TOWN OF GREENWICH
PLANNING AND ZONING COMMISSION

VIRTUAL MEETING held via Zoom

Please click here; to link to the audio recording file (.mp4) of the entire meeting.
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SEPTEMBER 9, 2020

ACTION AGENDA
WITH DECISIONS

Regular Members Present and Seated:
Margarita Alban, Nicholas Macri, Andy Fox, and Dave Hardman.

Regular Members Absent:
Peter Levy

Alternate Members Present:
Dennis Yeskey, Victoria Goss (left after item #1), and Peter Lowe.

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 5:00 PM

1. DECISION ITEMS:
   a. Greenwich Country Day School, Inc.; applications PLPZ 2019 00503 and PLPZ 2019 00504, for a final site plan and special permit to permit building and site plan improvements to accommodate renovations to Greenwich Country Day School’s athletic fields, including: upgrading existing grass athletic fields to synthetic turf; construction of aluminum bleachers with press box; installation of a new storage building; site improvements including driveway, parking, and landscape modifications’ and improvements to Cardinal Road, as authorized by The Greenwich Skating Club, which, along with GCDS, owns said road on a 41.5-acre property located at 23 and 47 Fairfield Road in the RA-1 zone. (Staff: JP) (Must decide by 10/9/2020) (Heard at the 1/28/2020, 7/28/2020 and 8/5/2020 Meetings. Closed at the 8/5/2020 Meeting.) (Seated at the 8/5/2020 Meeting: Alban, Macri, Goss (for Fox), Lowe (for Hardman.))

   Motion to approve final site plan and special permit with modifications
   Moved by Macri, Seconded by Goss
   Voting in favor 4-0: Alban, Macri, Goss (for Fox), Lowe (for Hardman.)
2. **Aquarion Water Company of Connecticut;** application PLPZ 2020 00192, for a Final Subdivision to subdivide a 98.271 +/- acres property into four (4) lots, where lots 1 and 2 would be residential parcel, just over 4-acres each, Lot 3 would be a 72.271 acres +/- open space parcel, and Lot 4 would be an 18 +/- acres parcel to be retained by Aquarion for their continued use. The subject 98.271 +/- acres property is located at **836 Lake Avenue** in the RA-4 zone. *(Staff: PL)* *(Must decide by 9/9/2020.)* *(Maximum extension to decide available to 10/30/2020.)* *(9 days of statutory time have been granted. 81 days of statutory time are still available per the Governor’s Executive Order.)*

   **Left Open. Extension granted to 9/16/2020.**

3. **Town of Greenwich Board of Selectmen and the Director to Environmental Affairs;** application PLPZ 2020 00218 for Municipal Improvement, to acquire a conservation easement over 72.271 acres +/- of land (subject to approval of subdivision PLPZ 2020 00192), pursuant to Sec. 6-99(a)(2) of the Town of Greenwich Charter, regarding property located at **836 Lake Avenue** in the RA-4 Zone. *(Staff: PL.)* *(Must act by 10/27/2020.)* *(May defer up to 1/25/2021.)*

   **Left Open.**

4. **Rita and Merl Baker;** application PLPZ 2020 00090, for Scenic Road Designation, to establish the “Binney Park Loop” (portions of: Sound Beach Ave., between Arch St. to Wesskum Wood Road; Wesskum Wood Road, from Sound Beach Ave, to Arch St.; and Arch Street, from Wesskum Wood to Sound Beach Ave.) as a Scenic Road per Chapter 11, Article 3 of the Town’s Charter. *(Staff: KD) (Continued at the 6/30/2020 and 8/5/2020 meetings.) (Must close by 11/2/2020 per Governor’s Executive Order.) (Maximum extension to close is available to 1/6/2021 per the Governor’s Executive Order.) (Seated at the 6/30/2020 meeting: Alban, Macri, Levy, Fox and Hardman.) (Seated at the 8/5/2020 meeting: Alban, Macri, Lowe (for Levy), Goss (for Fox), and Hardman.)*

   **Motion to approve Scenic Road Designation**
   Moved by Macri, Seconded by Hardman
   Voting in favor: Alban, Lowe (for Levy), Yeskey (for Fox), and Hardman
   Voting against: Macri

