101 Field Point Road, Greenwich, CT 06830, and also on the Town of Greenwich's website at:
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(Staff: KD) (Continued from the 6/12/2018 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri) (Page Number: 404)

The text amendment regarding the proposed FAR increases for educational institutions in residential zones has been withdrawn.

10. **Planning and Zoning Staff;** application PLPZ 2018 00309, for a Zoning Text Amendment, submitted pursuant to Section 6-22 of the Town of Greenwich Building Zone Regulations, and Section 8-3 of the Connecticut General Statutes, to amend Section 6-194 “LOCATION OF ALCOHOLIC ESTABLISHMENTS” subsection (a) subsection (2) as follows (text in **BOLD CAPITALS** to be added):

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11. **Nisha Hurst;** applications PLPZ 2018 00314 and PLPZ 2018 00315, for a final site plan and special permit, to modify approved final site plan and special permit, PLPZ 2015 00201 and PLPZ 2015 00202, to amend site grading and amend the building’s plans the result of which would increase the overall building volume of the site and further exceed the 150,000 cubic foot building volume threshold of Section 6-101(a) on a 4.9466-acres property located at 489 North Street in the RA-2 zone. *(Staff: PL) (Must open by 8/30/2018) (Maximum extension to open available to 11/3/2018) (Page Number: 457)*
12. **J&J Greenwich, LLC;** applications PLPZ 2018 00269 and PLPZ 2018 00270, for a final site plan and special permit, to revise the mixed-use building with moderate-income housing units previously approved by the Planning and Zoning Commission under Final Site Plan and Special Permit applications PLPZ 2017 00195 and PLPZ 2017 00196 by: increasing the amount of floor area dedicated to residential use on the 2nd floor; reduce the overall square footage of the approved building by 30 sq. ft. reduce the overall size of the proposed underground parking structure, and reduce the overall parking of the site by 15 parking spaces on properties located at 5 Sheephill Road and 1137 East Putnam Avenue in the LB zone. *(Staff: JP) (Must close by 8/14/2018) (Maximum extension to close available to 10/18/2018) (Continued from the 7/10/2018 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri) (Page Number: 729)*

13. **Michael J. Banks**; applications PLPZ 2018 00136 and PLPZ 2018 00137, for a final coastal site plan and special permit, to construct a new mixed-use building with a moderate income housing unit with general site improvements to the site which include four (4) surface parking spaces, two (2) spaces interior to the building and one ADA compliant surface parking space. The proposed building would house retail space and a jobbing establishment on the first floor, and four (4) one-bedroom units on the second floor, one (1) of which would be deed restricted as a moderate income unit per Section 6-110 of the Town's Building Zone Regulations on a 4,984 sq. ft. property located at 4 Armonk Street in the LBR-2 zone. (Staff: PL) (Must close by 8/9/2018) (Maximum extension to close granted) (Continued from the 5/1/2018, 5/31/2018 and 7/10/2018 meetings) (Seated: Maitland, Alban, Levy, Hardman (for Fox), and Yeskey (for Macri)) (Page Number: 807)
14. **Rockhill Real Estate VII LP**; application PLPZ 2018 00184, for a Zoning Map Amendment, to re-zone the property at 15 Oak Ridge Street from R-6 to P-zone (as shown on a zoning map on file in the Town Clerk's office) on property located at 15 Oak Ridge Street in the R-6 zone. (Staff: PL) (Must close by 7/25/2018) (Maximum extension to close available to 9/20/2018) (Continued from the 6/12/2018 and 7/10/2018 meetings) (Seated: Maitland, Alban, Levy, Fox, and Macri) (Page Number: 877)

REGULAR MEETING CONTINUED

15. **Rockhill Real Estate VII LP**; applications PLPZ 2018 00183, for a final site plan, to demolish the existing dwelling and construct a parking lot on a property located at 15 Oak Ridge Street and subject to re-zoning PLPZ 2018 00184 which would re-designate the property from the R-6 to a "P" zone. (Staff: PL) (Must decide by 7/25/2018) (Extension to decide granted to 7/25/2018. Maximum extension to decide available to 9/8/2018) (Continued from the 6/12/2018 and 7/10/2018 meetings) (Seated: Maitland, Alban, Levy, Fox, and Macri) (Page Number: 913)
16. **Rockhill Real Estate VII LP**; applications PLPZ 2018 00181, for a final site plan, to demolish the existing building and construct a new two-story motor vehicle sales and service building for Greenwich Lamborghini on a property located at 300 West Putnam Avenue in the GB zone. (Staff: PL) (Must decide by 7/25/2018) (Extension to decide granted to 7/25/2018. Maximum extension to decide available to 9/8/2018) (Continued from the 6/12/2018 and 7/10/2018 meetings) (Seated: Maitland, Alban, Levy, Fox, and Macri) (Page Number: 983)
17. **DISCUSSION ITEMS:**

