

START: 6:30 p.m.
END: 1:25 a.m.

TENTATIVE AGENDA

FINAL AGENDA

ACTION AGENDA

**TOWN OF GREENWICH
PLANNING AND ZONING COMMISSION
Town Hall Meeting Room
101 Field Point Road, Greenwich, CT**

**WEDNESDAY
February 18, 2009**

REVISED

**ACTION AGENDA
WITH DECISIONS**

Regular Members Present and Seated: Donald Heller, Frank Farricker, and Raymond Heimbuch

Regular Member Absent: Richard Maitland, and Paul Marchese

Alternate Members Present: Margarita Alban, and Frederic Brooks

Alternate Member Absent: Ellen Avellino

Staff Members Present: Diane W. Fox, Director Planning and Zoning/Zoning Enforcement Coordinator/Town Planner, and Katie Blankley, Deputy Director Planning and Zoning/Assistant Town Planner

EXECUTIVE SESSION 6:45 PM

1. To discuss settlement of pending litigation on Carolyn Properties 63 Church Street.

Motion to move into executive session at 6:45 p.m.

Moved by Farricker, seconded by Alban

All in favor of entering executive session:

Heller, Farricker, Heimbuch, Alban, and Brooks

Motion to leave executive session at 6:58 p.m.

Moved by Farricker, seconded by Heimbuch

All in favor of leaving executive session:

Heller, Farricker, Heimbuch, Alban, and Brooks

REGULAR MEETING 7:00 PM

1. Settlement of pending litigation on Carolyn Properties 63 Church Street.

Motion to approve settlement on Carolyn Properties subject to withdrawal of pending lawsuit and withdrawal of present application FSP #3696 and SP #3697

Moved by Heimbuch, seconded by Farricker

Voting in favor of settlement: Heller, Farricker, Heimbuch, Alban, and Brooks

5-0

2. **Dwight E. Danielson Et. al;** application FRSB #1948 for another 90-day extension to file the mylar (first 90-day extension granted at the 11/25/08 meeting) for a previously approved re-subdivision application FRSB #1948 to create Lot "5-R" containing 16,752 sq. ft. and Lot "4-R" containing 16,369 sq. ft. and Open Space Parcel "NB" containing 5,850 sq. ft., which represents 15.01% of the original parcel area on a 38,971 sq. ft. property located at 220 Overlook Drive in the R-12 zone. *(Staff: CT) (Applicant's Presentation: 5 minutes) (Must decide by 3/8/2009) (Page Number: 8)*

Motion to approve 90-day extension

Moved by Heimbuch, seconded by Alban

Voting in favor: Heller, Heimbuch, Alban, and Brooks

4-0

Farricker recused

3. **North Street Department of Public Works Field Maintenance Facility and Animal Shelter;** application FSP #3779 for a final site plan to demolish an existing 2,890 sq. ft. maintenance building and construct a new 8,400 sq. ft. field maintenance building and a 3,500 sq. ft. animal shelter and associated site improvements on a 23 acre property located at 393 North Street in the RA-1 zone. *(Staff: DF) (Applicant's Presentation: 10 minutes) (Must decide by 2/19/2009) (Maximum extension available to 4/25/2009) (Page Number: 18)*

Motion to approve final site plan with modifications

Moved by Heimbuch, seconded by Brooks

Voting in favor: Heller, Farricker, Heimbuch, Alban, and Brooks

5-0

4. **Former Cos Cob Power Plant Remediation and Redevelopment;** application FSP #3781-C for a final coastal site plan for remediation of the site and construction of a multi-use town park including a synthetic turf athletic field, children's playscape area, two pavilions and a walking trail on a 9.678 acre property located at 22 Sound Shore Drive in the R-6 zone. (Staff: KB) (Applicant's Presentation: 10 minutes) (**Must decide by 2/19/1009**) (Maximum extension available to 4/25/2009) (Page Number: 59)

Application Closed

5. **Metro PCS New York, LLC;** application FSP #3756 for a final site plan to allow the installation of a wireless telecommunications facility consisting of antennas and a related equipment (the "Facility") on the existing rooftop at 2 Old Post Road (mailing address 57 Old Post Road) on a 0.332 acre property located at 57 Old Post Road #2 in the GB zone. (Staff: CT) (Applicant's Presentation: 10 minutes) (**Must decide by 2/19/2009**) (Maximum extension available to 3/23/2009) (Page Number: 141)

