

## 1. Meeting Materials

### Documents:

[SEPTEMBER 8, 2016 ACTION AGENDA.PDF](#)  
[SEPTEMBER 8, 2016 FINAL AGENDA.PDF](#)  
[SEPTEMBER 8, 2016 TENTATIVE AGENDA.PDF](#)

TENTATIVE AGENDA

FINAL AGENDA

ACTION AGENDA

# TOWN OF GREENWICH PLANNING AND ZONING COMMISSION

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

**Thursday**  
**September 8, 2016**

## **ACTION AGENDA WITH DECISIONS**

*Regular Members Present and Seated: Richard Maitland, Margarita Alban, Peter Levy (arrived for the 7:00 regular meeting), Andrew Fox, and Nancy Ramer*  
*Alternate Members Present: Nicholas Macri, Dennis Yeskey (arrived for the 7:00 regular meeting), and Victoria Goss (arrived for the 7:00 regular meeting)*  
*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 4:00 PM**

#### **1. DECISION ITEMS:**

- (a) **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 529,616 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 in the GB and RA-1 zones. (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)*

*Commission Members absent for this item: Levy, Goss, and Yeskey*

Motion to deny final site plan and special permit  
Moved by Maitland, seconded by Alban  
Voting in favor of denial: Maitland, Alban, Macri (for Levy), Fox, and Ramer  
5-0

## **DINNER BREAK**

### **REGULAR MEETING CONTINUED 7:00 PM**

2. **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 9/8/2016**) (Extension granted to 9/8/2016. Maximum extension available to 9/24/2016) (Postponed by applicant at the 8/2/2016 meeting, extension granted to 9/8/2016) (Page Number: 15)

Left Open – Maximum Extension Granted

3. **Emil Fish;** application PLPZ 2016 00375, for a final subdivision to subdivide an existing 4.1984 acre parcel into two parcels of 2.0007 acres each, and an open space parcel of 0.197 acres (4.69% of the total lot area) at a property located at 294 Round Hill Road in the RA-2 zone. (Staff: MK) (**Must decide by 9/21/2016**) (Extension to decide provided to 9/21/2016, Maximum extension available to 11/5/2016) (Page Number: 46)

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

4. **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) (Page Number: 97)

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

5. **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 10/15/2016) (Maximum extension granted) (Continued from the 7/19/2016; Seated: Maitland, Alban, Levy, Fox, and Ramer; and the 8/2/2016 meeting; Seated: Maitland, Alban, Yeskey [for Levy], Macri [for Fox], and Ramer) (Page Number: 138)

Left Open

## PUBLIC HEARING 7:15 PM

6. **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 9/9/2016**) (Extension granted to 9/9/2016 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) (Left Open at the 8/2/2016 meeting) (Seated at the 8/2/2016 meeting: Maitland, Alban, Yeskey [for Levy], Macri [for Fox], and Ramer) (Page Number: 172)

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

7. **John Heagney, Esq., authorized agent;** application PLPZ 2016 00358, for a re-zoning, to re-zone properties on Douglas Drive, Woods Avenue, East Byway, Maiden Lane, Leslie Avenue, and Glen Ridge Road from the R-20 to the R-12 zone (as shown on a re-zoning map on file in the Town Clerk's office). *(Staff: PL) (Must open by 9/10/2016) (Maximum extension available to 11/14/2016) (Page Number: 234)*

Left Open

8. **Neighbor-to-Neighbor, Inc. with the consent of the Parish of Christ Church Greenwich, Connecticut;** applications PLPZ 2016 00311 and PLPZ 2016 00312, for a final site plan and special permit, to construct a new 6,363 sq. ft. two-and-one-half story freestanding building to house and operate Neighbor-to-Neighbor, a philanthropic and/or charitable institution use, and construct on-site parking for 19 additional spaces and associated landscaping, drainage and underground utility improvements on a 5.25 acres property located at 220 East Putnam Avenue in the R-20 zone. *(Staff: PL) (Must open by 9/9/2016) (Extension to open granted to 9/9/2016, Maximum extension available to 11/14/2016) (Page Number: 358)*

Left Open Continued to the October 4, 2016 meeting

9. **Justin and Merrilou Hillenbrand;** applications PLPZ 2016 00405 and PLPZ 2016 00406, for a final site plan and special permit, to demolish the existing dwelling and construct a new single-family dwelling with pool house resulting in a total building volume in excess of the 150,000 cubic feet threshold on property located at 25 Mooreland Road in the RA-4 zone. *(Staff: CT ) (Must open by 10/6/2016) (Maximum extension available to 12/10/2016) (Page Number: 547)*

