Final Site Plan and Special Permit
PLPZ 2021 00048

Paradigm 44-48 West Putnam Ave, LLC
For an addition of 14 residential apartments to be located within the existing main building

| Location: | 44-48 West Putnam Avenue |
| Zone:     | CGBR-CGIO |
| Lot Area: | 55,365 sq. ft. (1.271 acres) |
| FAR:      | Existing: 0.74
Proposed: 0.93
Permitted: 0.9 |
| Gross Square Footage: | Existing: 41,160 sq. ft.
Proposed: 52,764 sq. ft.
Permitted: 49,828 sq. ft. |
| Parking Spaces: | Existing: 96 spaces + 4 ADA
Proposed: 109 + 5 ADA
Required: Per 6-155(3) |
| Building Height | Existing: 53.31 ft.
Proposed: *No change*
Permitted: 40 ft. |
| Lot Coverage: | Existing: 84%
Proposed: *No change*
Permitted: 75% |
| Building Coverage: | Existing: 46%
Proposed: *No change*
Permitted: 30% |
| Number of Residential Units/Bedrooms | 14 Units
5 - two-bedrooms
9 – one-bedrooms
19 Bedrooms in total |

APPLICATION SUMMARY
The Applicant is requesting Final Site Plan and Special Permit approval, to create 14 residential apartments within the existing main building on a 1.271-acre parcel located at 44-48 West Putnam Avenue in the CGBR and CGIO Zones.

ISSUES / COMMENTS:
1) PRIOR DECISIONS - As part of the prior site plan application the Board of Selectmen designated Lewis Court as a Fire Lane. Under the prior application the Fire Marshall commented and noted existing site conditions that needed to be rectified. The applicant should indicate if the following have been addressed or if issues are still outstanding:
   a) relocation of the existing handicapped parking space behind the Japanese restaurant into the Town’s Lewis street parking lot as a handicapped space.
b) designated area for small roll-off refuse containers for the existing businesses with protective bollards against the rear of 116 and 118 Greenwich Avenue.

c) Installation of pavement markings and signage for “FIRE LANE” to prohibit any illegal parking on Lewis Court.

d) Relocation of 6 existing gas meters from the east side of the building column at 108 Greenwich Avenue to a protected area on the east side of 98 Greenwich Avenue (in same ownership) and removal of existing bollards.

e) The prior application required that the following note be placed on the final plans: “Any changes of commercial users within the buildings that would require additional parking (such as restaurants and office uses) will require Planning and Zoning Commission approval.”

2) ZONING - The applicant had received variances from the Planning and Zoning Board of Appeals (Appeal No. 9223) of gross floor area, number of stories, and an exemption of the existing garage, mechanical and storage space from gross floor area calculations. These variances have expired as they were not acted upon within the required timeline. The applicant has filed with the PZBA for the same and will be heard later in the month by the PZBA.

3) UNIT LAYOUTS – most of the units have an additional windowless room called a den. While set up like bedroom with closets and direct access to a bathroom, Staff is not sure if this would meet building code as a bedroom as proposed, the applicant should confirm with their Code expert and the Building Inspection Division that the proposed layouts would meet building code.

4) PARKING – the applicant is looking for the Commission to waive parking space requirements for housing units in the CGBR zone. Applicant is relying on Section 6-155(3), which states that only one (1) parking space per dwelling unit is required in mixed-use residential and commercial development, unless the Commission deems a greater or lesser number appropriate. There are 16 spaces provided in the new garage (1.14 spaces per unit) and off peak use of available on-site parking.

5) CONSTRUCTION PHASING - As with the prior application there is a question of how and where a construction equipment would be located, delivery of materials, and possible interference with onsite parking and circulation during the construction phase.

6) ARC - reviewed and approved the prior exterior alterations, building modifications, and landscaping. The Commission should direct the applicant as to when and if they should return to the ARC to review the same.

DEPARTMENT COMMENTS
ZEO - see attached
Engineering Division - Drainage Exemption (+402 sq. ft. of new impervious)
Sewer - see attached
Traffic -
Fire Department -
BACKGROUND:
The applicant received final site plan and special permit approvals from the Commission for construction of 8 residential units with a total of 22 bedrooms in an area currently used for storage and “mothballed” areas, as required in FSP #2887. The “reactivation” of the uninhabitable 2nd floor, and a new 3rd floor space, would allow for infill of the existing building for residential units. The applicant is proposing to add a second floor parking garage of 16 spaces specifically for these 14 residential units. Access to this second floor garage space would be from a lift, accessed from Lewis Ct., on the south side of the building. The infilled third floor units would have attached patio spaces cut as recessed dormers in the roof. The proposed unit mix would be one and two-bedroom units. The majority of these would have “Den’s” within them. These windowless rooms are drawn with built in closets and/or direct access to an adjacent bathroom. Staff notes that these spaces are would not appear to be used as legal bedrooms, and typically the Building Official precludes closets and bathroom access to these types of rooms to reduce the impulse to use them as sleeping quarters by residents. The applicant should confirm that the layout of the units would pass building code.

ZONING:
The subject site is legally non-conforming as to gross floor area, building height, lot and building coverage. The applicant had received variances, under a prior, now expired application, from the Planning and Zoning Board of Appeals (Appeal No. 9223) of gross floor area, number of stories, and an exemption of the existing garage, mechanical and storage space from gross floor area calculations. These variances have expired as they were not acted upon within the required timeline. The applicant has filed with the PZBA for the same and will be heard later in the month by the PZBA.

PARKING:
The applicant is proposing to add parking on the second floor of the building. Access to the parking area would be from a dedicated car lift, which would be accessed on the south side of the building from Lewis Ct. The applicant is asking the Commission to consider the parking adequate under Sec. 6-155(3) of the BZR as the proposed site would be a mixed use building if the residential units are approved.

APPLICABLE ZONING REGULATIONS
Sections 6-13, 6-14, 6-15, 6-17, 6-100, 6-101, 6-102.1, 6-103.1, 6-110, 6-141(b)(2)(A), 6-155, 6-158, 6-159, 6-161 and 5-205(b).
ZONING ENFORCEMENT

Project No. PLPZ202100048

Reviewed for Planning and Zoning Commission.

TITLE OF PLAN REVIEWED: Paradigm 44-48 WPA, LLC

LOCATION: 44-48 West Putnam Ave.

PLAN DATE:

ZONE: CGBR

☐ Ok for Zoning Permit Sign-off with the following revisions:

☐ Resubmit the following prior to Site Plan/Subdivision approval:

☒ The subject site plan/subdivision meets the requirements of the Building Zone Regulations, excluding sections 6-15 and 6-17, and is Ok for Zoning Permit Sign-off. The applicant has file for a variance of FAR for the alterations.

Reviewed by: Jodi Couture
Date: 3/10/2021

Note: These comments do not represent Building Inspection Division approval. Plans subject to review by ZEO at time of building permit application.
PRIOR PZBA APPEAL
Appeal to the Planning and Zoning Board of Appeals

1. I (we) hereby appeal to the Planning and Zoning Board of Appeals from the decision of the Building Inspector whereby the Building Inspector:

☐ granted or ☐ denied an application to: ☐ Use ☐ Erect ☐ Alter ☐ Add to ☐ Occupy

☐ Land only ☐ Structure or building. Year erected: ☐ 1920 ☐ Parcel I.D. No. ☐ 01-2059/S

For use as: ☐ Family residence ☐ Accessory building ☐ Business ☐ Mixed Use Retail and Residential

 dois location of affected premises: Address: "Pickwick Commons", 44-48 West Putnam Avenue, Greenwich

Located on the ☐ N ☐ S ☐ E ☐ W side of ☐ West Putnam Avenue Street

170 feet ☐ N ☐ S ☐ E ☐ W from the intersection of ☐ Benedict Place Street

Survey Title of Subdivision Map PARADIGM 44-48...EXISTING CONDITIONS Lot No. ________________

3. PREVIOUS APPEALS have been made with respect to this property as follows:

Application No(s). Please see Attachment A Date(s) ________________

4. THIS APPEAL RELATES TO: ☐ Use ☐ Yard dimension ☐ Height ☐ No. of family units ☐ Street frontage ☐ Areas

Other F.A.R.; Number of Stories

DEScribe BRIEFLY:

Appeal for variances of a) Section 6-5 (22), Floor Area, Gross [non-residential zones], to permit the continued exemption of floor area of existing parking, mechanical and storage spaces in an existing garage level with less than 1/2 its clear height below the grade plane from calculation of permitted FAR in the CGBR zone, and b) Section 6-205(b), number of permitted building stories (3), for proposed construction of a 4th floor within the existing building envelope for occupancy as eight

5. VARIANCE of the following section(s) of the Building Zone Regulations is (are) requested: 6-5 (22) and 6-205(b)

a. Strict application of the regulations would produce UNDUE HARDSHIP because:

Please see Attachment B

b. The HARDSHIP CREATED IS UNIQUE and not shared by all properties alike in the neighborhood because:

Please see Attachment B

c. The variance would not change the CHARACTER OF THE NEIGHBORHOOD because:

Please see Attachment B

6. A SPECIAL EXCEPTION is requested as authorized by Sections 6-19, 6-20, and N/A _________________________ of the Building Zone Regulations because:

☐ ( ) new residential units.

7. THE ISSUANCE OF PERMIT No. N/A _________________________ for the above named premises by the Building Official is APPEALED because:

8. ALL OWNERS whose property bounds upon any portion of subject property including that property directly across the street and bounding it:

(Give mailing address)

Name Please See Exhibit A Address

Name Address

Name Address

Name Address

Name Address

Name Address

SEE ATTACHED LETTER OF AUTHORIZATION

Owner’s Signature Applicant’s Signature Agent’s Signature

Bruce F. Cohen

Contact Person’s Telephone No. (203) 661-1000

Application fee paid 150.00 Receipt no. 1519 85

CT Land use fee paid 30.00 Receipt no. 1519 85

pwBPZ/BAppealApp.pdf  Revised 2/2004
Instructions and Procedures for Application for Appeal to the Planning and Zoning Board of Appeals

Regular meetings of the Board are held on the third Wednesday of each month at 8:00 pm at Town Hall or such other time or place as the Chairman or Acting Chairman of the board may from time to time determine.

Applications must be typed and filed in triplicate on the original application forms only and each shall be signed by the property owner. If there is also an applicant, the applicant must also sign the application. If there is an agent representing the owner and/or the applicant, the agent must also sign the application. All pertinent questions on the application must be answered and all information required on the form shall be concisely stated. Additional statements may be added if required, in the blank space or on separate sheets. Do not use supplemental sheets unless the application form is filled.

Supporting documents – Applications must be accompanied with three copies of a class A-2 survey by a CT Licensed Land Surveyor, three sets of building plans for a new or existing building, addition, or alteration to a building, a copy of the G.I.S. (Geographical Information System) aerial map, a copy of the current Assessor’s field card, and the appropriate filing fee (checks only). Please make checks payable to the Town of Greenwich. Building plans and surveys submitted with this application may not be larger than 11” x 17” in size. Larger scale drawings may be submitted at the Public Hearing. Applications involving floor area ratio must be accompanied by building floor plans demonstrating the calculated areas.

Notice – The appellant or his agent must submit an affidavit certifying that all abutting property owners have been notified by mail, as evidenced by the Certificate of Mailing, stamped and certified by the US Post Office, about said application, concurrent with filing the application to the Planning and Zoning Board of Appeals. Owners of lots, or portions of lots, which are across a public or private street shall be deemed to be abutting property owners.

If topographical conditions are claimed as hardship, the applicant must be prepared with photographs or a topographical survey showing same at the time of the public hearing.

The final date for filing applications shall be nineteen days before the date of a regular meeting, which date will be kept posted in the office of the Board and of the Building Official / Zoning Enforcement Officer. Applications will be heard on a first come first heard, agenda space available basis.

Plans approved by the Board cannot be changed. What is presented for approval must be built. Any changes to approved plans will require re-submission to the Planning and Zoning Board of Appeals for a new public hearing.

On an application for a re-hearing, the appellant must allege new facts and prove same at the hearing.

Survey Maps accompanying applications pertaining to gasoline filling stations, garages, auto showrooms, and parking lots, in addition to giving the location of building or buildings shall also include the location of any pumps and shall show height and size of signs in addition to location, height and intensity of lights, planting, curbs, sidewalks, street lines, exits and entrances.

Applications for variance of the sections pertaining to liquor outlets shall be accompanied with three copies of a map showing the location of other outlets within 400 feet or 1000 feet as defined in the ordinance and certified by a CT Licensed Land Surveyor.

The Board in its discretion may dismiss an appeal (without prejudice) for failure to comply with any of the foregoing rules.

The filing fees for all Planning and Zoning Board of Appeals applications shall be:
- $180 for single and 2 family residential appeals
- $230 for appeals of the decisions or orders of the Zoning Enforcement Officer
- $330 for appeals for division of non-conforming lots
- $530 for all other appeals including review of subdivisions

Appellant or his agent must be present at the meeting. Failure to appear may result in the application being dismissed.
APPLICATION FOR VARIANCES
Greenwich Planning and Zoning Board of Appeals
Owner/Applicant: Paradigm 44-48 West Putnam Avenue LLC
Property Address: “Pickwick Commons”, 44-48 West Putnam Avenue, Greenwich
August 19, 2005

ATTACHMENT A

3. PREVIOUS APPEALS have been made with respect to this property as follows:

Appeal No. 3348  GRANTED December 18, 1959
Variance of parking requirement to permit a second story addition on a portion of
an existing building for office use.

Appeal No. 5586  GRANTED June 30, 1975
Variance of signage regulations to permit a wall sign and a free-standing sign
(both legally non-conforming) to remain.

Appeal No. 6040  GRANTED April 26, 1978
Variance of signage regulations to permit replacement of a previous, legally non-
conforming sign.