Application Postponed – Extension Granted to March 11, 2009

PUBLIC HEARING 7:30 PM

6. **LuDor Corporation & Chase Branch Bank, Lessee;** application PSP #3813-C and SP #3814-C for a preliminary coastal site plan and special permit to demolish an existing restaurant of 2,762 sq. ft. and maintain a Dunkin Donuts/Baskin Robbins of 2,012 sq. ft. and construct a new bank of 2,702 sq. ft. with drive-thru facilities and 40 parking spaces and associated site improvements on a 35,115 sq. ft. property located at 371 East Putnam Avenue in the LB zone. (Staff: KB) (Applicant's Presentation: 10 minutes) (**Must open by 4/9/2009**) (Maximum extension available to 6/13/2009) (Page Number: 176)

Application Left Open to March 10, 2009

7. **Estate of Anthony R. Petri;** application FRSB #1962 for a final re-subdivision to create Lot 19 of 7,933 square feet and Lot 20 of 7,753 square feet and an open space parcel of 2,808 square feet on a 18,494 square foot property located at 36 Hartford Avenue in the R-7 zone. (Staff: PL) (Applicant's Presentation: 5 minutes) (**Must decide by 2/19/2009**) (Maximum extension available to 4/1/2009) (Page Number: 248)

Application converted to preliminary re-subdivision
Motion to move to final re-subdivision with modifications
Moved by Heimbuch, seconded by Farricker
Voting in favor: Heller, Farricker, Heimbuch, Alban, and Brooks
5-0

8. **Round Hill Community Church and Community House;** application PSP #3769 and SP #3770 for a preliminary site plan and special permit to increase the Church by approximately 900 square feet for a new administrative wing, and an increase the Community House by 2,321 square feet, both of which will address ADA compliance, and reconfiguring of parking spaces on a 12.033 acre property located at 395 Round Hill Road in the RA-4 zone. *(Staff: CT) (Applicant's Presentation: 30 minutes) (Must open by 2/18/2009) (Maximum extension available to 4/4/2009) (Page Number: 274)*

Motion to move to final site plan with modifications

Moved by Heimbuch, seconded by Brooks

Voting in favor: Heller, Farricker, Heimbuch, Alban, and Brooks

5-0

No action on special permit

9. **Philip Bartels, Trustee;** application FSP #3764-C and SP #3765-C for a final coastal site plan and special permit for residential additions to an improved property for a total of 10,836 square feet where the improvements exceed 150,000 cubic feet in volume on property located at 51 Dawn Harbor Lane in the RA-1 zone. *(Staff: CT) (Applicant's Presentation: 15 minutes) (Must open by 2/19/2009) (Maximum extension available to 4/4/2009) (Page Number: 348)*

Motion to approve final coastal site plan and special permit with modifications

Moved by Heimbuch, seconded by Farricker

Voting in favor: Heller, Farricker, Heimbuch, Alban, and Brooks

5-0

10. **Omathaun Limited Partnership;** application PSP #3777 and SP #3778 for a preliminary site plan and special permit to demolish a 5,712 sq. ft. building and construct a new three-story building containing 11,752 sq. ft. comprising 1,800 sq. ft. of office space, 4,862 sq. ft. of retail space, and 3,887 sq. ft. of residential spread among three dwelling units and 9 parking spaces on a 6,550 sq. ft. property located at 376-380 Greenwich Avenue in the CGBR zone. *(Staff: MK) (Applicant's Presentation: 20 minutes) (Must open by 2/19/2009) (Maximum extension available to 4/25/2009) (Page Number: 404)*

Application Postponed – Extension Granted to March 10, 2009

11. **644 West Putnam Associates LLC**; application PSP #3737 and SP #3738 for a preliminary site plan and special permit to construct a two story, 35,902 square foot commercial building with retail on the first floor to be used by a bank and a drug store, with drive-up windows (ATM only for the bank), and retail/office on the second floor with 190 spaces and 9 handicapped spaces on a 74,512 sq. ft. property located at 644 West Putnam Avenue in the LB and GBO zones. (*Staff: DF*) (*Applicant's Presentation: 30 minutes*) (**Must close by 3/5/2009**) (*Maximum extension granted to close*) (*Continued from the 11/25/2008 meeting*) (*Seated: Heller, Farricker, Heimbuch, Maitland and Brooks (for Marchese)*) (*Page Number: 435*)

