2nd UPDATE:
The application was heard and left open at the 3/15/22 meeting.

UPDATE:
This application was opened at the 2/1/22 P&Z Meeting. The applicant has submitted a revised text amendment to include in section 6-30 noting the 100’ setback and “The Commission may permit a lesser setback for accessory structures such as pools, tennis courts and greenhouses if such a reduction in setback would provide an environmental benefit as part of the development of a particular site. In no even shall the setback be less than 50’.”

APPLICATION SUMARY: The applicant is requesting approval for a Zoning Map Amendment, application PLPZ 2021 00504, pursuant to Section 6-22 of the Town of Greenwich Building Zone Regulations, and Section 8-3 of the Connecticut General Statutes, to rezone a 19.1385-acres property from RA-4 to the RA-CC4-Zone located at 1141 King Street.

ISSUES/RECOMMENDATIONS:
1. The subject action has been designed in conjunction with a final site plan/special permit, and zoning text amendment for Conservation Cluster zoning. Rezoning of the site would need to be voted on before taking a vote on a final site plan application but after voting of the text amendment.
2. The Commission should determine whether the proposed rezoning would meet the intent of Section 6-23.
3. The Commission should determine whether the property would best be served by a creating a Conservation Zone or Conservation Cluster Zone rather than conventional zone per Sec. 6-33(c). Further, the Commission should determine if a Conservation Cluster Zone would better serve the purpose and intent of 6-23 than a Conservation Zone.
4. POCD - In making any decision to change the Zoning Map of the Town, the Commission shall take into consideration the Plan of Conservation and Development, per the State’s Statutes. The applicant should elaborate, to the Commission; the ways the subject Map amendment would meet the recommendations of the POCD.

DEPARTMENT COMMENTS:
Law – Not Received
WestCOG – See Attached
Abutting Municipality – Rye Brook – Not Received

APPLICATION DETAILS:
Proposal:
The applicant is proposing to re-zone the 19+ acre property at 1141 King Street from RA-4 to RA-CC4. This is proposed in tandem with a final site plan and special permit application and a text amendment application. The property is a rear lot with a 33’ accessway on King Street.

The current regulations under Sections 6-23 through 6-34 would not allow for the re-zone of this 19+ acre property to RA-CC4 unless it was 50 acres or more. The proposed text amendment would change this requirement from 50 acres to 10 acres and would permit the rezone to RA-CC4.

The Commission should determine whether the proposed rezoning would comply with Section 6-33 as noted:

Sec. 6-33. APPLICATION FOR ZONE APPROVAL.

(a) Application by petition of one or more property owners for the inclusion of a specific area in the appropriate Conservation Zone shall be submitted in writing in such form as the Commission may require and shall include the following:

(1) Of the land proposed for rezoning, a statement describing conservation purposes to be accomplished and an environmental assessment by a person qualified to perform same, the plan for accomplishing said purposes and evidence to establish that a Conservation Zone will better serve the purposes of Sec. 6-23 than a conventional zone, and further, that a Conservation Cluster Zone will better serve the purposes of Sec. 6-23 than a standard Conservation Zone. In the case of a Conservation Zone of less than 10 acres or 10 lots the Town Planner or his/her designee may waive the requirement for an environmental assessment after consultation with the Conservation Commission. (1/6/88)

(2) A subdivision map meeting all of the requirements for approval of a subdivision under the Subdivision Regulations of the Town showing the proposed subdivision of the land in accordance with the appropriate Conservation Zone requirements as herein specified; and

(3) A Special Permit application and all documents required for Site Plan approval under Sec. 6-14 for attached housing development and for development of cluster housing without lot division lines. (1/6/88)

(4) Such additional information as the Commission may deem necessary to make a reasonable decision on the application.

(b) The Commission may on its own motion or on petition of Conservation Commission whether or not an application has been made for a conventional subdivision, propose rezoning to a Conservation Zone. The procedure followed shall be the same as by petition, except that no subdivision map or site plan shall be required. Procedure on petition of Conservation Commission shall be the same with the Planning and Zoning Commission. (1/6/88)

(c) No conservation zone shall be established unless the Planning and Zoning Commission finds that the establishment of the zone will be of sufficient benefit to the public in that it accomplished one or more of the purposes of Sec. 6-23 and will be of greater benefit to the town than a conventional subdivision. No conservation cluster zone shall be established without an affirmative showing that conservation purposes are better served by a clustered rather than a standard conservation zone development.

2019 POCD:
The applicant should elaborate, to the Commission; the ways the subject text amendment would meet the recommendations of the POCD.

**OTHER APPLICATIONS:**
Final Site Plan/Special Permit: in addition to this application, the applicant is also seeking final site plan approval to develop 5 single family dwellings in concert with this amendment and a proposed text amendment for Conservation Zones.

**APPLICABLE REGULATIONS:**
Sec. 6-22.
Sec. 6-23 through 6-34
Dygert, Bianca

From: Kristin Floberg <kfloberg@westcog.org>
Sent: Tuesday, November 23, 2021 3:07 PM
To: Dygert, Bianca
Subject: RE: Proposed Text and Zoning Map amendment for 1141 King Street
Attachments: 1141 King Street PLPZ202100502, 503, 504 Routing PCe.docx

[EXTERNAL]
To: Bianca Dygert, Planner II

From: Kristin Floberg, Planner

Re: CT Statutory Referral to WestCOG from Greenwich - Attached Zoning Amendment

Date: November 23, 2021

Thank you for submitting the attached referral to WestCOG.