Appeal No. 6973  DENIED December 2, 1985
Variance of parking requirements to permit expansion of an existing restaurant
(Dusty’s Pub).
APPLICATION FOR VARIANCES
Greenwich Planning and Zoning Board of Appeals
Owner/Applicant: Paradigm 44-48 West Putnam Avenue LLC
Property Address: “Pickwick Commons”, 44-48 West Putnam Avenue, Greenwich
August 12, 2005

ATTACHMENT B

5. VARIANCE of the following section(s) of the Building Zone Regulations is (are) requested: 6-5 (22) and 6-105 (b)

a. Strict application of the regulations would produce UNDUE HARDSHIP because:

The floor area of the existing parking, mechanical and storage areas in the existing garage level was exempted from the calculation of permitted floor area under regulations in effect at the time the premises were converted in the late 1990s from a bowling alley and restaurant uses to a retail complex. The subsequent adoption in 2002 of sections 6-5(26) Grade Plane, and 6-5(45.1) Story Above Grade rendered the existing building a 3-story structure, and required the floor area of the existing garage to be included in the FAR for the building.

The existing 3rd Floor of the building (16,457 SF), with a clear height in excess of 25 feet, is vacant, “mothballed” space pursuant to conditions of Final Site Plan/Special Permit #1736. Variances of Section 6-5(22), to exempt floor area of existing parking, storage and mechanical space in an existing garage (basement) level with less than 1/3 of its clear height below the grade plane, and Section 6-205(b) to permit a 4-story building in lieu of a 3-story building in the CGBR Zone, will allow the owner reasonable use of the existing 3rd Floor by permitting construction of another floor level within the existing 3rd Floor building envelope and occupying the 3rd and new 4th Floors as housing, with the “FAR” of all improvements not exceeding the maximum floor area of 0.9 permitted in the CGBR Zone. Without the variance of 6-5(22), the owner would only be permitted to occupy one-third of the floor area of the existing 3rd Floor without exceeding the permitted FAR.

b. The HARDSHIP CREATED IS UNIQUE and not shared by all properties alike in the neighborhood because:

The subject building was constructed in the 1920s, and is legally non-conforming with respect to overall building height (feet) and bulk permitted under Section 6-205(b) of the regulations, and has been so through each phase of adaptive reuse of the premises, as a bowling alley with an office in 1959, the addition of restaurants in the 1980s, and as the “Pickwick Commons” retail complex in the late 1990s. The existing improvements only became legally non-conforming with respect to permitted FAR after the adoption of the amendments to the Building Zone Regulations referenced under Item 5. a. above. Recognizing that portion(s) of the existing building, and adjoining buildings to the north and east are built on the property line and/or have deficient side or rear yard setbacks, it is not possible for the owner to modify existing grades through the introduction of fill and “bury” more of the existing garage level below the grade plane to exempt the floor area of the existing garage level pursuant to Section 6-5(22) of the regulations.

c. The variance would not change the CHARACTER OF THE NEIGHBORHOOD because:

The exterior of the existing building will essentially remain unchanged. The proposed 4th Floor will be constructed entirely within the existing building envelope and, together with the existing 3rd Floor, used for residential occupancy. As such, the existing, legally non-conforming overall building height in feet will not be intensified. The attractive outward appearance of the retail complex will only have minor, complementary changes (e.g., rooftop terraces, additional fenestration, and a residential entry arcade). Additional parking for the proposed eight (8) residential units will be constructed below grade within the existing building and, therefore, exempt from floor area calculations. The number of parking spaces will exceed the minimum required for multi-family residential use in the CGBR Zone. Therefore, there will be no adverse visual, traffic or parking impacts associated with the proposed conversion of the existing retail complex to mixed use.

1 Reference: Final Site Plan and Special Permit #1736 approved, with conditions, by the Greenwich Planning and Zoning Commission on March 28, 1995.
### EXHIBIT A

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<th>Twenty-Two Forty-Four West Putnam Avenue LLC</th>
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FCSN
8/18/05
TOWN OF GREENWICH

AFFIDAVIT OF NOTIFICATION OF APPLICATION TO

PLANNING AND ZONING BOARD OF APPEALS

STATE OF CONNECTICUT) ) ss: Greenwich August 19, 2005
COUNTY OF FAIRFIELD )

I, William B. Smith, being first duly sworn, do hereby certify that on August 19, 2005, I caused to be mailed, postage prepaid, to those persons whose names are set forth on Exhibit A to the Application and on said Certificate of Mailing attached hereto a copy of the notice attached hereto as Exhibit B. Said persons were the record owners, as of August 18, 2005 as shown on the Tax Assessor's Office records, of property abutting and across the street from the property belonging to Paradigm 44-48 West Putnam Avenue LLC at 44-48 West Putnam Avenue, Greenwich, CT, for which an application for variances of building height and bulk to permit the construction of eight (8) residential units have been filed with the Greenwich Planning and Zoning Board of Appeals.

Subscribed and sworn to
Before me this 18th day of
August 2005

William B. Smith

Notary Public

JOHN K. TAYLOR
NOTARY PUBLIC
MY COMMISSION EXPIRES AUG. 31, 2010
I, Robert Coulson, Secretary, of the Planning and Zoning Board of Appeals of the Town of Greenwich, Connecticut do hereby certify that the following is a true copy of the decision rendered by such Board at its meeting held December 14, 2005 at which a quorum was present.

APPEAL No. 9223.

Appeal of Paradigm 44-48 West Putnam Avenue, LLC 44-48 West Putnam Avenue, Greenwich, for variances of floor area ratio and number of stories to permit additions and alterations to create eight (8) residential units at a commercial building in the CGBR – CGIO zone.

It was unanimously RESOLVED that said appeal be granted on the following grounds:

The Board finds, after due consideration, there is hardship due to the location of the structure on the lot, having been constructed prior to zoning regulation, the topography of the lot, and the changes in the regulations which cause the lower level to now be considered a story and include the floor area of the lower level to be calculated as part of the floor area ratio. Accordingly, the requested variances of number of stories and of floor area ratio as provided by Sections 6-203 and 6-205 of the Building Zone Regulations are granted.

The Board further finds that this relief can be granted without detriment to the public welfare or impairment to the integrity of the regulations.

Robert Coulson, Secretary
Planning and Zoning Board of Appeals
Town of Greenwich
101 Field Point Road
Greenwich, CT 06830

RE: Application for Variances of Building Zone Regulations
Proposed Residential Units at "Pickwick Commons"
44-48 West Putnam Avenue, Greenwich

Dear Members of the Board:

We, as owner of the above-referenced premises, hereby authorize the firm of Fogarty Cohen Selby & Nemiroff LLC to serve as our agent in securing all necessary approvals from the Greenwich Planning and Zoning Board of Appeals for the above-referenced matter.

PARADIGM 44-48 WEST PUTNAM AVENUE LLC

BY: Marci A. Fagan Date 8/15/05
Duly Authorized
August 16, 2005

Ms. Anne Dayton
Fogarty, Cohen, Selby & Nemiroff
88 Field Point Road
Greenwich, CT 06830

Re: “The Lofts at Pickwick Commons”, 44-48 West Putnam Avenue, Greenwich Section 6-5 (22), Floor Area, Gross, Greenwich Building Zone Regulations

Dear Anne:

We have determined that the existing grade plane for “Paradigm 44-48 West Putnam Avenue LLC - The Lofts at Pickwick Commons”, is at Elevation 136.69. The minimum clear height in the existing parking garage is 9.1 feet, and the finish floor elevation (FFE) of the existing parking garage is Elevation 133.9.

Based on the above, please be advised that the elevation of one-half (½) the clear height of the existing parking garage (133.9 + 4.55 feet = 138.45) is greater than the Grade Plane Elevation of 136.69 by 4.55.

Very truly yours,

Roy G. Cary
S.E. Minor & Co., Inc.
RGC/JSRoma
August 16, 2005

Town of Greenwich
Department of Public Works
Building Inspection Department
Zoning Enforcement Division
Town Hall
101 Field Point Road
Greenwich, CT 06830

Att: Mr. James Maloney, Zoning Enforcement Officer

RE: Paradigm 44-48 West Putnam Avenue LLC
44-48 West Putnam Avenue, Greenwich, CT

Dear Mr. Maloney:

S. E. Minor & Co., Inc. (SEM) has established the Grade Plane for the existing building, with an existing Average Weighted First Floor Elevation of 142.29', to be 138.69' (based on an assumed datum as shown on a plan entitled “Existing Conditions & "A-2 Survey for Paradigm 44-48 West Putnam Avenue LLC “Lofts at Pickwick Commons”” dated July 15, 2005 and last revised August 16, 2005 by S. E. Minor & Co., Inc.), and based on Planning and Zoning Regulations Section 6-5 (26). )

The proposed first floor elevation (to remain unchanged from existing conditions) and grading shown on the attached plan is for permit purposes only and requires verification by the Owner prior to construction.

Please be advised that we have also computed the distance of the finished first floor from the proposed finished grade, and have determined that the Average Weighted First Floor Elevation is more than 5' above the proposed finished grade for more than 70% of the perimeter, and the Average Weighted First Floor Elevation is more than 12' above the proposed finished grade at the perimeter of the building.

Please feel free to call if you have any questions regarding this matter.

Respectfully submitted,

S. E. Minor & Co., Inc.

Roy

Att.: Grade Plane Worksheet & Sketch
Average Weighted First Floor Elevation Worksheet – Sheet C6
RGC/JSR/jsr
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November 16, 2005

Planning and Zoning Board of Appeals
ATTN: Donald Kiefer, Chairman
Town of Greenwich
101 Field Point Road
Greenwich, CT 06830

RE: Appeal No. 9223
Paradigm 44-48 West Putnam Avenue, LLC
44-48 West Putnam Avenue, Greenwich

Dear Members of the Board:

On behalf of our client, Paradigm 44-48 West Putnam Avenue, LLC we hereby grant the Greenwich Planning and Zoning Board of Appeals an extension of time through December 15, 2005 to open the public hearing on the above-referenced matter.

Very truly yours,

[Signature]
Bruce F. Cohen

cc: James F. Maloney, Zoning Enforcement Officer
Paradigm 44-48 West Putnam Avenue, LLC
LOT AREA = 54,500 SQ. FT.
EXISTING/PROPOSED BUILDING COVERAGE = 45%
TOTAL LOT COVERAGE (EXISTING/PROPOSED) = 84% (AREA DEVOTED TO BUILDING, PARKING, AND DRIVES)

SITE COVERAGE ANALYSIS PLAN

LEGEND

BUILDING AREA

PAVED PARKING AREA

PAVED WALKING AREA

OPEN SPACE
December 26, 2005

Fogarty, Cohen, Selby & Nemiroff, LLC
Attorney Bruce F. Cohen
88 Field Point Road
Greenwich, CT. 06830

Dear Mr. Cohen,

This will notify you that effective December 14, 2005 the Planning and Zoning Board of Appeals of the Town of Greenwich (Present: Donald Kiefer, Chairman, Robert Coulson, Secretary, David Weisbrod, Arthur Delmhorst and Barbara McKelvey) rendered the following decision:

APPEAL No. 9223.

Appeal of Paradigm 44-48 West Putnam Avenue, LLC 44-48 West Putnam Avenue, Greenwich, for variances of floor area ratio and number of stories to permit additions and alterations to create eight (8) residential units at a commercial building in the CGBR – CGIO zone.

It was unanimously RESOLVED that said appeal be granted on the following grounds:

The Board finds, after due consideration, there is hardship due to the location of the structure on the lot, having been constructed prior to zoning regulation, the topography of the lot, and the changes in the regulations which cause the lower level to now be considered a story and include the floor area of the lower level to be calculated as part of the floor area ratio. Accordingly, the requested variances of number of stories and of floor area ratio as provided by Sections 6-203 and 6-205 of the Building Zone Regulations are granted.

The Board further finds that this relief can be granted without detriment to the public welfare or impairment to the integrity of the regulations.

Robert Coulson, Secretary
MR. COULSON: 9223, 44-48 West Putnam Avenue, Greenwich. Appeal of Paradigm 44-48 West Putnam Avenue, LLC for variances of floor area ratio and number of stories to permit additions and alterations to create eight residential units in a commercial building in the CGBR-CGIO zone.

MR. MALONEY: This appeal follows a request to permit additions to a commercial building in the CGBR-CGIO overlay zone.

The additions would create a new indoor parking area and eight dwelling units on a new fourth floor. The CGBR zone permits three stories.

The 55,365 square foot lot will permit 49,829 square feet of floor area, for a floor area ratio of .9. The building was constructed and altered prior to the 2002 amendments which introduced grade plane to determine number of stories and subgrade F.A.R. Excluding the existing subgrade areas the building contains 41,260 square feet. With the proposed additions the building will increase in size to 49,563 square feet and produce an F.A.R. of .895. The current regulations require inclusion of the subgrade areas of 11,129 square feet, which would produce an F.A.R. of 1.096.
Appeal No. 9223 -- 12/14/05

Permission was denied and the applicant is seeking variances of number of stories and of floor area ratio as defined by Section 6-5(22) and as provided by Sections 6-203 and 6-205.

MR. COHEN: Thank you, Mr. Maloney.

Mr. Kiefer, members of the Board, I'm Bruce Cohen and I represent the applicant.

The property is one that's probably familiar to you. It's on the Post Road. It was for years operated as the Pickwick Bowling Lanes and actually for decades, scores of decades before that, it was operated as the Pickwick Theater. It was built as a theater in the '20s, 1,200 seat theater. The body of the theater itself is in this large portion of the building, with this roof in light color, and in the '50s it was converted to the Pickwick Bowling Alley of 52 lanes.

