

Final Subdivision PLPZ #202000112	Marival, LLC 3 lot subdivision	
Location:	20 Cognewaugh Road	
Zone:	R-12	
Lot Areas:	Existing	Proposed
Gross Lot Area	1.18 acres	
ZLA		
Lot 1		13,970 sq. ft.
Lot 2		13,901 sq. ft.
Lot 3		13,463 sq. ft.
Lot 3 accessway		2,305 sq. ft.
Open Space Parcel 'P':		7919 sq. ft. (15.4 %)

STAFF REPORT UPDATE:

The applicant is seeking to receive additional time to meet the Commission’s conditions and 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 (r) 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 their November 17, 2020 meeting.

Effective date from the date of that decision would appear to be 12/10/2021. 90 days from the effective date would appear to be 3/10/2021. An additional 90 day extension of time to file would appear to make the new Mylar filing date on or before 6/8/2021

For the Commission’s benefit, the following is a brief summary of the original the subdivision application request:

An application for final subdivision was submitted to the Planning & Zoning Commission to subdivide a 1.18-acre parcel into three lots where Lot 1 will contain 13,970 sq. ft., Lot 2 will contain 13,901 sq. ft. and Lot 3 will contain 15,768 sq. ft. of which 2305 is located within the accessway, with a shared Open Space parcel of 7919 sq. ft., on a property located at 20 Cognewaugh Road in the R-12 zone.

Please find a copy of the decision letter of approval and subdivision plan attached.

HEAGNEY, LENNON & SLANE, LLP
ATTORNEYS AT LAW

JOHN G. HEAGNEY (1925-1982)
FRANCIS X. LENNON, JR. (1928-1999)
JOHN F. SLANE, JR. *
THOMAS J. HEAGNEY *

JOHN J. HEAGNEY*

* ALSO ADMITTED IN NEW YORK

248 GREENWICH AVENUE
GREENWICH, CONNECTICUT 06830-6507
(203) 661-8400
FACSIMILE (203) 661-7496
THeagney@hls248.com
JSlane@hls248.com
JHeagney@hls248.com

February 8, 2021

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

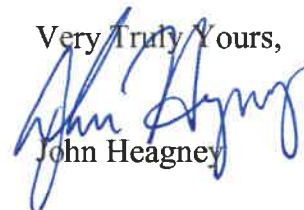
RE: PLPZ 2020 00112
Marival, LLC
20 Cognewaugh Road
Cos Cob, CT 06807

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 (90) 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,


John Heagney

May 20, 2020

Planning and Zoning Commission
Town of Greenwich
101 Field Point Road
Greenwich, CT 06830

RE: 20 Cognewaugh Road, Cos Cob, Connecticut
22 Cognewaugh Road, Cos Cob, Connecticut

To Whom It May Concern:

I hereby authorize Heagney, Lennon & Slane, LLP to act as our agent to appear before the Town of Greenwich Planning and Zoning Commission or any other Town Municipal Board in connection with the filing of a subdivision application on the above captioned properties.

Marival, LLC

A handwritten signature in black ink, appearing to read 'CPedlow', is written over a horizontal line.

Chris Pedlow, Manager

KATIE DELUCA, AICP
DIRECTOR PLANNING AND ZONING/ZONING
ENFORCEMENT COORDINATOR/TOWN PLANNER



PATRICK LAROW, AICP
Deputy Director Planning and Zoning/Assistant
Town Planner
MARISA ANASTASIO, Senior Planner
BIANCA DYGERT, Planner II
JACALYN PRUITT, Planner II
SHANICE BECKER, Planner I
PETER MANGS, Applications Coordinator

PLANNING AND ZONING - LAND USE DEPARTMENT

Anthony D'Andrea
Rocco V. D'Andrea, Inc.
6 Neil Lane
Riverside, CT 06878

ELECTRONIC MAIL December 2, 2020

RE: Marival, LLC; Application PLPZ202000112 for final subdivision to subdivide a 1.18-acre parcel into three lots where Lot 1 will contain 13,970 sq. ft., Lot 2 will contain 13,901 sq. ft. and Lot 3 will contain 15,768 sq. ft., of which 2305 is located within the accessway, with a shared Open Space parcel of 7919 sq. ft., on a property located at 20 Cognewaugh Road in the R-12 zone.

