**APPLICATION SUMMARY:**

The applicant is requesting approval for a Final Site Plan for permission for the J House hotel at 1114 East Putnam Avenue to use the rear 46 parking spaces on the property as supplemental parking for the hotel and restaurant during times when the parking is not needed for the use conducted on the 2.1-acre property at 13-17 Riverside Avenue in the R-12 and LBR zone and pursuant to Sections 6-5, 6-13, 6-14, 6-15, 6-16, 6-93, 6-100, 6-158, and 6-205 of the Town of Greenwich Building Zone Regulations.

**ISSUES/RECOMMENDATIONS:**

1. **ZEO** – Issued comments dated 12/29/21 noting a variance is needed for Section 6-158(a) of the BZR prior to final site plan approval. Sec. 6-158(a) states: Parking that is required for the assembling of persons or for any other use shall be available for tenants, owners, employees, visitors, and customers at least thirty minutes before and after the scheduled operating time. The parking must have adequate entrances and exits and be on the same site or on property under the same ownership as the site, with the nearest entrance within one thousand (1,000) feet of the main entrance of the building. Employees of the building’s occupants shall be required to use such available parking. Further clarification from the ZEO notes that a variance would be required for a commercial use to park on a residential property.

2. The applicant specifically noted that the proposal is consistent with Section 6-158 of the regulations, noting that parking would only occur at times when the property is not used to satisfy the parking requirements for the religious and educational institutions and the St. Catherine’s Festival. The applicant has also indicated the proposed parking itself is not a commercial “use”.

3. The approved plan for PLPZ201200237 & 238 notes the P&Z approval dated 6/12/12, which specifically states this parking lot and building may not be used for profit or commercial uses.
4. Parking – The applicant stated the St. Catherine’s property at 13-17 Riverside Avenue includes 238 parking spaces, 46 of which are proposed to be used for employee and hotel parking and valet parking for the J House and Tony’s Restaurant during busy times. The agreement notes this would not occur during times when St. Catherine’s would require the parking for any of the approved uses, specifically including the church. The applicant has not provided a comprehensive parking requirement list per Sec 6-158 for all uses on the properties. The Commission should determine if supplemental information should be provided at this time.

5. The applicant has noted the proposed parking agreement would preclude the employees and customers from parking on nearby residential streets and would provide for safer travel in and out of the hotel property.

6. Staff notes that previous conversations with the Town Planner recommended the applicant submit a site plan application for review by the Commission for the parking agreement.

7. The Commission should note all previous approvals and conditions for St. Catherine’s properties, specifically PZBA Appeal No. 6085.

DEPARTMENT COMMENTS:

Zoning Enforcement – 12/29/21 – See Attached
Fire – Not Received

APPLICATION DETAILS:

Proposal:
The applicant is proposing a Final Site Plan to allow the J House property at 1114 East Putnam Avenue to use the 46 parking spaces in the rear of the property at 17 Riverside Avenue, referred to by the applicant as the “License area”. The proposal includes the use of the 46 spaces at the rear of the property as supplemental parking for the hotel and restaurant at times when the parking is not needed for the uses at St. Catherine’s, particularly the Church.

The properties abut at the rear of the parking area, next to the License Area and rear parking for the J House. The application includes a proposal to create an accessway between the J House property and the License Area and to use the parking when St. Catherine’s does not need the area to meet the parking requirements for uses conducted on the property. J House would use the parking area for employees of the hotel and restaurant as well as valet service to park cars.

Existing conditions/Zoning:
The existing total area consists of a 5.5 acre parcel across the street, which contains St. Catherine’s Roman Catholic Church building, a chapel, rectory, a classroom building leased to the Japanese School, and a 31-unit elderly congregate housing building as well as a parking area. The subject property actually consists of five parcels on the east side of Riverside Avenue as shown on the Town of Greenwich GIS. The total property is 2.1 acres and is improved with a 1,320 SF office building and 238 parking spaces.

The applicant has stated the J House hotel is legally non-conforming with respect to current parking requirements per Sec. 6-158 of the BZR. The J House currently also has a relationship with the adjoining
Rand Insurance building for valet parking, but the applicant notes this is still not sufficient for when the restaurant and hotel are busy.

**Hours of operation:**
St. Catherine’s - 8am-3:30 pm with limited activities during evenings and weekends, specifically for after hours activities for students and parents, English proficiency test (6x per year), Open School for parents (2x per year), school/cultural festival (1x per year), and occasional lectures/workshops for students.

TAG – 6:30am – 6:30 pm for four (4) staff members and dispatch of shuttle vans and buses (approval for 17 parking spaces to be used per PLPZ 201800375).

Greenwich Center for Hope and Renewal – Hours of operation are not indicated in the application or previous approvals.

**Application History:**
PLPZ201900337 – Administrative final site plan approval for non-profit use of the School Building to be continued upon change of tenancy at 4, 6, and 8 Riverside Avenue on the West side parcel and 13 Riverside Avenue on the East side of Riverside Avenue.

PLPZ201800375 – Final Site plan approval for change of tenants per PLPZ 201200327 & 328 for a non-profit use for Greenwich Center for Hope and Renewal.

PLPZ201400687 – Administrative site plan approval for interior changes for classrooms at 8 Riverside Avenue.

PLPZ2012 00237 & 238 – final site plan and special permit approval to create a headquarters for Transporation Association of Greenwich (TAG) in a space that as previously used for the Church’s religious education program at 13 Riverside Avenue.

PZBA Appeal No. 6085 – Special Exception approval for a school use for the entire school building at St. Catherine’s. per 6-94, 6-97, 6-19 and 6-20 of the BZR.
Continue to be met, for the requested change from religious elementary school use to non-profit university use. Availability of ample parking, closeness to post road and effective separation from the residential part of the neighborhood are important factors in the Board’s decision.

PZBA Appeal No. 3060 – Special Exception approval to permit addition of two classrooms to an existing school.

PZBA Appeal No. 2628 – Special Exception approval to permit an addition to a parochial school.

PZBA Appeal No. 1781 – approval to add four classrooms to the rear of the existing school building.

**APPLICABLE ZONING REGULATIONS:**
§6-5. Definitions
§6-13. Site Plan approval required
§6-14. Site Plan Procedure
§6-15. Site Plan Standards
§6-16. Site Plan changes
§6-93. Residential Use
§6-100. Use Groups for Business Zones
§6-158. Customer or Patron Parking
§6-205. Zoning Requirements for Residential
ZONING ENFORCEMENT

Project No.   PLPZ202100486

Reviewed for Planning and Zoning Commission.

TITLE OF PLAN REVIEWED: St Catherine of Sienna

LOCATION: 13 & 17 Riverside Ave.

PLAN DATE:

ZONE: R-12

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

☒ Resubmit the following prior to Site Plan/ Subdivision approval:
   The applicant would need a variance of section 6-158 (a).

☐ 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.

Reviewed by: Jodi Couture

Date: 12/29/2021

Note: These comments do not represent Building Inspection Division approval. Plans subject to review by ZEO at time of building permit application.
Really, you could say that a commercial use cannot park its cars in a residential zone.

The application says they would only use the parking when it is not used for any required parking for the uses at St Catherine so the parking would theoretically not exceed the parking at any time. This would still require a variance or 6-158(a)?

I know John Tesei was going to reach out to you to clarify, if you could please include me on correspondence.