   4-1

5. **32 Bruce Park Drive LLC and 38 Bruce Park Drive LLC,** application PLPZ 2020 00227, for a final coastal subdivision, to subdivide a 55,441 sq. ft. parcel into two (2) parcels where Lot 1 would be 23,719 sq. ft. and Lot 2 would be 23,144 sq. ft. plus the creation of an 8,578 sq. ft. open space parcel (equal to 15.5% of the total area to be subdivided) on properties located at **32 Bruce Park Drive and 38 Bruce Park Drive** in the R-12 zone. *(Staff: JP) (Must decide by 10/6/2020.) (Maximum extension to decide available to 12/5/2020.) (90 days of additional statutory time still available per Governor’s Executive Order.)*

   **Motion to approve final subdivision with modifications**
   Moved by Macri, Seconded by Hardman
   Voting in favor: Alban, Macri, Yeskey (for Levy), Fox, and Hardman
   5-0
6. 7 Meadow Place LLC; application PLPZ 2020 00085, for a Final Coastal Site Plan, to demolish an existing dwelling and construct a new single family residence and pool, proposed seawall repairs and additional steps, renovated dock, and related site improvements on a 26,400 sq. ft. property located at 7 Meadow Place in the R-12 and COZ zones. (Staff: JP) (continued from the 8/5/2020 meeting.) (Must decide by 9/10/2020 per Governor’s Executive Order.) (Maximum extension available to 10/30/2020 per Governor’s Executive Order.) (Seated at the 8/5/2020 meeting: Alban, Macri, Lowe (for Levy), Goss (for Fox), and Hardman.)

 Motion to approve final coastal site plan with modifications
 Moved by Macri, Seconded by Hardman
 Voting in favor: Alban, Macri, Lowe (for Levy), Yeskey (for Fox), and Hardman
 5-0

7. Laura Christy, Limited, Dieter E. & Rosemarie Hauser TR c/o Thomas A. Monas; application PLPZ 2020 00017, for a Final Site Plan to create a seasonal outdoor dining use with 24 seats at its existing restaurant (Valbella!!) on a 24,852 sq. ft. parcel located at 1309 East Putnam Avenue in the LB zone. (Staff: BD) (Continued from the 6/16/2020 meeting.) (Must decide by 9/9/2020 per the Governor’s Executive Order.) (Extension to decide granted to 9/9/2020. Maximum extension to decide available to 9/18/2020.) (Seated: Alban, Macri, Levy, Fox and Hardman.)

 Motion to approve final site plan with modifications
 Moved by Macri, Seconded by Fox
 Voting in favor: Alban, Macri, Yeskey (for Levy), Fox, and Hardman
 5-0

PUBLIC HEARING
(To commence after item #7 is heard)

8. Planning and Zoning Staff; application PLPZ 2020 00222, 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 6-99, “CONVERSION TO ACCESSORY HOUSING”, of the Town of Greenwich Building Zone Regulations. A complete copy of the proposed text amendment is on file and available, by appointment, 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: https://www.greenwichct.gov/DocumentCenter/View/17240/PLPZ202000222---Text-Amendment---Accessory-Dwelling-Units

 Motion to approve Zoning Text Amendment as amended
 Moved by Macri, Seconded by Yeskey
 Voting in favor: Alban, Macri, Yeskey (for Levy), Fox, and Hardman
 5-0
9. **Planning and Zoning Staff;** application PLPZ 2020 00223, 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 6-13, through 6-17, and 6-22, regarding the Site Plan, Special Permit and Zoning Amendment process, and the inclusion of a “Pre-application review process”, of the Town of Greenwich Building Zone Regulations. Complete copies of the proposed text amendments are on file and available, by appointment, 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: https://www.greenwichct.gov/DocumentCenter/View/17241/PLPZ202000223---Pre-Application-7-159

*Motion to approve Zoning Text Amendment*
*Moved by Macri, Seconded by Yeskey*
*Voting in favor: Alban, Macri, Yeskey (for Levy), Fox, and Hardman*  
5-0