Dear Mr. D'Andrea:

At a regular meeting held on November 17, 2020, the Planning and Zoning Commission considered the above referenced application and took the following action:

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

WHEREAS the Commission held public meetings on June 30th and November 17th, 2020 and took all testimony required by law; and

WHEREAS a final subdivision was submitted to subdivide a 1.18-acre parcel into three lots where Lot 1 will contain 13,970 sq. ft., Lot 2 will contain 13,901 sq. ft. and Lot 3 will contain 15,768 sq. ft., of which 2305 is located within the accessway, with a shared Open Space parcel of 7919 sq. ft. (15.4%); and

WHEREAS the Commission finds that this final subdivision application is subject to Sections 6-258, 6-260, 6-261, 6-266, 6-287, 6-296, 6-297, 6-302 and 6-304 of the Town of Greenwich Subdivision Regulations (GSR), and Section 6-205 of the Building Zone Regulations (BZR); and

WHEREAS the 1.18-acre parcel in Cos Cob was part of a 10.5 acre tract of land in 1910; and

WHEREAS the property was previously improved with two detached dwellings built in 1949, two driveways, a pool, decorative entry walls and pillars; and

WHEREAS the parcel will be divided into three lots for construction of three single family dwellings with rear patios; and

WHEREAS large areas of rock ledge will be removed and some ledge will remain in place along the sides of Lot 1 and 2; and

WHEREAS one new curb cut will be constructed and will accommodate the shared drive off of Cognewaugh for the three lots; and

WHEREAS an Open Space Parcel of 7919 sq. ft. (15.4% of the total lot area) will encompass the northwest corner;

WHEREAS the Commission required that the constructed features within the Open Space Area, such as the water feature, stairs, retaining walls, and fireplace, shall be removed; and

WHEREAS all Open Space monuments shall be installed prior to filing of Mylar on Land Records; and

WHEREAS the Open Space shall be under Association ownership and such ownership shall be indicated on the subdivision map; and

WHEREAS a restoration plan is required for the Open Space including removal of constructed features and restoration in the area of proposed grading to include replacement of top soil and new plantings; and

WHEREAS old growth trees will be protected and preserved to the maximum extent feasible and the applicant has offered 2 to 1 replacement of trees removed; and

WHEREAS any tree proposed to be removed, not required for construction, requires an arborist report to be submitted to P+Z for review; and

WHEREAS DPW Engineering has reviewed and issued comments on the storm water drainage plans and report; and

WHEREAS easement language is required for the drainage systems and driveways; and

WHEREAS Zoning Enforcement shall confirm compliance with applicable Regulations prior to Zoning Permit issuance for site development, including compliance with setbacks for any walls 6' 6" or greater in height; and

WHEREAS the Inland Wetlands Agency signed off on an IWWA Questionnaire on 5/4/2020 indicating there are no regulated wetland areas on site and no permit is required; and

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

THEREFORE be it RESOLVED the application of Rocco V. D'Andrea, Inc., authorized agent for Marival, LLC, for a final subdivision, PLPZ 202000112, to subdivide a 1.18-acre parcel into three lots where Lot 1 will contain 13,970 sq. ft., Lot 2 will contain 13,901 sq. ft. and Lot 3 will contain 15,768 sq. ft. of which 2305 is located within the accessway, with a shared Open Space parcel of 7919 sq. ft., on a property located at 20 Cognewaugh Road in the R-12 zone, as shown on a subdivision plan prepared by Rocco V. D'Andrea, Inc. dated October 29, 2020, is hereby approved with conditions.

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 survey map ('the Map') with the following notes added:
 - 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 Open Space shall be noted on the map.
 - c. All monuments shall be placed in field and shown on map.
 - d. Removal of constructed features from the Open Space parcel.
 - e. "Upon approval of this subdivision plan, the owner agrees with the Town that unless otherwise specified hereon, the areas within at least ten (10) feet of the center line of any drainage facility, ditch or stream shown hereon, are dedicated for drainage, that no building or other structure shall be located thereon and that the Town shall not be under any obligation to maintain, clean, enclose, or otherwise alter or improve, such drainage facility"
2. Submit a restoration plan for the Open Space including removal of constructed features and restoration of the graded area to include replacement of top soil and plantings.
3. Declaration of Restrictions for the fee simple open space parcel. This 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 open space shall be transferred to an Association prior to the development of the first lot.
4. Provide easement language for the drainage systems as required by DPW comments dated 10/29/2020. This language shall be reviewed by P+Z, DPW Engineering, Department and the Law Department and once acceptable, shall be filed on the Greenwich Land Records simultaneously with the Map.