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

10. **First Congregational Church**; applications PLPZ 2016 00365 and PLPZ 2016 00367, for a preliminary coastal site plan and special permit, to make changes to a nonconforming site through renovations and the addition of a porch and patio to 15 Forest Avenue, the Senior Pastor's residence; exterior renovations and the addition of a mudroom and patio at 11 Forest Avenue, the Music Director's residence; addition of a doorway, landing, stairs and accessible lift to the Church building; demolition of the existing three-car garage and construction of a two-car garage; relocation of the pre-school playground; reduction of impervious area and an expanded columbarium at the cemetery; installation of a screened refuse; and associated site work and landscaping on property located at 11 & 15 Forest Avenue, and 108 Sound Beach Avenue in the R-7 zone. (Staff: CT) (**Must open by 9/10/2016**) (Maximum extension available to 11/14/2016) (Page Number: 615)

Postponed by Applicant – Extension Granted

11. **Breezmont 60 LLC**; application PLPZ 2016 00396, for a final re-subdivision, to subdivide an existing 37,982 sq. ft. parcel into two new parcels, Parcel 1 would be 15,695 sq. ft., and Parcel 2 would be 16,432 sq. ft. and an open space parcel of 5,855 sq. ft. (15.4% of the total lot area) on property located at 60 Lockwood Road, Riverside in the R-12 zone. (Staff: PL) (**Must open by 10/6/2016**) (Maximum extension available to 12/10/2016) (Page Number: 708)

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

12. **Justin J. and Heidi C. Vorwerk**; application PLPZ 2016 00413, for a final re-subdivision, to consolidate two (2) parcels of 3.863 acres and 0.719 acre, respectively, into one (1) parcel totaling 4.582 acres, with all existing structures to remain on the property for properties located at 456 Round Hill Road in the RA-4 zone. (Staff: MK) (**Must open by 11/12/2016**) (Maximum extension available to 1/16/2017) (Page Number: 779)

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

13. **Planning and Zoning Staff**; application PLPZ 2016 00410, for a text amendment, to modify Section 6-17.2 of the Town of Greenwich Building Zone Regulations as follows: [TEXT IN BRACKETS TO BE DELETED] (*Staff: KD*) (*Must open by 11/12/2016*) (*Maximum extension available to 1/16/2017*) (*Page Number: 799*)

[Sec. 6-17.2. PROCEDURE FOR THE SUBDIVISION OF LAND IN MIXED USE – CONDOMINIUM DEVELOPMENTS.

- (a) Where the Planning and Zoning Commission has granted site plan approval or special permit approval for a mixed use development or a residential or non-residential single use development, and where the owner or developer wishes to create separate condominium, then a division of the approved tract into two parcels or lots for the purpose of sale or building development may be permitted by the Commission after the filing of an amended site plan and a certified map to be filed in the Town Clerk's Office showing such division, referring to the site plan number and containing a notation that the property shown thereon is subject to the site plan approved for said property. Any conveyance relating to said approval or any portion thereof shall make reference to said certified map.

The amended site plan shall not be changed without the prior approval of the Commission by way of special permit procedure or site plan review.

Cross-easements shall be provided to enable each parcel or lot to be a self-sufficient entity.

For the purpose of compliance with these regulations such a divided tract development shall be considered a single lot. (6/30/92)

- (b) A division into two or more parcels or lots may only be effected by the procedures set forth in the subdivision regulations. (4/24/2013)]

Left Open

14. **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 BRACKETS TO BE DELETED], **TEXT IN BOLD TO BE ADDED** (*Staff: KD*) (*Opened and continued from the 7/19/2016 meeting*) (*Must close by 10/27/2016*) (*Maximum extension granted*) (*Page Number: 806*)

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:**

- (a) Church spires, belfries, chimneys or radio towers: No height limits**
- (b) Solar panels on a flat roof: No more than (6) six feet above height limits**
- (c) Roof parapets: No more than four (4) feet above height limits**
- (d) Stair and elevator access to the roof on commercial, institutional and multi-family developments: 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.**
- (e) 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.**
- (f) Cupolas, domes, clerestories, skylights, elevator and stair access for single and two-family developments, roof-mounted flags:**
  - (1) Height shall not be more than twenty five percent (25%) above the height limits.**
  - (2) 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.**
- (g) Skylights on commercial, institutional and multi-family developments shall be limited to two (2)' in height and 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.**
- (h) Necessary mechanical appurtenances for commercial, institutional**



**and multi-family developments: 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.**

Motion to approve text amendment for Section 6-127  
Moved by Alban, seconded by Fox  
Voting in favor: Maitland, Alban, Levy, Fox, and Ramer  
5-0

15. Planning and Zoning Staff; application PLPZ 2016 00411, for a text amendment, to modify Section 6-141 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 11/12/2016*) (*Maximum extension available to 1/16/2017*) (*Page Number: 808*)

Sec. 6-141. NON-CONFORMING BUILDING AND USE: RESTRICTIONS.