10. **Planning and Zoning Staff;** application PLPZ 2020 00224, 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 6-111 D, of the Town of Greenwich Building Zone Regulations to require, where appropriate, a vegetated buffer on properties adjacent to coastal resources. A complete copy of the proposed text amendment is on file and available, by appointment, 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: https://www.greenwichct.gov/DocumentCenter/View/17242/PLPZ202000224---Buffer-plantings-in-coastal-zones

*Left Open.*

11. **Planning and Zoning Staff;** application PLPZ 2020 00239, 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 the definition of “Walk-in Medical Clinic”, under Sections 6-5(a) (52), of the Town of Greenwich Building Zone Regulations. A complete copy of the proposed text amendment is on file and available, by appointment, 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: https://www.greenwichct.gov/DocumentCenter/View/17243/PLPZ202000239---walk-in-medical-clinic

*Motion to approve Zoning Text Amendment*
*Moved by Macri, Seconded by Hardman*
*Voting in favor: Alban, Macri, Yeskey (for Levy), Fox, and Hardman*  
5-0
12. **5 Boys LLC;** application PLPZ 2020 00200, for Final Site Plan and Special Permit, to enclose and existing first floor covered patio, cosmetic renovation of the second floor above the patio and new patios at grade, the result of which would further exceed 150,000 cubic feet in building volume, requiring a special permit per Sec. 6-101(a) on an 8.07-acres property located at 6 Meadowcroft Lane in the RA-2 zone. *(Staff: JP) (Must open by 9/17/2020)* *(Maximum extension to open available to 11/21/2020.)* ((90 days of additional statutory time is still available per the Governor’s Executive Order.)

   **Motion to approve final site plan and special permit with modifications**
   Moved by Alban, Seconded by Fox
   Voting in favor: Alban, Lowe (for Macri who recused), Yeskey (for Levy), Fox, and Hardman
   5-0

13. **Terry Conrad and Patrick Turner;** application PLPZ 2020 00109, for Final Site Plan and Special Permit, to use portion of residence as a resident medical professional office, on a 3.02-acres property located at 31 Sawmill Lane in the RA-1 zone. *(Staff: PL) (Must open by 10/21/2020 per the Governor’s Executive Order.)* *(Maximum extension to open available to 12/25/2020.)*

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

14. **DISCUSSION ITEMS:**
   a. **Request for public comment** on proposed landscape improvements to public land located between East Putnam Avenue and Old Post Road #6 in Cos Cob. The proposed work is a collaborative effort between many Town Departments and Agencies, members of the public, and the Greenwich Tree Conservancy. The project stems from objectives in the 2019 Plan of Conservation and Development to beautify the Post Road corridor. The work to date on this objective can be found on the Planning and Zoning Website under “Greenscape Subcommittee” and also through this link: https://www.greenwichct.gov/DocumentCenter/Index/2188

   The Commission praised the work of the Greenscape Committee, formed as part of the implementation strategy of the 2019 Plan of Conservation and Development. The specifics on the Chestnut Island plan were very well received by the Commission and the public. Questions were raised about ongoing maintenance, given that the land is owned by the State, and this will continue to be worked through by DPW. The Commission acknowledged the course of action moving forward, to include:

   1. The first encroachment permit would be to ask for permission to do some maintenance including: removing vines from trees; pruning and care of the existing important trees; replacing trees the tree warden said had not matured well with Chestnut trees; and top-dressing the soil to get rid of ruts and create a nicer, more easily maintained lawn.

   2. Second encroachment permit, would be for permission to plant perennial bulbs, such as crocuses, which would require little maintenance, though perhaps plans might evolve to include more substantial plantings, possibly a
pollinator landscape could happen. The Tree Conservancy would be donating an additional four (4) Horse Chestnuts for this effort.

3. The third encroachment permit would be to include hardscape improvements including but not limited to: moving and improving the bus stop; improving the existing sidewalk; and for the long-term, trying reclaiming paved area at the north end of the island.

b. Pantry Super Discount Stores, LLC; Pre-application review, PLPZ 2020 00217, pursuant to Connecticut General Statutes 7-159 b, of a proposed site plan application for Pantry Super Discount Stores, LLC, to build a mixed use building, to be located at 281 Railroad Avenue.

