### Final Site Plan
**PLPZ #201300243 & Special Permit**
**PLPZ #201300244**

### 189 Davis Avenue LLC
**Request for Second Extension of Time to Construct Five New Two-Family Dwellings**

#### Location:
- **187, 189 & 199 Davis Avenue**
- **Zone:** R-6
- **Parcel Size (Total):** 45,071 sq ft

#### Zoning Statistics

<table>
<thead>
<tr>
<th>Use</th>
<th>Proposed</th>
<th>Required: Max or Min</th>
</tr>
</thead>
<tbody>
<tr>
<td>GFA (Total)</td>
<td>24,642 sq ft</td>
<td>24,789 sq ft</td>
</tr>
<tr>
<td>FAR</td>
<td>0.546</td>
<td>0.55</td>
</tr>
<tr>
<td>Lot Coverage Area</td>
<td>49.1%</td>
<td>50%</td>
</tr>
<tr>
<td>Building Coverage</td>
<td>22.8%</td>
<td>30%</td>
</tr>
<tr>
<td>Units/Bedrooms</td>
<td>10/30</td>
<td></td>
</tr>
<tr>
<td>Parking- Garage &amp; Outdoor</td>
<td>10 garage &amp; &amp; 16 Outdoor spaces</td>
<td></td>
</tr>
<tr>
<td>Front Yard (Davis Ave)</td>
<td>25.0 ft*</td>
<td>29 ft</td>
</tr>
<tr>
<td>Front Yards (LeGrande Ave)</td>
<td>25.0 ft*</td>
<td>35 ft</td>
</tr>
<tr>
<td>Side Yards</td>
<td>25.0 ft</td>
<td>25 ft</td>
</tr>
<tr>
<td>Lot Area per Unit</td>
<td>4,507 sq ft</td>
<td>4,200 sq ft (min)</td>
</tr>
<tr>
<td>Stories (All Buildings)</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Height (All Buildings)</td>
<td>35 ft or less</td>
<td>35 ft</td>
</tr>
</tbody>
</table>

*Nonconforming; Variance granted*

### PROPOSAL
The applicant has submitted a request for a second extension of time pursuant to Section 6-14.1 of the Building Zone Regulations for applications PLPZ 2013 00243 and PLPZ 2013 00244, for a final site plan and special permit, to demolish the existing three dwellings, and construct five (5) new duplex units, totaling 24,642 sq. ft. on a 1.034-acre property located at 187, 189, and 199 Davis Avenue in the R-6 zone.

### NOTES/RECOMMENDATIONS
1. The first, three-year, extension to complete construction is set to expire on July 30, 2021. The applicant is seeking to extend that date to July 30, 2023. This would be the maximum time permitted for extension per Sec. 6-14.1.
2. The R-6 zone regulation have changed since this 2013 site plan approval so the project would be legally non-conforming once completed.
BACKGROUND
On 7/10/13 the PZBA granted variances (PLZE #201300532) of front yard setbacks citing hardships due to deficient right of way widths, topographic and the location of an existing sewer easement.

On 7/30/13 the Planning & Zoning Commission approved with modifications the final site plan and special permit to construct the 10 unit multi-family development.

On 9/4/13 the Architectural Review Committee approved as submitted the façade, landscaping and other site improvements.

On June 7, 2016, the Commission granted a five-year extension of time, extending the start of construction date to July 30, 2019, and the must complete date to July 30, 2021.

FINAL SITE PLAN
A final site plan application was submitted to demolish all existing structures and vegetation and construct a multifamily residential development consisting of five buildings with two dwelling units each, 16 surface parking spaces, landscaping, drainage system and associated grading and landscaping.

The site will be regraded which will require removal of a significant amount of rock outcropping. The net result of removal and fill is 8,444 cubic yards of earth will be removed. This will significantly change the topography of the site.

The property has 16 surface parking spaces proposed as well as 10 garage spaces. The proposal complies with Sec 6-155 as the proposal meets the minimum parking demand for a multi-family development with 10 dwelling units with 3 bedrooms each.