- (a) In addition to a building becoming legally non-conforming pursuant to Sec. 8-13a of Connecticut General Statutes, any building, lot or use, lawfully existing on February 1, 1926 or on the effective date of any amendment thereafter to these Regulations, may be continued and its non-conforming status shall be deemed lawful provided that [with respect to use] the non-conforming use **is** [must be] actual and **not abandoned**, [discontinued for any period in excess of one year] and **has been** maintained within the same **square footage, or leasehold containing the non-conforming use** [structure,] as existed on February 1, 1926 or on the date that said use conformed to these Regulations. **Nothing in this section shall prevent a diminishment of the non-conforming use.**

Motion to approve text amendment to Section 6-141  
Moved by Alban, seconded by Fox  
Voting in favor: Maitland, Alban, Levy, Fox, and Ramer  
5-0

16. **27 Bayside Terrace, LLC;** application PLPZ 2016 00286, for final coastal re-subdivision to re-subdivide an existing 32,150 sq. ft. parcel into two (2) new parcels where Lot A would be 12,830 sq. ft., Lot B would be 13,012 sq. ft. (excluding the accessway), and the open space parcel would be 4,877 sq. ft. (15% of the total lot area) on a property located at 27 Bayside Terrace in the R-12 zone. (Staff: MK) (Must decide by 9/21/2016) (Extension to decide granted to 9/21/2016, maximum extension available to 11/4/2016) (Continued from the 8/2/2016 meeting) (Seated: Maitland, Alban, Yeskey [for Levy], Macri [for Fox], and Ramer)

POSTPONED by Applicant to September 21, 2016

### REGULAR MEETING CONTINUED

17. **27 Bayside Terrace LLC;** application PLPZ 2016 00288 for a final coastal site plan to construct a new individual single family residential structure within one hundred feet of a coastal resource area and associated with re-subdivision PLPZ 2016 00286 on proposed Parcel A located at 27 Bayside Terrace in the R-12 zone. (Staff: MK) (Must decide by 9/21/2016) (Extension to decide granted to 9/21/2016, Maximum extension available to 10/15/2016) (Continued from the 8/2/2016 meeting) (Seated: Maitland, Alban, Yeskey [for Levy], Macri [for Fox], and Ramer)

POSTPONED by Applicant to September 21, 2016

18. **27 Bayside Terrace LLC;** application PLPZ 2016 00287 for a final coastal site plan to construct a new individual single family residential structure within one hundred feet of a coastal resource area and associated with re-subdivision PLPZ 2016 0286 on proposed Parcel B located at 27 Bayside Terrace in the R-12 zone. (Staff: MK) (Must decide by 9/21/2016) (Extension to decide granted to 9/21/2016, Maximum extension available to 10/15/2016) (Continued from the 8/2/2016 meeting) (Seated: Maitland, Alban, Yeskey [for Levy], Macri [for Fox], and Ramer)

POSTPONED by Applicant to September 21, 2016

19. **DISCUSSION ITEMS:**

20. **APPROVAL OF MINUTES:**

July 6, 2016  
August 2, 2016

Motion to approve minutes of July 6, 2016 and August 2, 2016  
Moved by Maitland, seconded by Ramer  
Voting in favor: Maitland, Alban, Levy, Fox, and Ramer  
5-0

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:**

**Michael Odierna and James and Lisa McDonald;** application PLPZ 2016 00325 for a final coastal subdivision to make an equal area exchange of land between properties located at 33 Sachem Road (now and proposed to be 21,984 sq. ft.) and 35 Sachem Road (now and proposed to be 19,905 sq. ft.) in the R-12 zone. *(Staff: MK) (Must decide by 8/9/2016) (Maximum extension available to 10/8/2016) (Continued from the 8/2/2016 meeting) (Seated: Maitland, Alban, Yeskey [for Levy], Macri [for Fox], and Ramer)*

**Urstadt Biddle Properties;** application PLPZ 2016 00368 for final coastal site plan approval to change the use of a portion of a current martial arts school use to a personal service use and modify the conditions of Administrative Site Plan approval #3703 which was further modified by Administrative Site Plan approvals #3972 and PLPZ 2014 00545 on a 37,432 sq. ft. parcel located at 393-407 East Putnam Avenue, Cos Cob in the LB Zone. *(Staff: MK) (Must decide by 9/9/2016) (Maximum extension available to 11/13/2016) (Continued from the 8/2/2016 meeting) (Seated: Maitland, Alban, Yeskey [for Levy], Macri [for Fox], and Ramer)*

**Bruce Museum;** application PLPZ 2016 00282 for a municipal improvement to approve the lease agreement between the State of Connecticut and the Town of Greenwich and the Bruce Museum for use of approximately 14,970 sq. ft. land on the Southeasterly side of Interstate Route 95 to be used for motor vehicle parking and landscaping associated with Bruce Park and the Bruce Museum located at 1 Museum Drive in the R-6 zone. *(Staff: KD) (Motion to defer decision and follow the timeline of the final coastal site plan/special permit at the 8/2/2016 meeting) (Page Number: )*

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

**Thursday**  
**September 8, 2016**

## FINAL AGENDA

**REGULAR MEETING 4:00 PM**

1. **DECISION ITEMS:**

- (a) **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 in the GB and RA-1 zones. *(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)*