Thanks Jodi,

Bianca Dygert
Planner II

I would think it has to be through the PZBA.

Thank you Jodi. For 13-17 Riverside... do they need a variance through ZBA or just request through P&Z Commission?
From: Couture, Jodi  
Sent: Wednesday, December 29, 2021 3:25 PM  
To: Dygert, Bianca <bianca.dygert@greenwichct.org>; Simmel, Sherry <Sherry.Simmel@greenwichct.org>; Vargas, Madeline <Madeline.Vargas@greenwichct.org>  
Cc: Pruitt, Jacalyn <jacalyn.pruitt@greenwichct.org>  
Subject: comments
1. No expansion of office area or staff or drivers or buses/vans or relocation of parked TAC vehicles is permitted without Planning and Zoning Commission review and approval.

2. When and if TAG leaves the O'Malley Center, any new tenant must secure new approval from the Planning and Zoning Commission. Because this property is in the R-12 residential zone, any new use of the same floor should be a residential or non-profit or Church related uses with limited staff and parking requirements.

3. This parking lot and building may not be used for profit or commercial use.
October 29, 2021

Via Email & By Hand

Mr. Peter Mangs, Applications Coordinator
Applications Coordinator
Planning and Zoning Department
Town of Greenwich
101 Field Point Road
Greenwich, Connecticut 06830

Re: Site Plan Application for Saint Catherine's Church Parking Lot Located on the East Side of Riverside Avenue, Riverside, Connecticut (the "Property")

Dear Peter:

We represent St. Catherine of Sienna and St. Agnes Parish Corporation ("St. Catherine's Church"). St. Catherine's is a Connecticut non-stock corporation that is a religious institution not operated for commercial profit.

St. Catherine's owns an approximate 5.5 acre parcel across the street from the Property (the "West Parcel"). This property contains Saint Catherine's Roman Catholic Church building, a chapel, a rectory, a classroom building (leased to the Japanese School), and a 31-unit elderly congregate housing building. Parking is also provided on this property as shown on the enclosed site plan.

The Property contains 2.1 acres of land and is improved with a 1,320 sf office building. The balance of the Property is a parking lot providing additional parking for the uses on the West Parcel described above. The parking lot is partially in the LBR zone directly across the street from the church with the majority of the parking lot being in the R-12 residential zone. The parking lot, particularly that portion of it in the residential zone is lightly parked during most days. Those days when it is substantially parked are when there are services on major Catholic Holidays (Christmas Eve, Christmas and Easter) and services for weddings and funeral masses.
St. Catherine’s has been approached by the owners of The J House hotel, which also contains the popular "Tony's" restaurant, located at 1114 East Putnam Avenue, to use the rear 46 parking spaces on the Property as supplemental parking for the hotel and restaurant during those times when the parking is not needed for the uses being conducted on the West Parcel, particularly the Church. The area in question is shown on the attached site plan (the "License Area").

The J House hotel is legally non-conforming as to the current parking requirements under the Greenwich Building Zone Regulations (the "Regulations"). The restaurant is very popular during the evenings and even if parking met the Regulations more would be needed. The hotel and restaurant provide valet parking also and does having a working relationship with the owners of the adjoining Rand Insurance building for evenings and weekends, but this is still not enough. Other area office building owners declined to provide off-hours parking.

The J House property's western parking area itself adjoins the Property essentially at the same grade. The parties have come to an agreement, subject to Planning and Zoning Commission (the "Commission") approval, to create an accessway between the J House property and the License Area. St. Catherine’s will allow the employees of the hotel and restaurant and the valet service to park cars in the License Area only during those times when St. Catherine's does not need the area to meet the parking needs of the uses being conducted on the West Parcel, which essentially are those times as described above and for those days when the St. Catherine's Carnival is being run on the Property.

We believe that the within proposal is consistent with the Regulations. We note particularly that Section 6-158 of the Regulations addresses "required" parking by stating "Parking that is required for the assembling of persons or for any other use shall be available for tenants, owners, employees, visitors, and customers at least thirty minutes before and after the scheduled operating time." The within proposal will meet these criteria. I note further that the primary use of the entire parking lot is to satisfy the needs of the religious and educational institutions on the West Parcel, consistent with the provisions of Section 6-94(a)(5) of the Regulations permitting religious or educational institutions not operated for commercial profit. Both St. Catherine’s and The Japanese School are not operated for profit.

Overall, this proposal provides for a win-win situation for the community. It helps preclude hotel and restaurant employees and customer parking on nearby residential streets and it allows for less in and out of valet-parked cars onto public streets from the hotel property making for a safer overall travel environment for both general traffic and traffic in and out of the hotel property. We trust the Commission will agree.
With respect to the accompanying application, you will find enclosed the following:

1. Detailed narrative (this letter);
2. Final Site Plan application form;
3. Affidavit of Notice;
4. Certificate of Mailing;
5. Site Plan for the Property delineating the License Area;
6. Site Plan for the West Parcel;
7. September 1, 2019 Memo from Katie DeLuca to Jodi Couture that permitted the Japanese School containing statistical information re the overall uses of the properties for reference;
8. Area Aerial Map;
9. Authorization letter from St. Catherine's; and
10. Check in the amount of the required filing fee.

Should you have any questions or require further information, please feel free to contact the undersigned or my partner Christopher Bristol.

Thank you for your prompt attention to this application.

Very truly yours,

/s/

John P. Tesei

Enclosures
ST. CATHERINE'S PARKING LOT
Riverside Avenue, Riverside, CT 06878
St. Catherine of Sienna and St. Agnes Parish Corporation
05-4005/S and 05-4008/S
LBR; R-12
2.1 acres
## SITE PLAN ZONING STATISTICS

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<tr>
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<th>EXISTING</th>
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<td>Parking Spaces</td>
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<td><strong>OTHER USES</strong></td>
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This Site Plan Involves:

- ☐ ADDITIONS
- ☐ ALTERATIONS
- ☐ DEMOLITION
- ☐ RE-CONSTRUCTION
ST. CATHERINE OF SIENNA AND ST. AGNES PARISH CORPORATION
4 RIVERSIDE AVENUE
RIVERSIDE, CT 06878

October 21, 2021

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

Re: Site Plan Application
Property Location: Parking Lot Located on the East Side of Riverside Avenue, Riverside, CT (the “Property”)

Dear Members of the Commission:

Please be advised that Gilbride, Tusa, Last & Spellane LLC is authorized to represent us in connection with the referenced application pertaining to the Property.

Very truly yours,

St. Catherine of Sienna and St. Agnes Parish Corporation

By: [Signature]
AFFIDAVIT OF NOTICE
OF APPLICATIONS TO
THE GREENWICH PLANNING AND ZONING COMMISSION

STATE OF CONNECTICUT      )
                        )   ss: Greenwich
COUNTY OF FAIRFIELD      )

I, Christopher D. Bristol, being duly sworn, do hereby certify that on October 28, 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 of October 28, 2021, as shown on the Town Tax Assessor’s Office records, of property abutting and across the street from the property belonging to St. Catherine of Sienna and St. Agnes Parish Corporation, for which a Final Site Plan application has been filed with the Greenwich Planning and Zoning Commission to allow 46 parking spaces on the property to be used at times by the adjacent J House hotel for restaurant parking.

Christopher D. Bristol

Subscribed and sworn to before me on October 28, 2021.