SPECIAL PERMIT
A special permit was submitted under Section 6-98 of the Building Zone Regulations as a special permit is required for multi-family development. The Commission should determine that the uses is appropriate to the neighborhood, having consideration for the number and proximity of single family dwellings and two-family dwellings, for the number, character and proximity of other uses, for the amount and location of undeveloped land in the vicinity and the relationship of such land to the pattern of open space in the neighborhood development scheme, and for the proximity to other zones, either more or less restrictive and other standards provided and the Standards contained in Sections 6-15 and 6-17.

The proposed multi-family development is proposed in the R-6 zone where the construction of single family dwellings, two family dwellings and multi-family dwellings are allowed. The subject property is surrounded by residential uses and commercial uses. The 60 nearest properties with residential use were analyzed: 19 are developed with single family dwellings; 21 are development with two-family dwellings; 20 are developed with multi-family dwellings.
A special permit is also required under Sec 6-101 because the proposed cubic volume is 294,000 cu ft which is in excess of 150,000 cu ft and the proposal includes more than two dwelling units.

**APPLICABLE REGULATIONS**

Section 6-5 Definitions
Section 6-13 Site Plan Approval Required by Planning & Zoning Commission
Section 6-14 Procedure
Section 6-15 Standards
Section 6-17 Authorization of Use by Special Permit
Section 6-98 Use Regulations for R-6 Multi-Family and RMF Zones
Section 6-101 Special Permit Required for Business Zones and Residential Zones
Section 6-155 Parking and Garages for Multi-Family Residential Purposes
Section 6-205 Schedule of Required Open Spaces, Limiting Heights And Bulk of Buildings
November 20, 2020

Dear Katie:

On behalf of the applicant, we request that the Planning and Zoning Commission extend the approval and completion date for the above referenced final site plan and special permit in accordance with Town of Greenwich BZR Section 6-14.(e) and Connecticut General Statute Section 8-3(m) through July 30, 2023.

The Commission first granted final site plan and special permit approval for the project at their July 30, 2013 as noted in the attached August 13, 2013 approval letter. In June 2016, the Commission granted the applicant a three-year extension to start construction by July 30, 2019 and a five-year extension to complete the work by July 30, 2021. Applicant has completed the first phase of the project by constructing two of the five two-unit buildings along LeGrande Avenue. Applicant seeks an extension to complete phase two of the project, which will include the demolition of the existing buildings on Davis Avenue and construction of the remaining three two-unit buildings. An extension to July 30, 2023 will be the maximum extension allowed under the Town zoning regulations and state statutes.

Thank you for your assistance in this matter.

Very Truly Yours,

[Signature]

John J. Heagney

Attachments
August 13, 2013

Mr. Thomas J. Heagney
Heagney, Lennon & Slane, LLP
248 Greenwich Avenue
Greenwich, CT 06830

RE: 189 Davis Avenue LLC; applications PLPZ 2013 00243 and PLPZ 2013 00244, for a final site plan and special permit, to demolish the existing three dwellings, and construct five (5) new duplex units, totaling 24,642 sq. ft. on a 1.034 acre property located at 187, 189, and 199 Davis Avenue in the R-6 zone.

Dear Mr. Heagney:

At a regular meeting held on July 30, 2013 the Planning and Zoning Commission considered the above referenced application and took the following action:

Upon a motion to approve the final site plan and special permit made by Mr. Maitland and seconded by Mr. Levy, the following resolution was unanimously adopted. (Voting in favor of this item: Heller, Maitland, Alban, Levy (for Marchese), and Ramer (for Brooks)).