In 1995 my client applied to the Planning and Zoning Commission to convert this building from a bowling alley -- which actually also had two restaurants, you may remember. I think the restaurant over here was called LaStrada and then there was one called Dusty's Pub -- and that approval was granted in 1995 and the building was
Appeal No. 9223 -- 12/14/05

converted, as you see here.

The property is shown on this site plan. The property lines are in green and the building itself I've outlined in red, or pink. It's on West Putnam Avenue. It's across the street from the library, some small office buildings. A fairly large office building is immediately to the south of it, the Chesebrough Ponds building, then there's retail to the north and retail along Greenwich Avenue to the east. It's in the CGBR zone and it is now functioning -- really, for the first time since the building was built -- in a conforming way in that it is a retail building and is operated as a retail building.

In the approval in 1995 that allowed the bowling alley to be converted to the retail building the Planning and Zoning Commission, being concerned about the adequacy of parking -- there are 96 parking spaces on the site, including some in the below grade garage that Jim referred to -- because of the Commission's concern about parking they asked and required as a condition of the site plan approval that the second floor, above the retail, in the large portion of the building, over
here, remain unoccupied.

I've got some photographs that basically show a little better what I've just shown you. Tab number one shows the building as it exists right now and tab number two represents the proposal that we're making before you and the proposal that has gotten preliminary approval from the Planning and Zoning Commission. Basically, you'll see that the building looks substantially the same except for some enlarged windows to accommodate a residential use in the area that has been, in effect, mothballed as a result of the Planning and Zoning Commission's requirement. Under tab three there's a photograph of what that mothballed space looks like, and it's basically a large, vacant, space with ceilings that range from 25 to 35 feet, and they would readily accommodate eight residential units.

The reason we went back to the Planning and Zoning Commission for approval, which they did grant on a preliminary basis, was because my client has always been telling me that there's more than adequate parking and that the years since the building was converted have proved that there's
adequate parking available to support additional residential use above. So last December, during the Christmas shopping season, we had traffic analyses done on four separate occasions in the month of December of '04 and found that at the busiest of the Christmas shopping season there were no fewer than 21 parking spaces available, but we also were able, by having access to a sub-level of the building, to provide 13 spaces in an existing sub-sub-level that would be accessed through Lewis Court, in the back of the building.

So, having said that, let me just tell you what our application is about. I think Jim summarized it pretty well. If you look at this photograph you'll see what I've always considered to be a one and then a two story building. The photograph below, which is under your tab two, shows a little more clearly that there is a sub-level garage that exists right now and there are 19 spaces in there. That garage will remain at the same level that it's at right now.

Until the change in the regulations that Jim referred to we had, in essence, a two story building -- three stories are allowed in this zone
-- and, as Jim said, an F.A.R. of .09. We complied
in every way by providing the additional, in
effect, mezzanine level in that vacant space that
you see under tab three. We would still be
complying with number of floors, three, and F.A.R.
.09, provided that the interpretation of this lower
level had remained the same but now, under the new
grade plane requirements, let me show you what
happens. This is the front of the building that
you've looked at in those photographs. This is the
two story portion of the building. This is the
garage that used to be excluded from the counts at
both F.A.R. and number of stories and now is
included. Why is it included? Because in the very
southwest most corner of the building, right down
here, there is a drastic change of grade, and the
change of grade can be shown in the rear elevation
of the building. This all looks pretty nice and
level and, then, as you go around the corner and
come back you end up with another level, which is a
good thing because that's where we're going to find
some more parking spaces in the building, but it's
a bad thing in that by the time you integrate that
level into the new grade plane calculation -- that
we must make -- the grade plane is not where it was
before, but it is now over here, shown in the
dotted line, which technically produces an
additional floor and an additional floor area
ratio. Incidentally, when the building was
converted in 1995 this was not an issue because
this was before the grade plane calculation came
into being, and we all believed -- and I believe
that Jim also felt, I know he ruled that way --
that this was not included in the F.A.R.
calculation because it was an open, below grade,
garage and that was the interpretation at that
time. Now, notwithstanding the fact that no useful
purpose can be made of this, except for parking or
storage, it is now considered a floor and it gives
us problems in making this conversion.

So, before you tonight is what I would
consider a classic case of hardship from two points
of view, one, it's a preexisting building, built in
the '20s, before zoning had any impact, and then,
after a good deal of time and money went into
converting this building to what you see now and in
those photographs, in 1995, as a result solely of
the change in the grade plane regulations, or the
introduction of the grade plane calculation, we now have managed to include 11,000 feet and add a new story by virtue of including the garage, and that's the hardship and that's the request for variance tonight.

As I say, Planning and Zoning has approved this, in fact, approved it complimenting the applicant for coming up with a very good, adaptive, reuse of an empty space and bringing some residential life to Central Greenwich, which is something -- from a planning point of view -- that they encourage, of course, and all of the departments in Town have also approved this as well.

MR. WEISBROD: So, you'll have the first floor commercial use, then this vaulted area will be vacant?

MR. COHEN: Will become eight apartments.

MR. WEISBROD: Which is the vacant?

MR. KIEFER: Where will the residents enter?

MR. WEISBROD: Right here?

MR. COHEN: There is a new entrance right to the right of the garage. We're able, on that level, to create a little lobby with an elevator
that will take folks up to this level. If you take
a look at tab three, if you see those beams, those
beams are spaced in a way that each of the
apartments can, in effect, be put in between those
beams. From an architectural and engineering point
of view it works out beautifully.

MR. WEISBROD: So, Bruce, let me just sort of
understand. Obviously, this stays commercial, and
where is the vacant space going to be?

MR. COHEN: There will be no vacant space.
The space you now see vacant, under tab three, will
become the residential space. That space that
you're looking at will become eight apartments.

MR. WEISBROD: So you'll have the commercial.

MR. COHEN: Commercial won't change. It
remains the way it is. The second level will
become the residential use.

MR. WEISBROD: That's it, just the commercial
and eight apartments?

MR. COHEN: That's it.

MR. WEISBROD: Will they be condominiums?

MR. COHEN: Most likely.

MS. MCKELVEY: Will they be low income?

MR. COHEN: No, market rate units.
MR. COULSON: High ceilings?

MR. COHEN: There will be high ceilings. Even with that extra level, there will be very high ceilings just because of the fact that it was built as an old-fashioned theater, single screen theater. When is the last time you saw one of those?

MS. KIRKPATRICK: Two stories of residential, four on each?

MR. COHEN: Yes.

MS. KIRKPATRICK: Not eight in one?

MR. COHEN: I think it's two flats, one flat at either end, and then six duplexes. And the reason there are flats is because the roof drops down.

MR. DELMHORST: The material I got didn't show the upper level of each apartment, but the upper level is included in the F.A.R. count, though?

MR. COHEN: Exactly. Right. It should have been -- I think we did give you a full set of the plans.

MR. KIEFER: Further questions of Mr. Cohen?

Do we have any questions or comments from the audience regarding this application?

Thank you, Bruce.
MR. COHEN: Thank you

*   *   *
**PERMIT-NEED QUESTIONNAIRE**

This form is **NOT** an IWWA Application

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Has there ever been an IWWA application for this site? **NO**

**ACTIVITY:** (Circle)  
- Addition  
- Demolition  
- Deck  
- Garage  
- Interior renovations  
- New residence  
- Generator  
- Tennis Court  
- Pool  
- Site Work/Landscaping  
- Septic  
- Other (specify) A00 APT UNITS

Will this activity require an addition to the septic system or a B100a? **NO**

**FEE:** $65 for reviews requiring a site visit

**A PLOT PLAN IS REQUIRED SHOWING THE PROPOSED ACTIVITY.**

IWWA staff will review the project proposal to determine if regulated activities are associated with the proposal and whether an IWWA permit is required. If an IWWA permit is required, the appropriate permit application packet will be provided.

**Do not apply for a Building Permit until this review is complete.**

No work may begin until an IWWA permit is issued and/or the “Building Permit Application Sign-Off Sheet” has been signed.

The issuance of a building permit alone does not constitute an authorization to proceed.

As the property owner [ ] or authorized agent [ ] [check one] I believe the information I have submitted is correct.

Signature ___________________________ Date __________

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IWWA Questionnaire Revised 3/4/2020
Ms. Katie DeLuca  
Town Planner/Director of Zoning  
Town of Greenwich  
101 Field Point Road  
Greenwich, CT 06830  
February 11, 2021  

Re: 44-48 West Putnam Avenue: Final Site Plan/Special Permit  

Dear Katie:  

On behalf of Paradigm Realty 44-48 West Putnam Avenue LLC ("Paradigm"), owner of a mixed-use building located at 44-48 West Putnam Avenue in the CGBR Zone, I am hereby making a submission for final site plan and special permit approval for the addition of 14 residential apartment units to be located in the existing main building located on the property.  

In July of 2006, the Commission granted final site plan and special permit approval to Paradigm for construction of 8 residential units and for a new underground parking garage of 16 spaces for those units pursuant to Sections 6-110, 6-141(b)(2) and 6-155(3) of the Regulations.2 A copy of the 2006 proposal and the Commission’s decisions #2887 & 2888 are attached hereto as Exhibits #1 and #2, respectively. This approval was extended by the Commission for an additional 3 years in March of 2009, but due to variables in the economy at that time, and the resultant impact on the housing market, the project never went forward.  

The current proposal, therefore, is essentially to “reactivate” the 2006 approved final site plan and special permit, albeit with modifications to better address the housing needs in central Greenwich pursuant to the 2019 POCD and stated intent of the Commission, as well as to facilitate the creation of additional parking within the existing building. The proposed plan is an “infill development” which not only “optimize(s) prior infrastructure investments and consumes less land than is otherwise available...”3, but repurposes an existing structure which was originally constructed circa 1929 as the 2000 seat Pickwick Theater and was subsequently used for several decades as a bowling alley with 50+

2 The applicant had previously received variances from the ZBA to permit the exemption of the garage area from FAR calculations and to permit 4 stories rather than 3.  
3 2019 POCD, p. 49.
lanes. Hence, the proposal is in keeping with both the letter and intent of the 2019 POCD and the Building Zone Regulations of the Town of Greenwich.

I enclose a Zoning Statistics Table prepared by Granoff Architects (attached hereto as Exhibit #3) which compares the 2006 approved plan, also prepared by Granoff, with the currently proposed plan. Of particular note, while the number of residential units has increased from 8 to 14, the size of the units has been reduced such that the square footage dedicated to the residential use has been decreased from that proposed in 2006. Further, by the addition of a new car elevator the parking requirements of the BZR can be met without the necessity of excavating for a new underground garage or accessing the property from Lewis Street, as was contemplated in the 2006 approval. Finally, whereas the 2006 proposal was to develop the units as condominiums for sale, the current proposal is to add much needed units to the rental market.

Please note that we have filed an application with the Zoning Board of Appeals to renew the 2006 variances and for an FAR variance to permit the incorporation of the second-floor garage within the existing building.

We look forward to presenting the plans (attached hereto as Exhibit #4) to the Commission for its consideration at the first available hearing.

If you have any questions or comments, or if you require additional information, please do not hesitate to contact me.

Sincerely,

W.I. Haslun II
TOWN OF GREENWICH
Town Hall – 101 Field Point Road – Greenwich, CT 06830
Planning & Zoning Department – 203-622-7894 – Fax 203-622-3795

Site Plan Application

Property Address: 44-48 West Putnam Avenue
Tax ID: 01-2050/S
Property Owner: Paradigm 44-48 West Putnam Ave LLC
Address: 11 Meadow Drive Greenwich 06831
Email: marcimurph@aol.com
Cell Phone: 203-561-2936
Other Phone: 
Applicant: Owner
Address: 
Email: 
Cell Phone: 
Other Phone: 
Authorized Agent: W.I. Haslun II
Address: 21 Sherwood Place, Greenwich 06830
Email: chaslun@jhh-law.com
Cell Phone: 
Other Phone: 203-983-6750

Select One:  □ Pre-Application  □ Final
Zone(s): CGBR-CGIO
Lot Area: 1.271 Acres

Please select all relevant items below:

✗ Special Permit - Complete special permit application form

□ Coastal Overlay Zone

□ Property is within 500 feet of a Municipal Boundary of ______________________ (for notification)

□ Amendment to Building Zone Regulations – Section(s) ______________________

□ Amendment to Building Zone Map – Zone(s) affected ______________________

□ Health Department review needed

✓ Sewer Department review needed

□ Architectural Review Committee Application attached or Review needed

✓ Planning & Zoning Board of Appeals review needed

□ Inland Wetlands and Watercourses Agency Review / Approval Required

□ Scenic Road Designation

To be completed by P&Z staff only:
Check # ____________________  Check Amount: $ _________
Application # ____________________ p/zSitePlanApp 2020
<table>
<thead>
<tr>
<th></th>
<th>EXISTING</th>
<th>PROPOSED</th>
<th>PERMITTED/ REQUIRED</th>
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<tr>
<td>Gross Floor Area</td>
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<td>Usable Floor Area</td>
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<td><strong>COMMERCIAL/RETAIL</strong></td>
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<tr>
<td>Gross Floor Area</td>
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<tr>
<td>Usable Floor Area</td>
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<td>Parking Spaces</td>
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<tr>
<td><strong>OTHER USES</strong></td>
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<tr>
<td>Gross Floor Area</td>
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<tr>
<td><strong>RESIDENTIAL</strong></td>
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<tr>
<td>Number of Units</td>
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<td>14</td>
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<td>Number of Bedrooms</td>
<td>0</td>
<td>19</td>
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<td>Gross Floor Area</td>
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<td>28,061.4 sq ft</td>
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<tr>
<td>Parking Spaces</td>
<td>0</td>
<td>14 (+1 HDCP)</td>
<td>Per 6-155(3)</td>
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<tr>
<td></td>
<td>41,160 sq ft</td>
<td>52,764 sq ft</td>
<td>49,828 sq ft</td>
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<tr>
<td><strong>TOTAL SQUARE FOOTAGE</strong></td>
<td>53.31'</td>
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<td>40'</td>
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<td><strong>BUILDING HEIGHT</strong></td>
<td>.74%</td>
<td>.953</td>
<td>.9</td>
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<td>46%</td>
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<td>30%</td>
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<td><strong>BUILDING COVERAGE</strong></td>
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<td><strong>LOT COVERAGE</strong></td>
<td>96 (incl 4 HDCP)</td>
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<td><strong>TOTAL PARKING SPACES</strong></td>
<td>DNA</td>
<td>109 (incl 5 HDCP)</td>
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<td><strong>GREEN AREA</strong></td>
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<tr>
<td><strong>AGE OF STRUCTURE</strong></td>
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<td><strong>THIS SITE PLAN INVOLVES:</strong></td>
<td>□ Additions</td>
<td>□ Alterations</td>
<td>□ Demolition</td>
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<td></td>
<td>□ Alterations</td>
<td>□ Demolition</td>
<td>□ Re-Construcion</td>
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pzSitePlanApp 2020
TOWN OF GREENWICH
Town Hall – 101 Field Point Road – Greenwich, CT 06830
Planning & Zoning Department – 203-622-7894 – Fax 203-622-3795

