<table>
<thead>
<tr>
<th>Final Coastal Subdivision PLPZ #2019 00415</th>
<th>John Christensen, Trustee 2 lot subdivision Mylar Extension</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Location:</strong> 11 Wahneta Road / 0 Nawthorne Road</td>
<td></td>
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<tr>
<td><strong>Zone:</strong> R-12 (12,000 sq. ft. minimum lot size) and Coastal Overlay</td>
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<tr>
<td><strong>Lot Areas:</strong></td>
<td><strong>Existing</strong></td>
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<tr>
<td>Zoning Lot Area</td>
<td>25,033 sq. ft.</td>
</tr>
<tr>
<td>Lot 1 (11 Wahneta Road)</td>
<td></td>
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<tr>
<td>Lot 2 (0 Nawthorne Road)</td>
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<tr>
<td>Open Space Area</td>
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**STAFF REPORT UPDATE:**
The applicant is requesting additional time to prepare and file the required subdivision Mylar, or “record sheet”, as required per Sec. 6-279 of the Town’s Subdivision Regulations. Per that same Section the applicant is requesting an additional 90 day filing period from the Commission to prepare and file the required record sheet.

Per Section 6-279, “In accordance with the general statutes, the original of the Subdivision Plan shall be filed with the Town Clerk within ninety (90) days of the date of approval.”

Per Section 8-25 of the Connecticut General Statutes regarding Subdivision of Land, “Any plan for subdivision shall, upon approval, or when taken as approved by reason of the failure of the commission to act, be filed or recorded by the applicant in the office of the town clerk not later than ninety days after the expiration of the appeal period under section 8-8…”.

Per Section 8-8(b) of the Connecticut General Statutes, “(b) Except as provided in subsections (c), (d) and (f) of this section and sections 7-147 and 7-147i, any person aggrieved by any decision of a board, including a decision to approve or deny a site plan pursuant to subsection (g) of section 8-3 or a special permit or special exception pursuant to section 8-3c, may take an appeal to the superior court for the judicial district in which the municipality is located, notwithstanding any right to appeal to a municipal zoning board of appeals under section 8-6. The appeal shall be commenced by service of process in accordance with subsections (f) and (g) of this section within fifteen days from the date that notice of the decision was published as required by the general statutes.” (Emphasis added)

The Commission acted upon this subdivision at the 1/7/2020 meeting. The legal notice acknowledging the Commission’s decision was published on 1/14/2020. Fifteen days from the published date of that notice of the decision would appear to be 1/29/2020 and the effective date of this decision. 90 days from the effective date would appear to make the initial filing date
4/28/2020. An additional 90-day extension of time would appear to make the new Mylar filing date on or before 7/27/2020.

Please find a copy of the decision letter, the subdivision map and the development plans considered with this staff report.
March 16, 2020

Ms. Katie DeLuca  
Planning and Zoning Director  
Town of Greenwich  
101 Field Point Road  
Greenwich, CT 06830

RE: PLPZ 2019 00415  
0 Nawthorne Road & 11 Wahneta Road  
Old Greenwich, CT 06870

Dear Katie:

On behalf of the applicant, we request that the Planning and Zoning Commission extend the filing period for the above referenced final coastal subdivision in accordance with Section 6-279 of the Greenwich Subdivision Regulations for an additional ninety days. A mylar of the approved subdivision plan shall be filed with the Town Clerk within the extended period.

Thank you for your assistance in this matter.

Very Truly Yours,

[Signature]

John Heagney
PLANNING AND ZONING - LAND USE DEPARTMENT

CERTIFIED MAIL January 21, 2020

Thomas J. Heagney, Esq.
Heagney, Lennon and Slane, LLP
248 Greenwich Avenue
Greenwich, CT 06830

RE: The application of Thomas J. Heagney, Esq., authorized agent, for John P. Christensen
Trustee of the Mary K. Babcock Qualified Personal Residence Trust and the Mary K. Babcock,
2012 Real Estate Trust, record owners, for a final coastal subdivision, PLPZ 2019 00415, to
subdivide an existing 25,033 sq. ft. parcel into two distinct Zoning lots, the 12,320 sq. ft. parcel
located at 0 Nathorne Road, tax parcel ID 06-1462/S, currently improved with a tennis court,
patio, and shed, and the 12,713 sq. ft. parcel located at 11 Wahneta Road, tax parcel ID 06-
1463/S, currently improved with a single family dwelling, pool, drive, shed, patio, walkway and
HVAC units, in the R-12 zone.

Dear Mr. Heagney:

At a regular meeting held on January 7, 2020 the Planning and Zoning Commission considered
the above referenced application and took the following action:

Upon a motion to approve the final coastal subdivision made by Mr. Macri and seconded by Mr.
Levy, the following resolution was unanimously adopted. (Voting in favor of this item: Alban,
Macri, Levy, Goss (for Fox), Hardman).