Claudia Bennett
Notary Public
Commissioner of Superior Court

CLAUDIA BENNETT
NOTARY PUBLIC - CONNECTICUT
MY COMMISSION EXPIRES JUL. 31, 2022
EXHIBIT A

ABUTTING OWNERS

ST. CATHERINE'S CHURCH PROPERTY

RIVERSIDE, CONNECTICUT

PARCEL ID: 05-1685/S
JC CORPORATION
1064 EAST PUTNAM AVENUE
RIVERSIDE, CT 06878

PARCEL ID: 05-1203/S
MARLENE L FRANK-SCHINTO TR ET AL
19 RIVERSIDE AVENUE
RIVERSIDE, CT 06878

PARCEL ID: 05-1304/S
LINDA HSU
21 RIVERSIDE AVENUE
RIVERSIDE, CT 06878

CONN DEPT OF TRANSPORTATION
2800 BERLIN TURNPIKE
NEWINGTON, CONNECTICUT
To Whom It May Concern:

Notice is hereby given that St. Catherine of Sienna and St. Agnes Parish Corporation have filed a Site Plan Application with the Greenwich Planning and Zoning Commission seeking permission to park vehicles of the J-House hotel and restaurant employees and guests on the eastern portion of its parking lot located on the east side of Riverside Avenue in Riverside, Connecticut. Guest parking will be by valet only. The J-House is located at 1114 East Putnam Avenue, Riverside, Connecticut, and its parking lot abuts the area of the St. Catherine's parking lot it will use. An access drive will connect the parking areas, and this will be the only means for the J-House employees to enter the area of the St. Catherine's parking lot they are permitted to use.

St. Catherine's retains the right to use the entire parking lot, including the area to be used by the J-House, at all times to satisfy its parking requirements and operational needs, including use thereof for the annual St. Catherine's Carnival.

Further information concerning this application may be obtained by contacting the Planning and Zoning Commission, the undersigned.

Christopher D. Bristol, Esq.
Gilbride, Tusa, Last & Spellane LLC
31 Brookside Drive
Greenwich, Connecticut 06830
Phone: (203) 622-9360
| Line | Article Number | Address (Name, Street, and PO Address) | Postage | Fee | Handling Charge | Actual Value | Insured Value | Due Sender | COD Fee | SC Fee | SH Fee | SO Fee | RD Fee | Remarks |
|------|----------------|----------------------------------------|---------|-----|----------------|--------------|---------------|-------------|----------|--------|--------|--------|--------|--------|---------|
| 1    | 1              | IC CORPORATION 3064 EAST PUTNAM AVENUE RIVERSIDE, CT 06878 |         |     |                |              |               |             |          |        |        |        |        |         |         |
| 2    | 2              | MARENE L FRANK-SCHINTO TRET AL 19 RIVERSIDE AVENUE RIVERSIDE, CT 06878 |         |     |                |              |               |             |          |        |        |        |        |         |         |
| 3    |                | UNDA VU 21 RIVERSIDE AVENUE RIVERSIDE, CT 06878 |         |     |                |              |               |             |          |        |        |        |        |         |         |
| 4    |                | CONN DEPT OF TRANSPORTATION 2600 BERLIN TURNPIKE NEWINGTON, CONNECTICUT 06111 |         |     |                |              |               |             |          |        |        |        |        |         |         |
| 5    |                |                                        |         |     |                |              |               |             |          |        |        |        |        |         |         |
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| 8    |                |                                        |         |     |                |              |               |             |          |        |        |        |        |         |         |
| 9    |                |                                        |         |     |                |              |               |             |          |        |        |        |        |         |         |
| 10   |                |                                        |         |     |                |              |               |             |          |        |        |        |        |         |         |
| 11   |                |                                        |         |     |                |              |               |             |          |        |        |        |        |         |         |
| 12   |                |                                        |         |     |                |              |               |             |          |        |        |        |        |         |         |
| 13   |                |                                        |         |     |                |              |               |             |          |        |        |        |        |         |         |
| 14   |                |                                        |         |     |                |              |               |             |          |        |        |        |        |         |         |
| 15   |                |                                        |         |     |                |              |               |             |          |        |        |        |        |         |         |

**Total Number of Pieces Listed by Sender**: 4

**Total Number of Pieces Received at Post Office**: 4

**Postmaster, Per Name of receiving employee**: 

The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is $50,000 per piece subject to a limit of $500,000 per occurrence. The maximum indemnity payable on Express Mail Merchandise Insurance is $500. The maximum indemnity payable is $25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual R900, S913, and S921, for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail B parcels.
TO: Jodi Couture, Zoning Enforcement Officer
FROM: Katie DeLuca, Director of Planning and Zoning
Pat LaRow, Deputy Director of Planning and Zoning
DATE: August 20, 2019 REVISED SEPTEMBER 16, 2019
RE: PLPZ 2019 00377 – Request for Change of tenant
8 Riverside Avenue – St. Catherine of Siena R. C. Church
R-12 Zone

REVISION:
The Planning and Zoning Office approved administrative site plan PLPZ 2019 00377 to confirm that the non-profit school use of the School Building can be continued upon a change of tenancy. Post that approval, Attorney John Tesei, the applicant’s agent, provided a letter dated September 4, 2019 (see attached), requesting three changes including 1) hours of operation for the religious education and Church-related activities; 2) the enrollment number that triggers a Commission level review; and 3) the limited number of school related activities after school hours.

ORIGINAL APPROVAL WITH THE REVISIONS NOTED (bold and italics = new and strikethrough is deleted language):
St. Catherine of Siena R. C. Church (“St. Catherine’s”), owner of properties located at 4, 6 and 8 Riverside Avenue on the south side of U. S. Route 1 (the “West Parcel”), and 13 Riverside Avenue (the “East Parcel”), Riverside located in the R-6, R-12, and R-PHD-E zones and a small portion of the East Parcel in the LBR-2 zone which is used solely for parking, has requested confirmation that the non-profit school use of the School Building can be continued upon a change of tenancy.

The proposed use of the Father Vincent J. O’Conner Center aka the School Building by the Greenwich Japanese School building is consistent with the historic application and interpretation by the Town of the PZBA’s 1978 special exception (Appeal No. 6085), as described below.

The Planning and Zoning Office has not objection to this request, subject to the following:
1) A school use at the site is approved pursuant to ZBA Appeal #6085. As noted in the attached letter from Attorney Chris Bristol, dated July 16, 2019, “It is the intent of our client to first occupy the Alternative High School space, then occupy the remaining space in the School Building when the current tenants’ lease expires, such that it will eventually occupy the entire building for its non-profit education programs. The expectation is that student enrollment will not exceed 150 students”. It is anticipated that there will be 35 staff members in total and they will park on the East Parcel and that approximately 90% of the students ride the bus. St. Catherine’s use of the School Building for religious education and Church-related activities after 3:30 p.m. on weekdays, on Sundays, and such other times when the school is not in session is permitted.

2) Due to the use of this site at significantly lower number of school children in recent years, it shall be noted that once the enrollment of the children on the property reaches 200300, an application to the Planning and Zoning Commission shall be submitted to present the logistics of how the site functions, particularly with respect to drop off and pick-up. At least the following information will be required:
   a. Existing and anticipated student population.
   b. A current site plan showing the layout of all dimensioned parking spaces and travel lanes
   c. Parking logistics plans – who uses the property when and where do they park.
   d. Layout of the building currently occupied by TAG
   e. Floor plans of the School Building
   f. The number of buses and their ridership
   g. The drop off and pick-up times of the school uses on the property including the Children’s Day school, with whom they will share a driveway.