**DINNER BREAK**

**REGULAR MEETING CONTINUED 7:00 PM**

2. **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 9/8/2016) (Extension granted to 9/8/2016. Maximum extension available to 9/24/2016) (Postponed by applicant at the 8/2/2016 meeting, extension granted to 9/8/2016) (Page Number: 15)*
3. **Emil Fish;** application PLPZ 2016 00375, for a final subdivision to subdivide an existing 4.1984 acre parcel into two parcels of 2.0007 acres each, and an open space parcel of 0.197 acres (4.69% of the total lot area) at a property located at 294 Round Hill Road in the RA-2 zone. *(Staff: MK) (Must decide by 9/21/2016) (Extension to decide provided to 9/21/2016, Maximum extension available to 11/5/2016) (Page Number: 46)*
4. **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) (Page Number: 97)*
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 10/15/2016) (Maximum extension granted) (Continued from the 7/19/2016; Seated: Maitland, Alban, Levy, Fox, and Ramer; and the 8/2/2016 meeting; Seated: Maitland, Alban, Yeskey [for Levy], Macri [for Fox], and Ramer) (Page Number: 138)*

### **PUBLIC HEARING 7:15 PM**

6. **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 9/9/2016) (Extension granted to 9/9/2016 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) (Left Open at the 8/2/2016 meeting) (Seated at the 8/2/2016 meeting: Maitland, Alban, Yeskey [for Levy], Macri [for Fox], and Ramer) (Page Number: 172)*

7. **John Heagney, Esq., authorized agent;** application PLPZ 2016 00358, for a re-zoning, to re-zone properties on Douglas Drive, Woods Avenue, East Byway, Maiden Lane, Leslie Avenue, and Glen Ridge Road from the R-20 to the R-12 zone (as shown on a re-zoning map on file in the Town Clerk's office). (Staff: PL) (**Must open by 9/10/2016**) (Maximum extension available to 11/14/2016) (Page Number: 234)
8. **Neighbor-to-Neighbor, Inc. with the consent of the Parish of Christ Church Greenwich, Connecticut;** applications PLPZ 2016 00311 and PLPZ 2016 00312, for a final site plan and special permit, to construct a new 6,363 sq. ft. two-and-one-half story freestanding building to house and operate Neighbor-to-Neighbor, a philanthropic and/or charitable institution use, and construct on-site parking for 19 additional spaces and associated landscaping, drainage and underground utility improvements on a 5.25 acres property located at 220 East Putnam Avenue in the R-20 zone. (Staff: PL) (**Must open by 9/9/2016**) (Extension to open granted to 9/9/2016, Maximum extension available to 11/14/2016) (Page Number: 358)
9. **Justin and Merrilou Hillenbrand;** applications PLPZ 2016 00405 and PLPZ 2016 00406, for a final site plan and special permit, to demolish the existing dwelling and construct a new single-family dwelling with pool house resulting in a total building volume in excess of the 150,000 cubic feet threshold on property located at 25 Mooreland Road in the RA-4 zone. (Staff: CT ) (**Must open by 10/6/2016**) (Maximum extension available to 12/10/2016) (Page Number: 547)
10. **First Congregational Church;** applications PLPZ 2016 00365 and PLPZ 2016 00367, for a preliminary coastal site plan and special permit, to make changes to a nonconforming site through renovations and the addition of a porch and patio to 15 Forest Avenue, the Senior Pastor's residence; exterior renovations and the addition of a mudroom and patio at 11 Forest Avenue, the Music Director's residence; addition of a doorway, landing, stairs and accessible lift to the Church building; demolition of the existing three-car garage and construction of a two-car garage; relocation of the pre-school playground; reduction of impervious area and an expanded columbarium at the cemetery; installation of a screened refuse; and associated site work and landscaping on property located at 11 & 15 Forest Avenue, and 108 Sound Beach Avenue in the R-7 zone. (Staff: CT) (**Must open by 9/10/2016**) (Maximum extension available to 11/14/2016) (Page Number: 615)
11. **Breezemont 60 LLC;** application PLPZ 2016 00396, for a final re-subdivision, to subdivide an existing 37,982 sq. ft. parcel into two new parcels, Parcel 1 would be 15,695 sq. ft., and Parcel 2 would be 16,432 sq. ft. and an open space parcel of 5,855 sq. ft. (15.4% of the total lot area) on property located at 60 Lockwood Road, Riverside in the R-12 zone. (Staff: PL) (**Must open by 10/6/2016**) (Maximum extension available to 12/10/2016) (Page Number: 708)

12. **Justin J. and Heidi C. Vorwerk**; application PLPZ 2016 00413, for a final re-subdivision, to consolidate two (2) parcels of 3.863 acres and 0.719 acre, respectively, into one (1) parcel totaling 4.582 acres, with all existing structures to remain on the property for properties located at 456 Round Hill Road in the RA-4 zone. (Staff: MK) (Must open by 11/12/2016) (Maximum extension available to 1/16/2017) (Page Number: 779)
13. **Planning and Zoning Staff**; application PLPZ 2016 00410, for a text amendment, to modify Section 6-17.2 of the Town of Greenwich Building Zone Regulations as follows: [TEXT IN BRACKETS TO BE DELETED] (Staff: KD) (Must open by 11/12/2016) (Maximum extension available to 1/16/2017) (Page Number: 799)

[Sec. 6-17.2. PROCEDURE FOR THE SUBDIVISION OF LAND IN MIXED USE – CONDOMINIUM DEVELOPMENTS.