18. **DECISION ITEMS:**

19. **APPROVAL OF MINUTES:**

July 10, 2018

20. **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
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Tiger Venture LLC; applications PLPZ 2018 00108 and PLPZ 2018 00112, for a final site plan and special permit, to construct a new residence, pool, pool patio, tennis court, driveway and related site and stormwater improvements the result of which would exceed the 150,000 cubic feet in volume threshold on a 4.299-acres property located at 24 Meeting House Road in the RA-4 zone. *(Staff: JP) (Must open by 8/11/2018) (Maximum extension to open granted) (Postponed at the 5/1/2018 meeting)*

John Margenot; application PLPZ 2018 00205 for a final coastal site plan to construct additions to the home increasing the gross floor area from 2,576 sq. ft. to 5,053 sq. ft. and make renovations to an existing two-family dwelling on a 9,443 sq. ft. property located at 29 Davenport Avenue in the R-6 zone. *(Staff: PL) (Must decide by 9/8/2018) (Maximum extension granted) (Postponed at the 6/12/2018 meeting were it listed on the 6/12/2018 agenda, but not heard)*

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Smokey Hill LLC; application PLPZ 2018 00196 for a preliminary subdivision, to create two (2) parcels of land from an 8.311-acres parcel of land (as proposed to be amended by subdivision application PLPZ 2018 00195) where Lot No. 1 would equal 4.001-acres and Lot No.2 would equal 4.310-acres (4.000 acres less accessway) with an open space easement area of 1.247 acres on a property located at 25 Buckfield Lane in the RA-4 zone. *(Staff: BD) (Must decide by 8/11/2018) (Maximum extension to decide granted to 8/11/2018) (Maximum available to 8/21/2018) (Continued from the 6/12/2018 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri)*

TENTATIVE AGENDA

FINAL AGENDA

ACTION AGENDA

TOWN OF GREENWICH PLANNING AND ZONING COMMISSION

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

July 24, 2018

ACTION AGENDA WITH DECISIONS

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

Regular Member Absent: Peter Levy

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

Alternate Member Absent: Dave Hardman

Staff Members Present: Katie DeLuca, Director Planning and Zoning/Zoning Enforcement Coordinator/Town Planner, and Marisa Anastasio, Senior Planner

REGULAR MEETING 7:00 PM

1. **257 Bruce Park Avenue, LLC**; 257 Bruce Park Avenue, request for an extension of time in accordance with Section 6-279 of the Town of Greenwich Subdivision Regulations, for an additional ninety (90) days to file a mylar with the Town Clerk, for application PLPZ 2018 00024, approved at the April 17, 2018 meeting, for a final subdivision to subdivide the 20,033 sq. ft. property located at 257 Bruce Park Avenue in the R-6 zone into two lots where Lot 1 would equal 7,500 sq. ft., Lot 2 would equal 7714 sq. ft. (less the 2,245 sq. ft. access way), an open space parcel of 2,574 sq. ft. and an open space easement of 431 sq. ft., which together would equal 15% of the total lot area. *(Staff: MA) (Page Number: 13)*

Motion to approve a 90-day extension to file the mylar

Moved by Alban, seconded by Fox

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

5-0

2. **St. Paul's Evangelical Lutheran Church, Inc.;** application PLPZ 2018 00238 for a final coastal subdivision to confirm that 292 Delavan Avenue and 0 William Street (Tax ID 04-1023/S) are separate building lots from the main St. Paul's Evangelical Lutheran Church property at 286 Delavan Avenue. The Subject Parcels are within the R-6 and R-MF zones. *(Staff: BD) (Must decide by 7/24/2018) (Extension to decide granted to 7/24/2018. Maximum extension available to 9/8/2018) (Continued from the 6/26/2018 meeting) (Seated: Maitland, Alban, Goss [for Levy], and Fox) (Recused: Macri) (Page Number: 14)*