3) The hours of operation are 8am to 3:30pm with no anticipated night or weekend events with limited activities to take place during the evenings or weekends; such after-hours activities of the school would be for students and their parents only with no general public activities (specific permitted after-hours activities include an English proficiency test, about 6 times/year; Open School for parents, twice a year: school/cultural festival, once a year; occasional lectures/workshop for the students by prominent persons).

4) Prior to the start of the school year, the turning radius of the school buses dropping off at the rear of the school shall be provided to Planning and Zoning staff for review.

5) Prior to the start of the school year, the Greenwich Japanese School must provide the Zoning Enforcement Office and Planning and Zoning with copies of its accepted application to the IRS for non-profit 501(c)(3) status, and a copy of its lease with St. Catherine’s.

6) A staff member must manage the street crossing for the students. There shall be no blocking of traffic on Riverside Avenue for the purpose of dropping off children.

7) Any change in the use or changes to the exterior shall return to Planning and Zoning.

BACKGROUND:

The following is a description of the existing structures on the properties:
1. The West Parcel (5.5 +/- acres) comprises St. Catherine’s church building with about 795 seats\(^1\), with a parish hall on its lower level; a 5,500 +/- square foot rectory; an 27,800 +/- sq. ft. classroom building, formerly the church’s K-8 parochial school; a chapel, which is attached to the former convent now leased to The Children’s Day School; and the Bishop Curtis Homes, with 31 units of elderly congregate housing; and

2. The East Parcel (2.1 +/- acres) has approximately 238 parking spaces\(^2\), and a 1,320 +/- sq. ft. building used as offices.

3. A non-profit school use has been a part of this property since 1938:
   a) The use of all facilities and grounds are by a) a non-profit religious institution, and/or b) for a non-profit educational use. The use of the classroom building by more than one educational institution is permitted pursuant to PZBA’s record on Appeal No. 6085 (granted 1978).

   b) Occupancy of the classroom building, (which St. Catherine’s operated from 1938 until the 1970s as its K-8 parochial school in that facility with 500 to 600 pupils\(^3\)) for educational use by non-profit institutions or organizations other than St. Catherine’s was approved in PZBA’s 1978 special exception for the University of Bridgeport (Appeal No. 6085 attached). This approval related only to the entire upper floor of that building (9 classrooms) for classes for approximately 150-200 students, with parking provided on the East Parcel. This approval authorized occupancy by more than one non-profit school, and includes schools not under the direction of, or operated by, St. Catherine’s.

   c) The Stanwich School occupied fifteen (15) of the total seventeen (17) classrooms in the classroom building as its Middle School, with approximately 90 students from 2003 to approximately 2010.\(^4\)

St. Catherine’s understands that this letter, inclusive of all attachments, will be kept on file at the Planning and Zoning Department for future reference by Zoning Enforcement staff in determining whether any new requests for proposed tenants of the church’s facilities fall under the zoning approvals of record, or require a new application for special exception, special permit and/or site plan approvals.

St. Catherine’s expressly understands that the Zoning Enforcement Officer should be consulted on any proposed new tenants, or any expansion by existing tenants, to confirm consistency with the existing approvals.

St. Catherine’s further acknowledges that any new proposal for an additional major tenant and/or change of use will likely be subject to P&Z site plan, special permit (if applicable), and PZBA special exception (if applicable) approvals prior to occupancy.

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\(^1\) Reference: Parking schedule of record for Final Site Plan #802-C.

\(^2\) Reference: PARKING PLAN CHILD CARE 2000…dated 11/9/00, of record for Final Site Plan #2077-C.

\(^3\) Source: Transcript, PZBA Appeal No. 6085, July 24, 1978 public hearing.

\(^4\) Note: three (3) of the total fifteen (15) classrooms leased by Stanwich were used as school offices.
PLANNING AND ZONING - LAND USE DEPARTMENT

TO: Jodi Couture, Zoning Enforcement Officer

FROM: Katie DeLuca, Director of Planning and Zoning
       Pat LaRow, Deputy Director of Planning and Zoning

DATE: August 20, 2019

RE: PLPZ 2019 00377 – Request for Change of tenant
    8 Riverside Avenue – St. Catherine of Siena R. C. Church
    R-12 Zone

St. Catherine of Siena R. C. Church (“St. Catherine’s”), owner of properties located at 4, 6 and 8 Riverside Avenue on the south side of U. S. Route 1 (the “West Parcel”), and 13 Riverside Avenue (the “East Parcel”), Riverside located in the R-6, R-12, and R-PHD-E zones and a small portion of the East Parcel in the LBR-2 zone which is used solely for parking, has requested confirmation that the non-profit school use of the School Building can be continued upon a change of tenancy.

The proposed use of the Father Vincent J. O’Conner Center aka the School Building by the Greenwich Japanese School building is consistent with the historic application and interpretation by the Town of the PZBA’s 1978 special exception (Appeal No. 6085), as described below.

The Planning and Zoning Office has no objection to this request, subject to the following:

1) A school use at the site is approved pursuant to ZBA Appeal #6085. As noted in the attached letter from Attorney Chris Bristol, dated July 16, 2019, “It is the intent of our client to first occupy the Alternative High School space, then occupy the remaining space in the School Building when the current tenants’ lease expires, such that it will eventually occupy the entire building for its non-profit education programs. The expectation is that student enrollment will not exceed 150 students”. It is anticipated that there will be 35 staff members in total and they will park on the East Parcel and that approximately 90% of the students ride the bus.
2) Due to the use of this site at significantly lower number of school children in recent years, it shall be noted that once the enrollment of the children on the property reaches 200, an application to the Planning and Zoning Commission shall be submitted to present the logistics of how the site functions, particularly with respect to drop off and pick-up. At least the following information will be required:
   a. Existing and anticipated student population.
   b. A current site plan showing the layout of all dimensioned parking spaces and travel lanes
   c. Parking logistics plans - who uses the property when and where do they park.
   d. Layout of the building currently occupied by TAG
   e. Floor plans of the School Building
   f. The number of buses and their ridership
   g. The drop off and pick-up times of the school uses on the property including the Children’s Day school, with whom they will share a driveway.
3) The hours of operation are 8am to 3:30pm with no anticipated night or weekend events.
4) Prior to the start of the school year, the turning radius of the school buses dropping off at the rear of the school shall be provided to Planning and Zoning staff for review.
5) Prior to the start of the school year, the Greenwich Japanese School must provide the Zoning Enforcement Office and Planning and Zoning with copies of its accepted application to the IRS for non-profit 501(c)(3) status, and a copy of its lease with St. Catherine’s.
6) A staff member must manage the street crossing for the students. There shall be no blocking of traffic on Riverside Avenue for the purpose of dropping off children.
7) Any change in the use or changes to the exterior shall return to Planning and Zoning.

BACKGROUND:

The following is a description of the existing structures on the properties:

1. The West Parcel (5.5 +/- acres) comprises St. Catherine’s church building with about 795 seats1, with a parish hall on its lower level; a 5,500 +/- square foot rectory; an 27,800 +/- sq. ft. classroom building, formerly the church’s K-8 parochial school; a chapel, which is attached to the former convent now leased to The Children’s Day School; and the Bishop Curtis Homes, with 31 units of elderly congregate housing; and

2. The East Parcel (2.1 +/- acres) has approximately 238 parking spaces2, and a 1,320 +/- sq. ft. building used as offices.