“Sec. 7-159b of the Connecticut General Statutes notes that a, “Pre-application review and any results or information obtained from it may not be appealed under any provision of the general statutes, and shall not be binding on the applicant or any authority, commission, department, agency or other official having jurisdiction to review the proposed project.”

15. APPROVAL OF MINUTES:

16. OTHER:
   a. Executive Session on pending litigation or personnel matters.
   b. Other items as may properly come before the Commission.

APPLICATIONS HEARD, OR POSTED, PREVIOUSLY, THAT WILL BE HEARD ON SUBSEQUENT MEETINGS:

Greenwich Hospital; Pre-application review, PLPZ 2020 00012, pursuant to Connecticut General Statutes 7-159 b, of a proposed rezoning, text amendment, and site plan application for Greenwich Hospital’s Smilow Cancer Center, to be located at 16 -38 Lake Avenue and 54-64 Lafayette Place. (Discussed at the 2/25/2020 meeting. Will be discussed at a future meeting.)

Marival, LLC; application PLPZ 2020 00112, for a Final Subdivision to subdivide the existing 1.18-acre lot into three lots, where Lot 1 will contain 13,621 sq. ft., Lot 2 will contain 13,001 sq. ft. and Lot 3 will contain 17,137 sq. ft. of which 2194 is located within the accessway and an Open Space parcel of 7800 sq. ft. on a property located at 20 Cognewaugh Road in the R-12 zone. (Staff: MA) (Must decide by 10/11/2020 or 12/10/2020 per Governor’s Executive Order.) (Maximum extension to decide granted to 10/11/2020. Maximum extension to decide is available to 12/10/2020 per Governor’s Executive Order.)

Shirley and Hoacai Wen; application PLPZ 2020 00184, for a Final Coastal Site Plan and Special Permit, to demolish an existing single family residence of approximately 5,500 sq. ft. as well as an inground swimming pool and related site improvements to construct a new residence, with an indoor pool, and related site improvements and proposed to have a volume of approximately 193,498 cubic feet, exceeding the 150,000 sq. ft. building volume threshold of Sec. 6-101(a) of the Town of Greenwich Building Zone regulations, requiring a Special Permit. The subject parcel is a 1.89-acres parcel (to mean high water and less excluded right-of-way) located at 2 Vista Drive, in the R-20 zone. (Staff: JP) (Must open by 11/7/2020.) (Maximum extension to open applied per Governor’s Executive Order.)
97 East Elm Street, LLC; application PLPZ 2020 00087, for Final Site Plan and Special Permit, to remove the existing house and garage and construct a new two-family residential building and share a common driveway with the adjoining property to the east at 99 East Elm Street, for access, utilities, and parking and requiring cross-easement, and therefore special permit approval under Section 6-98(a)(4)(A) of the Town of Greenwich Building Zone Regulations. The subject parcel is a 9,756 sq. ft. property located at 97 East Elm Street in the R-6 Zone. (Staff: MA.) (Must open by 10/30/2020.) (Extension to open granted 9/9/2020. Maximum extension to open available to 10/30/2020 per the Governor’s Executive Order.)

99 East Elm Street, LLC; application PLPZ 2020 00088, for Final Site Plan and Special Permit, to remove the existing dwelling and construct a new two-family residential building and share a common driveway with the adjoining property to the west at 97 East Elm Street, for access, utilities, and parking and requiring cross-easement, and therefore special permit approval under Section 6-98(a)(4)(A) of the Town of Greenwich Building Zone Regulations. The subject parcel is a 9,281 sq. ft. property located at 99 East Elm Street in the R-6 Zone. (Staff: MA.) (Must open by 10/30/2020.) (Extension to open granted 9/9/2020. Maximum extension to open available to 10/30/2020 per the Governor’s Executive Order.)

The Town complies with all applicable federal and state laws regarding non-discrimination, equal opportunity, affirmative action, and providing reasonable accommodations for persons with disabilities. If you require an accommodation to participate, please contact the Commissioner of Human Services at 203-622-3800 or alan.barry@greenwichct.org as soon as possible in advance of the event.