Final Coastal Site Plan
PLPZ #201600646

Binney Point LLC

68 Binney Lane,
with associated work on 63 and 66 Binney Lane

Request for time extension of Coastal Site Plan approval

Demolish existing residence and construct a new 1826 sq. ft. residence with a garage on the lower level, deck, stairs, retaining walls, parking court, and repair and modification of existing concrete pier, boat ramp and sea walls with associated landscaping, utility connections, and drainage measures.

<table>
<thead>
<tr>
<th>Location:</th>
<th>68 Binney Lane, with associated improvements on 63 and 66 Binney Lane</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone:</td>
<td>R-12 (12,000 sq. ft. minimum lot size)</td>
</tr>
<tr>
<td>Parcel Size:</td>
<td>5300 sq. ft. (0.121 acres)</td>
</tr>
<tr>
<td>ROW:</td>
<td>-330 sq. ft.</td>
</tr>
<tr>
<td>Zoning Lot Area:</td>
<td>4970 sq. ft. (0.114 acres)</td>
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<tr>
<td>Flood Zone:</td>
<td>VE-16</td>
</tr>
</tbody>
</table>

EXTENSION OF TIME

The applicants request an extension of time, on a Coastal Site Plan approval PLPZ 201600646, to May 16, 2027 in accordance with Section 6-14.1(e) of the Greenwich Building Zone Regulations and Section 8-3 (i) of the Connecticut General Statutes.

Section 6-14.1 COMMISSION REVIEW OF SITE PLAN APPLICATIONS.

(e) Failure to complete all approved work under any site plan approval granted by the Commission within five years of the approval shall result in automatic expiration of the approval. The Commission may grant one or more extensions of time to complete all work not to exceed ten years from the date the site plan was approved.

On May 16, 2017 the Greenwich Planning and Zoning Commission approved Final Coastal Site Plan # PLPZ 2016 00646 to demolish an existing residence located at 68 Binney Lane and construct a new residence on the same property; repair and modify an existing concrete pier, boat ramp and sea walls, and install associated landscaping, utility connections, and drainage infrastructure on 63, 66, and 68 Binney Lane in the R-12 and Coastal Overlay Zones.

Based on the Decision Letter May 30, 2017, the coastal site plan will expire on May 16, 2022.
The applicants, Jonathan and Bryanna Kallman, represented by Bruce F. Cohen, Esq. of Cohen, Fogarty, Russo and Nemiroff, LLC, request an extension of Coastal Site Plan # PLPZ 2016 00646 through May 16, 2027, in order to complete the work approved under this application.
May 25, 2021

Ms. Marisa Anastasio, Senior Planner
Planning and Zoning Department
Town of Greenwich
101 Field Point Road
Greenwich, CT 06830

RE: Request for Extension of Time
Final Coastal Site Plan # PLPZ 2016 00646 (Approved)
63, 66 & 68 Binney Lane, Old Greenwich, CT 06830 (the "Site")
Property of Jonathan B. Kallman and Bryanna L. Kallman

Dear Marisa:

On May 16, 2017 the Greenwich Planning and Zoning Commission approved Final Coastal Site Plan # PLPZ 2016 00646 to demolish an existing residence located at 68 Binney Lane and construct a new residence on the same property; repair and modify an existing concrete pier, boat ramp and sea walls, and install associated landscaping, utility connections, and drainage infrastructure on 63, 66, and 68 Binney Lane in the R-12 and Coastal Overlay Zones. A copy of the approved site plan has been enclosed herewith for reference purposes.

To date, the owners have demolished the home that had existed at 68 Binney Lane, repaired the seawall and concrete pier at 68 Binney Lane; reconstructed the boat ramp at 63 Binney Lane, and made modest improvements to the existing pool deck located on the 63 Binney Lane property. This work was reviewed by P&Z staff and a CO sign-off for both Phase I and Phase II construction was issued on July 31, 2020. A copy of the as-built survey depicting all work completed to date has been enclosed herewith for reference purposes.

As indicated in the Commission’s letter of decision dated May 30, 2017 (copy enclosed herewith), and in accordance with Section 6-14.1 (g) of the Greenwich Building Zone Regulations and Section 8-3 (i) of the Connecticut General Statutes, the above referenced coastal site plan will expire on May 16, 2022. Accordingly, on behalf of our clients, Jonathan and Bryanna Kallman (and entities which they control), we hereby request an extension of Coastal Site Plan # PLPZ 2016 00646 through May 16, 2027 so that the owners may complete all work approved under this application.

Should you or your staff have any questions or comments in the interim, please do not hesitate to contact me directly at 203-629-7330 or Michele Cronin at 203.970.8182.

Very truly yours,

Bruce F. Cohen

Enclosure

cc (w/encl.): Jonathan B. Kallman and Bryanna L. Kallman
Dear Mr. Cohen:

At a regular meeting held on May 16, 2017, the Planning and Zoning Commission considered the above referenced application and took the following action:

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

WHEREAS the Commission held a public meeting on May 16, 2017 and took all testimony required by law; and

WHEREAS a final coastal site plan was submitted to demolish the existing residence and construct a new 1826 sq. ft. residence with a garage on the lower level, deck, stairs, retaining walls, parking court, and repair and modify the existing concrete pier, boat ramp and sea walls with associated landscaping, utility connections, drainage measures on a 5300 sq. ft. (minus 330 sq. ft. of ROW, resulting in a Zoning Lot Area of 4970 sq. ft.) property located at 68 Binney Lane in the R-12 and Coastal Overlay Zones.
sq. ft. of ROW, resulting in a Zoning Lot Area of 4970 sq. ft.) property located at 68 Binney Lane in the R-12 and Coastal Overlay Zones; and