- (a) Where the Planning and Zoning Commission has granted site plan approval or special permit approval for a mixed use development or a residential or non-residential single use development, and where the owner or developer wishes to create separate condominium, then a division of the approved tract into two parcels or lots for the purpose of sale or building development may be permitted by the Commission after the filing of an amended site plan and a certified map to be filed in the Town Clerk's Office showing such division, referring to the site plan number and containing a notation that the property shown thereon is subject to the site plan approved for said property. Any conveyance relating to said approval or any portion thereof shall make reference to said certified map.

The amended site plan shall not be changed without the prior approval of the Commission by way of special permit procedure or site plan review.

Cross-easements shall be provided to enable each parcel or lot to be a self-sufficient entity.

For the purpose of compliance with these regulations such a divided tract development shall be considered a single lot. (6/30/92)

- (b) A division into two or more parcels or lots may only be effected by the procedures set forth in the subdivision regulations. (4/24/2013)]

14. **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 BRACKETS TO BE DELETED], **TEXT IN BOLD TO BE ADDED** (Staff: KD) (Opened and continued from the 7/19/2016 meeting) (Must close by 10/27/2016) (Maximum extension granted) (Page Number: 806)

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:**

- (a) **Church spires, belfries, chimneys or radio towers: No height limits**
- (b) **Solar panels on a flat roof: No more than (6) six feet above height limits**
- (c) **Roof parapets: No more than four (4) feet above height limits**
- (d) **Stair and elevator access to the roof on commercial, institutional and multi-family developments: 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.**
- (e) **Facilities on a roof, including but not limited to barbecues, planters and spas: Shall not exceed four (4) feet in height and shall be set back two (2) feet on all sides of the building for each one (1) foot of height.**
- (f) **Cupolas, domes, clerestories, skylights, elevator and stair access for single and two-family developments, roof-mounted flags:**
  - (1) **Height shall not be more than twenty five percent (25%) above the height limits.**
  - (2) **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.**
- (g) **Skylights on commercial, institutional and multi-family developments shall be limited to two (2)' in height and 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.**

- (h) **Necessary mechanical appurtenances for commercial, institutional and multi-family developments: 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.**

15. Planning and Zoning Staff; application PLPZ 2016 00411, for a text amendment, to modify Section 6-141 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 11/12/2016*) (*Maximum extension available to 1/16/2017*) (*Page Number: 808*)

Sec. 6-141. NON-CONFORMING BUILDING AND USE: RESTRICTIONS.

- (a) In addition to a building becoming legally non-conforming pursuant to Sec. 8-13a of Connecticut General Statutes, any building, lot or use, lawfully existing on February 1, 1926 or on the effective date of any amendment thereafter to these Regulations, may be continued and its non-conforming status shall be deemed lawful provided that [with respect to use] the non-conforming use is [must be] actual and **not abandoned**, [discontinued for any period in excess of one year] and **has been** maintained within the same **square footage, or leasehold containing the non-conforming use** [structure,] as existed on February 1, 1926 or on the date that said use conformed to these Regulations. **Nothing in this section shall prevent a diminishment of the non-conforming use.**
16. **27 Bayside Terrace, LLC.**; application PLPZ 2016 00286, for final coastal re-subdivision to re-subdivide an existing 32,150 sq. ft. parcel into two (2) new parcels where Lot A would be 12,830 sq. ft., Lot B would be 13,012 sq. ft. (excluding the accessway), and the open space parcel would be 4,877 sq. ft. (15% of the total lot area) on a property located at 27 Bayside Terrace in the R-12 zone. (*Staff: MK*) (*Must decide by 9/21/2016*) (*Extension to decide granted to 9/21/2016, maximum extension available to 11/4/2016*) (*Continued from the 8/2/2016 meeting*) (*Seated: Maitland, Alban, Yeskey [for Levy], Macri [for Fox], and Ramer*)

**Application PLPZ 2016 00286 has been POSTPONED by Applicant to September 21, 2016**

**REGULAR MEETING CONTINUED**

17. **27 Bayside Terrace LLC**; application PLPZ 2016 00288 for a final coastal site plan to construct a new individual single family residential structure within one hundred feet of a coastal resource area and associated with re-subdivision PLPZ 2016 00286 on proposed Parcel A located at 27 Bayside Terrace in the R-12 zone. (Staff: MK) (Must decide by 9/21/2016) (Extension to decide granted to 9/21/2016, Maximum extension available to 10/15/2016) (Continued from the 8/2/2016 meeting) (Seated: Maitland, Alban, Yeskey [for Levy], Macri [for Fox], and Ramer)