Application Signature Page

Property Address: 

Property Owner 1: 
Address: 
Email: 
Cell Phone: 
Other Phone: 
Signature: 
Date: 

Property Owner 2: 
Address: 
Email: 
Cell Phone: 
Other Phone: 
Signature: 
Date: 

Property Owner 3: 
Address: 
Email: 
Cell Phone: 
Other Phone: 
Signature: 
Date: 

Property Owner 4: 
Address: 
Email: 
Cell Phone: 
Other Phone: 
Signature: 
Date: 

Applicant: Paradigm 44-48 West Putnam Ave LLC
Address: 11 Meadow Drive, Greenwich 06831
Email: marc.murphy@aol.com
Cell Phone: 203-561-2936
Other Phone: 210/664

Authorized Agent: W.I. Haslun Jr
Address: 21 Sherwood Place, Greenwich 06830
Email: haslun@haslunlaw.com
Cell Phone: 203-983-6750
Other Phone: 210/664

Signature: 
Date: 21/07/21

jmsignaturePage 2020
TOWN OF GREENWICH
Town Hall ~ 101 Field Point Road ~ Greenwich, CT 06830
Planning & Zoning Department ~ 203-622-7894 ~ Fax.203-622-3795

Special Permit Application

Property Address: 44-48 West Putnam AvenueE       Tax ID: 01-2050/S
Property Owner: Paradigm 44-48 West Putnam Avenue LLCn
Email: marcimurph@aol.com
Cell Phone: 203-561-2936
Address: 11 Meadow Drive, Greenwich 06831
Other Phone:
Applicant: Owner
Address:
Other Phone:
Email:
Cell Phone:
Other Phone:
Authorized Agent: W.I. Haslun II
Address: 21 Shenwood Place, Greenwich 06830
Email: haslun@jhh-law.com
Cell Phone: 203-983-6750
Other Phone:

Zone(s): CGBR/CGIO
Lot Area: 1.271 Acres

PLEASE SELECT ALL RELEVANT ITEMS BELOW:

☒ Section 6-17 — Special Permit standards and procedure
☒ Section 6-30 — Conservation Zone special provisions
☒ Section 6-94(b) — Non-residential Uses and Group Living Facilities permitted in Residential Zones including Resident Medical Professional Office
☒ Section 6-98 — RMF Zone
☒ Section 6-100 — Use Groups for Business Zones
☒ Section 6-101, 107 — Buildings over 40,000 c.f. in Central Greenwich Impact Overlay Zone, Post Road Impact Overlay Zone, WB, LB or LBR Zones; and over 150,000 c.f. in all other zones
☒ Section 6-103.1 — Parking deficient uses in CGBR
☒ Section 6-104 — Parking Structures incl. underground in LB Zone and Height exceptions
☒ Section 6-105, 106 — Front Yard Parking in GB or GSO Zone
☒ Section 6-109 — HO & HRO Zones
☒ Section 6-110 — Dwellings under special requirements for Business Zones
☒ Section 6-112 — IND-RE Zone applications
☒ Section 6-113 — In Hospital Zones: certain accessory uses, expansions exceeding 4,000 s.f. or interior alterations or changes of use exceeding 20,000 s.f. (cumulative within 2 years)
☒ Section 6-114 — CCRC (Continuing Care Retirement Community)
☒ Section 6-118.1 — Uses within railroad rights of way
☒ Section 6-123 — Setbacks from Connecticut Tumpike in Business Zones
☒ Section 6-140.1 — Satellite Earth Stations that emit microwaves
☒ Section 6-141 — Changes in non-conforming uses, buildings
☒ Section 6-205 — Historic structures in CBG Zone exceeding FAR And Notes 7, 8 & 9

To be completed by P&Z staff only:
Check # ___________________  Check Amount: $ __________

Application #: ___________________                            pzSpecialPermitApp 2020
## ZONE: CGBR (Central Greenwich Business-Retail)

**SITE AREA:** 55,364.8 SF (1.271 Acres)

<table>
<thead>
<tr>
<th>ITEM</th>
<th>EXISTING*</th>
<th>ALLOWED/REQUIRED</th>
<th>PREVIOUSLY APPROVED</th>
<th>PROPOSED</th>
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<tbody>
<tr>
<td><strong>BUILDING COVERAGE</strong></td>
<td>46% (25,558 SF)**</td>
<td>46% (25,558 SF)**</td>
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<td>NO CHANGE</td>
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<td><strong>GROSS FLOOR AREA</strong></td>
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<td>PARKING GARAGE (EXIST.)</td>
<td>11,129.3 SF (EXEMPT***)</td>
<td>11,129.3 SF (EXEMPT 0) (NO CHANGE)</td>
<td>11,129.3 SF (EXEMPT 0) (NO CHANGE)</td>
<td>5,727.6 SF (PROPOSED)</td>
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<td>PARKING GARAGE (NEW)</td>
<td>N/A</td>
<td>10,332 SF (EXEMPT)</td>
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<td>24,703 SF (NO CHANGE)</td>
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<tr>
<td>FIRST FLOOR &amp; MEZZANINE</td>
<td>24,703 SF</td>
<td></td>
<td></td>
<td>24,703 SF (NO CHANGE)</td>
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<tr>
<td>SECOND FLOOR</td>
<td>16,475 SF (UN-OCCUPIABLE PER FSP #1736)</td>
<td>16,457 SF (NO CHANGE)</td>
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<td>11,272 SF (PROPOSED)</td>
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<tr>
<td>THIRD FLOOR</td>
<td>N/A</td>
<td>7,508 SF (PROPOSED)</td>
<td></td>
<td>10,665.1 SF (PROPOSED)</td>
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<td>ROOF BULKHEADS</td>
<td>N/A</td>
<td>N/A</td>
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<td>216.7 SF (PROPOSED)</td>
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<td>LOBBIES (EXIST.)</td>
<td>85.1 SF (IN ABOVE)</td>
<td>85.1 SF (IN ABOVE)</td>
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<tr>
<td>LOBBIES (NEW)</td>
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<td>419.2 SF</td>
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<td>STAIRWELLS</td>
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<td>423.8 SF</td>
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<tr>
<td>ELEVATOR (NEW)</td>
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<td>52.3 SF (IN ABOVE)</td>
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<td><strong>TOTAL</strong></td>
<td>41,160 SF</td>
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<td></td>
<td>52,764.4 SF</td>
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<tr>
<td><strong>OPEN SPACE</strong></td>
<td>16% (8,761 SF)**</td>
<td>16% (8,761 SF)**</td>
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<td>NO CHANGE</td>
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<tr>
<td><strong>RESIDENTIAL OUTDOOR SPACE</strong></td>
<td>N/A</td>
<td>DISCRETIONARY</td>
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<td></td>
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<td>F.A.R.</td>
<td>41,160 / 55,365 = 0.74</td>
<td>49,563.3 / 55,365 / 0.895</td>
<td>52,764.4 / 55,365 / 0.953</td>
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<tr>
<td>MAX. AREA DEVOTED TO:</td>
<td>84% (46,604 SF)**</td>
<td>84% (46,604 SF)**</td>
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<td>NO CHANGE</td>
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<td>BUILDING, SURFACE PARKING, &amp; DRIVES</td>
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</tr>
<tr>
<td>PARKING (COMMERCIAL)</td>
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<td>96 SPACES (INCL. 4 H.C.)</td>
<td>94 SPACES (INCL. 4 H.C.)</td>
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<tr>
<td>PARKING (RESIDENTIAL)</td>
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<td>16 SPACES</td>
<td>15 SPACES (INCL. 1 H.C.)</td>
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<tr>
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<td>96 SPACES (INCL. 4 H.C.)</td>
<td>112 SPACES (INCL. 4 H.C.)</td>
<td>109 SPACES (INCL. 5 H.C.)</td>
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<td><strong>BUILDING HEIGHT</strong></td>
<td>53,3125**</td>
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<td>NO CHANGE</td>
<td>NO CHANGE</td>
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<td><strong>3 STORIES</strong></td>
<td>53,3125**</td>
<td></td>
<td>4 STORIES</td>
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</table>

* Existing Data taken from Approved Architectural Drawings (dated 8-1-95) prepared by Unistruct LTD. (Job #406) & Site Plan prepared by S.E. Minor & Co., (dated Revised: 9-20-95) of record for FSP #1736 and Building Permit #5-3465

**Legally Non-Conforming per FSP #1736

*** Per Variance of Section 6-205(b) BZR by the PBZ Appeal #223

00 Included above in "FIRST FLOOR & MEZZANINE" Floor Area
To Whom It May Concern:

Please be advised that W.I. Haslun II and the law firm of Johnson, Haslun & Hogeman LLP are hereby authorized to represent Paradigm 44-48 West Putnam Avenue LLC ("Paradigm") before all land use agencies of the Town of Greenwich in relation to property owned by Paradigm and located at 44-48 West Putnam Avenue, Greenwich.

Paradigm 44-48 West Putnam Avenue LLC

By: [Signature] Date: 10/14/20

(Print) [Signature]

Its [Signature]
STORMWATER MANAGEMENT STANDARDS – DRAINAGE REPORT EXEMPTION

Project Name: Pickwick Theater Lofts

Project Address: 48 West Putnam Avenue

Project Lot Number(s):

Property Owner(s): Paradigm 44-48 West Putnam Ave LLC

Tax Account Number(s): 01-2050/6 Zone(s): CGBR Lot Area: 55,364.8 s.f. (1.271 Acres)

1. Check all that apply to the proposed project:
   ✔ This is a new development or redevelopment project,
   ☑ The project will result in an increased amount of stormwater runoff and/or water pollutants flowing from a parcel of land (prior to the application of stormwater Best Management Practices),
   ☑ The project will alter the drainage characteristics of a parcel of land (prior to the application of stormwater Best Management Practices).

Categorical Exemptions:

2. Does the proposed project meet one of the following categorical exemptions? Check all that apply:
   ☑ Normal maintenance and improvement of land in agricultural use (as defined by Connecticut General Statutes), provided such activity conforms to acceptable management practices for pollution control approved by the Connecticut Department of Energy and Environmental Protection and the Greenwich Island Wetlands and Watercourses Commission. This exemption does not apply to construction activities that are not directly related to the farming or agricultural operation.
   ☑ Routine maintenance of existing landscaping, gardens (excluding structural modifications to stormwater BMPs including rain gardens) or lawn areas including those maintained by the Town of Greenwich Parks and Recreation Department and Board of Education.
   ☑ Resurfacing of an existing impervious area on a non-residential lot such as repaving an existing parking lot or drive with no increase in impervious cover.
   ☑ Routine maintenance to existing town roads that is performed to maintain the original width, line, grade, hydraulic capacity, or original purpose of the roadway.
   ☑ Cemetary cemetery management.
   ☑ Emergency repairs to any stormwater management facility or practice that poses a threat to public health or safety, or as deemed necessary by the approving authority.
   ☑ Any emergency activity that is immediately necessary for the protection of life, property, or the environment, as determined by the approving authority.
   ☑ Repair of an existing septic system.
   ☑ Construction of utilities (gas, water, electric, telephone, etc.), other than drainage, which will not permanently alter terrain, ground cover, or drainage patterns.
   ☑ Repair or replacement of an existing roof of a single-family dwelling.
   ☑ Construction of a second (or higher) floor addition on an existing building.
   ☑ Construction of a maximum 12 foot x 12 foot shed. The construction must include the installation of a 1 foot wide x 1 foot deep crushed stone trench along the sides of the shed that discharge the roof runoff.
   ☑ The repair of an existing wood, composite, or plastic deck with no proposed enlargement of the deck surface.

From SE-100 Page 1 of 8 February 2014
The reconstruction or construction of a wood, composite, or plastic deck with the decking boards spaced at least 3/16 of an inch and a pervious surface below the deck. The pervious area below the deck must have the soil tilled 12 to 16 inches and finished with grass seed, sod, or crushed stone. The minimum depth for the crushed stone is 4 inches. A site plan showing the proposed location of the deck and construction details for the deck must be submitted.

☐ The construction of any fence that will not alter existing terrain or drainage patterns.

If so, the Greenwich Stormwater Management Standards shall not apply, and submission of a Stormwater Management Report is not required. However, application of the standards is still strongly encouraged.