5. Provide easement language for the shared driveway as required by DPW comments dated 10/29/2020. This language shall be reviewed by P+Z and the Law Department and once acceptable, shall be filed on the Greenwich Land Records simultaneously with the Map.
6. 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 lots, the applicant shall make an appointment with Planning and Zoning staff to submit documentation associated with Zoning Permit sign off to include:

1. 4 (four) hard copies of final development plans for each lot;
2. 4 (four) hard copies of final landscaping plans confirming compliance with Section 6-296 of the Subdivision Regulations (“two tree” rule);
3. 3 (three) hard copies of final architectural plans consisting of floor plans, building elevations, building sections and FAR worksheets for each dwelling;
4. 2 (Two) copies of a final Drainage Summary Report;
5. Any other documentation necessary to address the Commission’s decision including the following:
 - a. all soil erosion and sediment controls will be implemented prior to construction and maintained in good condition for duration of project;
 - b. an arborist report for any trees to be removed not required for construction.

The contents of this letter have been reviewed by members of the Commission and reflect the decision the Commission made at its meeting on November 17, 2020.

Sincerely,

Marisa Anastasio
Senior Planner

NOTES:

1. THE PURPOSE OF THIS PLAN IS TO DESCRIBE A SUBDIVISION OF PROPERTY PREPARED IN ACCORDANCE WITH CURRENT APPLICABLE SUBDIVISION REGULATIONS OF THE TOWN OF GREENWICH.
2. LOTS SHALL BE SERVED BY INDIVIDUAL ON-SITE WELLS.
3. THESE LOTS ARE TO BE SERVED BY THE TOWN OF GREENWICH SEWER SYSTEM. DEVELOPMENT OF THESE LOTS WILL REQUIRE ISSUANCE OF A SEWER PERMIT FOR EACH LOT.
4. ALL NEW UTILITIES SHALL BE INSTALLED UNDERGROUND.
5. DEVELOPMENT OF THESE PARCELS DEPICTED HEREON MAY BE SUBJECT TO REVIEW AND APPROVAL FROM THE ZONING ENFORCEMENT OFFICER, THE HEALTH AND BUILDING DEPARTMENTS, DPW-ENGINEERING DIVISION AND OTHER TOWN DEPARTMENTS THAT MAY HAVE JURISDICTION OVER CONSTRUCTION.
6. THERE SHALL BE NO EARTH DISTURBANCE, GRADE CHANGES OR REMOVAL OF TREES UNTIL A DESIGNEE OF THE PLANNING AND ZONING COMMISSION HAS CONFIRMED THAT REQUIRED S & E CONTROLS ARE IN PLACE AND ARE SUFFICIENT TO MINIMIZE IMPACT TO NATURAL RESOURCES AND TREES DURING THE CONSTRUCTION PROCESS.
7. EACH HOMEOWNER SHALL BE RESPONSIBLE FOR MAINTAINING DRAINAGE FACILITIES ON HIS/HER LOT AS SPECIFIED IN THE DRAINAGE MAINTENANCE AGREEMENT THAT SHALL BE REVIEWED BY A DESIGNEE OF THE PLANNING AND ZONING COMMISSION AND FILED IN THE LAND RECORDS PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE DWELLINGS TO BE CONSTRUCTED.
8. PURSUANT TO SECTION 6-287 ALL SUBDIVISION LOTS SHALL BE REVIEWED FOR COMPLIANCE WITH TOWN DRAINAGE STANDARDS. A DETAILED DRAINAGE PLAN SHALL BE SUBMITTED FOR REVIEW BY PLANNING AND ZONING AND DPW-ENGINEERING DIVISION PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
9. ANY PROPOSED CHANGE IN THE STATUS OF THE OPEN SPACE SUCH AS A CHANGE IN SIZE OR OWNERSHIP, AND ANY CHANGE IN THE SIZE OF APPROVED SUBDIVISION LOTS SHALL REQUIRE SUBMISSION OF A REVISED SUBDIVISION PLAN AND DECLARATION OF RESTRICTIONS FOR REVIEW BY THE CONSERVATION DEPARTMENT AND APPROVAL BY THE PLANNING AND ZONING COMMISSION. THE REVISED MAPS MAY REQUIRE APPROVAL FROM THE COMMISSION AND THE DECLARATION OF RESTRICTIONS MAY REQUIRE AMENDMENTS TO REFLECT THE CHANGES.
10. A DRAINAGE MAINTENANCE AGREEMENT FOR SHARED DRAINAGE STRUCTURES AND SYSTEMS SHALL BE FILED IN THE LAND RECORDS SIMULTANEOUSLY WITH THE RECORD SHEET.
11. THE DECLARATION OF RESTRICTIONS FOR THE OPEN SPACE AREA SHALL BE REVIEWED BY THE LAW DEPARTMENT AND APPROVED BY THE TOWN PLANNER AND FILED IN THE LAND RECORDS SIMULTANEOUSLY WITH THE RECORD SHEET.
12. THE PURPOSE OF OPEN SPACE PARCEL "P" IS TO PROVIDE OPEN SPACE FOR THE BENEFIT OF RESIDENTS OF LOTS IN THIS SUBDIVISION AS DEFINED IN SEC. 6-299 OF THE TOWN OF GREENWICH SUBDIVISION REGULATIONS.