3. A non-profit school use has been a part of this property since 1938:
   a) The use of all facilities and grounds are by a) a non-profit religious institution, and/or b) for a non-profit educational use. The use of the classroom building by more than one

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1 Reference: Parking schedule of record for Final Site Plan #802-C.
2 Reference: PARKING PLAN CHILD CARE 2000...dated 11/9/00, of record for Final Site Plan #2077-C.
educational institution is permitted pursuant to PZBA's record on Appeal No. 6085 (granted 1978).

b) Occupancy of the classroom building, (which St. Catherine's operated from 1938 until the 1970s as its K-8 parochial school in that facility with 500 to 600 pupils\(^3\)) for educational use by non-profit institutions or organizations other than St. Catherine's was approved in PZBA's 1978 special exception for the University of Bridgeport (Appeal No. 6085 attached). This approval related only to the entire upper floor of that building (9 classrooms) for classes for approximately 150-200 students, with parking provided on the East Parcel. This approval authorized occupancy by more than one non-profit school, and includes schools not under the direction of, or operated by, St. Catherine's.

c) The Stanwich School occupied fifteen (15) of the total seventeen (17) classrooms in the classroom building as its Middle School, with approximately 90 students from 2003 to approximately 2010.\(^4\)

St. Catherine’s understands that this letter, inclusive of all attachments, will be kept on file at the Planning and Zoning Department for future reference by Zoning Enforcement staff in determining whether any new requests for proposed tenants of the church’s facilities fall under the zoning approvals of record, or require a new application for special exception, special permit and/or site plan approvals.

St. Catherine’s expressly understands that the Zoning Enforcement Officer should be consulted on any proposed new tenants, or any expansion by existing tenants, to confirm consistency with the existing approvals.

St. Catherine’s further acknowledges that any new proposal for an additional major tenant and/or change of use will likely be subject to P&Z site plan, special permit (if applicable), and PZBA special exception (if applicable) approvals prior to occupancy.

\(^3\) Source: Transcript, PZBA Appeal No. 6085, July 24, 1978 public hearing.
\(^4\) Note: three (3) of the total fifteen (15) classrooms leased by Stanwich were used as school offices.
By Hand

Mr. Jodi Couture, Zoning Enforcement Officer
Town of Greenwich
101 Field Point Road
Greenwich, Connecticut 06830

Re: St. Catherine of Siena School Building located at
4 Riverside Avenue, Riverside, Connecticut

Dear Jodi:

We represent a potential non-profit school tenant for the existing school building known as the Father Vincent J. O'Connor Center (the "School Building") located at the St. Catherine of Siena campus at 4 Riverside Avenue, Riverside Connecticut.

The School Building is a two-story educational facility that has been a non-profit parochial elementary school dating back to the 1930's for as many as 500-600 students. Over the years, several Special Exceptions were granted by the Town of Greenwich Planning and Zoning Board of Appeals (the "Board"). Appeals Nos. 1781, 2628, 3060, and 6085 all concern the non-profit school use of the School Building. Copies of these decisions are attached for your reference. None of these approvals contain any limiting condition on the School Building's operation.

In particular, Appeal 6085 is a Special Exception issued by the Board in 1978 permitting the change from "religious elementary school use to non-profit university use" of the second floor of the School Building for approximately 150-200 students.

Currently, the School Building is used by The Town of Greenwich Alternative High School Program (most of second floor), St. Catherine's Church for religious education (second floor rooms 206 and 207), Greenwich Education Association (first floor rooms 106 and 107 first floor), the Spanish School (first floor rooms 108 and 109). The balance of the first floor space is used by St. Catherine's Church. In approximately 2012, the Town of Greenwich Alternative High School Program began using most of the second floor of the School Building.

It is the intent of our client to first occupy the Alternative High School space, then occupy the remaining space in the School Building when the current tenants' leases expire, such that it will eventually occupy the entire building for its non-profit education programs. The expectation is that student enrollment will not exceed 150 students.
Our client would like to confirm that the non-profit school use of the School Building can be continued upon a change of tenancy subject only to demonstrating its non-profit status.

It is clear that based on Appeal 6085 that non-profit educational use was approved for one floor of the School Building with a capacity of at least 150-200 students. The proposed use will be at most the lower threshold of this capacity spread out over both floors of the School Building. As a result, the proposed use intensity and parking demand will be less than that approved by Appeal 6085.

I trust you agree that the School Building is currently approved for non-profit school use, and our client can therefore proceed directly to obtain any zoning permit necessary to fit out the School Building space in keeping with its recognized historical use as a non-profit educational facility.

Kindly indicate your agreement by countersigning this letter where appropriate below and return to my attention at your earliest convenience.

Sincerely,

[Signature]

Christopher B. Bristol, Esq.

Accepted and agreed to
on July ___, 2019

By:

Name: Mr. Jodi Couture
Title: Zoning Enforcement Officer
recognition of the unique existing condition and without detriment to the public welfare or impairment to the integrity of the Regulations.

APPEAL No. 6084.

Appeal of William F. Jr. and Marian A. Pyne for variance of the use regulations to permit conversion of a two-family dwelling to three-family dwelling, on the easterly side of Weaver Street, Greenwich, in the R-12 zone.

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

In a previous appeal (No. 5965, 11/30/77), the Board found unique hardship to allow two-family use on the ground that the property location was not best suited for single family residence. The existing appeal seeks to boot-strap from there by additional use variance into three family use, asking the Board to apply R-6 zone special exception standards.

Considering all of the circumstances, including the character of the surrounding properties, uses and density, the Board finds that Appellants did not establish unique hardship to justify an increase to three family use. The Board has no power to apply special exception standards in this case to eliminate the necessity of establishing hardship.

APPEAL No. 6085.

Appeal of St. Catherine's Church Corp., owners, and The University of Bridgeport, lessee, for authorization as a special exception to permit non-profit school use in a portion of an existing school building, on the westerly side of Riverside Avenue, Riverside, in the R-6 zone.

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

The Board finds that all of the special exception standards under Sections 6-94, 6-97, 6-19 and 6-20 of the Building Zone Regulations continue to be met, for this requested change from religious elementary school use to non-profit university use. The availability of ample parking, closeness to the Post Road and effective separation from the residential part of the neighborhood are important factors in the Board's decision.

APPEAL No. 6086.

Appeal of John and Ann M. Hughes for variance of yard requirements to permit dwelling to continue, on the easterly side of Hillcrest Park Road, Old Greenwich, in the RA-1 zone.

It was unanimously RESOLVED that said appeal be granted on the following grounds:
APPEAL 3060.

Appeal of St. Catherine's Catholic Church of Riverside School for authorization as a special exception to permit addition of two classrooms to an existing school on the westerly side of Riverside Avenue, Riverside, in an R-12 zone.

It was unanimously RESOLVED that said appeal be granted on the following grounds:
This is an application for a special exception in the R-12 zone to permit an addition of two classrooms to an existing school as part of an educational institution and after weighing all the factors required to be considered on such an application we find that the special exception may be permitted.

APPEAL 3061.