The opinion of WestCOG staff is that the proposal is of local interest and with minimal intermunicipal impact. Therefore, it is not being forwarded to adjacent municipalities and the regional staff is making no comment.

---

From: Dygert, Bianca <bianca.dygert@greenwichct.org>
Sent: Monday, November 22, 2021 2:05 PM
To: Referrals <referrals@westcog.org>
Subject: Proposed Text and Zoning Map amendment for 1141 King Street

RE: Proposed Text Amendment and Zoning Map amendment
PLPZ #2021 00502,503,504
Zoning Referral: Proposed Zoning Text and Zoning Map Amendment

To Whom It May Concern,
In accordance with C.G.S. Sec. 8-3b, the Town of Greenwich is forwarding a copy (attached) of the proposed text and zoning map amendments to amend section 6-26, 6-26(c) and 6-31(c) of the Town of Greenwich Building Zone Regulations and to rezone the property at 1141 King Street from RA-4 to RA-CC4

Please find the applications at the links below:
(Please note per Town of Greenwich policy, the link will expire in 7 days)

1141 King Street - PLPZ 2021 00502
1141 King Street - PLPZ 2021 00503
1141 King Street - PLPZ 2021 00504
The Greenwich Planning and Zoning Commission will hold a public hearing on the applications on a date, time, and place to be published on the Town of Greenwich website. You may appear and be heard at any hearing on this application. Any questions and/or comments on the application may also be addressed to this agency by telephone (203-622-7894) between the hours of 8:00 am to 4:00 pm weekdays, in person at Greenwich Town Hall between the hours of 8:00 and 3:30 pm Mondays, Tuesdays, Thursdays and Fridays or by email to the address provided below.

Thank you,

Bianca Dygert
Planner II

Town of Greenwich
Land Use - Planning & Zoning
101 Field Point Road
Greenwich, CT 06830-6463
Ph. (203) 622-7894
Office Fax. (203) 622-3795
Direct Fax. (203) 861-6113
Bianca.Dygert@greenwichct.org

www.greenwichct.gov

CAUTION: This email originated from outside the Town email system. Do not click links or open attachments unless you have verified the sender and know the content is safe.
Mr. Peter Mangs, Applications Coordinator  
Planning & Zoning  
Town of Greenwich  
101 Field Point Road  
Greenwich, CT 06830

RE: Site Plan & Special Permit Application - 1141 King Street, Greenwich, CT 06830

Dear Peter:

Enclosed please find the following in connection with the above referenced application:

1. Site Plan Review Checklist;  
2. Site Plan Application;  
3. Special Permit Application;  
4. Green Area Exhibit;  
5. Authorization Letter;  
6. Tax Assessor’s Field Card;  
7. GIS Maps;  
8. Affidavit of Notice to Abutting Property Owners;  
9. Project Narrative;  
10. Wetland Narrative;  
11. Landscape Plans;  
12. Architectural Plan Set with FAR worksheets;  
13. Site Plan Set including drainage plan, construction notes and septic plans;  
14. Volume Calculations;  
15. Residence & Greenhouse Grade Plane;  
16. Drainage Report;  
17. Cultural Resources Reconnaissance Survey;  
18. Topographic Survey;  
19. Proposed modifications to Conservation Zones 6-23 through 6034; and  
20. Check in the amount of $3,440.00 representing the fee for a Site Plan & Special Permit Application, Rezoning Fee and State fee.

Electronic copies of the above materials were submitted on November 4th via email. Thank you for your assistance in this matter.

Very Truly Yours,

[Signature]

Thomas J. Heagney

TJH/em
Enclosures
Hand Delivered
Site Plan Review Checklist

Property Address: 1141 King Street, Greenwich, CT 06831

Anticipated Type of Application: Site Plan & Special Permit

Tax ID: 10-2740

All applications for preliminary and final site plan approval shall be made on the appropriate forms as provided by the Planning Staff. The following items must also be provided with the application. If any of the following items are not filed at the time of application, the application may be returned to the applicant in order that it may be filed in the entirety at an appropriate future date. Required Items: (Sec. 6-14)

Please check the items submitted below:

☐ 1. Fifteen copies of a survey, folded to 9" x 12", showing existing conditions, including:
   ☑ a. Locations and dimensions of all existing buildings, structures, fences, retaining walls, utility facilities, trees of six (6) inches or more in diameter at breast height, and other similar features.
   ☑ b. Existing contours at no more than a two-foot vertical interval, unless waived by the commission Staff in circumstances where such contours may not be necessarily pertinent. The survey shall indicate topographic conditions of property immediately adjoining the subject parcel.
   ☑ c. The location of all existing watercourses, intermittent streams wetlands as required by IWVA, Flood Hazard Lines as determined by FEMA, springs and rock outcrops or a note indicating that none exist, with the sources of information listed.
   ☑ d. The zone in which the land to be developed falls and the location of any town and zone boundary lines within or adjoining the tract, and yard dimensions to existing buildings. Lot area, by zone, shall be indicated.
   ☑ e. The title of the development, date, revision date if any and nature of revision, north arrow, scale, and the name and address of owner and names of owners of adjacent land.
   ☑ f. Street and property lines, curbs, edges of pavement, sidewalks, easements, right-of-way, covenants, and deed restrictions.
   ☑ g. Traffic lights and controls, public trees, catch basins, hydrants, and power and telephone lines in adjacent streets.
   ☑ h. Certification with the signature and seal or registration number of a registered land surveyor licensed in the State of Connecticut that the drawing is substantially correct to A-2 Standards, and that the property is in a designated zone under the zoning regulations.