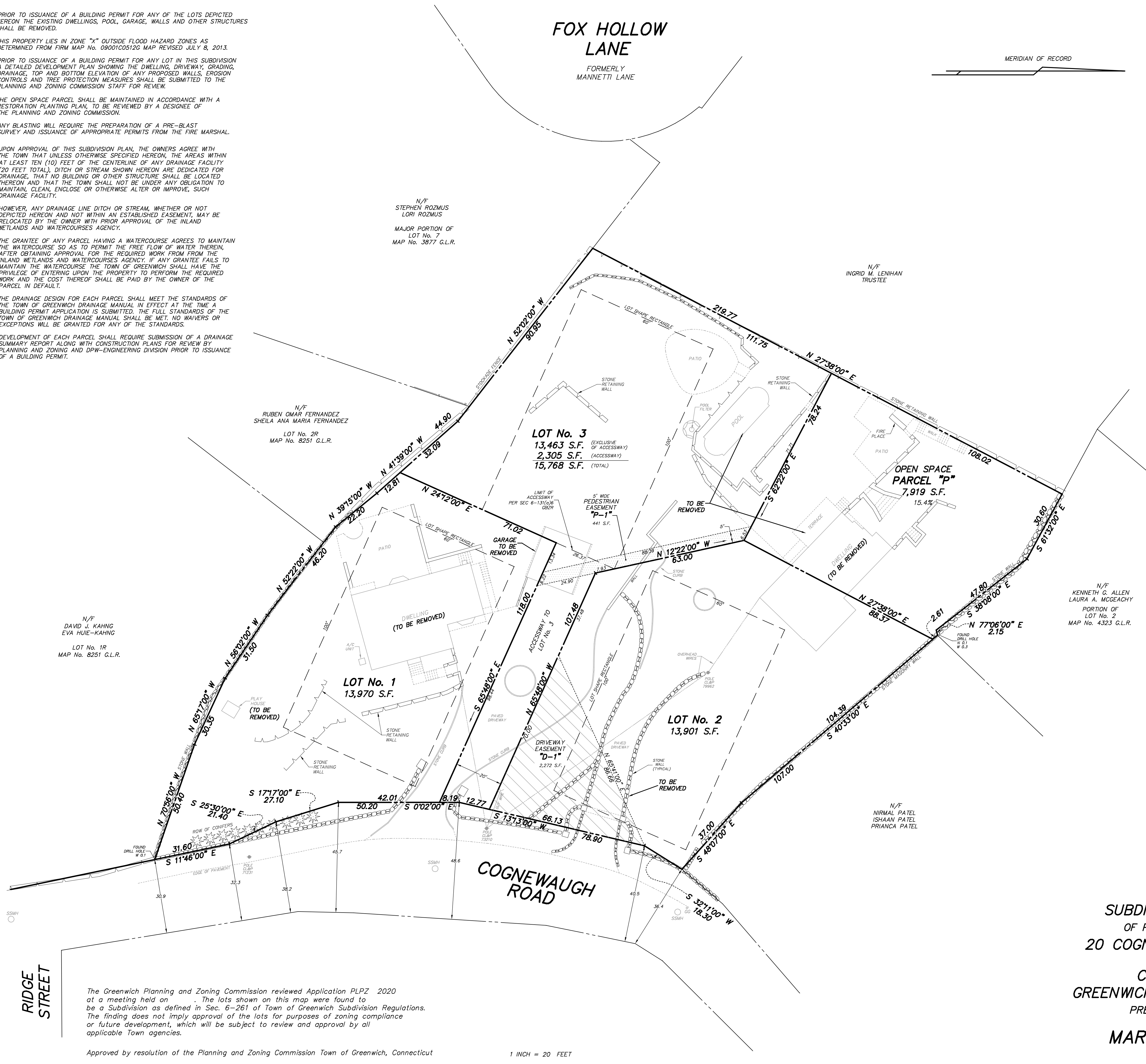
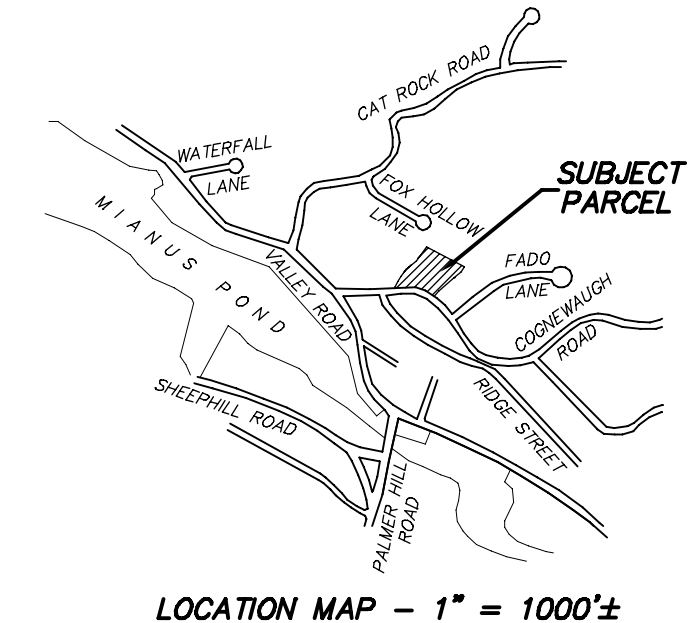
13. PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR ANY OF THE LOTS DEPICTED HEREON THE EXISTING DWELLINGS, POOL, GARAGE, WALLS AND OTHER STRUCTURES SHALL BE REMOVED.
14. THIS PROPERTY LIES IN ZONE "X" OUTSIDE FLOOD HAZARD ZONES AS DETERMINED FROM FIRM MAP No. 09001C05120 MAP REVISED JULY 8, 2013.
15. PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR ANY LOT IN THIS SUBDIVISION A DETAILED DEVELOPMENT PLAN SHOWING THE DWELLING, DRIVEWAY, GRADING, DRAINAGE, TOP AND BOTTOM ELEVATION OF ANY PROPOSED WALLS, EROSION CONTROLS AND TREE PROTECTION MEASURES SHALL BE SUBMITTED TO THE PLANNING AND ZONING COMMISSION STAFF FOR REVIEW.
16. THE OPEN SPACE PARCEL SHALL BE MAINTAINED IN ACCORDANCE WITH A RESTORATION PLANTING PLAN, TO BE REVIEWED BY A DESIGNEE OF THE PLANNING AND ZONING COMMISSION.
17. ANY BLASTING WILL REQUIRE THE PREPARATION OF A PRE-BLAST SURVEY AND ISSUANCE OF APPROPRIATE PERMITS FROM THE FIRE MARSHAL.
18. UPON APPROVAL OF THIS SUBDIVISION PLAN, THE OWNERS AGREE WITH THE TOWN THAT UNLESS OTHERWISE SPECIFIED HEREON, THE AREAS WITHIN AT LEAST TEN (10) FEET OF THE CENTERLINE OF ANY DRAINAGE FACILITY (20 FEET TOTAL), DITCH OR STREAM SHOWN HEREON ARE DEDICATED FOR DRAINAGE, THAT NO BUILDING OR OTHER STRUCTURE SHALL BE LOCATED THEREON AND THAT THE TOWN SHALL NOT BE UNDER ANY OBLIGATION TO MAINTAIN, CLEAN, ENCLOSE OR OTHERWISE ALTER OR IMPROVE, SUCH DRAINAGE FACILITY.