Appeal of Madeleine G. Refferty for variance of front and side yard requirements to permit use of an existing accessory building as a single family dwelling following division of a tract on the westerly side of Glenville Road at Robert Drive, Greenwich, in an RA-1 zone.

It was unanimously RESOLVED that said appeal be granted on the following grounds:
Because this building exists and is substantial and is capable of use as a residence and can be so used without injury to the neighborhood the variances requested are granted.

APPEAL 3062.

Appeal of Merritt Construction Corporation for variance of front and rear yard requirements to permit erection of a dwelling on Lots 3 and 4 on the northerly side of Meadowbank Road, Old Greenwich, in an R-12 zone.

It was unanimously RESOLVED that said appeal be granted on the following grounds:
This is allowed on the same grounds given in our decision on App. No. 2994 relating to the same property.

APPEAL 3063.

Appeal of Marion Zetorskay for variance of side yard requirement to permit addition to an existing dwelling on the easterly side of Locust Street, Greenwich, in an R-6 zone.

It was unanimously RESOLVED that said appeal be denied on the following grounds:
Although the lot is large enough to accommodate a garage in the rear yard, without variance, the access to it from the street suffers such topographical hardship as would warrant variance of side yard to permit its erection in the place proposed, but such variance, if granted, would be so injurious to the property of his neighbor on that side that permission must be withheld.
We have previously indicated under decision #2595 that the area of this tract is sufficient under the circumstances of the case and the character of the neighborhood to warrant a division into two lots; and it now appearing that applicant actually has a house to be moved to the site of Lot 39-A and that a rear yard variance will not be required, the variance of area as indicated on the plot plan is granted.

APPEAL 2627

Appeal of Elvis B. Griffin for variance of side yard requirements to permit a dwelling to continue as located on the west side of Ridge Brook Road, Greenwich, in an R-20 Zone.

It was unanimously RESOLVED that said appeal be granted on the following grounds:
This was a slight error of measurement due to no fault of the applicant, and it would entail hardship to rectify.

APPEAL 2628

Appeal of St. Catherine's Church Corp. for authorization as a special exception to permit an addition to a parochial school located on the west side of Riverside Avenue, Riverside, in an R-12 Zone.

It was unanimously RESOLVED that said appeal be granted on the following grounds:
This is an application for a special exception in the R-12 Zone to permit an addition to an existing school as part of an educational institution and after weighing all the factors required to be considered on such an application we find that the special exception may be permitted.

APPEAL 2629

Appeal of George Gordon for variance of front yard requirements to permit a side addition to an existing business building located on the north side of West Putnam Avenue, Greenwich, in a B-G Zone.

It was unanimously RESOLVED that said appeal be granted on the following grounds:
The addition to this existing non-conforming building will not aggravate the present front yard deficiency and variance is granted.

APPEAL 2530

Appeal of Arthur V. and Mary Jane L. Wallace for variance of front yard requirements to permit erection of a dwelling on Lot 14 and Part of 12 on the north side of Bruce Park Avenue Extension, Greenwich, in an R-6 Zone.

It was unanimously RESOLVED that said appeal be granted on the following grounds:
We find hardship exists because of the topography and the proposed setback will average with others in the neighborhood.

APPEAL 2631

Appeal of John L. and Doris L. Gedney for variance of front yard requirements to permit a dwelling to continue as located on the west side of Laddine Rock Road, Old Greenwich, in an R-7 Zone.

It was unanimously RESOLVED that said appeal be granted on the following grounds:
APPLICATION NO. 1778

Application of Beatrice E. Bittinger for variance of the yard requirements of the RA-1 Zone to permit a new side yard and front setback, resulting from a subdivision of property and a new road, for existing dwelling located on a private road off the south side of Hillcrest Avenue and Knoll Avenue, in the Palmer Hill section of town.

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

The application is granted with the provision that the right of way be made 20 feet which is all that is required by the zoning regulations in order to lessen the amount of the side yard variance since it is a house existing prior to zoning.

APPLICATION NO. 1779

Application of Dewey L. Pierce for variance of the yard requirements of the R-12 Zone as they apply to existing buildings on Lot No. 11, south side of Pierce Road, Riverside, shown on map of "Property of Dewey Pierce", made by S. E. Minor & Co., Civil Engrs., dated July 28, 1950.

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

The application is granted provided it is limited to 1-family. The yard variance is justified because it results from the building of a roadway.

APPLICATION NO. 1780

Application of the Round Hill Community Church for authorization (a), to permit proposed addition to church as shown on plan and plot plan filed; (b), permission to vary the rear yard requirements of the RA-4 Zone as shown on plot plan filed, all of which is located on the northwest corner of Round Hill Road and John Street, Greenwich.

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

This is an application for our approval of a church use and it appearing that the proposed use will not create or aggravate a traffic fire or panic hazard, or block highway circulation, or be detrimental to the neighborhood, or alter its essential characteristics, it is granted.

We grant the rear yard as shown on plot plan filed.

APPLICATION NO. 1781

Application of St. Catherine's Catholic Church of Riverside for authorization to add 4 class rooms to rear of existing school building located on the west side of Riverside Avenue approx. 200 feet south of the Post Road, Riverside, in the R-12 Zone.

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

This is an application for our approval of an educational use and it appearing that same will not be operated for commercial profit and that the proposed use will not create or aggravate a traffic, fire or panic hazard or block highway circulation, or be detrimental to the neighborhood,
PLANNING AND ZONING - LAND USE DEPARTMENT

CERTIFIED MAIL

June 26, 2012

James Dougherty, Esq.
Dougherty, Dougherty & Vecchiolla, LLC
28 Sound View Drive
Greenwich, CT 06830

James Boutelle, Director
Transportation Association of Greenwich
O'Malley Center
13 Riverside Avenue
Riverside, CT 06878

RE: St. Catherine's Church Corp; applications PLPZ 2012 00237 and PLPZ 2012 00238, for a final site plan and special permit, to create a headquarters for the Transportation Association of Greenwich (TAG) in space that was previously used for the Church's religious education program on a 2.1 acre property located at 13 Riverside Avenue in the R-12 zone

Gentlemen:

At a regular meeting of the Planning and Zoning Commission held on June 12, 2012 and upon a motion made by Maitland, and seconded by Brooks the following resolution was unanimously adopted: (Voting on this item: Messrs. Heller, Marchese, Maitland, and Brooks and Mrs. Alban).