**Application PLPZ 2016 00288 has been POSTPONED by Applicant to September 21, 2016**

18. **27 Bayside Terrace LLC**; application PLPZ 2016 00287 for a final coastal site plan to construct a new individual single family residential structure within one hundred feet of a coastal resource area and associated with re-subdivision PLPZ 2016 0286 on proposed Parcel B located at 27 Bayside Terrace in the R-12 zone. (Staff: MK) (Must decide by 9/21/2016) (Extension to decide granted to 9/21/2016, Maximum extension available to 10/15/2016) (Continued from the 8/2/2016 meeting) (Seated: Maitland, Alban, Yeskey [for Levy], Macri [for Fox], and Ramer)

**Application PLPZ 2016 00287 has been POSTPONED by Applicant to September 21, 2016**

19. **DISCUSSION ITEMS:**

20. **APPROVAL OF MINUTES:**

July 6, 2016  
August 2, 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:**

**Michael Odierna and James and Lisa McDonald;** application PLPZ 2016 00325 for a final coastal subdivision to make an equal area exchange of land between properties located at 33 Sachem Road (now and proposed to be 21,984 sq. ft.) and 35 Sachem Road (now and proposed to be 19,905 sq. ft.) in the R-12 zone. (Staff: MK) (**Must decide by 8/9/2016**) (Maximum extension available to 10/8/2016) (Continued from the 8/2/2016 meeting) (Seated: Maitland, Alban, Yeskey [for Levy], Macri [for Fox], and Ramer)

**Urstadt Biddle Properties;** application PLPZ 2016 00368 for final coastal site plan approval to change the use of a portion of a current martial arts school use to a personal service use and modify the conditions of Administrative Site Plan approval #3703 which was further modified by Administrative Site Plan approvals #3972 and PLPZ 2014 00545 on a 37,432 sq. ft. parcel located at 393-407 East Putnam Avenue, Cos Cob in the LB Zone. (Staff: MK) (**Must decide by 9/9/2016**) (Maximum extension available to 11/13/2016) (Continued from the 8/2/2016 meeting) (Seated: Maitland, Alban, Yeskey [for Levy], Macri [for Fox], and Ramer)

**Bruce Museum;** application PLPZ 2016 00282 for a municipal improvement to approve the lease agreement between the State of Connecticut and the Town of Greenwich and the Bruce Museum for use of approximately 14,970 sq. ft. land on the Southeasterly side of Interstate Route 95 to be used for motor vehicle parking and landscaping associated with Bruce Park and the Bruce Museum located at 1 Museum Drive in the R-6 zone. (Staff: KD) (*Motion to defer decision and follow the timeline of the final coastal site plan/special permit at the 8/2/2016 meeting*) (Page Number: )

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

**Thursday**  
**September 8, 2016**

## TENTATIVE AGENDA

### REGULAR MEETING 4:00 PM

1. **DECISION ITEMS:**

- (a) **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)*

### REGULAR MEETING CONTINUED 7:00 PM

2. **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 9/8/2016**) (Extension granted to 9/8/2016. Maximum extension available to 9/24/2016) (Postponed by applicant at the 8/2/2016 meeting, extension granted to 9/8/2016) (Page Number: )
3. **Emil Fish;** application PLPZ 2016 00375, for a final subdivision to subdivide an existing 4.1984 acre parcel into two parcels of 2.0007 acres each, and an open space parcel of 0.197 acres (4.69% of the total lot area) at a property located at 294 Round Hill Road in the RA-2 zone. (Staff: MK) (**Must decide by 9/21/2016**) (Extension to decide provided to 9/21/2016, Maximum extension available to 11/5/2016) (Page Number: )
4. **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) (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 10/15/2016**) (Maximum extension granted) (Continued from the 7/19/2016; Seated: Maitland, Alban, Levy, Fox, and Ramer: and the 8/2/2016 meeting; Seated: Maitland, Alban, Yeskey [for Levy], Macri [for Fox], and Ramer) (Page Number: )

## PUBLIC HEARING 7:15 PM

6. **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 9/9/2016**) (Extension granted to 9/9/2016 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) (Left Open at the 8/2/2016 meeting) (Seated at the 8/2/2016 meeting: Maitland, Alban, Yeskey [for Levy], Macri [for Fox], and Ramer) (Page Number: )