☐ 2. Fifteen sets of a detailed Site development plan, at a readable scale, folded to 9" x 12", prepared in accordance with all applicable Town standards including the Roadway Design and Drainage Design Manuals, and signed by a professional architect, land surveyor, or engineer licensed in the State of Connecticut, showing:
   ☑ a. Location, dimension, and elevation of all proposed buildings, structures, walls, fences.
   ☑ b. Location dimensions and surface treatment of all existing and proposed parking and loading spaces, traffic access and circulation drives, and pedestrian walks. Sidewalks are to be provided as required by the Building Zone Regulations.
   ☑ c. Approximate location of proposed utility lines, including water, gas, electricity, sewer and the location of any transformers.
   ☑ d. Note specifying source of water supply and method of sewage disposal.
   ☑ e. Existing and proposed contours at units of no more than a two-foot interval unless waived by the Commission's staff. Cuts and fills and estimates of blasting to be submitted at time of final site plan.
   ☑ f. Location, size and type of proposed landscaping and buffer planting and the designation of those areas of natural vegetation not to be disturbed.

☐ g. Any other similar information determined by the Commission staff to provide for the proper enforcement of the Building Zone Regulations.

☑ h. Zoning statistics including: Gross Floor Area, Floor Area Ratio, Usable Floor Area, Required Parking, Actual Parking

pzSitePlanChecklist 2020
Provided, Building Height, Building Footprint, and Area Devoted to Surface parking, Building and Drives.

☐ i. Provisions for compliance with Americans with Disabilities Act (Handicap Access) and State Building Code.

☐ j. Coastal Area Management Application for projects within the Coastal Overlay Zone.

☑ 3. Eight sets of architectural plans, signed and sealed by an architect registered in the State of Connecticut, of all floors, all exterior elevations showing existing and proposed grade conditions. Elevations are to detail architectural elements by labeling materials, color and dimensions. Each architectural elevation shall show the absolute building height as well as building height for zoning purposes. All HVAC facilities are to be shown on architectural elevations.

☑ 4. Three copies of Floor Plan Work Sheets with the dimensions and calculated floor areas for each floor prepared in accordance with Sec. 6-5(22). Consult Commission Staff for required format.

☐ 5. Three copies of “building coverage” computation sheets.

☐ 6. Three copies of “area devoted to surface parking, building, and drives” worksheets.

☐ 7. Five copies of sight distance certification reports when required by a preliminary site plan review or when advised by the commission staff pursuant to item 2(g) of this checklist.

☐ 8. Three copies of Volume calculations per 6-101.

☐ 9. Completed Traffic Impact Evaluation Form if applicable. Submission requirements are defined on the form, available at the Commission office. A traffic report may be required.

☑ 10. Ten copies of completed application form signed by applicant or authorized agent, owners and contract purchasers, as applicable.

☑ 11. Ten copies of completed Special Permit form, if required by Building Zone Regulations.

☐ 12. Fifteen copies of detailed, inclusive narrative description of the proposed project. For those projects involving amendments to the Building Zone Regulations and/or amendments to the Building Zone Regulation Map, the narrative description must provide the section number and text for the proposed amendments to the BZR and an explanation providing justification for the proposal. For map changes, a scaled drawing at 1" to 400' needs to be provided for affected areas(s).

☐ 13. Eight copies of reductions in, 11 x 17 size, or other appropriate size, providing a readable, clear plan of proposed site development and architectural plans.

☐ 14. A showing that an adequate source of potable water is available to satisfy the needs of the proposed development as per Sec. 6-15(a) (5), signed by C.A.W.C.

☐ 15. An affidavit certifying that all abutting property owners have been notified, as evidenced by the submission of a certificate of mailing or certified or registered mail receipts about said application. A schedule of names, addresses, shown on a GIS map with lot lines indicating the location of the notified property owners. Owners of lots, or portions of lots, which are across a public or private street shall be deemed to be abutting property owners. For projects which require the preliminary review by the Conservation Commission, the notice shall be sent by the applicant to abutting owners two weeks prior to any scheduled hearing date of the Conservation Commission.

☐ 16. Authorization for the agent and contract purchasers to act on behalf of the certified property owner(s).

☐ 17. A separate schematic plan at a scale no larger than 1"-100" indicating buildings, parking and drives on the site and all adjoining properties, including those across the street, and the nearest cross street.

☑ 18. Five copies of a Drainage Summary Report as per Department of Public Works and the Town Drainage Design Manual. The summary report must be prepared in accordance with the following formats: PRELIMINARY: Existing and proposed storm water distribution, existing and proposed runoff rates, capability of off-site drainage facilities to accommodate proposed runoff, capability of off-site soils to accommodate percolation or detention if proposed, and identification of proposed drainage structures. FINAL: Final structure design details, prior approval from IWHA, Engineering Division and Conservation Commission as appropriate, and all information required by the preliminary report or two copies of drainage exemption forms.