WHEREAS the Commission held public hearings on July 9, 2013 and July 30, 2013 and took all testimony required by law; and

WHEREAS the Commission finds these final site plan and special permit applications are subject to Sections 6-13 through 6-15, 6-17, 6-98, and 6-205 of the Town of Greenwich Building Zone Regulations; and

WHEREAS final site plan and special permit applications were submitted to demolish all existing structures and vegetation and construct a multifamily residential development consisting of five buildings with two dwelling units each, 16 surface parking spaces, landscaping, drainage system and associated grading and landscaping; and
WHEREAS total site is comprised of three building lots merged together and are through lots with frontage on Davis Avenue and LeGrande Avenue; the properties are bounded by residential uses to the north, south and east and a commercial property to the west; and

WHEREAS the proposed development includes the construction of five new buildings. Each building will contain two dwelling units, three stories above grade and a basement and 4,928.47 sq ft of gross floor area and every dwelling unit contains 3 bedroom suites, a kitchen, dining room, living room, one car garage, laundry room, 2nd story porch, mechanicals and storage; and

WHEREAS the Commission notes that the PZBA granted variances (PLZE #201300532) of front yard setbacks citing hardships due to deficient right of way widths, topographic and the location of an existing sewer easement on 7/10/13; and

WHEREAS the proposed plans show 16 surface parking spaces proposed as well as 10 garage spaces and the Commission finds that the proposal meets the minimum parking demand for a multi-family development with 10 dwelling units with 3 bedrooms each; and

WHEREAS the Commission notes that the ARC reviewed an exterior alterations (PLPZ # 201300245) application for the building designs, landscaping and lighting on 7/24/13 and asked the applicant to return with aesthetic modifications to the design; and

WHEREAS the Commission finds that the proposed multi-family development is appropriate for the neighborhood and meets the special permit standards of Sec 6-17; and

WHEREAS a new stormwater drainage system is proposed which consists of collecting storm water from the roofs of the building and discharging some of the water onto land on the property and the rest into the Town drainage system; driveways and parking lots will be constructed with Flexi-pave which is a pervious material installed on top of 30 inches of gravel and the Commission notes that the DPW Engineering Division issued comments dated 7/22/13 stating that required revisions to the drainage plan can be completed prior to the issuance of permits; and

WHEREAS the Commission notes that the IWWA staff issued “Green Sheet” signoff for the proposed development on 3/27/13 noting no wetlands are on the property; and

WHEREAS the property is within the Town Sewer Boundary Area new sanitary sewer laterals are proposed for each unit and the Commission notes that the DPW Sewer Division issued comments dated 7/29/13 stating that the proposal is satisfactory; and

WHEREAS the Commission received staff reports dated 7/5/13 and 7/26/13 as well as department comments from DPW Engineering Division, the Sewer Division, the Conservation Dept and the Zoning Enforcement Officer;

THEREFORE be it resolved that the applications of Thomas J. Heagney, Esq., authorized agent, for 189 Davis Avenue LLC, Tanya Roberta Sammel, and Joseph and Nicholas Granitto, record owners, for a final site plan and special permit, PLPZ 2013 00243 and PLPZ 2013 00244, to
demolish the existing three dwellings, and construct five (5) new duplex units, totaling 24,642 sq. ft. per Sections 6-13 through 6-15, 6-17, 6-98, 6-101, and 6-205 of the Town of Greenwich Building Zone Regulations on a 1.034 acre property located at **187, 189, and 199 Davis Avenue** in the R-6 zone as shown on a site plan prepared by Frangione Engineering, LLC, dated 07/08/13 and architectural plans prepared by Shoreline Design Group, LLC, dated 04/19/13 with revisions dated 07/08/13 are hereby approved with modifications.

The applicant shall submit four sets of final revised engineering plans and three sets of architectural plans to P&Z for review and signoff prior to any activity on site or permit issuance. The plans shall address the following issues:

1. The applicant shall address any outstanding DPW Sewer Division issues.
2. The applicant should address DPW Engineering comments dated 7/22/13 prior to the issuance of permits.
3. A detailed site phasing and logistics plan shall be submitted which will included details about how and when the rock outcroping will be removed and how the material will be removed from site.

In accordance with Section 6-14.1 (e) of the Building Zone Regulations of the Town of Greenwich and Section 8-3 (i) of the Connecticut General Statutes, construction in connection with this site plan must start within three years, and all work must be completed within five years, of the following date of approval: July 30, 2013.