OWNERS' CERTIFICATION

Owners' Name: Paradigm 44-48 West Putnam Ave LLC

Street Address: 11 Meadow Drive
City: Greenwich
State: CT
Zip: 06831

Phone
FAX

Owners' Signature
Date

CONTRACTOR'S CERTIFICATION

Company Name

Street Address
City
State
Zip

Phone
FAX

Contractor's Signature
Date
Conditional Exemptions Requiring Certification from a Professional Engineer:

3. For projects adding up to 500 square feet of impervious surfaces:
   The project design, including the proposed drainage design, if any, will not have an adverse effect on offsite properties or offsite drainage infrastructure, as certified by a professional engineer.

   At least one of the following measures shall be implemented on the project site to help mitigate the effects of site disturbance and new impervious surfaces within its on-site watershed and point of concern:

   - Disconnection of roof down spouts that meet the Simple Disconnection standards in the Town of Greenwich Drainage Manual February 2012 as amended
   - A zero increase in peak flow to all points of concern for the 1, 2, 5, 10, and 25-year design storms
   - The runoff volume from the new impervious surfaces shall be infiltrated for the 10-year design storm
   - Constructing a bioretenion area for the Water Quality Volume of the contributing watershed of the project area.
   - The design standards in the Town of Greenwich Drainage Manual February 2012 as amended must be met
   - Creating a buffer with a length greater than or equal to the length of the project area and a minimum width of 10 feet planted as a meadow
   - Restoring a riparian buffer (may require IWWA permit)

For projects that meet the above criteria, the project proponent shall submit Pages 1, 2, 3, 5, and 8 of this exemption request form and all computations and any additional drainage documents (Soil Evaluation Test Results, Watershed Maps, etc.), in lieu of a Stormwater Management Report. The application of the Greenwich Stormwater Management Standards is still strongly encouraged.

For projects that meet the above criteria, the project proponent needs to submit construction plans as required on the Checklist for Projects Submitting a Stormwater Management Standards—Drainage Report Exemption—Form CL-101.

For projects that meet the above criteria, the project proponent needs to submit the items on the Checklist for Operations and Maintenance Plan Report—Form CL-104.

For projects that meet the above criteria, the project proponent needs to submit the Certificate of Occupancy documents on the Checklist for Projects Submitting a Stormwater Management Standards—Drainage Report Exemption—Form CL-101.

Residential teardowns are not exempt unless the project meets the Conditional Residential Teardown Exemption Requirements.

Commercial teardowns are not exempt.

PROFESSIONAL ENGINEER

Company Name S.E. Minor & Co., Inc.

Street Address 33 West Elm Street
City Greenwich
State CT
Zip 06830

Phone (203) 869-0136
FAX (203) 869-7869

Professional Engineer’s Name John P. Giancola, P.E., P.L.S.

Form SE-100 Page 3 of 8 February 2014
PROFESSIONAL – EXEMPTION CERTIFICATION

I hereby declare that the proposed project will add the following amount of impervious surfaces to the project site (check the box that applies):

☐ 0 to 500 square feet (conditionally exempt with Professional Engineer's Certification)
☐ 500 to 1,000 square feet (conditionally exempt with Professional Engineer's Certification)

It is my professional opinion that the project design, including the proposed drainage system, if any, will not have an adverse effect on offsite properties or offsite drainage infrastructure.

I further declare that at least one of the following measures shall be implemented on the project site to help mitigate the effects of site disturbance and new impervious cover for 0 to 1,000 square feet (check all that apply):

☐ Disconnection of rooftop downspouts that meet the Simple Disconnection standards in the Town of Greenwich Drainage Manual February 2012 as amended
☐ A zero increase in peak flow to all points of concern for the 1, 2, 5, 10, and 25-year design storms
☐ The runoff volume from the new impervious surfaces shall be infiltrated for the 10-year design storm
☐ Constructing a bioretention area for the Water Quality Volume of the contributing watershed of the project area.
  The design standards in the Town of Greenwich Drainage Manual February 2012 as amended must be met
☐ Creating a buffer with a length greater than or equal to the length of the project area and a minimum width of 10 feet planted as a meadow
☐ Restoring a riparian buffer (may require EWWA permit)

I further declare that at least one of the following measures shall be implemented on the project site to help mitigate the effects of site disturbance and new impervious cover for 500 to 1,000 square feet (check all that apply)

☐ A zero increase in peak flow to all points of concern for the 1, 2, 5, 10, and 25-year design storms
☐ The runoff volume from the new impervious surfaces shall be infiltrated for the 10-year design storm

[Signature]
Date: 2/9/2021

[Professional Engineer's Seal]
**IMPERVIOUS AREA WORKSHEET**

This worksheet shall be used to quantify impervious surfaces\(^1\) associated with existing and proposed construction on your site. Please complete columns 1, 2, and 3 below listing the first floor or ground level square footage of each existing or proposed structure or site amenity. Each point of concern shall use a separate worksheet.

### POINT OF CONCERN

<table>
<thead>
<tr>
<th>POINT OF CONCERN</th>
<th>(1) Existing Conditions Impervious Surfaces (sq ft)</th>
<th>(2) Proposed Conditions Impervious Surfaces (sq ft)</th>
<th>(3) Proposed New Impervious Surfaces (sq ft) [Column 2 minus column 1]</th>
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</thead>
<tbody>
<tr>
<td>House/Buildings</td>
<td>25599</td>
<td>26204</td>
<td>+605</td>
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<tr>
<td>Driveways</td>
<td>23233</td>
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<tr>
<td>Sidewalks/Paths</td>
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<td>Swimming Pool</td>
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<td><strong>54002</strong></td>
<td><strong>+402</strong></td>
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</tbody>
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\(^1\) Refer to the glossary in the Town of Greenwich Drainage Manual for a definition of "impervious surface."

Form SE-100  
Page 8 of 8  
February 2014
**DIRECTLY CONNECTED IMPERVIOUS AREA (DCIA) CERTIFICATION**

**PRE-CONSTRUCTION**

Property Address: 48 West Putnam Avenue

Building Permit No.: ____________________________

Tax Account No.: 01-2050/8

**PLANS & DRAINAGE SUMMARY REPORT INFORMATION**

Engineering Firm: S.E. Minor & Co., Inc.

Design Plans Date: 2/10/2021

Drainage Report Date: 2/10/2021

**PROPERTY INFORMATION FOR DIRECTLY CONNECTED IMPERVIOUS AREA (DCIA)**

<table>
<thead>
<tr>
<th>Total Impervious Area</th>
<th>Total Impervious Area</th>
<th>Total Disconnected Impervious Area</th>
<th>Total Directly Connected Impervious Area</th>
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</thead>
<tbody>
<tr>
<td>53,600</td>
<td>54,002</td>
<td>402</td>
<td>53,600</td>
</tr>
</tbody>
</table>

1 Impervious surfaces include but are not limited to roofs (including green roofs), buildings, houses, walks, patios, walls, tennis/sport courts (all surface types must be counted), landscape ponds, pools, paved streets/drives/parking areas constructed with concrete, asphalt, compacted dirt, gravel, or permeable pavements.

2 All impervious surfaces that are directed to stormwater BMPs that meet the water quality volume (WQV) standard will be considered disconnected impervious cover. Acceptible stormwater BMPs are Bioretention (infiltrating/filtering), Constructed Stormwater Wetlands, Extended Dry Detention Basins (infiltration required), Gravel Wetlands, Constructed Wet Stormwater Pond, Sard/Organic Filters (sand filters, tree filters, stormwater planters, etc.), Infiltration Systems (drywells, Culverts, etc.), Permeable Pavement Areas (infiltrating/filtering), Green Roofs, and Disconnected Impervious Area (must meet all the standards under Simple Disconnection on page 44 and 45 of the Drainage Manual).

3 Subtract the Total Disconnected Impervious Area Under Proposed Conditions (SF) from the Total Impervious Area Under Proposed Conditions (SF).

---

Engineer's Signature ____________________________ Date 2/10/2021

[Stamp] **Engineer's Seal**

Form SC-107

February 2021
Stormwater Management Practices Maintenance Declaration

THIS DECLARATION is made this date, __________, 20___, by and between the Town of Greenwich, a municipal corporation with principal offices located at 101 Field Point Road, Greenwich, CT 06830 and

Paradigm 44-48 West Putnam Ave LLC

[Owner(s) Name]

48 West Putnam Avenue

[Address]

hereinafter referred to as "Owner(s)" of the "Property" as more fully described in a deed recorded in Book ______ at Page ______ of the Greenwich Land Records. In accordance with the Town of Greenwich Drainage Manual as Amended, the "Owner(s)" agree to install and maintain stormwater management practice(s) on the subject Property in accordance with approved plans and conditions. The Owner further agrees to the terms stated in this document to ensure that the stormwater management practice(s) continues serving the intended function in perpetuity. This Declaration includes the following exhibits located in the project files of one or all of the following Town of Greenwich Departments:

- Building Division – Permit # __________
- Inland Wetlands and Watercourses Agency – Application # __________
- Planning and Zoning – Application # __________

Exhibit A: Long-term Maintenance Plan that prescribes those activities that must be carried out to maintain compliance with this Declaration. Approved Maintenance Plan dated __________.

Exhibit B: Improvement Location Survey depicting “As-Built” conditions and showing an accurate location of each stormwater management practice affected by this Declaration. Approved Improvement Location Survey dated __________.

Note: After construction has been verified and accepted by the Town of Greenwich for the stormwater management practices, this declaration shall be recorded by the Owner on the Greenwich Land Records and copies of the recorded document shall be submitted to all of the following Town of Greenwich Departments involved in the approval:
- Building Division
- Inland Wetlands and Watercourses Agency
- Planning and Zoning

Through this Declaration, the Owner(s) hereby subjects the Property to the following covenants, conditions, and restrictions:

1. The Owner(s), at its expense, shall secure from any affected owners of land all easements and releases of rights-of-way necessary for utilization of the stormwater practices identified in Exhibit B and shall record them with the Town Clerk. These easements and releases of rights-of-way shall
not be altered, amended, vacated, released or abandoned without prior written approval of the Town of Greenwich.

2. The Owner(s) shall be solely responsible for the installation, maintenance and repair of the stormwater management practices, drainage easements and associated landscaping identified in Exhibit B in accordance with the Operation and Maintenance Plan (Exhibit A).

3. No alterations or changes to the stormwater management practice(s) identified in Exhibit B shall be permitted unless they are deemed to comply with this Declaration and are approved in writing by the Town of Greenwich.

4. The Owner(s) shall retain the services of a qualified inspector (as described in Exhibit A) to operate and ensure the maintenance of the stormwater management practice(s) identified in Exhibit B in accordance with the Operation and Maintenance Plan (Exhibit A).

5. The Owners(s) must maintain all records (logs, invoices, reports, data, etc.) and have them readily available for inspection at all times. Inspection Documentation must be maintained as frequently as required in Exhibit A.

6. The Town of Greenwich or its designee is authorized to access the property as necessary to conduct inspections of the stormwater management practices or drainage easements to ascertain compliance with the intent of this Declaration and the activities prescribed in Exhibit A. Upon written notification by the Town of Greenwich or their designee of required maintenance or repairs, the Owner(s) shall complete the specified maintenance or repairs within a reasonable time frame determined by the Town of Greenwich. The Owner(s) shall be liable for the failure to undertake any maintenance or repairs so that the public health, safety, general welfare or the environment shall not be endangered.

7. If the Owner(s) does not keep the stormwater management practice(s) in reasonable order and condition, or complete maintenance activities in accordance with the Operation and Maintenance Plan contained in Exhibit A, or the required maintenance or repairs under 6 above within the specified time frames, the Town of Greenwich is authorized, but not required, to perform the specified inspections, maintenance or repairs in order to preserve the intended functions of the practice(s) and prevent the practice(s) from becoming a threat to public health, safety, general welfare or the environment. In the case of an emergency, as determined by the Town of Greenwich, no notice shall be required prior to the Town of Greenwich performing emergency maintenance or repairs. The Town of Greenwich may levy the costs and expenses of such inspections, maintenance, repairs and appropriate fees against the Owner(s). The Town of Greenwich at the time of entering upon said stormwater management practice for the purpose of maintenance or repair may file a notice of lien upon the property affected by the lien. If said costs and expenses are not paid by the Owner(s), the Town of Greenwich may pursue the collection of same through appropriate court actions.

8. The Owner(s) hereby conveys to the Town of Greenwich an easement over, on and in the Property for the purpose of access to the stormwater management practice(s) for the inspection, maintenance and repair thereof, should the Owner(s) fail to properly inspect, maintain and repair the practice(s). The Town of Greenwich’s execution of any repair or maintenance does not alter the Owner(s) responsibility to maintain in future.
9. The Owner(s) agrees that this Declaration shall be recorded and that the land described in a deed recorded in Book ______ at Page_______ of the Greenwich Land Records shall be subject to the covenants and obligations contained herein, and this Declaration shall bind all current and future owners of the property.

10. The Owner(s) agrees in the event that the Property is sold, transferred, or leased to provide information to the new owner, operator, or lessee regarding proper inspection, maintenance and repair of the stormwater management practice(s). The information shall accompany the first deed transfer and include Exhibits A and B and this Declaration. The transfer of this information shall also be required with any subsequent sale, transfer or lease of the Property.

11. The Owner(s) agree that the rights, obligations and responsibilities hereunder shall commence upon execution of the Declaration.

12. The parties whose signatures appear below hereby represent and warrant that they have the authority and capacity to sign this declaration and bind the respective parties hereto.