7. **John Heagney, Esq., authorized agent;** application PLPZ 2016 00358, for a re-zoning, to re-zone properties on Douglas Drive, Woods Avenue, East Byway, Maiden Lane, Leslie Avenue, and Glen Ridge Road from the R-20 to the R-12 zone (as shown on a re-zoning map on file in the Town Clerk's office). (Staff: PL) (**Must open by 9/10/2016**) (Maximum extension available to 11/14/2016) (Page Number: )
8. **Neighbor-to-Neighbor, Inc. with the consent of the Parish of Christ Church Greenwich, Connecticut;** applications PLPZ 2016 00311 and PLPZ 2016 00312, for a final site plan and special permit, to construct a new 6,363 sq. ft. two-and-one-half story freestanding building to house and operate Neighbor-to-Neighbor, a philanthropic and/or charitable institution use, and construct on-site parking for 19 additional spaces and associated landscaping, drainage and underground utility improvements on a 5.25 acres property located at 220 East Putnam Avenue in the R-20 zone. (Staff: PL) (**Must open by 9/9/2016**) (Extension to open granted to 9/9/2016, Maximum extension available to 11/14/2016) (Page Number: )
9. **Justin and Merrilou Hillenbrand;** applications PLPZ 2016 00405 and PLPZ 2016 00406, for a final site plan and special permit, to demolish the existing dwelling and construct a new single-family dwelling with pool house resulting in a total building volume in excess of the 150,000 cubic feet threshold on property located at 25 Mooreland Road in the RA-4 zone. (Staff: CT ) (**Must open by 10/6/2016**) (Maximum extension available to 12/10/2016) (Page Number: )
10. **First Congregational Church;** applications PLPZ 2016 00365 and PLPZ 2016 00367, for a preliminary coastal site plan and special permit, to make changes to a nonconforming site through renovations and the addition of a porch and patio to 15 Forest Avenue, the Senior Pastor's residence; exterior renovations and the addition of a mudroom and patio at 11 Forest Avenue, the Music Director's residence; addition of a doorway, landing, stairs and accessible lift to the Church building; demolition of the existing three-car garage and construction of a two-car garage; relocation of the pre-school playground; reduction of impervious area and an expanded columbarium at the cemetery; installation of a screened refuse; and associated site work and landscaping on property located at 11 & 15 Forest Avenue, and 108 Sound Beach Avenue in the R-7 zone. (Staff: CT) (**Must open by 9/10/2016**) (Maximum extension available to 11/14/2016) (Page Number: )
11. **Breezemont 60 LLC;** application PLPZ 2016 00396, for a final re-subdivision, to subdivide an existing 37,982 sq. ft. parcel into two new parcels, Parcel 1 would be 15,695 sq. ft., and Parcel 2 would be 16,432 sq. ft. and an open space parcel of 5,855 sq. ft. (15.4% of the total lot area) on property located at 60 Lockwood Road, Riverside in the R-12 zone. (Staff: PL) (**Must open by 10/6/2016**) (Maximum extension available to 12/10/2016) (Page Number: )

12. **Justin J. and Heidi C. Vorwerk**; application PLPZ 2016 00413, for a final re-subdivision, to consolidate two (2) parcels of 3.863 acres and 0.719 acre, respectively, into one (1) parcel totaling 4.582 acres, with all existing structures to remain on the property for properties located at 456 Round Hill Road in the RA-4 zone. (Staff: MK) (Must open by 11/12/2016) (Maximum extension available to 1/16/2017) (Page Number: )
13. **Planning and Zoning Staff**; application PLPZ 2016 00410, for a text amendment, to modify Section 6-17.2 of the Town of Greenwich Building Zone Regulations as follows: [TEXT IN BRACKETS TO BE DELETED] (Staff: KD) (Must open by 11/12/2016) (Maximum extension available to 1/16/2017) (Page Number: )

[Sec. 6-17.2. PROCEDURE FOR THE SUBDIVISION OF LAND IN MIXED USE – CONDOMINIUM DEVELOPMENTS.

- (a) Where the Planning and Zoning Commission has granted site plan approval or special permit approval for a mixed use development or a residential or non-residential single use development, and where the owner or developer wishes to create separate condominium, then a division of the approved tract into two parcels or lots for the purpose of sale or building development may be permitted by the Commission after the filing of an amended site plan and a certified map to be filed in the Town Clerk's Office showing such division, referring to the site plan number and containing a notation that the property shown thereon is subject to the site plan approved for said property. Any conveyance relating to said approval or any portion thereof shall make reference to said certified map.

The amended site plan shall not be changed without the prior approval of the Commission by way of special permit procedure or site plan review.

Cross-easements shall be provided to enable each parcel or lot to be a self-sufficient entity.

For the purpose of compliance with these regulations such a divided tract development shall be considered a single lot. (6/30/92)

- (b) A division into two or more parcels or lots may only be effected by the procedures set forth in the subdivision regulations. (4/24/2013)]

14. **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 BRACKETS TO BE DELETED], **TEXT IN BOLD TO BE ADDED** (Staff: KD) (Opened and continued from the 7/19/2016 meeting) (Must close by 10/27/2016) (Maximum extension granted) (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:**

- (a) Church spires, belfries, chimneys or radio towers: No height limits**
- (b) Solar panels on a flat roof: No more than (6) six feet above height limits**
- (c) Roof parapets: No more than four (4) feet above height limits**
- (d) Stair and elevator access to the roof on commercial, institutional and multi-family developments: 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.**
- (e) Facilities on a roof, including but not limited to barbecues, planters and spas: Shall not exceed four (4) feet in height and shall be set back two (2) feet on all sides of the building for each one (1) foot of height.**
- (f) Cupolas, domes, clerestories, skylights, elevator and stair access for single and two-family developments, roof-mounted flags:**
  - (1) Height shall not be more than twenty five percent (25%) above the height limits.**
  - (2) 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.**
- (g) Skylights on commercial, institutional and multi-family developments shall be limited to two (2)' in height and 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.**

- (h) **Necessary mechanical appurtenances for commercial, institutional and multi-family developments: 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.**

15. Planning and Zoning Staff; application PLPZ 2016 00411, for a text amendment, to modify Section 6-141 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 11/12/2016*) (*Maximum extension available to 1/16/2017*) (*Page Number:* )

Sec. 6-141. NON-CONFORMING BUILDING AND USE: RESTRICTIONS.