☐ 19. In accordance with Sec. 6-183.1 to 6-183.10 of the Building Zone regulations, tree protection and sedimentation and erosion control plans shall be submitted with all site plan applications.

☑ 20. All applications for final site plans shall be in the form of a survey prepared by a registered Connecticut land surveyor having metes and bounds, dimensions of all buildings, parking and drives, setbacks of all structures from property lines, setbacks between buildings, and certification that building dimensions shown thereon are the same as the approved architectural plans Architectural and drainage plans are to be references by title, date(s) and sheet numbers.

☐ 21. Required fee submitted at time of application (see fee schedule).

☐ 22. "It is the belief of the PZC staff that this application is incomplete because of the failure of the applicant to provide the materials
referred to above. This application will be reviewed by the PZC and a decision made as to whether it is complete or incomplete at its public meeting to be held in the PZC office."

All applicants must make an appointment to submit this application with the Applications Coordinator, Peter Mangs, who can be reached by (email) Peter.Mangs@greenwichct.org or (phone) 203-622-7894.

NOTE: Any new documentation presented at Planning and Zoning Meetings shall be submitted to staff so that they can be made part of the record. Please ensure all documents can easily be removed from presentation boards.
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: 1141 King Street, Greenwich, CT 06831
Tax ID: 10-2740

Property Owner: Plaza 200, LLC
Address: 1141 King Street, Greenwich, CT 06831

Email: ___________________________ Cell Phone: ___________________________ Other Phone: ___________________________

Applicant: Plaza 200, LLC
Address: 1141 King Street, Greenwich, CT 06831

Email: ___________________________ Cell Phone: ___________________________ Other Phone: ___________________________

Authorized Agent: Heagney, Lennon & Slane, LLP
Address: 31 East Elm Street, Greenwich, CT 06830

Email: THeagney@HLS248.com

Select One: ☐ Pre-Application  ☑ Final

Zone(s): RA-4_ Lot Area: 833,673 sq. ft.

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 New York (for notification)
☒ Amendment to Building Zone Regulations – Section(s) 6-23(c); 6-26; 6-31(c)
☒ Amendment to Building Zone Map – Zone(s) affected RA-4 to RA-CC4
☒ 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 # ___________________________

pzSitePlanApp 2020
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<td>☐ Additions</td>
<td>☐ Alterations</td>
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<td>☐ Re-Construction</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: 1141 King Street, Greenwich, CT 06831
_________________________________________ Tax ID: 10-2740

Property Owner 1: Plaza 200, LLC
Address: 1141 King Street, Greenwich, CT 06831
Email: _________________________________ Cell Phone: _________________________________ Other Phone: _________________________________
Signature: *See Authorization Letter
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: Plaza 200, LLC
Address: 1141 King Street, Greenwich, CT 06831
Email: _________________________________ Cell Phone: _________________________________ Other Phone: _________________________________
Signature: *See Authorization Letter
Date: __________

Authorized Agent: Heagney, Lennon & Slane, LLP
Address: 31 East Elm Street, Greenwich, CT 06830
Email: Theagney@HLS248.com Cell Phone: _________________________________ Other Phone: (203) 661-8400
Signature: ________________________________ Date: 11/4/21

pzSignaturePage 2020
## BUILDING GROSS FLOOR AREA

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<th>Gross Floor Area</th>
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<td>House 1</td>
<td>8,813 sf</td>
<td>39'-11 1/2&quot;</td>
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<tr>
<td>House 2</td>
<td>10,457 sf</td>
<td>45'-8&quot;</td>
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<tr>
<td>House 3</td>
<td>9,705 sf</td>
<td>37'-10&quot;</td>
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<td>House 4</td>
<td>9,705 sf</td>
<td>37'-4 3/8&quot;</td>
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<td>House 5</td>
<td>9,705 sf</td>
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<td>Greenhouse</td>
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<td>Shed</td>
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Total Gross Floor Area: 48,385 sf
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<td>522.1'</td>
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<td>Side</td>
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<td>DWELLING 3: 37’-10”</td>
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<td>DWELLING 4: 37’-4 3/8”</td>
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<td>DWELLING 5: 37’-10 1/8”</td>
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<td>40% MIN. (333,479 SF)</td>
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<td>40.03% (333,755 SF)</td>
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</table>
Special Permit Application

Property Address: 1141 King Street, Greenwich, CT 06831
Property Owner: Plaza 200, LLC
Applicant: Plaza 200, LLC
Authorized Agent: Heagney, Lennon & Slane, LLP
Email: pl200@hls248.com

Address: 1141 King Street, Greenwich, CT 06831
Cell Phone: Other Phone:
Address: 31 East Elm Street, Greenwich, CT 06830
Cell Phone: Other Phone: (203) 661-8400

Zone(s): RA-4 Lot Area: 19.14 ac

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 GBO 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 Turnpike 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
NARRATIVE

This application involves a 19.1385 acre parcel on the east side of King Street. It is bordered on the east by property owned by the Audubon Society, to the north by Convent of the Sacred Heart, to the west by the Greenwich Woods nursing home and two single-family homes, and to the south by the Chieftains Conservation Subdivision.

The applicant proposes to develop the property in a cluster approach with five detached dwellings, a green house, shed and tennis court.

The significant wetland pocket on the westerly side of the property would be enhanced and preserved. The steep slopes adjacent to the Audubon Society property would also be preserved in a conservation zone.