WHEREAS the Commission held public meetings on November 26, 2020 and January 7, 2020
and took all testimony required by law; and

WHEREAS a final coastal subdivision, PLPZ 2019 00415, was submitted to subdivide an
existing 25,033 sq. ft. parcel into two distinct Zoning lots, the 12,320 sq. ft. parcel located at 0
Nathorne Road, tax parcel ID 06-1462/S, currently improved with a tennis court, patio, and
shed, and the 12,713 sq. ft. parcel located at 11 Wahneta Road, tax parcel ID 06-1463/S,
currently improved with a single family dwelling, pool, drive, shed, patio, walkway and HVAC
units, in the R-12 zone.; and
WHEREAS the Commission finds that this final subdivision application is subject to Sections 6-258, 6-261, 6-275, 6-302 and 6-304 of the Town of Greenwich Subdivision Regulations (GSR), and Section 6-205 and

WHEREAS the parcels are within an area shown as “Keofferam Park” on GLR Map #160 dated 1901; and

WHEREAS, the sites are serviced by Town sewer and water system; and

WHEREAS accessory structures to the dwelling on the 11 Wahneta Road lot are located on the 0 Nawthorne Road lot; and

WHEREAS the existing tennis court, shed, property fence, and patio on 0 Nawthorne Road will be demolished and a new house, driveway, front stairs constructed with installation of sewer and utility lines; and

WHEREAS Green Area for 0 Nawthorne Road post-development will be 70% in a zone that requires a minimum of 55% and the existing development on 11 Wahneta Road contains 55.2 % Green Area; and

WHEREAS a 928 sq. ft. area on 0 Nawthorne Road, along the common boundary line with 11 Wahneta Road, will be a landscaped conservation easement; and

WHEREAS a landscaping plan shall be submitted for the conservation easement prior to Zoning Permit endorsement; and

WHEREAS the applicant will review the proposed removal of three Town trees (pear trees) to determine if all three must be removed; and

WHEREAS Tree Warden review and approval is required prior to removal of any Town tree(s); and

WHEREAS Conservation issued comments on 12/3/19 indicated no concern for any proposed construction, based on the existing extensive hardscape and limited vegetation on site; and

WHEREAS CT DEEP indicated the proposal meets CCMA standards; and

WHEREAS Sewer Dept. detailing requirements for future development; and

WHEREAS Inland Wetlands Agency issued a greensheet dated 10/3/19 indicating no inland wetlands are present on site.

WHEREAS Zoning comments dated 11/20/19 indicate the proposal meets the standards of Section 6-15 and 6-17; and
WHEREAS the subdivision map shall be updated to note that existing improvements and structures at 0 Nawthorne Road will be removed prior to filing on land records; and

WHEREAS the Commission received a staff report as well as department comments from DPW Engineering, the Sewer Dept., CT DEEP, and the Conservation Department.; and

THEREFORE be it RESOLVED the application of Thomas J. Heagney, Esq., authorized agent, for John P. Christensen Trustee of the Mary K. Babcock Qualified Personal Residence Trust and the Mary K. Babcock, 2012 Real Estate Trust, record owners, for a final coastal subdivision, PLPZ 2019 00415, to subdivide an existing 25,033 sq. ft. parcel into two distinct Zoning lots, the 12,320 sq. ft. parcel located at 0 Nawthorne Road, tax parcel ID 06-1462/S, currently improved with a tennis court, patio, and shed, and the 12,713 sq. ft. parcel located at 11 Wahneta Road, tax parcel ID 06-1463/S, currently improved with a single family dwelling, pool, drive, shed, patio, walkway and HVAC units, in the R-12 zone, per Sections 6-258, 6-261, 6-275, 6-302 and 6-304 of the Town of Greenwich Subdivision Regulations (GSR), and Section 6-205 of the Building Zone Regulations (BZR), as shown on a subdivision plan prepared by Rocco V. D’Andrea, Inc. dated 12/2/2019, is hereby approved with modifications.

A subdivision plan shall be submitted via appointment with a Planner within 90 days of the subdivision approval for endorsement by the Chairperson of the Planning and Zoning Commission, and subsequent filing on the Greenwich Land Records to include the following:

1. A mylar and 6 paper copies of the subdivision map with the following notes added to the plan:
   a. A signature box for endorsement by the Chairman stating “Approved by Resolution of the Planning and Zoning Commission, Town of Greenwich, Connecticut.”
   b. The name of the owner of the Conservation Easement shall be noted on the map.
   c. All monuments shall be placed in field and shown on map.
   d. note that existing improvements and structures at 0 Nawthorne Road will be removed prior to filing on land records;
2. Declaration of Restrictions for the Conservation Easement shall be reviewed by the Conservation Department and the Law Department and once acceptable shall be filed on the Greenwich Land Records simultaneously with the Map. The conservation easement shall run with the ownership of the land.
3. A Landscaping Plan for planting of the conservation easement shall be submitted to P+Z for review.
4. A check for the proper filing fee for the survey map on the Greenwich Land Records.

Prior to commencement of site work and/or development of 0 Nawthorne Road, the applicant shall make an appointment with Planning and Zoning staff to submit an Administrative Coastal Site Plan application.
The subdivision mylar shall be submitted within 90 days of the approval date of January 7, 2020, unless an extension of time is requested and granted by the P+Z Commission at a meeting.

The contents of this letter have been reviewed by members of the Commission and reflect the decision the Commission made at its meeting on January 7, 2020.

Sincerely,

[Signature]

Marisa Anastasio
Senior Planner
FINAL SITE PLAN REVIEW SET
"RESIDENTIAL IMPROVEMENTS"
LOCATION
NAWTHORNE ROAD
OLD GREENWICH,
GREENWICH, CONNECTICUT
PREPARED FOR
JOHN CHRISTENSEN

SHEET INDEX

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<th>DATE</th>
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<tr>
<td>1 OF 2</td>
<td>DEVELOPMENT PLAN</td>
<td>0</td>
<td>12-6-19</td>
</tr>
<tr>
<td>2 OF 2</td>
<td>NOTES &amp; DETAILS</td>
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<td>12-6-19</td>
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REFER TO MAP No. 6639 G.L.R.
LAND LIES IN "R-12" ZONE
AREA = 12,320 S.F.