13. The Proprietor, its agents, representatives, successors and assigns shall defend, indemnify and hold the Town of Greenwich harmless from and against any claims, demands, actions, damages, injuries, costs or expenses of any nature whatsoever, hereinafter “Claims”, fixed or contingent, known or unknown, arising out of or in any way connected with the design, construction, use, maintenance, repair or operation (or omissions in such regard) of the storm drainage system referred to in the permit as Exhibit “A” hereeto, appurtenances, connections and attachments thereto which are the subject of this Declaration. The Proprietor, its agents, representatives, successors and assigns shall not be required to indemnify the Town, its officers, agents, servants, or employees, against any such damages occasioned solely by acts or omissions of the Town, its officers, agents, servants or employees, other than supervisory acts or omissions of the Town, its officers, agents; servants, or employees, in connection with such Claims or the enforcement of this Declaration.
IN WITNESS WHEREOF, the "Owner(s)" have executed this Declaration on this _____ day of ________, 20____.

By: ____________________________
    [Owner(s)]

By: ____________________________
    [Owner(s)]

STATE OF CONNECTICUT
COUNTY OF FAIRFIELD

The foregoing instrument was acknowledged before me on this _________ day of ________, 20____, by ____________________________, the "Owner(s)" of ____________________________, [Address]

________________________________
Notary Public

My Commission Expires On:

WHEN RECORDED RETURN COPY TO:
[All of the following departments involved in approval:
Building Division, Inland Wetlands & Watercourses Agency, and Planning & Zoning]

Form MJ-100

February 2014
Exhibit A
Operations and Maintenance Plan
48 West Putnam Avenue
2/10/2021

Scope:
The purpose of the Operations and Maintenance Plan is to ensure that the existing and proposed stormwater components installed at 48 West Putnam Avenue are maintained in operational condition throughout the life of the project. The service procedures associated with this plan shall be performed as required by the parties legally responsible for their maintenance.

Recommended Frequency of Service:
As further defined below, all stormwater components should be checked on a periodic basis and kept in full working order. Ultimately, the required frequency of inspection and service will depend on runoff quantities, pollutant loading, and clogging due to debris. At a minimum, we recommend that all stormwater components be inspected and serviced twice per year, once before winter begins and once during spring cleanup.

Qualified Inspector:
The inspections must be completed by an individual experienced in the construction and maintenance of stormwater drainage systems. Once every five years the inspections must be completed by a professional engineer.

Service Procedures:
1. Catch Basins & Drainage Inlets:
   a. Catch basins and drainage inlets shall be completely cleaned of accumulated debris and sediments at the completion of construction.
   b. For the first year, catch basins and drainage inlets shall be inspected on a quarterly basis.
   c. Any accumulated debris within the catch basins/inlets shall be removed and any repairs as required.
   d. From the second year onward, visual inspections shall occur twice per year, once in the spring and once in the fall, after fall cleanup of leaves has occurred.
   e. Accumulated debris within the catch basins/inlets shall be removed and repairs made as required.
   f. Accumulated sediments shall be removed at which time they are within 12 inches of the invert of the outlet pipe.
   g. Any additional maintenance required per the manufacturer’s specifications shall also be completed.

2. Storm Drainage Piping and Manholes/Junction Boxes:
   a. All storm drainage piping shall be completely flushed of debris and accumulated sediment at the completion of construction.
   b. Manholes/Junction Boxes shall be inspected and repaired on an annual basis.
c. Unless system performance indicates degradation of piping, comprehensive video inspection of storm drainage piping shall occur once every ten years.

d. Any additional maintenance required per the manufacturer’s specifications shall also be completed.

3. Drainage Outfalls/Splash Pads/Scour Holes/Level Spreaders:

a. All outfalls shall be completely cleaned of accumulated debris and sediments at the completion of construction. Any repairs to outlet protection material (rip rap) shall be performed.

b. For the first year, outfalls shall be inspected on a quarterly basis.

c. Any accumulated debris shall be removed and any repairs made to the outfalls as required.

d. From the second year onward, visual inspections shall occur twice per year, once in the spring and once in the fall, after fall cleanup of leaves has occurred.

e. Accumulated debris shall be removed and repairs made as required.

f. Any erosion shall be promptly repaired and the cause of the erosion shall be identified and corrected.

g. Any additional maintenance required per the manufacturer’s specifications shall also be completed.

4. Drywells and Infiltration Systems:

a. All drywells/infiltrators shall be completely cleaned of accumulated debris and sediments upon the completion of construction.

b. For the first year, the drywells/infiltrators shall be inspected on a quarterly basis.

c. Any accumulated debris within the drywells/infiltrators shall be removed and any repairs made to the units as required.

d. From the second year onward, visual inspection shall occur twice per year, once in the spring and once in the fall, after fall cleanup of leaves has occurred.

e. Accumulated debris within the units shall be removed and repairs made as required.

f. Any additional maintenance required per the manufacturer’s specifications shall also be completed.

5. Roof Gutters:

a. Remove accumulated debris and inspect for damage. Any damage should be repaired as required.

Disposal of Debris and Sediment:

All debris and sediment removed from the stormwater structures and bioretention/biofiltration basins shall be disposed of legally. There shall be no dumping of silt or debris into or in proximity to any inland or tidal wetlands.

Maintenance Records:

The Owners(s) must maintain all records (logs, invoices, reports, data, etc.) and have them readily available for inspection at all times.
Operations and Maintenance Log (Page 1 of 2)
48 West Putnam Avenue
2/10/2021

Type of Inspection: □ Spring □ Fall □ Other

Inspector’s Name: ___________________________ Date of Inspection: ____________
Affiliation: ___________________________ Phone #: ___________________________

Catch Basins & Drainage Inlets:
- Has accumulated debris been removed from grate? □ Yes □ No □ N/A
- Do any basins require additional repair? (Identify below): □ Yes □ No □ N/A
- Have sumps been cleaned of sediment? □ Yes □ No □ N/A

Notes:

Storm Drainage Piping and Manholes/Junction Boxes:
- Has accumulated debris been removed? □ Yes □ No □ N/A
- Do any manholes require additional repair? (Identify below): □ Yes □ No □ N/A
- Is there any evidence of stormwater piping failure? □ Yes □ No □ N/A
- Has a comprehensive video inspection been completed? □ Yes □ No □ N/A

Notes:

Drainage Outfalls/Splash Pads/Scour Holes/Level Spreaders:
- Have all drainage outlets been cleared of debris? □ Yes □ No □ N/A
- Have all outlet protections been inspected/repairsed? □ Yes □ No □ N/A
- Have all erosion issues been repaired? □ Yes □ No □ N/A

Notes:

Form MD-100

February 2014
Operations and Maintenance Log (Page 2 of 2)
48 West Putnam Avenue
2/10/2021

Drywells and Infiltration Systems:

- Have units been cleared of debris/sediments? □ Yes □ No □ N/A
- Do units require additional repair? (Identify below): □ Yes □ No □ N/A
- Has draining times of system been verified? □ Yes □ No □ N/A

Notes:

Roof Gutters:

- Has accumulated debris been removed from gutters? □ Yes □ No □ N/A
- Do any gutters require additional repair? (Identify below): □ Yes □ No □ N/A

Notes:

Please make additional notes/observations and particular concerns below. Also record any additional maintenance that has been performed:

Signature of Inspector: ____________________________ Date: ____________________________

Form MD-100

February 2014
Re: 44-48 West Putnam Avenue: Site Plan/Special Permit

Dear Mr. Vizcarondo:

On behalf of Paradigm Realty 44-48 West Putnam Avenue LLC, owner of a mixed use building located at 44-48 West Putnam Avenue, I am hereby submitting a "will serve letter application" required by the Greenwich Planning & Zoning Commission incident to making application for final site plan and special permit approval to allow a conversion of a portion of the existing building to 14 residential units with 38 bedrooms.

This building was constructed in the 1920's and formerly housed a bowling alley. Since 1995 it has been used as a mixed use with office & retail in 24,703 square feet of approved, useable area. The total square footage as proposed would be 52,764 square feet.

If you have any questions or comments or if you require additional information, please do not hesitate to contact me.

Sincerely,

[Signature]

W.I. Haslun II
TOWN OF GREENWICH

AFFIDAVIT OF NOTIFICATION OF APPLICATION FOR
SITE PLAN AND SPECIAL PERMIT APPROVAL

STATE OF CONNECTICUT ss: Greenwich

COUNTY OF FAIRFIELD

I, William I. Haslun, II, being first duly sworn, do hereby certify that on February 11, 2021 I caused to be mailed, postage prepaid, to those persons whose names are set forth on Exhibit A attached hereto a copy of the notice attached hereto as Exhibit B. Said persons were the record owners, as shown on the Town Tax Assessor’s Office records of property abutting (as said term is defined in §6-14(a)(3) of the Greenwich Building Zone Regulations) the property belonging to Paradigm 44-48 West Putnam Avenue, L.L.C and located at 44-48 West Putnam Avenue, Greenwich, Connecticut, for which an application for site plan approval and special permit has been filed with the Greenwich Planning & Zoning Commission.

[Signature]
William I. Haslun, II

Subscribed and sworn to before me this 11th day of February, 2021.

[Signature]
Commissioner of the Superior Court
Notary Public
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
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<tr>
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<td>20 Summer Street Stamford, CT 06905</td>
</tr>
<tr>
<td>Greenwich Avenue Partnership</td>
<td>445 West Putnam Avenue Greenwich, CT 06830</td>
</tr>
<tr>
<td>Greenwich Avenue Properties LLC et al</td>
<td>470 West Ave – STE 2007 Stamford, CT 06902</td>
</tr>
<tr>
<td>Orinoco Building Association OF</td>
<td>P.O. Box 39 Greenwich, CT 06836</td>
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<tr>
<td>CVP 49 LLC</td>
<td>49 West Putnam Avenue Greenwich, CT 06830</td>
</tr>
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<td>88 Greenwich Avenue Property</td>
<td>870 5th Avenue 10th Floor New York, NY 10065</td>
</tr>
<tr>
<td>Ivy Putnam Property LLC</td>
<td>102 Chestnut Ridge RD STE Montvale, NJ 07645</td>
</tr>
<tr>
<td>Wallace Stratford C &amp; William F TR</td>
<td>68 Mayo Avenue Greenwich, CT 06830</td>
</tr>
<tr>
<td>33 Benedict Place LLC C/O Willet Co.</td>
<td>411 Theodore Fremd Avenue Rye, NY 10580</td>
</tr>
<tr>
<td>Favorite Shoe Stores Inc.</td>
<td>122 Park Avenue Greenwich, CT 06830</td>
</tr>
<tr>
<td>98 102 108 Greenwich Avenue I LLC</td>
<td>708 3rd Avenue 21st Floor New York, NY 10017</td>
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<tr>
<td>The Greenwich Library</td>
<td>101 West Putnam Avenue, Greenwich, CT 06830</td>
</tr>
<tr>
<td>Love In Greenwich LLC</td>
<td>P.O. Box 2528, Palm Beach, FLA 33480</td>
</tr>
<tr>
<td>Ideal Associates LLC</td>
<td>173 Dogwood Court, Stamford, CT 06903</td>
</tr>
<tr>
<td>L&amp;R Martin LLC</td>
<td>96 Greenwich Avenue, Greenwich CT 06830</td>
</tr>
</tbody>
</table>
EXHIBIT B

February 11, 2021

To Whom It May Concern:

Paradigm 44-48 West Putnam Avenue, LLC has filed an application with the Planning & Zoning Commission for site plan approval and special permit to allow the creation of 14 residential units and associated parking within the existing building.

Further information concerning this application may be obtained by contacting the undersigned attorney for the applicant at 203-983-6750 or the Town of Greenwich Planning & Zoning Commission, 101 Field Point Road, Greenwich, CT at 203-622-7894.

William I. Haslun II
Mr. Bruce Cohen, Esq.
Whitman, Breed, Abbott & Morgan
Two Greenwich Plaza
Greenwich, CT 06830

Re: Site Plan #1736 - Pickwick Shops - 44-48 West Putnam Avenue

Dear Bruce:

The Planning and Zoning Commission, in accordance with Sections 6-13 through 6-16.1 of the Building Zone Regulations, reviewed your site plan of Pickwick Shops at a regular meeting held on March 28, 1995 and took the following action:

Upon a motion made by Mrs. Barr and seconded by Mrs. Stone the following resolutions were unanimously adopted. (Voting on this item: Mr. Joyce and Mesdames Siefer, Barr, Grant and Stone.)

WHEREAS the Commission held a public hearing on March 28, 1995 on this item and took all testimony as required by law; and

WHEREAS applicant proposes to alter a 50,000 g.s.f. non-conforming building (formerly a bowling alley, a non-conforming use Group 4 use, with all 50 lanes having already been removed) and to convert part of the space to a conforming use, retail shops (Use Group 1); and to use only the ground floor (24,703 gross floor area) including a mezzanine level for habitable purposes; and to “mothball”, i.e. render unusable, nearly the entire second floor (16,000)² gross floor area, retaining 3,100 g.s.f. of the second floor for retail storage purposes not accessible to patrons or customers; and to construct a lower level parking area beneath the mezzanine retail area for 19 parking spaces; and

WHEREAS the Commission finds the proposal is consistent with requirements of Sec. 6-141(b)(2) and Sec. 6-15 of the Building Zone Regulations inasmuch as the alterations to the building and site do not result in an increase in the degree of non-conformity, and they significantly decrease habitable gross floor area and increase parking on site to 96 spaces which complies with the general parking guidelines of Sec. 6-158 of the BZR, given the Commission’s previous findings (see letter dated 1/30/95 regarding the preliminary Site Plan) that 3,500 g.s.f. of the proposed retail space previously existed in the building and retains rights to non-conformity as to parking; and

WHEREAS the Commission finds that the applicant has revised the plan and addressed outstanding issues of the preliminary site plan and has created a total of 96 parking spaces on site and under the building, an increase of 24 over existing spaces and further the Commission finds that the 24,703 gross sq. ft. and 18,503 net useable square feet proposed by the applicant can be approved with the 96 parking spaces because the
change from a non-conforming bowling alley to retail uses conforms to the CGBR zone regulations and the increase in parking spaces on site is in compliance with the general guidelines of Sec. 6-158 of the Building Zone Regulations; and

WHEREAS the Commission finds that the proposed plan meets the standards of Sec. 6-17 and also finds that the 18,503 net usable s.f. of the proposed several retail stores (not only one merchandiser) will not create adverse traffic or property value impacts upon adjoining properties, and will provide a continuity in the retail storefront streetscape of West Putnam Avenue abutting the Greenwich Avenue adjoining shopping area; and

THEREFORE BE IT RESOLVED that the application of Bruce Cohen, authorized agent on behalf of Paradigm Associates record owners of Property at 44-48 West Putnam Avenue (formerly the Bowling Alley) for a special permit to construct retail shops in a non-conforming building per Sec. 6-101, and 6-141 and 6-100 of the Building Zone Regulations in the CGBR Zone is hereby approved with modifications.