Postponed by Applicant

3. **Antoinette Delia;** application PLPZ 2018 00197 for a final site plan, to designate unit #3, an existing three-bedroom basement apartment, as a “set-aside development” pursuant to the Connecticut General Statutes Sec. 8-30g. The proposal is in response to a cease and desist order of the Town’s Zoning Enforcement Officer to validate this unit and no new construction is proposed as part of this application. The subject parcel is a 13,715 sq. ft. property located at 62 Byram Terrace Drive in the R-6 zone. *(Staff: PL) (Must decide by 9/8/2018) (Maximum extension granted) (Postponed at the 6/12/2018 and 6/26/2018 meetings)*

Postponed by Applicant

4. **Elizabeth B. Ruprecht & William F. Ruprecht;** application PLPZ 2018 00189 for a final subdivision to subdivide the two (2) parcels at 80 Sherwood Avenue and 0 Greenfield Place (Lot 1 of filed subdivision map #8463), totaling 7.4310-acres, into three (3) parcels where Parcel A would be 2.7527-acres, Parcel B would be 2.0727-acres, Parcel C would be 2.0020-acres, and an open space parcel of 0.6038-acres (equal to 15% of the 4.0201-acres of land not part of a previously approved subdivision) is proposed to be created in the RA-2 zone. *(Staff: SB) (Maximum extension to decide by 8/23/2018) (Postponed and listed on the 6/12/2018 agenda, but not heard) (Page Number: 193)*

Left Open – Applicant to convert to a final re-subdivision

5. **Robert J. Natale, Jr.;** application PLPZ 2018 00206 for a final subdivision to subdivide the existing 18,509 sq. ft. property and create two (2) parcels where Parcel "X" will be 7,600 sq. ft., and Parcel "Y" will be 10,909 sq. ft., (including an accessway of 2,303 sq. ft.) on property located at 259 Pemberwick Road in the R-7 zone. (Staff: MA) (Must decide by 8/25/2018) (Maximum extension to decide granted) (Continued from the 6/12/2018 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri) (Page Number: 263)

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

6. **Music & Arts;** application PLPZ 2018 00306 for a final site plan to add one-on-one music instruction, in four practice rooms, to a music sales retail use on a 0.183-acres property located at 22-28 West Putnam Avenue in the CGBR zone. (Staff: MA) (Must decide by 8/30/2018) (Maximum extension to decide available to 11/3/2018) (Page Number: 352)

Motion to approve final site plan with modifications
Moved by Alban, seconded by Fox
Voting in favor: None
Motion failed to carry

Motion to deny final site plan
Moved by Alban, seconded by Fox
Voting in favor of denial: Maitland, Alban, Yeskey (for Levy), Fox, and Goss (for Macri who recused)
5-0
Application is denied

7. **Ali Fayed, Trustee/Pear Lane, LLC;** application PLPZ 2018 00252 for a final coastal subdivision for an equal area exchange of 557 sq. ft. between properties located at 50 and 52 Pear Lane in the RA-1 and RA-2 zones. (Staff: MA) (**Must decide by 7/25/2018**) (Extension to decide granted to 7/25/18. Maximum extension available to 9/19/2018) (Continued from the 6/26/2018 meeting) (Seated: Maitland, Alban, Goss [for Levy], Fox, and Macri)

Postponed – Extension granted, must decide by August 8, 2018

PUBLIC HEARING 7:15 PM

8. **Pear Lane, LLC**; applications PLPZ 2018 00253 and PLPZ 2018 00254, for a final coastal site plan and special permit, to construct a new 5,310 sq. ft. dwelling the result of which would exceed the 150,000 cubic feet threshold of Sec. 6-101(a) and make related site improvements on a 70,131 sq. ft. property located at 52 Pear Lane in the RA-1 zone. *(Staff: MA) (Must close by 7/31/2018) (Maximum extension to close available to 10/4/2018) (Continued from the 6/26/2018 meeting) (Seated: Maitland, Alban, Goss [for Levy], Fox, and Macri)*