WHEREAS the Commission finds that this final coastal site plan application is subject to Sections 6-5, 6-13, 6-14, 6-15, 6-93, 6-111, 6-127, 6-138, 6-139.1, 6-154 and 6-205(a) of the Town of Greenwich Building Zone Regulations; and

WHEREAS the lot is non-conforming with respect to frontage, lot size, and lot shape; and

WHEREAS 330 sq. ft. of the western portion of the property is encumbered by a 15’ Right of Way (ROW) that runs from the corner of Ford Lane and Binney Way to Tomac Harbor; and

WHEREAS the site development plan proposes demolition of the existing residence and construction of a new 1826 sq. ft. residence with a garage on the lower level, deck, stairs, retaining walls, parking court, and repair and modification of existing concrete pier, boat ramp and sea walls with associated landscaping, utility connections, drainage measures; and

WHEREAS associated work is proposed on the abutting properties of 63 and 66 Binney Lane; and

WHEREAS the subject property is fully contained within the VE-16 flood zone; and

WHEREAS the existing house encroaches into the 15’ (ROW); and

WHEREAS a portion of the proposed house, retaining wall, rip rap and stairs are shown within the ROW; and

WHEREAS the Commission required that the proposed encroaching portions of the house and the stairs, proposed from the property down to the beach, be moved out of the ROW; and

WHEREAS the Commission required that the improvements shall not further impede access to the ROW nor across said ROW to the beach; and

WHEREAS the Commission required that the east-west retaining wall proposed on the ROW shall have standard steps built in to accommodate access; and

WHEREAS the proposed house will result in 1826 sq. ft. of gross floor area on site; and

WHEREAS, Zoning Board of Appeals issued variances for FAR and setbacks, with the condition that the deck to the northeast of the dwelling be pulled back by five feet based on original plans submitted to ZBA; and

WHEREAS Zoning Enforcement issued comments indicating the parking slab and garage area must not act as obstructions under base flood conditions; and
WHEREAS the proposed green area of 61% is conforming with the requirement of a minimum 55% green area in the R-12 zone; and

WHEREAS the Sewer Department submitted comments indicating additional information is required prior to commencement; and

WHEREAS the Conservation Department issued comments advising implementation of additional filtration and landscaping on site; and

WHEREAS CT DEEP has issued a Certificate of Permission for various repairs/modifications to the deck, seawall, stone archway, concrete supports, foundation piles, boat ramp and concrete pier under their certificate #2016-8624-TS; and

WHEREAS CT Department of Energy and Environmental Protection issued comments indicating compliance with Coastal Area Management standards; and

WHEREAS teardown exemption documentation was submitted based on the Town of Greenwich Storm Water Drainage Manual; and

WHEREAS the Inland Wetlands & Watercourse Agency granted a wetlands greensheet signoff for each of the three properties on 12/19/16; and

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

THEREFORE be it resolved the application of Bruce F. Cohen, Esq., authorized agent, for Binney Point LLC, record owners, for a final coastal site plan, PLPZ 2016 00646, to demolish the existing residence, and construct a new single family dwelling at 68 Binney Lane with associated site improvements on 63 and 66 Binney Lane per Sections 6-5, 6-13, 6-14, 6-15, 6-93, 6-111, 6-127, 6-138, 6-139.1, 6-154 and 6-205(a) of the Town of Greenwich Building Zone Regulations, on a 5300 sq. ft. (minus 330 sq. ft. of ROW, resulting in a Zoning Lot Area of 4970 sq. ft.) property located at 68 Binney Lane in the R-12 and Coastal Overlay Zones as shown on a site plan prepared by Rocco V. D’Andrea, Inc. last revised 5/1/17 and architectural plans prepared by Joeb Moore and Partners dated 5/3/17 is hereby approved with modifications.
Prior to any activity on site or Zoning Permit issuance, the applicant shall make an appointment with Planning and Zoning staff to submit documentation to address the Commission’s decision. This submittal shall include a) four (4) sets of revised development plans, b) three (3) sets of architectural plans consisting of floor plans, building elevations, and building sections, c) two (2) copies of storm water drainage documentation based on the Town of Greenwich Storm Water Drainage Manual, d) a (1) CD of digital copies if DPW Engineering review is required, and any other pertinent documentation necessary to address the Commission’s decision including the following:

1. Revise plans to show no encroachment into the ROW of the proposed house nor the subject property’s proposed beach access stairs.
2. Show that standard steps shall be built into the retaining wall that is proposed running east to west across the ROW.
3. Ensure improvements proposed on the property and ROW will not further impede access to the ROW nor across the ROW to the beach.
4. Address Zoning comments regarding base flood compliance of the parking slab and garage.
5. Address Conservation comments regarding additional filtration and landscaping.
6. Obtain approval for Landscape plan, and any other work proposed on abutting properties, from abutting property owners at 63 and 66 Binney Lane.
7. Address Sewer comments.
8. Ensure that all S+E measures will be implemented prior to construction.

In accordance with Section 6-14.1 (e) of the Building Zone Regulations of the Town of Greenwich and Section 8-3 (i) of the Connecticut General Statutes, failure to complete all approved work under this approval within five years of the May 16, 2017 date of approval will result in expiration of the approval. The Commission may grant one or more extensions of time to complete work not to exceed ten years from the date of approval.

The contents of this letter have been reviewed by members of the Commission and reflect the decision the Commission made at its meeting on May 16, 2017.

Sincerely,

Marisa Anastasio
Planner II