BE IT FURTHER RESOLVED, that Site Plan #1736, a final plan of Pickwick Shops (former Bowling Ally) at 44-48 West Putnam Avenue in the CGBR zone as shown on architectural plans of Unistruct Ltd. dated March 24, 1995 is hereby approved with modifications.

The modifications are as follows:

1) The proposed sprinkler system of the total building, including methods to render the "mothballed" area on the second floor not habitable be approved by the Fire and Building Departments prior to any permit issuance.

2) Confirmation of the structural integrity of the underground parking area and adequacy of the useable space between pillars for compliance of parking stall width of 9 ft. or 8 1/2 ft. clearance width. ZEO and Building Official will review detailed plans on this issue and the adequacy of back-out area for the 2 handicapped rear parking spaces underground.

3) A copy of the signed and recorded easement agreement for access to rear parking spaces over driveway from West Putnam Avenue be submitted to P&Z staff with Book and Page number noted.

4) Prior to any CO for any section of building, all parking spaces will be striped and signed, including the 12-space and 2-space parking areas on site at the rear of the building (which are for employees only); and the 19 garage spaces under the building will be noted for employee parking only and an appropriate sign be noted outside the garage area. Handroom clearance be noted on the building. If customer handicapped spaces are located in the garage, signage should so note; as an alternative all handicapped spaces may be considered outside provided the 96 space total is maintained, and a revised plan is submitted to Planning Staff.

5) All landscaping and planting be in place prior to any CO.

6) Detailed plans for interior and exterior be submitted indicating ARC approved
materials, colors, landscaping, etc.

7) Following notes be placed on the plan:

   a) No Use Group 1 uses requiring a Special Permit have been approved by the Commission as part of approval of Site Plan #1736.

   b) The mezzanine space shall be considered part of the ground floor level for use purposes.

   c) Any loss of access to 14 rear parking spaces shall require revised Special Permit/Site Plan Review by the Commission.

Three sets of final drawings be submitted to P&Z for review prior to Building Permit issuance.

Very truly yours,

Diane W. Fox
Assistant Town Planner

cc: Jim Maloney Joe Benoit
    Bill Marr
    Bruce Dixon
    Garo Garabedian
    Peter Bologna


March 24, 2009

Mr. Bruce Cohen Esq
Fogerty, Cohen, Selby and Nemiroff LLC
88 Field Point Road
Greenwich Ct. 06836-2508

Re: Paradigm 44-48 West Putnam Avenue, LLC; application FSP #2887 and SP #2888 for a request for extension of final site plan/special permit to renovate the existing second floor to permit construction of eight residential units and installation of 16 new parking spaces beneath the building; and new portico on west side of building to serve as an entrance to the residential lobby on a 1.271 acre property located at 44-48 West Putnam Avenue in the CGBR zone.

Dear Mr. Cohen:

At a regular meeting held on March 10, 2009 the Planning and Zoning Commission considered the above-referenced request you submitted and took the following action:

Upon a motion made by Mr. Farricker and seconded by Mr. Heimbuch the Commission voted to authorize the requested extension of Final Site Plan #2887 and Special Permit #2888 approval for another 3 years (Voting on this Item 5-0: Messrs. Heller, Farricker, Heimbuch, Maitland, and Marchese); and

Whereas the original approval has not yet expired and this 3 year extension is permitted by law and

Whereas the Commission notes that no modification of the design or terms of the existing approval have been altered and all conditions of the original approval will continue to apply for FSP #2887 and SP #2888 during this 3 year time period of extension; further the modifications in the July 25 2006 approval letter will govern, and

Therefore Be It Resolved that the application of Paradigm 44-48 West Putnam Avenue, LLC FSP #2887 and SP #2888 for a 3 year extension of the final site plan/special permit to renovate the existing second floor.

Page 1 of 2

Ton Hall · 101 Field Point Road · Greenwich, CT 06830 · (203) 622-7894 · FAX [203] 622-3795 · www.greenwichct.org
An Affirmative Action/Equal Opportunity Employer, M/F/H1
floor to permit construction of eight residential units and installation of 16 new parking spaces beneath the building; and new portico on west side of building to serve as an entrance to the residential lobby on a 1.271 acre property located at 44-48 West Putnam Avenue in the CGBR zone is hereby approved with modifications.

The 3 year period begins July 11, 2009 and will end on July 10, 2012.

If you have any questions, please call.

Sincerely,

[Signature]

Diane W. Fox
Director Planning and Zoning/Town Planner/Zoning Enforcement Coordinator

cc: William Marr
    Casey O'Donnell
    John Wetmore
PLANNING AND ZONING - LAND USE DEPARTMENT

SITE PLAN APPROVAL CERTIFICATE

I, Frank Farricker, Secretary of the Planning and Zoning Commission of the Town of Greenwich, Connecticut, do hereby certify that the Commission granted final site plan approval, for the following project at its meeting held on Tuesday, March 10, 2009 at which a quorum was present.

RECORD OWNER: Paradigm 44-48 West Putnam Avenue, LLC
PROJECT: For a three year extension of approved final site plan/special permit.
PROJECT LOCATION: 44-48 West Putnam Avenue
SITE PLAN NUMBER: FSP #2887 and SP #2888

SPECIAL PERMIT CERTIFICATE: 564

RESOLVED the application of Bruce F. Cohen, Esq., authorized agent for Paradigm 44-48 West Putnam Avenue LLC, record owner, for a three year extension of final site plan/special permit, FSP #2887 and SP #2888, to renovate the existing second floor to permit construction of eight residential units and installation of 15 new parking spaces beneath the building; and new porch on the west side of the building to serve as an entrance to the residential lobby per Sections, 6-13 through 6-15, 6-17, 6-100, 6-101, 6-102.1, 6-110, 6-141(b)(2)(A), 6-155, 6-158, 6-159, 6-161, and 6-205 Notes "**" and 1. of the Town of Greenwich Building Zone Regulations on a 1.271 acre property located at 44-48 West Putnam Avenue in the CGBR zone as shown on a map entitled "Lofts at Pickwick Commons, 44-48 West Putnam Avenue - Construction Phasing Site Plan" prepared by R.S. Grandoff, Architects dated 03/20/06 with revisions to 06/22/06 based on a survey prepared by S.F. Minor and Co., Inc. and architectural plans entitled "Lofts at Pickwick Commons, 44-48 West Putnam Avenue dated 07/20/05 with revisions to 03/20/06 is hereby approved for three years, subject to all the conditions of the original approval.

The complete site plan is on file in the office of the Planning and Zoning Commission, Town Hall, Greenwich, Connecticut, as are the approved minutes of the meeting and the decision letter, which include any modifications to the approval.

IN WITNESS WHEREOF, I have hereunto set my hand this 12th day of March 2009.

Frank Farricker
Secretary, Planning and Zoning Commission

Received for Record MAR 24 2009 at 3:03PM A. Town Clerk
PLANNING AND ZONING - LAND USE DEPARTMENT

TOWN OF GREENWICH
PLANNING AND ZONING COMMISSION
SECRETARIAL CERTIFICATE

I, Frank Farricker, Secretary of the Planning and Zoning Commission of the Town of Greenwich, Connecticut, do hereby certify that the following is a true copy of the decision rendered by such Commission at its meeting held on Tuesday, March 10, 2009 at which a quorum was present. Details of any modifications will be found in the approved minutes of the meeting.

SPECIAL PERMIT CERTIFICATE #564

RESOLVED the application of Bruce F. Cohen, Esq., authorized agent for Paradigm 44-48 West Putnam Avenue LLC, record owner, for a three year extension of final site plan/special permit, FSP #2887 and SP #2888, to renovate the existing second floor to permit construction of eight residential units and installation of 16 new parking spaces beneath the building, and new portico on the west side of the building to serve as an entrance to the residential lobby per Sections, 6-13 through 6-15, 6-17, 6-100, 6-101, 6-102.1, 6-110, 6-141(b)(2)(A), 6-155, 6-158, 6-159, 6-161, and 6-205 Notes "**" and 1. of the Town of Greenwich Building Zone Regulations on a 1.271 acre property located at 44-48 West Putnam Avenue in the CGBR zone as shown on a map entitled "Lofts at Pickwick Commons, 44-48 West Putnam Avenue - Construction Phasing Site Plan" prepared by R.S. Grandoff, Architects dated 03/20/06 with revisions to 06/22/06 based on a survey prepared by S.E. Minor and Co., Inc. and architectural plans entitled "Lofts at Pickwick Commons, 44-48 West Putnam Avenue dated 07/20/05 with revisions to 03/20/06 is hereby approved for three years, subject to all the conditions of the original approval.

WITNESS WHEREOF, I have hereunto set my hand this 15th day of March 2009.

[Signature]

Frank Farricker, Secretary
Planning and Zoning Commission

Received for Record MAR 2 4 2006 at 3:02PM. Attest

[Signature]

Town Clerk
January 12, 2009

BY HAND

Ms. Diane W. Fox, AICP,
Town Planner
Town Of Greenwich
101 Field Point Road
Greenwich, CT 06830

Re: Request for Extension of Planning and Zoning Commission Approval for Paradigm Realty-44-48 West Putnam Avenue LLC for Final Site Plan #2887 and Special Permit #2888 on a 1.271 acre property located at 44-48 West Putnam Avenue in the CGBR-CGIO zones.

Dear Diane:

On behalf of our client, Paradigm 44-48 West Putnam Avenue LLC, owners of property located at 44-48 West Putnam Avenue, I am requesting the extension of the approval for the site plan and special permit for this project. This approval was given by the Planning and Zoning Commission at its meeting on July 11, 2006 and was documented in a letter dated July 25, 2006 from Diane Fox, Director of Planning and Zoning and Zoning Enforcement Coordinator. The owners of the property are requesting this extension since the conditions of the real-estate market subsequent to the application’s approval did not make it prudent to advance this project.

Enclosed are both the original decision letter from the Planning and Zoning Commission offices approving this project as well as the most recent variance approval granted by the Planning and Zoning Board of Appeals at its September 24, 2008 hearing when it re-approved variances of the floor area ratio and number of stories to permit additions and alterations to create eight (8) residential units in a commercial building.
We would appreciate your scheduling this matter for the next available Commission meeting. Should you or staff have any questions or comments in the interim, please do not hesitate to contact me at 629-7330.

Very truly yours,

Bruce F. Cohen

Enclosures

cc: Paradigm 44-48 West Putnam Avenue LLC
PLANNING AND ZONING - LAND USE DEPARTMENT

SITE PLAN APPROVAL CERTIFICATE

i, Frank Farricker, Secretary of the Planning and Zoning Commission of the Town of Greenwich, Connecticut, do hereby certify that the Commission granted final site plan approval, for the following project at its meeting held on Tuesday, July 11, 2006 at which a quorum was present.

RECORD OWNER: Paradigm 44-48 West Putnam Avenue LLC
PROJECT: To renovate the existing second floor to permit construction of eight residential units and installation of 16 new parking spaces.
PROJECT LOCATION: 44-48 West Putnam Avenue
SITE PLAN NUMBER: FSP #2887 and SP #2888

SPECIAL PERMIT CERTIFICATE: #467

RESOLVED application of Bruce F. Cohen, authorized agent, for record owner, Paradigm 44-48 West Putnam Avenue LLC, for a final site plan/special permit, FSP #2887 and SP #2888 to renovate the existing second floor to permit construction of eight residential units and installation of 16 new parking spaces beneath the building; and new porico on the west side of the building to serve as an entrance to the residential lobby per Sections 6-13 through 6-15, 6-17, 6-100, 6-101, 6-102.1, 6-110, 6-141 (b)(2)(A), 6-155, 6-158, 6-159, 6-161 and 6-205 Notes "a" and 1. of the Building Zone Regulations on a 1.271 acre property located at 44-48 West Putnam Avenue in the CGBR zone as shown on a map entitled "Lofts at Pickwick Commons, 44-48 West Putnam Avenue - Construction Phasing Site Plan" prepared by R.S. Grandoff, Architects dated 01/20/06 with revisions to 06/22/06 based on a survey prepared by S.E. Minor and Co., Inc. and architectural plans entitled "Lofts at Pickwick Commons, 44-48 West Putnam Avenue dated 07/20/06 with revisions to 03/20/06 is hereby approved as a final site plan and special permit with modifications.

The complete site plan is on file in the office of the Planning and Zoning Commission, Town Hall, Greenwich, Connecticut, as are the approved minutes of the meeting and the decision letter, which include any modifications to the approval.

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of August 2006.

[Signature]
Frank Farricker
Secretary, Planning and Zoning Commission

Address: 99 Field Point Road - Greenwich, CT 06830 • 203-622-7884 • FAX 203-622-3798 • www.greenwichct.org
An Affirmative Action/Equal Opportunity Employer, W/MBE/91
I, Frank Farricker, Secretary of the Planning and Zoning Commission of the Town of Greenwich, Connecticut, do hereby certify that the following is a true copy of the decision rendered by such Commission, at its meeting held on Tuesday, July 11, 2006 at which a quorum was present. Details of any modifications will be found in the approved minutes of the meeting.