The existing house and barn on the property would be removed. The existing road from the site to King Street would be retained as the sole access to the development.

Applicant proposes to rezone the property from RA-4 to RA-CC4. This will allow for the preservation of the large wetland meadow in the center of the site and the steep slopes on the easterly portion of the property. This will protect areas and terrain which have qualities of natural beauty and will preserve and maintain the existing character and setting of the site and preserve significant vistas. It will also protect areas of significant vegetation and wildlife habitat and protect areas with slopes greater than 15% in grade to prevent chronic erosion of soils and the substantial alteration of topography.

All structures will be 100 feet from the closest property line. In order to preserve the significant meadow area Applicant proposes to modify the Sections 6–23(c), 6–26 and 6–31(c) so that RA-CC4 zone can apply to parcels greater than 10 acres while preserving at least 40% of the site in a conservation easement area.

Respectfully Submitted,

Thomas J. Heagney
Dated: November 4, 2021
Property To Be Re-Zoned

= Re-Zoned From RA-4 to RA-CC4
= Re-Zoned From RA-4 to RA-CC4
= Re-Zoned
From RA-4
to RA-CC4
Ms. Bianca Dygert, Planner II
Town of Greenwich
101 Field Point Road
Greenwich, CT 06830

RE: PLPZ 2021 00502
1141 King Street, Greenwich, CT 06831

Dear Bianca,

After meeting with the Inland Wetlands and Watercourse Agency and the Conservation Commission, we have prepared revised plans for the proposed five dwelling units at 1141 King Street.

The revised plans increase the conservation easement area from 40 to 50%, relocate the tennis, shed and greenhouse to the southerly portion of the property, increases the conservation easement area on the east side of the wetlands on the property. Additional street trees along the driveway and revised species list are also included.

At the suggestion and request of the Conservation Commission and the Inland Wetlands and Watercourses Agency Members, we are submitting a revised amendment to the Building Zone Regulations to allow for accessory structures such as pools, tennis courts and green houses to be located 50 feet rather than 100 feet from the property line. A revised Notice to Abutting Property Owners and Affidavit are also attached.

Enclosed are copies of our site engineer Tighe & Bond’s letters to the Health Department and Wetlands Agency detailing changes both to the septic and overall site plans.

Copies of the revised plans and the revised wetland meadow management plan are also included. Thank you for your assistance.

Very truly yours,

Thomas J. Heagney
DIVISION 3. CONSERVATION ZONES. 3

Sec. 6-23. CONSERVATION ZONES; PURPOSE.

(a) The intent of this Division is to provide alternatives to residential development permitted under other sections of these Regulations when such alternatives will more appropriately assure the conservation of land in the manner prescribed in this Division.

(b) The Planning and Zoning Commission, upon application in the manner prescribed herein, after a public hearing and considerations of the recommendations of the Conservation Commission, may permit at existing or lower densities residential development conforming to the standards and requirements of the appropriate Conservation Zone described herein when the Commission finds that such rezoning will best conserve and preserve land to assure that its development will best maintain or enhance the appearance, character and natural beauty of an area and when one (1) or more of the following purposes are accomplished:

1. To preserve land for park and recreation purposes;
2. To preserve and protect particular areas and terrain which have qualities of natural beauty or historic interest;
3. To protect streams, rivers, and ponds as natural resources and to avoid flooding, erosion and water pollution;
4. To preserve wetlands, marshlands, tidelands, marine and wildlife habitats and other natural environments of value to the Town;
5. To preserve natural features along roadways so as to maintain existing character.

2/18/82

(c) The Planning and Zoning Commission upon application in the manner prescribed herein, after a public hearing and consideration of the recommendations of the Conservation Commission, may grant a Conservation Zone consisting of less than ten (10) acres in R-7, R-12 and R-20 zones and less than 20 acres in RA-4, RA-2 and RA-1 zones when the Planning and Zoning Commission finds that such rezoning will preserve and protect particular areas and terrain which have qualities of natural beauty or value, and will accomplish one or more of the following purposes:

1. To preserve and maintain the existing character and setting of a site and to preserve vistas and streetscapes.
2. To preserve parkland and passive recreation areas.
3. To preserve and protect areas and terrain which have historic interest including the setting and landscaping of historic buildings, as may be determined by the Planning and Zoning Commission after consultation with the Historic District Commission.
4. To preserve desirable features along roadways such as, but not limited to, stone fences, geological formations, and significant vegetation.

6/17/83

(d) The Planning and Zoning Commission, upon application in the manner prescribed herein, after a public hearing and consideration of the recommendations of the Conservation Commission, may permit at existing or lower densities residential development conforming to the standards and requirements of the appropriate Conservation Cluster Zone described herein when the Commission finds that such rezoning is consistent with Sec. 6-23(b) and will best conserve and preserve land and natural resources to assure that development will:

1. protect inland wetlands and watercourses from disruption by filling, grading or other alteration, or

1/6/88

3 State law reference: As to authority to create conservation zones, see C.G.S. §8-2.
(2) protect areas of significant vegetation and wildlife habitat, including rare or endangered plants and animals or specimen trees or significant stands of trees, or (1/6/88)
(3) protect areas with slopes greater than 15% in grade to prevent the chronic erosion of soils, the substantial alteration of topography, the loss of significant vegetation and trees, and the alteration of drainage patterns including the increase in stormwater runoff, or (1/6/88)
(4) protect streams, rivers, ponds and wetlands from flooding, sedimentation and erosion, and pollution from septic systems, road runoff and other chemicals or (1/6/88)
(5) protect natural features along roadways and protect areas and terrain which have historic interest and value including the setting and landscaping of historic buildings, or (1/6/88)
(6) protect and preserve existing open spaces for active and passive recreation purposes. (1/6/88)

Sec. 6-24. PLANNING AND ZONING COMMISSION APPROVAL.