- (a) In addition to a building becoming legally non-conforming pursuant to Sec. 8-13a of Connecticut General Statutes, any building, lot or use, lawfully existing on February 1, 1926 or on the effective date of any amendment thereafter to these Regulations, may be continued and its non-conforming status shall be deemed lawful provided that [with respect to use] the non-conforming use **is** [must be] actual and **not abandoned**, [discontinued for any period in excess of one year] and **has been** maintained within the same **square footage, or leasehold containing the non-conforming use** [structure,] as existed on February 1, 1926 or on the date that said use conformed to these Regulations. **Nothing in this section shall prevent a diminishment of the non-conforming use.**
16. **27 Bayside Terrace, LLC.**; application PLPZ 2016 00286, for final coastal re-subdivision to re-subdivide an existing 32,150 sq. ft. parcel into two (2) new parcels where Lot A would be 12,830 sq. ft., Lot B would be 13,012 sq. ft. (excluding the accessway), and the open space parcel would be 4,877 sq. ft. (15% of the total lot area) on a property located at 27 Bayside Terrace in the R-12 zone. (*Staff: MK*) (*Must decide by 9/21/2016*) (*Extension to decide granted to 9/21/2016, maximum extension available to 11/4/2016*) (*Continued from the 8/2/2016 meeting*) (*Seated: Maitland, Alban, Yeskey [for Levy], Macri [for Fox], and Ramer*) (*Page Number:* )

**REGULAR MEETING CONTINUED**

17. **27 Bayside Terrace LLC**; application PLPZ 2016 00288 for a final coastal site plan to construct a new individual single family residential structure within one hundred feet of a coastal resource area and associated with re-subdivision PLPZ 2016 00286 on proposed Parcel A located at 27 Bayside Terrace in the R-12 zone. (Staff: MK) (Must decide by 9/21/2016) (Extension to decide granted to 9/21/2016, Maximum extension available to 10/15/2016) (Continued from the 8/2/2016 meeting) (Seated: Maitland, Alban, Yeskey [for Levy], Macri [for Fox], and Ramer) (Page Number: )
18. **27 Bayside Terrace LLC**; application PLPZ 2016 00287 for a final coastal site plan to construct a new individual single family residential structure within one hundred feet of a coastal resource area and associated with re-subdivision PLPZ 2016 0286 on proposed Parcel B located at 27 Bayside Terrace in the R-12 zone. (Staff: MK) (Must decide by 9/21/2016) (Extension to decide granted to 9/21/2016, Maximum extension available to 10/15/2016) (Continued from the 8/2/2016 meeting) (Seated: Maitland, Alban, Yeskey [for Levy], Macri [for Fox], and Ramer) (Page Number: )
19. **DISCUSSION ITEMS:**
20. **APPROVAL OF MINUTES:**  
  
July 6, 2016  
August 2, 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:**

**Michael Odierna and James and Lisa McDonald**; application PLPZ 2016 00325 for a final coastal subdivision to make an equal area exchange of land between properties located at 33 Sachem Road (now and proposed to be 21,984 sq. ft.) and 35 Sachem Road (now and proposed to be 19,905 sq. ft.) in the R-12 zone. (Staff: MK) (**Must decide by 8/9/2016**) (Maximum extension available to 10/8/2016) (Continued from the 8/2/2016 meeting) (Seated: Maitland, Alban, Yeskey [for Levy], Macri [for Fox], and Ramer)

**Urstadt Biddle Properties;** application PLPZ 2016 00368 for final coastal site plan approval to change the use of a portion of a current martial arts school use to a personal service use and modify the conditions of Administrative Site Plan approval #3703 which was further modified by Administrative Site Plan approvals #3972 and PLPZ 2014 00545 on a 37,432 sq. ft. parcel located at 393-407 East Putnam Avenue, Cos Cob in the LB Zone. *(Staff: MK) (Must decide by 9/9/2016) (Maximum extension available to 11/13/2016) (Continued from the 8/2/2016 meeting) (Seated: Maitland, Alban, Yeskey [for Levy], Macri [for Fox], and Ramer)*

**Bruce Museum;** application PLPZ 2016 00282 for a municipal improvement to approve the lease agreement between the State of Connecticut and the Town of Greenwich and the Bruce Museum for use of approximately 14,970 sq. ft. land on the Southeasterly side of Interstate Route 95 to be used for motor vehicle parking and landscaping associated with Bruce Park and the Bruce Museum located at 1 Museum Drive in the R-6 zone. *(Staff: KD) (Motion to defer decision and follow the timeline of the final coastal site plan/special permit at the 8/2/2016 meeting) (Page Number: )*