HOWEVER, ANY DRAINAGE LINE DITCH OR STREAM, WHETHER OR NOT DEPICTED HEREON AND NOT WITHIN AN ESTABLISHED EASEMENT, MAY BE RELOCATED BY THE OWNER WITH PRIOR APPROVAL OF THE INLAND WETLANDS AND WATERCOURSES AGENCY.
19. THE GRANTEE OF ANY PARCEL HAVING A WATERCOURSE AGREES TO MAINTAIN THE WATERCOURSE SO AS TO PERMIT THE FREE FLOW OF WATER THEREIN, AFTER OBTAINING APPROVAL FOR THE REQUIRED WORK FROM FROM THE INLAND WETLANDS AND WATERCOURSES AGENCY. IF ANY GRANTEE FAILS TO MAINTAIN THE WATERCOURSE THE TOWN OF GREENWICH SHALL HAVE THE PRIVILEGE OF ENTERING UPON THE PROPERTY TO PERFORM THE REQUIRED WORK AND THE COST THEREOF SHALL BE PAID BY THE OWNER OF THE PARCEL IN DEFAULT.
20. THE DRAINAGE DESIGN FOR EACH PARCEL SHALL MEET THE STANDARDS OF THE TOWN OF GREENWICH DRAINAGE MANUAL IN EFFECT AT THE TIME A BUILDING PERMIT APPLICATION IS SUBMITTED. THE FULL STANDARDS OF THE TOWN OF GREENWICH DRAINAGE MANUAL SHALL BE MET. NO WAIVERS OR EXCEPTIONS WILL BE GRANTED FOR ANY OF THE STANDARDS.