SPECIAL PERMIT CERTIFICATE #467

RESOLVED application of Bruce F. Cohen, authorized agent for record owner, Paradigm 44-48 West Putnam Avenue LLC, for a final site plan/special permit, FSP #2887 and SP #2888, to renovate the existing second floor to permit construction of eight residential units and installation of 16 new parking spaces beneath the building, and new portico on the west side of the building to serve as an entrance to the residential lobby per Sections 6-13 through 6-15, 6-17, 6-100, 6-101, 6-102.1, 6-110, 6-141(b)(2)(A), 6-155, 6-156, 6-156, 6-159, 6-161 and 6-205 Notes “***” and 1. of the Building Zone Regulations on a 1.271 acre property located at 44-48 West Putnam Avenue in the CGBR zone as shown on a map entitled “Lofts at Pickwick Commons, 44-48 West Putnam Avenue – Construction Phasing Site Plan” prepared by R.S. Grandoft, Architects dated 03/20/06 with revisions to 06/22/06 based on a survey prepared by S.E. Milor and Co., Inc and architectural plans entitled “Lofts at Pickwick Commons, 44-48 West Putnam Avenue dated 07/20/05 with revisions to 03/20/06 is hereby approved as a final site plan and special permit with modifications.

IN WITNESS WHEREOF, I have hereunto set my hand this __ day of August 2006.

Frank Farricker, Secretary
Planning and Zoning Commission
PLANNING AND ZONING - LAND USE DEPARTMENT

CERTIFIED MAIL

July 25, 2006

Mr. Bruce Cohen, Esq.
Fogarty, Cohen, Selby & Nemiroff
88 Field Point Road
Greenwich, CT 06830

Re: Application of Bruce F. Cohen, authorized agent, for record owner, Paradigm 44-48 West Putnam Avenue LLC., for a final site plan/special permit FSP #2887 and SP #2888, to renovate the existing second floor to permit construction of eight residential units and installation of 16 new parking spaces beneath the building; and new portico on the west side of the building to serve as an entrance to the residential lobby on a 1.271 acre property located at 44-48 West Putnam Avenue in the CGBR zone.

Dear Mr. Cohen:

At a regular meeting of the Planning and Zoning Commission on July 11, 2006 and upon a motion made by Mr. Maitland and seconded by Mr. Farricker, the following resolution was unanimously approved:

(Voting on this item: Messrs. Heimbuch, Farricker, Maitland, Marchese and Ms. Alban.)

Whereas the Commission held a public hearing on July 11, 2006 and took all testimony on this item required by law; and

Whereas the Commission finds that the reactivation of 12,000+ sf of uninhabitable 2nd floor space for the 8 residential units and for a second underground parking garage of 16 spaces specifically for these 8 residential units having six 3-bedroom and two 2-bedroom units conforms to the zoning regulations under 6-110 which allows residential uses on upper floors of commercial buildings and is in keeping with the Plan of Conservation and Development which encourages mixed uses and especially residential uses within the commercial zones to keep a vibrant and 24 hour activity within the downtown; and

Whereas the Commission finds that the proposed eight downtown housing units can be permitted pursuant to Section 6-141 (b)(2) (A) of the Building Zone Regulations, because the degree of non-conformity on site and within the building will not be increased, and the construction of a 16 space

Town Hall • 101 Field Point Road • Greenwich, CT 06830 • (203) 622-7994 • FAX (203) 622-7995 • www.greenwichct.org
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underground parking garage exclusively restricted for these eight residential units adds additional parking to a site that is non-conforming in parking, does not impact business parking on site, and meets the requirements of Section 6-155 (3) which requires a minimum of one parking space per unit in mixed use buildings and the applicant is providing 2 spaces; and

Whereas the Commission finds that the applicant has received Architectural Review Committee approval of the building designs and modifications; and

Whereas the Commission finds that the applicant has addressed the issues and modifications noted in the preliminary site plan and the Town Fire Marshall and Traffic Engineer and DPW Engineering divisions have agreed that the proposed new plans meet the Town’s standards; and

Whereas the Commission rules that the applicant has received Board of Appeals variances (#9223) of Section 6-5(a)(22) Floor Area Gross to permit the continued exception of the existing Garage level from the calculation of total permitted FAR for this property, and Section 6-205 for number of stories from 3 to 4 stories within an existing building; and

Whereas the Commission finds that this garage for these residential units will be accessed from Lewis Court, and the owners have deeded rights for use of and access over Lewis Court to this building and have exercised such rights, and this is a private right-of-way; and

Whereas the applicant has addressed the drainage issues within Lewis Court raised by the Engineering Division, and the Board of Selectmen has approved the designation of Lewis Court (a private ROW) as a fire lane, with a striped and signed area that addresses the Fire Marshall’s comments and concerns; and

Whereas the Commission finds that the eight residential units with a total of 22 bedrooms and 16 new garaged parking spaces meets the standards of Sections 6-13, 6-14, 6-15, 6-17, 6-100, 6-101, 6-102.1, 6-103.1, 6-110, 6-141(b)(2)(A), 6-155, 6-158, 6-159, 6-161 and 6-205(b).

Therefore Be It Resolved that application of Bruce F. Cohen, authorized agent, for record owner, Paradigm 44-48 West Putnam Avenue LLC, for a final site plan/special permit, FSP #2887 and SP #2888, to renovate the existing second floor to permit construction of eight residential units and installation of 16 new parking spaces beneath the building; and new portico on the west side of the building to serve as an entrance to the residential lobby per Sections, 6-13 through 6-15, 6-17, 6-100, 6-101, 6-102.1, 6-110, 6-141(b)(2)(A), 6-155, 6-158, 6-159, 6-161 and 6-205 Notes “***” and 1. of the Building Zone Regulations on a 1.271 acre property located at 44-48 West Putnam Avenue in the CGBR zone as shown on a map entitled “Lofts at Pickwick Commons, 44-48 West Putnam Avenue - Construction Phasing Site Plan” prepared by R.S. Grandoff, Architects dated 07/20/06 with revisions to 06/22/06 based on a survey prepared by S.E. Minor and Co., Inc. and architectural plans entitled “Lofts at Pickwick Commons, 44-48 West Putnam Avenue dated 07/20/05 with revisions to 03/20/06 is hereby approved as a final site plan and special permit with modifications.

The modifications are as follows and will be addressed on the 5 sets of final floor plans, architectural and site plans submitted to Planning and Zoning staff for signoff prior to any work on site or issuance of any permit by the Building Department:

1) Fire Lane Designation of Lewis Court. The Board of Selectmen approved the designation of Lewis Court (a private ROW) as a “Fire Lane”. Fire Marshall comments and staff issues have been mainly addressed and the stripping and signage enforcing Lewis Court as a Fire Lane with no
parking within the ROW will be completed prior to any CO for the residential units plus installation of pavement markings and signage for "FIRE LANE" to prohibit any illegal parking on Lewis Court.

2) A detailed construction phasing and logistics plan narrative be submitted, and this phasing plan should be marked on a set of final plans.

3) Final DPW Engineering signoff and approval is required when final site plans are submitted.

4) The relocation of the existing handicapped parking space behind the Japanese restaurant into the T-w-a's Lewis Street parking lot as a handicapped space be done prior to any CO.

5) A designated area for small roll-off refuse containers for the existing businesses with protective bollards against the rear of 116 and 118 Greenwich Avenue, be shown on plans and installed prior to any CO.

6) Relocation of 6 existing gas meters from the east side of the building column at 108 Greenwich Avenue to a protected area on the east side of 98 Greenwich Avenue (in same ownership) and removal of existing bollards be done prior to any CO.

7) Applicant to address how and where a construction lift or crane will be located to deliver materials through existing windows, even during non-peak business hours. And what if any interference with on site parking and circulation on site may occur.

8) A note be added to the final plans, the Building Permit s and Certificates of Occupancy that "Given that there is a non-conformity of parking spaces on site, no residential professional or home office uses (which require added employees or deliveries on a frequent basis) be permitted for these residential units."

9) A note be placed on the final plans, building permit s and CO's that: "Any changes of commercial users within the buildings that would require additional parking (such as restaurants and office uses) will require Planning and Zoning Commission approval."

10) A detailed phasing and logistics plan to show detail on how the excavation and demolition will take place, number of trucks and other equipment passing through Lewis Court, timeline for said excavation and construction of the new underground garage, method of construction for apartment units, including the location of materials, truck lane access and hours of operation. No stockpiles of removed materials may remain on any part of the site and no physical obstruction can block access through or on Lewis Court to the back of the buildings.

11) Detailed architectural elevations and floor plan drawings be submitted showing all rooftop mechanicals, including chimney and/or bathroom vents, air conditioner units, antennas, etc.

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 11, 2006.

If you have any questions, please call.

Very truly yours,

Diane W. Fox
Director Planning and Zoning/Zoning Enforcement Coordinator/Town Planner
October 28, 2005

Mr. Bruce Cohen, Esq.
Fogarty, Cohen, Selby and Nemiroff
88 Field Point Road
Greenwich, CT 06830

RE: Paradigm 44-48 West Putnam Avenue, LLC application PSP #2674 and SP #2675 for a preliminary site plan/special permit to convert the existing storage area into two floors of residential use with six 3-bedroom and two 2-bedroom units and to construct a 16 space underground parking garage beneath the existing parking garage on a 1.27 acre property located at 44-48 West Putnam Avenue in the CGBR, CGIO zones

Dear Mr. Cohen:

At a regular October 18, 2005 meeting of the Planning and Zoning Commission and upon a motion made by Mr. Maitland, and seconded by Mr. Marchese, the Commission unanimously advised the applicant to proceed to final site plan and special permit, subject to the following modifications being addressed prior to submission of the final plans:

(Voting on this item: Messrs. Heimbuch, Maitland, Napolitano, Marchese and Farricker.)
No action on the special permit.

Whereas the Commission held public hearings on September 27, 2005 and October 18, 2005 and took all testimony as required by law; and

Whereas the Commission finds that the proposed conversion of mechanical and storage space into 2 floors of residential uses, having six 3-bedroom and two 2-bedroom units conforms to the zoning regulations under Section 6-110 which allows residential uses on upper floors of commercial buildings and is in keeping with the Plan of Conservation and Development which encourages mixed uses and especially residential uses within the commercial zones to keep a vibrant and 24 hour activity within the downtown; and
Whereas the Commission finds that the proposed eight downtown housing units can be permitted pursuant to Section 6-141 (b)(2) (A) of the Building Zone Regulations, because the degree of non-conformity on site and within the building will not have been increased; and

Whereas the Commission finds that the application meets the standards of Section 6-15 of the Building Zone Regulations and the applicant has received Architectural Review Committee approval of the building designs and modifications; and

Whereas the Commission further finds that the construction of a 16 space underground parking garage exclusively restricted for these eight residential units adds additional parking to a site that is non-conforming in parking, does not impact business parking on site, and meets with the requirements of Section 6-155 (3) which requires a minimum of 1 parking space per unit in mixed use buildings and the applicant is providing 2 spaces; and

Whereas the Commission finds that this garage for these residential units will be accessed from Lewis Court, and the owners have deeded rights for use of and access over Lewis Court to this building and have exercised such rights, and this is a private Right-of-Way; and

Whereas the applicant has represented that they will address the drainage issues within Lewis Court raised by the Engineering Department in a memo dated October 17, 2005, and the Fire Marshall’s comments and concerns at the time of the Final Site Plan/Special Permit submission; and

Whereas the Commission notes that the applicant will seek variances of Section 6-5(a)(22) Floor Area Gross to permit the continued exemption of the existing garage level from the calculation of total permitted FAR for this property, and Section 6-205 for number of stories from 3 to 4 stories within an existing building; and

Therefore the Commission finds for the above stated reasons that the applicant can proceed to final site plan and special permit subject to the following issues being resolved prior to submission of final site plans. No action was taken on the Special Permit.

1) All variances be granted by the Board of Appeals.
2) Drainage issues be addressed as noted by the DPW Engineering Division comments of October 17, 2005 and shown on final plans.
3) Fire Marshall’s comments be addressed and shown on final plans.
4) A detailed phasing and logistics plan to show detail on how the excavation and demolition will take place, number of trucks and other equipment passing through Lewis Court, timeline for said excavation and construction of the new underground garage, method of construction for apartment units, including the location of materials, truck lane access and hours of operation. No stockpiles of removed materials may remain on any part of the site and no physical obstruction can block access through or on Lewis Court to the back of the buildings.
5) Notes on the plan that these residential units cannot be used for Resident Professional use.
6) Detailed architectural elevations and floor plan drawings be submitted showing all rooftop mechanicals, including chimney and/or bathroom vents, air conditioner units, antennas, etc.
7) A complete site plan showing all 102 parking spaces to be on site when project is completed.

If you have any questions, please call our office. The contents of this letter have been reviewed by members of the Commission and reflect the decision the Commission made at its meeting of October 18, 2005.

Very truly yours,

Diane W. Fox
Director of Planning and Zoning/Zoning Enforcement Coordinator/Town Planner

cc: James Maloney
    Bill Marr
    Dave Thompson
    Enzio DeVita
    Gag Garabedian
    Joe Beneit
    Anne Dayton
EXISTING SECOND FLOOR PLAN
FIRST FLOOR PLAN - F.A.R. CALCULATIONS

RETAIL AREA CALC.'S

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### Outdoor Area Calculations

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### ROOF FLOOR AREA CALCULATIONS

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### ROOF FLOOR AREA (EXEMPT)

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### OUTDOOR AREA CALCULATIONS

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Note: Exterior Spaces are Exempt from F.A.R. Calculations