Whereas the Commission held a public meeting/hearing on June 12, 2012 and took all testimony as required by law; and

Whereas the applicants, St. Catherine of Sienna Church Corp. and TAG (Transportation Association of Greenwich) are requesting Commission approval to allow TAG to use the second and third floors totaling 1,991 sq. ft. of the O'Malley Center, which has a total of 3,761 sq. ft., and to use up to 25 parking spaces in the St. Catherine Church Parking lot on Riverside Avenue for TAG vans and busses; and

Whereas TAG has been occupying space in this building and using the parking spaces, which lies in the R-12 zone, for some time and this applicant has now submitted a site plan and special permit application under Section 6-94 (b) as a non-profit philanthropic and charitable institution to use the 2nd and 3rd floors.
having a total of 1,991 sq. ft. of this O’Malley Center which floors were formally used by the Religious Education staffs for the Church and the 1st and 4th floors still have Church uses; and

Whereas TAG will have four (4) staff members in the offices from 6:30 AM to 6:30 PM for dispatch of shuttle vans and Norwalk Transit buses using 25 parking spaces. TAG parks their vehicles overnight on the lot 7 days a week and therefore takes up some of the required parking for the Church on weekends; and

Whereas TAG owns 18 buses and the TAG drivers swap their cars for the vans and buses they drive in terms of parking spaces; and

TAG owns 18 vans/buses and operates 28 commuter passenger buses (CCX program) nine (9) 10-20 passenger handicapped modified buses and five (5) handicapped accessible, seven (7) passenger minivans and the four (4) large commuter shuttles are parked directly behind the building as they have diesel engines which require being plugged in at night. The other vehicles are parked at the most south/easterly end of the parking lot adjoining the hotel and office building and I-95; and

Whereas the applicant TAG is a major transportation provider to the elderly, handicapped and disadvantaged in Greenwich and operates the Commuter Shuttle program in Greenwich for the Norwalk Transit. It serves a quasi-municipal function receiving over $160,000 in annual funding from the Town of Greenwich and provides services to the Commission on Aging, the Board of Education, Nathaniel Witherall, and the Department of Social Services. It also serves as the designated transportation coordinator under the Town’s Emergency Management Plan.

Whereas the Commission notes that this Church parking lot is used by the Church on Saturdays, Sundays and Holy Days and all the lot and parking is required to meet the Building Zone Regulations for the number of seats in the church and school building uses; and

Whereas during the week, this particular parking lot is used by:

1- The Children’s Day School staff and parents with 25 parking spaces specifically assigned for this Day School for pre-school students and staff and was approved by the Commission years ago with hours similar to TAG (6:30AM to 6:30PM).

2- The Board of Education Arch Street Alternate High School (which leases part of the former school building) and has 28 parking spaces for their staff and students who drive. This was approved by administrative site plan submission to the Planning and Zoning and other Town agencies and reflected a change from the Stanwich School to the Arch Street Alternative High School. Hours are 8:00 AM to 3:00 PM.

However, these two uses do not use the parking lot overnight nor on Saturdays or Sundays when Church services and activities require use of these parking spaces; and

Whereas the Commission finds that TAG is a philanthropic non-profit institution serving Greenwich residents per Section 6-94 (b) and that the impact to the Church parking lot is minimal and the vans are parked at the furthest distance on the lot and the drivers swap their cars for these vehicles and there is no traffic impact upon Riverside Avenue and no impact on the adjoining residential properties or commercial properties; and
Whereas the Commission finds that this use of TAG in the O'Malley Center for two floors of use and 25 parking spaces with four office staff and 14 drivers may be approved per Section 6-94(b), 6-15, and 6-17 of the Town of Greenwich Building Zone Regulations.

Therefore Be It Resolved that the applications of James B. Dougherty, Esq., authorized agent, for St. Catherines Church Corp., record owner, and the Transportation Association of Greenwich, for a final site plan and special permit, PLPZ 2012 00237 and PLPZ 2012 00238, to create a headquarters for (TAG) in space that was previously used for the Church's religious education program per Section 6-13 through 6-15, 6-17, and 6-94(b) of the Town of Greenwich Building Zone Regulations on a 2.1 acre property located at 13 Riverside Avenue in the R-12 zone as shown on a parking layout plan dated 05/09/12 are hereby approved with modifications.

The modifications are as follows and will be addressed on the three sets of final plans for building permit approval or Certificate of Occupancy sign-off by staff. The following notes be placed on the 3 sets of plans submitted to Planning and Zoning:

1- No expansion of office area or staff or drivers or buses/vans or relocation of parked TAG vehicles is permitted without Planning and Zoning Commission review and approval.

2- When and if TAG leaves the O'Malley Center, any new tenant must secure new approvals from the Planning and Zoning Commission. Because this property is in the R-12 residential zone, any new use of the same floors should be either residential or non-profit or Church related uses with limited staff and parking requirements.

3- This parking lot and building may not be used for profit or commercial uses.

This letter has been reviewed and approved by those Commission members seated and voting on this item at its June 12, 2012 meeting.

If you have any questions, please call the office.

Very truly yours,

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

cc: Jodi Couture
Patrick Grasso
William Marr
Rev. Msgr. Alan F. Detscher
September 25, 2018

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

RE: The application of Thomas Heagney, Esq., authorized agent, for St. Catherines Church Corp., record owners, for a final site plan, PLPZ 2018 00375, for approval of a change of tenants as imposed by the Commission’s prior decision (PLPZ 2012 00327, 328) per Sections 6-13, 6-14, 6-94(b), 6-100, 6-141, and 6-158 of the Town of Greenwich Building Zone Regulations on a 0.23-acre property located at 13 Riverside Avenue in the R-12 zone as shown on floor plans previously approved on 8/9/12.

Dear Mr. Heagney:

At a regular meeting held on September 11, 2018, the Planning and Zoning Commission considered the above referenced application and took the following action:

Upon a motion made by Alban and seconded by Fox, the following resolution was unanimously adopted 5-0 (Voting on this item: Maitland, Alban, Levy, Fox and Yeskey (for Macri));

WHEREAS the Commission held a regular meeting on September 11, 2018 and took all testimony as required by law; and

WHEREAS the subject property is located in the R-12 zone, and is therefore subject to the following conditions 6-13, 6-14, 6-94(b), 6-100, 6-141 and 6-158 of the Building Zone Regulations; and

WHEREAS the applicant is proposing a change of use for a 501c3 organization to occupy four office spaces on the second floor; and
WHEREAS the current tenant, Transportation Association of Greenwich, which occupies the first and second floors, is reducing in size; and

WHEREAS the proposed use is for the second floor only of the O’Malley Center building located at 13 Riverside Avenue; and

WHEREAS the Commission noted that the proposed change of use is for supplemental counseling use by the Greenwich Center for Hope and Renewal; and

WHEREAS the Commission noted that the proposed counseling sessions shall not include group sessions; and

WHEREAS the proposed change of use does not include any change to the building or exterior alterations; and

WHEREAS the previous approval for final site plan PLPZ 2012 000327 and special permit PLPZ 2012 00328 noted that any change of tenant would require approval by the Planning and Zoning Commission; and

WHEREAS the applicant presented and the Commission noted the hours for all uses within the O’Malley Center building; and

WHEREAS the Commission noted that the current parking is suited to meet the demand for use

WHEREAS the previous approval allocated 25 parking spaces for TAG use; and

WHEREAS the proposed change of use would require 8 parking spaces per Sec 6-158 of the Building Zone Regulations; and

WHEREAS the parking required by TAG would be reduced to 17 parking spaces; and

WHEREAS the ZEO indicated in comments dated 8/28/18 that the site plan meets the requirements of the Building Zone Regulations excluding sections 6-15 and 6-17; and

WHEREAS the Commission noted department and staff comments; and

THEREFORE BE IT RESOLVED the application of Thomas Heagney, Esq, authorized agent, for St. Catherines Church Corp., record owners, for a final site plan, PLPZ 2018 00375, for approval of a change of tenants as imposed by the Commission’s prior decision (PLPZ 2012 00327, 328) per Sections 6-13, 6-14, 6-94(b), 6-100, 6-141, and 6-158 of the Town of Greenwich Building Zone Regulations on a 0.23-acre property located at 13 Riverside Avenue in the R-12 zone as shown on floor plans previously approved on 8/9/12 is hereby approved with the following modifications:

1. Any future change of tenant shall require the applicant to come before the Commission unless the parking requirements are equivalent to a one-for-one exchange in parking need and the proposed tenant is a 501c3 organization. The Town Planner may waive full Commission review for any proposed change of tenant but reserves the right to refer the applicant for full Commission review;

2. The proposed change of use shall require 8 parking spaces for use by the Greenwich Center for Hope and Renewal;
3. The parking requirements for TAG shall be reduced to 17 spaces.