(a) Conservation Zones are each subject to approval by the Planning and Zoning Commission.
(b) The Planning and Zoning Commission on its own motion, on the petition of the Conservation Commission, or on the petition of one or more property owners, upon a finding that a Conservation Zone will more effectively accomplish the purposes of Sec. 6-23 than the corresponding residential zone, may establish a Conservation Zone.

Where attached housing is proposed, or where cluster development without lot division lines is proposed, the Commission shall find that the Conservation Zone is appropriate to the neighborhood having consideration for the number and proximity of single family detached dwellings; for the visible impact on the streetscape and single family neighborhoods; for the number, character and proximity of other uses; for the amount and location of undeveloped land in the vicinity and the relationship of proposed conservation land to the pattern of existing open space in the area; for the proximity of other zones either more or less restrictive; and other standards provided in this article and the standards contained in Sec. 6-15 and 6-17. (1/6/88)

Sec. 6-25. CLASSES OF CONSERVATION ZONES.

A Conservation Zone may only be applied to land within the existing corresponding residential zone as follows:

RA-C4 4-Acre Residential Conservation Zone corresponding only to RA-4
RA-CC4 4-Acre Residential Conservation Cluster Zone corresponding only to RA-4 (1/6/88)
RA-C2 2-Acre Residential Conservation Zone corresponding only to RA-2
RA-CC2 2-Acre Residential Conservation Cluster Zone corresponding only to RA-2 (1/6/88)
RA-C1 1-Acre Residential Conservation Zone corresponding only to RA-1
R-C20 20,000 sq. ft. Residential Conservation Zone corresponding only to R-20
R-C12 12,000 sq. ft. Residential Conservation Zone corresponding only to R-12
R-C7 7,500 sq. ft. Residential Conservation Zone corresponding only to R-7

(1/6/88)
Sec. 6-26. SIZE OF ZONE.

The total acreage for any RA-C4, RA-C2, and RA-C1 Conservation Zone shall consist of not less than twenty (20) acres unless the Commission, pursuant to Sec. 6-23(c), finds a smaller area to be appropriate and for any R-C20, R-C12 and R-C7 Conservation Zone not less than ten (10) acres unless the Commission, pursuant to Sec. 6-23(c), finds a smaller area to be appropriate. (4/26/85)

The total acreage for any RA-CC4 and RA-CC2 Conservation Cluster Zone shall be not less than fifty (50) acres. (1/6/88)

Sec. 6-27. USE REGULATIONS.

(a) The principal permitted uses shall be:

RA-C4, RA-C2 and RA-C1: Same as corresponding zones and not more than two attached single family houses per building as the result of conversion of a structure which was existing and listed with the Tax Assessor as of Dec. 1, 1981.

In the RA-CC4 and RA-CC2 zones, cluster development shall be permitted allowing development up to the applicable density of the underlying zone without the necessity of lot division lines and as hereinafter provided. No attached housing shall be permitted except as provided for in RA-C4 and RA-C2 zones. (1/6/88)

R-C20 and R-C12: Same as corresponding zones, and not more than four attached single family houses, singly or in groups of buildings.

R-C7: Same as permitted in R-7 and not more than six attached single family houses, singly or in groups of buildings. (2/18/82)

(b) The regulations of accessory uses shall be the same as in the corresponding residential zone except that recreational facilities such as tennis courts, swimming pools and bath houses shall be used solely by the residents of the particular conservation zone and their guests. Clubs not operated for commercial profit shall be permitted when authorized by the Board of Appeals as a special exception.

(c) The parking regulation shall be:

Same as Section 6-154 or Section 6-155 as applicable.

Sec. 6-28. NUMBER OF DWELLING UNITS.

The number of dwelling units permitted in the Conservation Zone shall not exceed the number obtained by dividing the total acreage by the minimum lot size permitted in the existing corresponding zone. (11/13/2014)

Sec. 6-29. FLOOR AREA RATIO AND HEIGHT REQUIREMENTS. (5/17/2000)

A) The maximum floor area ratio and front, rear and side yard setbacks for lots in a Conservation Zone shall be the same as those of the existing underlying zone in accord with Section 205 (a)(i.e. RAC-4 = underlying RA-4 zone FAR).
For detached housing in the RA-C4 and RA-C2 zones only, a 25% increase in F.A.R. is permitted above the maximum F.A.R. for the Conservation zone lots in the underlying existing zones. (1/15/2003)

For detached housing in the RA-C1 and R-C20, R-C12, and R-C7 zones only, a 15% increase in F.A.R. for the Conservation Zone lots is permitted above the maximum F.A.R. for the underlying existing zones. These percentage increases result in the following Floor Area Ratios:

RA-C4: .0781
RA-C2: .1125
RA-C1: .155
R-C20: .259
R-C12: .362
R-C7: .41 (1/15/2003)

B) For attached housing in the R-C20, R-C12 and R-C7 zones only, a 25% increase in F.A.R. is permitted above the maximum FAR for the underlying existing zone. This increase is not applicable to Conservation Cluster zones or single family residences and lots in a Conservation zone. For attached housing, the area of the deed restricted conservation land within the conservation zone is not to be used for FAR calculations.