DEVELOPMENT OF EACH PARCEL SHALL REQUIRE SUBMISSION OF A DRAINAGE SUMMARY REPORT ALONG WITH CONSTRUCTION PLANS FOR REVIEW BY PLANNING AND ZONING AND DPW-ENGINEERING DIVISION PRIOR TO ISSUANCE OF A BUILDING PERMIT.

FOX HOLLOW LANE
FORMERLY MANNETTI LANE

MERIDIAN OF RECORD



THIS MAP IS A SUBDIVISION MAP. PROPERTY LINES ARE AN ORIGINAL SURVEY AND EXISTING PROPERTY LINE INFORMATION IS BASED ON A RESURVEY CONDUCTED IN ACCORDANCE WITH CLASS "A-2" HORIZONTAL ACCURACY AS DEFINED IN THE REGULATIONS OF CONNECTICUT STATE AGENCIES, SECTIONS 20-300b-1 THROUGH 20-300b-20.

NEW MONUMENTATION HAS NOT BEEN SET IN THE COURSE OF MAKING THIS SURVEY.

ONLY COPIES OF THIS MAP, BEARING AN ORIGINAL IMPRINT OF THE SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED TO BE TRUE, VALID COPIES.

AREA = 1.1836 ACRES
REFER TO BOOK 7442 PAGE 30 G.L.R.
LAND LIES IN "R-12" ZONE

TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

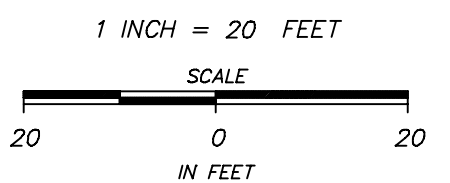
ROCCO V. D'ANDREA, INC.

SURVEYOR
ANTHONY L. D'ANDREA, CT PE LS No. 9673
RIVERSIDE, CONNECTICUT
OCTOBER 29, 2020

The Greenwich Planning and Zoning Commission reviewed Application PLPZ 2020 at a meeting held on . The lots shown on this map were found to be a Subdivision as defined in Sec. 6-261 of Town of Greenwich Subdivision Regulations. The finding does not imply approval of the lots for purposes of zoning compliance or future development, which will be subject to review and approval by all applicable Town agencies.

Approved by resolution of the Planning and Zoning Commission Town of Greenwich, Connecticut

Margarita Alban, Chair Date



SUBDIVISION MAP
OF PROPERTY AT
20 COGNEWAUGH ROAD
IN
COS COB,
GREENWICH, CONNECTICUT
PREPARED FOR
MARIVAL, LLC

10/29/2020 10:58 AM

10/29/2020 10:58 AM