The contents of this letter have been reviewed by members of the Commission and reflect the decision the Commission made at its meeting on July 30, 2013.

Sincerely,

Marek Kozikowski, AICP
Planner I

cc: Jodi Couture, Zoning Enforcement Officer,
Scott Marucci, Senior Civil Engineer.
Richard Feminella, Wastewater Division Manager
PLANNING AND ZONING - LAND USE DEPARTMENT

CERTIFIED MAIL

June 21, 2016

Mr. Thomas J. Heagney
Heagney, Lennon & Slane, LLP
248 Greenwich Avenue
Greenwich, CT 06830

RE: 189 Davis Avenue LLC; request for an extension of time pursuant to Section 6-14.1 of the Building Zone Regulations for applications PLPZ 2013 00243 and PLPZ 2013 00244, for a final site plan and special permit, to demolish the existing three dwellings, and construct five (5) new duplex units, totaling 24,642 sq. ft. on a 1.034 acre property located at 187, 189, and 199 Davis Avenue in the R-6 zone.

Dear Mr. Heagney:

At a regular meeting held on June 7, 2016, the Planning and Zoning Commission considered the above-referenced application and took the following action:

Upon a motion made by Ms. Alban and seconded by Mr. Fox, the following resolution was unanimously adopted (Voting in favor: Maitland, Alban, Yeskey (for Levy), Fox, and Ramer); and

WHEREAS the Commission held a public meeting on June 7, 2016, and took all testimony required by law; and

WHEREAS a request was made for an extension of time pursuant to Section 6-14.1 of the Building Zone Regulations for applications PLPZ 2013 00243 and PLPZ 2013 00244, for a final site plan and special permit, to demolish the existing three dwellings, and construct five (5) new duplex units, totaling 24,642 sq. ft. on a 1.034 acre property located at 187, 189, and 199 Davis Avenue in the R-6 zone; and
WHEREAS the Commission grants a three-year extension to start construction which expires on July 30, 2019, and a five-year extension to complete work which expires on July 30, 2021; and

WHEREAS the Commission finds that all conditions and modifications of the original approval shall be carried forward;

THEREFORE BE IT RESOLVED the application of Thomas J. Heagney, Esq., authorized agent, for 189 Davis Avenue LLC, request for an extension of time pursuant to Section 6-14.1 of the Building Zone Regulations for applications PLPZ 2013 00243 and PLPZ 2013 00244, for a final site plan and special permit, to demolish the existing three dwellings, and construct five (5) new duplex units, totaling 24,642 sq. ft. on a 1.034 acre property located at 187, 189, and 199 Davis Avenue in the R-6 zone as shown on Site Plans prepared by Frangiene Engineering LLC dated 07/08/13, and architectural plans prepared by Shoreline Design Group LLC, dated 04/19/13 is hereby approved with the original modifications.

The applicant shall make an appointment with Planning and Zoning Office Staff to provide four sets of site engineering drawing and three sets of architectural drawings that address the following conditions:

1. The applicant shall address any outstanding DPW Sewer Division issues.
2. The applicant should address DPW Engineering comments dated 7/22/13 prior to the issuance of permits.
3. A detailed site phasing and logistics plan shall be submitted which will includes details about how and when the rock outcropping will be removed and how the material will be removed from site.

The contents of this letter have been reviewed by members of the Commission and reflect the decision the Commission made at its meeting on June 7, 2016.

Sincerely,

Marek Kozikowski, AICP
Senior Planner
PLANNING AND ZONING - LAND USE DEPARTMENT

CERTIFIED MAIL

August 13, 2013

Mr. Thomas J. Heagney
Heagney, Lennon & Slane, LLP
248 Greenwich Avenue
Greenwich, CT 06830

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Sincerely,

Marek Kozikowski, AICP
Planner I

cc: Jodi Couture, Zoning Enforcement Officer,
    Scott Marucci, Senior Civil Engineer.
    Richard Feminella, Wastewater Division Manager