C) The height, lot area, lot shape and frontage requirements for lots in a Conservation zone shall be the same as those of the next lower zone in accord with the schedule of Sec. 6-205 (a) and 6-30(a) as noted in Sec. 6-205. (5/17/2000)

Sec. 6-30. LOT AND BUILDING REQUIREMENTS.

(a) The setback from the zone boundary shall be of such size and character as to be compatible with surrounding zoning and uses, but in no case shall the setback be less than the required front yard of the underlying existing residential zone or 40 feet, whichever is greater. In the RA-CC4 and RA-CC2 zones there shall be a 100-foot setback from any zone boundary line. A minimum setback of 50 feet shall be permitted for accessory structures such as pools, tennis courts and greenhouses.

(b) For attached housing, setbacks from conservation land within the conservation zone shall equal the minimum side yard setbacks for the existing underlying zone; however, in no case shall the setback be less than 15 feet. (5/17/2000)

(c) Lots in a conservation zone shall conform to other requirements of Sec. 6-29, and 6-30, Divisions 12 and 21 of this Article, and where required to conform to the standards of the next lower zone, to the schedule of Sec. 6-205(a) and as follows:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>RA-C4</td>
<td>same as RA-2</td>
</tr>
<tr>
<td>RA-C2</td>
<td>same as RA-1</td>
</tr>
<tr>
<td>RA-C1</td>
<td>same as RA-20</td>
</tr>
<tr>
<td>R-C20</td>
<td>same as R-12</td>
</tr>
<tr>
<td>R-C12</td>
<td>same as R-7</td>
</tr>
<tr>
<td>R-C7</td>
<td>same as R-7</td>
</tr>
</tbody>
</table>

(d) Attached single family houses are permitted as follows:

RA-C4, RA-C2 and RA-C1: Not more than two attached single family houses per building as the result of conversion of a structure which was existing and listed with the Tax Assessor as of Dec. 1, 1981. RA-CC4 and RA-CC2: Same as RA-C4 and RA-C2.
R-C20 and R-C12: Not more than four attached single family houses, singly or in groups of buildings.
R-C7: Not more than six attached single family houses, singly or in groups of buildings.

(e) For attached housing the minimum distance in feet between two principal buildings within a Conservation Zone shall be equal to the sum of the number of stories of the two buildings multiplied by eight; for cluster housing permitted hereunder, the minimum distance between two principal buildings shall be the sum of the number of stories multiplied by 12 in the RA-CC4 zone, and multiplied by 10 in the RA-CC2 zone. (1/6/88)

(f) Parking and patios or decks if located in setbacks shall be placed so as to minimize encroachment upon areas and terrain which have qualities of natural beauty. There shall be an adequate buffer area between the conservation land boundary and structures, parking areas or patios or decks so as to minimize encroachment on land designated for conservation. (4/19/2006)

(g) Notwithstanding the provisions of Sec. 6-30 (a) (b) and (c), the Commission, upon application for Special Permit and upon a finding that the purposes of Sec. 6-23 would be so served, may authorize any of the following:
1. Setbacks not less than the requirements of the corresponding zone;
2. A greater number of attached single family houses per building in the R-C20, R-C12 or R-C7 zones; but not to exceed the number permitted in Sec. 6-28.
3. In case of a building existing as of December 1, 1981, the division of said building into a number of separate dwelling units not to exceed the number permitted by Sec. 6-28 above;
4. A lesser distance between principal buildings. (2/18/82)

Sec. 6-31. CONSERVATION LAND REQUIREMENTS.

(a) The Conservation land in any Conservation Zone shall be located entirely within the Conservation Zone and shall be in one contiguous piece except that where the Commission finds that the purposes of Sec. 6-23 would be more effectively served by separated parcels. The Conservation land shall have suitable access from a street and shall have shape, dimension, character and location to promote the conservation purposes specified in Sec. 6-23, and shall be marked on site by monuments. (2/18/82)

(b) The use of such conservation land shall be consistent with the purposes specified in Section 623.

(c) The area of the Conservation land in a Conservation zone shall not be less than forty percent (40%) of the total tract for single family detached housing development and for conversions of existing houses from detached to attached single family units, or fifty percent (50%) of the total tract for single family attached housing development unless the Commission finds a smaller area to be appropriate. (2/18/82)

The area of Conservation land in RA-CC4 and RA-CC2 Conservation Cluster Zones shall be not less than sixty (60%)—forty fifty (50%)—percent unless the Planning and Zoning Commission finds that a smaller area but not less than fifty (50%) is more appropriate. (1/6/88)

(d) The conservation land shall be preserved and maintained solely for the purposes specified in Section 6-23 in such manner as shall be approved by the Commission.