Postponed – Extension granted, must close by August 8, 2018

9. **Planning and Zoning Staff**; application PLPZ 2018 00233, for a Zoning Text amendment, submitted pursuant to Section 6-22 of the Town of Greenwich Building Zone Regulations, and Section 8-3 of the Connecticut General Statutes, to amend Sections: 6-15(a)(1) and (2); 6-17(d)(1) through (12); 6-19(a)(4); 6-20(b), (c), (d), and (e); 6-94(a)(1),(5), (8), and (9); 6-94(b)(1) through (4); 6-95(a), (a)(2)(A), (a)(3), (a)(7), and (a)(8); 6-100; 6-101(a); 6-106(a); 6-108(c); 6-109(d)(5); and 6-205 Note 7 of the Town of Greenwich Building Zone Regulations. The Building Zoning Regulations currently specify when a particular use is subject to a special permit application subject to Planning and Zoning Commission review and approval, or a special exception subject to review and approval by the Zoning Board of Appeals. Application PLPZ 2018 00233 is a proposal to amend the aforementioned Sections such that all special exception uses would now be reclassified as special permit uses with the exception of accessory uses in residential zones over a certain size (see Section 6-95(a)(2)(A)), which would still be handled by the Planning and Zoning Board of Appeals unless it is part of a special permit application already required per Section 6-101, then only a special permit is needed. The net effect of this would be that the outside resources available to the Planning and Zoning Commission would now be applied to the questions of use that had previously been characterized as special exception uses. These resources include analytical reports prepared by Planning and Zoning Staff, which include specific comments from Town Departments, reports from the Commission's Traffic Consultant, and public briefing meeting prior to the public hearings. This would also have the effect of significantly reducing the time it takes to go through the regulatory process from approximately nine (9) months to four (4) months. Lastly proposed, is a modification that would allow the Commission, under special permit applications, to permit a limited increase of FAR for special permit uses in residential zones, for those properties that also rezone to Historic Overlay to protect historic assets, and also for non-profit educational institutions. A complete copy of the proposed text amendments are on file and available in the Planning and Zoning Office, Greenwich Town Hall, 101 Field Point Road, Greenwich, CT 06830, and also on the Town of Greenwich's website at: http://www.greenwichct.org/government/departments/planning_and_zoning/ *(Staff: KD) (Continued from the 6/12/2018 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri) (Page Number: 404)*

The text amendment regarding the proposed FAR increases for educational institutions in residential zones has been withdrawn.

Left Open

10. **Planning and Zoning Staff;** application PLPZ 2018 00309, for a Zoning Text Amendment, submitted pursuant to Section 6-22 of the Town of Greenwich Building Zone Regulations, and Section 8-3 of the Connecticut General Statutes, to amend Section 6-194 “LOCATION OF ALCOHOLIC ESTABLISHMENTS” subsection (a) subsection (2) as follows (text in **BOLD CAPITALS** to be added):

Section 6-194(a)(2) **CAFÉ PERMITS ARE PERMITTED FOR THEATRE AND CINEMA USES ONLY. ANY THEATRE OR CINEMA WHICH OPERATES IN THE TOWN OF GREENWICH WITH A CAFÉ PERMIT SHALL PROVIDE TYPICAL THEATRE/CINEMA CONCESSIONS, HOT MEALS, AND HAVE AN ADEQUATE AND SANITARY KITCHEN.** All other Café Permits are prohibited in every zone. (Staff: KD) (Page Number: 451)

Motion to approve text amendment

Moved by Alban, seconded by Fox

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

5-0

11. **Nisha Hurst;** applications PLPZ 2018 00314 and PLPZ 2018 00315, for a final site plan and special permit, to modify approved final site plan and special permit, PLPZ 2015 00201 and PLPZ 2015 00202, to amend site grading and amend the building’s plans the result of which would increase the overall building volume of the site and further exceed the 150,000 cubic foot building volume threshold of Section 6-101(a) on a 4.9466-acres property located at 489 North Street in the RA-2 zone. (Staff: PL) (Must open by 8/30/2018) (Maximum extension to open available to 11/3/2018) (Page Number: 457)

Closed

12. **J&J Greenwich, LLC**; applications PLPZ 2018 00269 and PLPZ 2018 00270, for a final site plan and special permit, to revise the mixed-use building with moderate-income housing units previously approved by the Planning and Zoning Commission under Final Site Plan and Special Permit applications PLPZ 2017 00195 and PLPZ 2017 00196 by: increasing the amount of floor area dedicated to residential use on the 2nd floor; reduce the overall square footage of the approved building by 30 sq. ft. reduce the overall size of the proposed underground parking structure, and reduce the overall parking of the site by 15 parking spaces on properties located at 5 Sheephill Road and 1137 East Putnam Avenue in the LB zone. (Staff: JP) (Must close by 8/14/2018) (Maximum extension to close available to 10/18/2018) (Continued from the 7/10/2018 meeting) (Seated: Maitland, Alban, Levy, Fox, and Macri) (Page Number: 729)