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:

1. Four (4) sets of the survey showing the parking layout with spaces clearly marked for the proposed tenant use;
2. Three (3) sets of building floor plans for the second floor;
3. Any other pertinent documentation necessary to address the Commission’s decision; and
4. Any outstanding comments from the ZEO, and/or staff.
5. Any changes to the proposed plans shall be reviewed with Planning and Zoning.
6. Any exterior changes must be reviewed by the ARC.

In accordance with Section 6-14.1(e) of the Building Zone Regulations of the Town of Greenwich, failure to complete all approved work within five years of the approval date shall result in automatic expiration of the approval. Upon a written request to extend the site plan approval beyond five years, the Planning and Zoning Commission may grant one or more extensions of time to complete all work not to exceed ten years from the effective 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 September 11, 2018.

If you have any questions, please call.

Sincerely,

[Bianca Dygert]
Planner II
hour activities include an English proficiency test, about 6 times/year: Open School for parents, twice a year; school/cultural festival, once a year; occasional lecture/workshop for the students by prominent persons).

For the avoidance of any doubt, JEI and St. Catherine’s has no concerns in regards to the other conditions set out in your letter.

Thank you again for your assistance and cooperation.

Sincerely,

John P. Teso

cc: The Japanese Educational Institute of New York
Patrick Grasso
Via E-Mail

Katie DeLuca, AICP
Director of Planning and Zoning
Town of Greenwich
101 Field Point Road
Greenwich, Connecticut 06830

Re: PLPZ 2019 00377 – Request for Change of Tenant
8 Riverside Avenue – Saint Catherine of Siena R. C. Church

Dear Katie:

Thank you for sending us a copy of your August Memorandum to Jodi Couture. I have had the opportunity to consult with Pat Grasso, the representative of Saint Catherine’s and representatives of our client, The Japanese Educational Institute of New York ("JEI") concerning the memorandum. They have asked that I correspond with you and request certain revisions to the memorandum, which, for the most part, are clarifications really pertaining to overall utilization of the facility once JEI takes over occupancy.

The first requested revision is to add to the end of the first condition at the end of the first page of the memorandum the following: “St. Catherine’s use of the School Building for religious education and Church-related activities after 3:30 pm on weekdays, on Sundays, and such other times when the school is not in session is permitted and shall have no effect on the enrollment limitations expressed in this Memorandum as they are consistent with past practices.”

The second request is from Pat Grasso; he requests changing “200” to “300” in the second condition. His concern is that by conceding a reduced limitation to 200, St. Catherine’s could find itself in a compromised position at some point in the future given the current occupancy rights granted previously. This change would be consistent with the discussion we had in your office.

The third request is to modify the third condition to read as follows: The hours of the operation of the school sessions are form 8:00 am to 3:30 pm” with limited activities to take place during the evenings or weekends; such after-hours activities of the school would be for the students and their parents only with no general public activities (specific permitted after-
MEMORANDUM

TO: Jodi Couture, Zoning Enforcement Officer
Bill Marr, Building Official

FROM: Katie Deluca, Director / Town Planner
Robert Seale, Deputy Director /Assistant Town Planner

DATE: December 21, 2014

RE: Sign-off for Zoning Permit
PLPZ2014-00687 – 8 Riverside Ave, Riverside, CT
Zone: R-12

Center for Educational Equality d/b/a Greenwich Education Group
Located within St. Catherine of Sienna Church


APPROVAL IS SUBJECT TO THE FOLLOWING:

1. Greenwich Education Group was one of the adjunct uses approved in August of 2010 according to a document submitted by Robinson & Cole, dated August 18, 2010, and signed by the Acting Zoning Enforcement Officer, Joe Potenza. Document located in file #PLPZ2011-397.
2. Greenwich Education Group will continue to occupy rooms 103, 106, and 107 with an average of nine students in class at any given time.
3. Rooms previously used as Religious Classrooms, 104 & 105, are to be altered to provide four college counseling rooms/offices and a conference room for the Greenwich Education Group.
4. Typical occupation of rooms 104 & 105 will consist of up to 4 employees and up to 5 high school aged children for an hour at a time each day.
5. General hours of operation are 10am-6pm.
6. Parking is provided in lot across the street. Stalls furthest from Riverside Ave are designated as parking for GEG staff.
7. The Zoning Enforcement Officer has determined that Greenwich Education Group does not need a new Special Exception for the use of these spaces. The Educational institutions are still subject to previous PZBA approvals, #8430 and #6085.
8. Center for Educational Equality d/b/a Greenwich Education Group must retain its non-profit status as a 501(c)(3) institution.
9. It is acknowledged that St. Catherine of Sienna Church continues to use all of the above noted classrooms on Sundays and when deemed necessary to meet the needs of the church.

PRIOR TO C.O. THE APPLICANT SHALL MEET WITH STAFF AND FOLLOWING CONDITIONS MUST BE MET:

1. Submit three (3) copies of As-built floor plans of rooms 104 & 105.
Town of Greenwich
Planning & Zoning Department
Town Hall – 101 Field Point Road, Greenwich, CT 06830-2540
Phone: (203)622-7894 – Fax: (203)622-3795

SITE PLAN ADMINISTRATIVE FORM

Owner's Name: St. Catherine of Sienna Church

Agent Name/ Tel. no. Mark Straza, Atcadia Associates, LLC 203.223.7430

Address of Property 8 Riverside Avenue, Riverside

Parcel ID# 05-4000/5

Lot Size 3,31 acres B) Property Zone R.12 C) Flood Zone WA ZEO Init. 700

Check if legally conforming: □ Lot Area □ Setbacks □ FAR

Description of Activity or Work Proposed: Lower level school rooms 104 & 105 Remodeling to create a College Counseling Center, Construct (4) private tutor rooms, (1) conference rm, waiting & reception areas

Previous Review/Approvals by P&Z (Date And Number)

Other Land Use reference #. (IWWCA, Coastal Site Plan, Affordable, Elderly)

Total Building Square Footage (or total site work area):

Present Use CLASSROOMS, SCHOOL Square Footage 1415.62 $

Proposed Use PRIVATE CLASSROOMS Tutoring Square Footage 1415.62 $ NO INCREASE OF FOOTPRINT

For staff use only:

Reviewed by:
Town Planner
Senior Planner

Asst. Town Planner Planner

(2 signatures required- one must be Town Planner as per §6-13; Town Planner may waive full Commission review of small scale projects but require approval of ARC where appropriate.)

See attached Conditions of Approval

Per § 6-14.1(c) of BZR, approval is valid for 3 years only; and work must be completed in 5 years from issuance of permit, per State Statute.

Check # 3129 Check Amount: $500.00

PZ Admin.

KD Item # 7
AREA OF PARKING:
29 SPACES + 1 HANDICAPPED 
OF 229 ON EAST SIDE 
DEDICATED TO ALT. HIGH SCHOOL PARKING. SEE R-2 
FOR FULL COUNT.