(e) Subject to the approval of the Commission the method for effectuating such preservation and maintenance of the Conservation Land shall be:

1. The establishment of a neighborhood association made up of all owners in the Conservation Zone each of whom shall have an undivided interest in the conservation
§6-31

LAND USE

land; said association shall have the power to assess the members for all necessary costs; or
(2) The conveyance of said Conservation Land to the Nature Conservancy, to a local land
Trust, to the Greenwich Audubon Society or to the Town of Greenwich when the
Commission deems such conveyance appropriate. Conveyance of land to the Town is
subject to acceptance by the Representative Town Meeting; or
(3) The conveyance of said Conservation Land to such non-profit entity as shall be
approved by the Commission upon a finding that the preservation and maintenance of
the Conservation Land and any buildings or structures thereon, if any, can appropriately
be effectuated by such non-profit entity. (1/21/90)

Sec. 6-32. TRUST, EASEMENT OR COVENANT FOR CONSERVATION LAND, FILING.

(a) Under the method prescribed in Section 6-31(e)(1) and (3), the Commission shall require the
owner of the conservation land and any building or structures thereon, if any, to execute,
acknowledge and file with Land Records of the Town such maps and documents, as in the
opinion of the Town Attorney, will effectively create a trust, easement or covenant running
with the land, for the benefit of the adjoining land owners and of the Town, which: (8/13/90)
(1) Will be binding on all future owners of the conservation land;
(2) Will not be affected by any change in zoning or land use;
(3) May be enforced by adjoining property owners or the Town by appropriate action in
court for damage or equitable relief;
(4) Will be perpetual;
(5) Will assure appropriate maintenance of the conservation land and any buildings or
structures thereon, if any, to the satisfaction of the Planning and Zoning Commission;
(8/13/90)
(6) Shall provide that such trust, easement or covenant may not be modified, altered,
amended or changed without the written approval of the Town acting jointly by its
Planning and Zoning Commission, Board of Selectmen and Representative Town
Meeting, or such municipal officers or agencies as may have succeeded them and with
the unanimous approval of all the property owners in the Conservation Zone; and,
(7) Shall provide that if maintenance, preservation and/or use of the conservation area and
any buildings or structures thereon, if any, no longer complies with the provisions of the
trust, easement or covenant, the Town may take all necessary action to assure
compliance and assess against the association all costs incurred by the Town for such
purposes. (8/13/90)

(b) Under the method prescribed in Section 6-31(e)(2), the recipient of the conservation land shall
be required to give assurances satisfactory to the Commission that the conservation land
shall be preserved and maintained solely for the purposes specified in Section 6-23 and shall
execute, acknowledge and file in the Land Records of the Town such maps and documents
as the Commission shall deem appropriate for such purpose.

Sec. 6-33. APPLICATION FOR ZONE APPROVAL.

(a) Application by petition of one or more property owners for the inclusion of a specific area in the
appropriate Conservation Zone shall be submitted in writing in such form as the Commission
may require and shall include the following:
(1) Of the land proposed for rezoning, a statement describing conservation purposes to be accomplished
and an environmental assessment by a person qualified to perform same,
the plan for accomplishing said purposes and evidence to establish that a Conservation Zone will better serve the purposes of Sec. 6-23 than a conventional zone, and further,

that a Conservation Cluster Zone will better serve the purposes of Sec. 6-23 than a standard Conservation Zone. In the case of a Conservation Zone of less than 10 acres or 10 lots the Town Planner or his/her designee may waive the requirement for an environmental assessment after consultation with the Conservation Commission. (1/6/88)

(2) A subdivision map meeting all of the requirements for approval of a subdivision under the Subdivision Regulations of the Town showing the proposed subdivision of the land in accordance with the appropriate Conservation Zone requirements as herein specified; and

(3) A Special Permit application and all documents required for Site Plan approval under Sec. 6-14 for attached housing development and for development of cluster housing without lot division lines. (1/6/88)

(4) Such additional information as the Commission may deem necessary to make a reasonable decision on the application.

(b) The Commission may on its own motion or on petition of Conservation Commission whether or not an application has been made for a conventional subdivision, propose rezoning to a Conservation Zone. The procedure followed shall be the same as by petition, except that no subdivision map or site plan shall be required. Procedure on petition of Conservation Commission shall be the same as with the Planning and Zoning Commission. (1/6/88)

(c) No conservation zone shall be established unless the Planning and Zoning Commission finds that the establishment of the zone will be of sufficient benefit to the public in that it accomplished one or more of the purposes of Sec. 6-23 and will be of greater benefit to the town than a conventional subdivision. No conservation cluster zone shall be established without an affirmative showing that conservation purposes are better served by a clustered rather than a standard conservation zone development. (1/6/88)

Sec. 6-34. ZONE APPROVAL PROCEDURE.

(a) The Commission shall pursue the following procedure in acting upon a Conservation Zone application:

1. The Commission shall hold a public hearing within sixty (60) days after submission of application as required by Section 6-33 preceded by the same notice required for hearings on zoning applications. Recommendations of the Conservation Commission and all other municipal agencies may be made at such Public Hearing or within fifteen (15) days after such hearing.

2. Within sixty (60) days after conclusion of the Public Hearing on the proposed Conservation Zone Plan, the Commission may grant the Conservation Zone and may approve the application if the Commission make findings pursuant to Sec. 6-23.

3. If the Conservation Zone is granted on the motion of the Commission, or on petition of Conservation Commission, a subdivision plan or any required site plan consistent with the approved zone must be submitted subject to the approval of the Planning and Zoning Commission.

4. No building permit or certificate of occupancy shall be issued by the Building Official, nor shall the Town accept any street, should the Conservation Plan, Subdivision Plan or Site Plan be changed in any way without the approval of the Commission. (2/18/82, 4/24/13)