Left Open

13. **Michael J. Banks**; applications PLPZ 2018 00136 and PLPZ 2018 00137, for a final coastal site plan and special permit, to construct a new mixed-use building with a moderate income housing unit with general site improvements to the site which include four (4) surface parking spaces, two (2) spaces interior to the building and one ADA compliant surface parking space. The proposed building would house retail space and a jobbing establishment on the first floor, and four (4) one-bedroom units on the second floor, one (1) of which would be deed restricted as a moderate income unit per Section 6-110 of the Town's Building Zone Regulations on a 4,984 sq. ft. property located at 4 Armonk Street in the LBR-2 zone. (Staff: PL) (Must close by 8/9/2018) (Maximum extension to close granted) (Continued from the 5/1/2018, 5/31/2018 and 7/10/2018 meetings) (Seated: Maitland, Alban, Levy, Hardman (for Fox), and Yeskey (for Macri)) (Page Number: 807)

Motion to approve final coastal site plan and special permit with modifications

Moved by Alban, seconded by Fox

Voting in favor: Maitland, Alban, Yeskey (for Levy), Fox, and Macri
5-0

14. **Rockhill Real Estate VII LP**; application PLPZ 2018 00184, for a Zoning Map Amendment, to re-zone the property at 15 Oak Ridge Street from R-6 to P-zone (as shown on a zoning map on file in the Town Clerk's office) on property located at 15 Oak Ridge Street in the R-6 zone. (Staff: PL) (Must close by 7/25/2018) (Maximum extension to close available to 9/20/2018) (Continued from the 6/12/2018 and 7/10/2018 meetings) (Seated: Maitland, Alban, Levy, Fox, and Macri) (Page Number: 877)

Closed

REGULAR MEETING CONTINUED

15. **Rockhill Real Estate VII LP;** applications PLPZ 2018 00183, for a final site plan, to demolish the existing dwelling and construct a parking lot on a property located at 15 Oak Ridge Street and subject to re-zoning PLPZ 2018 00184 which would re-designate the property from the R-6 to a “P” zone. *(Staff: PL) (Must decide by 7/25/2018) (Extension to decide granted to 7/25/2018. Maximum extension to decide available to 9/8/2018) (Continued from the 6/12/2018 and 7/10/2018 meetings) (Seated: Maitland, Alban, Levy, Fox, and Macri) (Page Number: 913)*

Left Open

16. **Rockhill Real Estate VII LP;** applications PLPZ 2018 00181, for a final site plan, to demolish the existing building and construct a new two-story motor vehicle sales and service building for Greenwich Lamborghini on a property located at 300 West Putnam Avenue in the GB zone. *(Staff: PL) (Must decide by 7/25/2018) (Extension to decide granted to 7/25/2018. Maximum extension to decide available to 9/8/2018) (Continued from the 6/12/2018 and 7/10/2018 meetings) (Seated: Maitland, Alban, Levy, Fox, and Macri) (Page Number: 983)*

Left Open

17. **DISCUSSION ITEMS:**

18. **DECISION ITEMS:**

19. **APPROVAL OF MINUTES:**

July 10, 2018

Motion to approve minutes of July 10, 2018

Moved by Fox, seconded by Yeskey

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

5-0

20. **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:**

Tiger Venture LLC; applications PLPZ 2018 00108 and PLPZ 2018 00112, for a final site plan and special permit, to construct a new residence, pool, pool patio, tennis court, driveway and related site and stormwater improvements the result of which would exceed the 150,000 cubic feet in volume threshold on a 4.299-acres property located at 24 Meeting House Road in the RA-4 zone. (Staff: JP) (Must open by 8/11/2018) (Maximum extension to open granted) (Postponed at the 5/1/2018 meeting)

**Applications PLPZ 2018 00108 and PLPZ 2018 00112 have been
WITHDRAWN**

John Margenot; application PLPZ 2018 00205 for a final coastal site plan to construct additions to the home increasing the gross floor area from 2,576 sq. ft. to 5,053 sq. ft. and make renovations to an existing two-family dwelling on a 9,443 sq. ft. property located at 29 Davenport Avenue in the R-6 zone. (Staff: PL) (Must decide by 9/8/2018) (Maximum extension granted) (Postponed at the 6/12/2018 meeting were it listed on the 6/12/2018 agenda, but not heard)

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