Application Closed

12. **Harvest Time Assembly of God, Inc.**; application PSP #3775 and SP #3776 for a preliminary site plan and special permit to amend Phase II development by increasing the originally approved seats in a proposed 4,350 sq. ft. addition for the Sanctuary from 600 to 1,000 seats and increase the parking from 200 to 334 spaces including 14 handicapped spaces and associated site improvements to the septic system and landscaping on a 10.557 acre property located at 1338 King Street in the RA-4 zone. (*Staff: PL*) (*Applicant's Presentation: 15 minutes*) (**Must close by 2/24/2009**) (*Maximum extension available to 4/30/2009*) (*Continued from the 1/20/2009 meeting*) (*Seated: Heller, Farricker, Heimbuch, Maitland and Alban (for Marchese)*) (*Page Number: 489*)

~~Application Postponed—Extension Granted to March 25, 2009~~
Application Closed at the January 20, 2009 Meeting

13. **Pickwick Properties LLC**; application FSP #3771 and SP #3772 for a final site plan and special permit for the relocation of office space to eliminate 1,818 sq. ft. within Level B and replace it with 1,059 sq. ft. of office space on the fourth floor and construct a 24 seat indoor restaurant and a 72 seat seasonal outdoor dining area on a 3.091 acre property located at 1, 2, 3, and 3A Pickwick Plaza in the CGBR/CGIO zone. (*Staff: DF*) (*Applicant's Presentation: 15 minutes*) (**Must close by 2/24/2009**) (*Maximum extension available to 4/4/2009*) (*Continued from the 1/20/2009 meeting*) (*Seated: Heller, Farricker, Heimbuch, Maitland and Alban (for Marchese)*) (*Page Number: 515*)

Application Closed

14. **John A. Viesta, dba Restaurant Saito;** application FSP #3784 and SP #3785 for a final site plan and special permit for a change of use from a car dealership to a restaurant with 40 seats and conversion of the second floor from storage to an apartment and reduce the parking spaces to 17 and one handicap space on a 8,768 sq. ft. property located at 249 Railroad Avenue in the GB zone. *(Staff: CT) (Applicant's Presentation: 10 minutes) (Must close by 2/24/2009) (Maximum extension available to 4/4/2009) (Continued from the 1/20/2009 meeting) (Seated: Heller, Farricker, Heimbuch, Maitland and Alban (for Marchese) (Page Number: 533)*

Motion to approve final site plan and special permit with modifications
Moved by Farricker, seconded by Brooks
Voting in favor: Heller, Farricker, Heimbuch, Alban, and Brooks
5-0

15. **Carolyn Properties, LLC;** application FSP #3696 and SP #3697 for a final site plan and special permit to amend final site plan/special permit approval #2059.1 to permit an expanded group of uses for the Professional Office portion of the property at 63 Church Street on a 6,820 square foot property located at 63 Church Street in the LBR-2 zone. *(Staff: DF) (Applicant's Presentation: 10 minutes) (Continued from the 11/13/2008 and 11/25/2008 meetings) (Seated: Heller, Farricker, Maitland, Marchese, and Alban for Heimbuch) (Maximum extension granted to leave open to 2/21/2009)*

Application Withdrawn

REGULAR MEETING CONTINUED

16. **DISCUSSION ITEMS:**

17. **DECISION ITEMS:**

- a. **Olga Kogan;** application FSP #3742 and SP #3743 for a final site plan and special permit to construct a single-family residence of 21,127 square feet to exceed 150,000 cubic feet in volume on a 7.0578 acre property located at 18 Simmons Lane in the RA-2 zone. *(Staff: KB) (Applicant's Presentation: 15 minutes) (Must close by 1/20/2009) (Continued from the 12/16/2008 meeting) (Seated: Heller, Farricker, Maitland, Alban, and Brooks) (Maximum extension available to close to 3/26/2009)*

Application FSP #3742 and SP #3743 will not be decided until the March 10, 2009 Meeting

18. **APPROVAL OF MINUTES:**

January 15, 2009

January 20, 2009

February 3, 2009

Motion to approve minutes

Moved by Farricker, seconded by Heimbuch

Voting in favor: Heller, Farricker, Heimbuch, Alban, and Brooks

5-0

19. **OTHER:**

- a. Executive Session on pending litigation or personnel matters. - None
- b. Other items as may properly come before the Commission. - None