

TENTATIVE AGENDA

FINAL AGENDA

ACTION AGENDA

**TOWN OF GREENWICH  
PLANNING AND ZONING COMMISSION**

**Town Hall Meeting Room  
101 Field Point Road, Greenwich, CT**

**April 28, 2009**

**ACTION AGENDA  
WITH DECISIONS**

*Regular Members Present and Seated: Donald Heller, Frank Farricker, Raymond Heimbuch, Richard Maitland, and Paul Marchese*

*Alternate Members Present: Ellen Avellino, Margarita Alban, and Frederic Brooks*

*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*

**REGULAR MEETING 7:00 PM**

1. **Lake Avenue/Merritt Parkway CTDOT Property Transfer;** application FSP #3877 for a final site plan request to convey property from CTDOT to the Town of Greenwich to maintain a buffer between the Merritt Parkway and the residential community, per State of Connecticut requirements this parcel must be used for Open Space purposes only on a 4.35 acre property located at Lake Avenue in the RA-2 zone. (Staff: MK) (Applicant's Presentation: 10 minutes) (Must decide by 6/18/2009) (Maximum extension available to 8/22/2009) (Page Number: 9)

Motion to approve final site plan with modifications

Moved by Heimbuch, seconded by Farricker

Voting in favor: Heller, Farricker, Heimbuch, Maitland, and Marchese  
5-0

2. **I-95 Horseneck CTDOT Property Lease;** application FSP #3878 for a final site plan to enter into a lease agreement with CTDOT to use a 0.86 acre parcel located between the I-95 southbound entrance ramp and the railroad at the Horseneck/Field Point Road junction for storage space for highway materials on a 0.86 acre property located on Field Point Road in the R-12 zone. (Staff: PL) (Applicant's Presentation: 10 minutes) (Must decide by 6/18/2009) (Maximum extension available to 8/22/2009) (Page Number: 22)

Motion to approve final site plan with modifications

Moved by Heimbuch, seconded by Farricker

Voting in favor: Heller, Farricker, Heimbuch, Maitland, and Marchese  
5-0

3. **New Country Audi, New Country Volkswagen;** request for a two-year extension of site plan approvals on FSP/SP #2559 at 211 West Putnam Avenue (Audi). *(Staff: KB) (Site Plan expires 5/31/2009) (Page Number: 34)*

Motion to grant request for extension with modification as follows:  
(extension granted for one-year only)

Moved by Farricker, seconded by Heimbuch

Voting in favor: Heller, Farricker, Heimbuch, Maitland, and Marchese  
5-0

4. **Lighthouse Lane;** application FSP #3862-C for a final coastal site plan to replace 200' of drainage pipe on Lighthouse Lane. *(Staff: MK) (Applicant's Presentation: 10 minutes) (Must decide by 6/18/2009) (Maximum extension available to 8/22/2009) (Page Number: 43)*

Motion to approve final coastal site plan with modifications

Moved by Heimbuch, seconded by Maitland

Voting in favor: Heller, Farricker, Heimbuch, Maitland, and Marchese  
5-0

5. **Old Mill Properties;** application FSB #1965 for a final subdivision to create two lots where Lot No.1 knows as 16 Cherry Valley Road would comprise 3.765 acres and Lot No. 2 would comprise 4.001 on a 7.766 acre property located at 16 Cherry Valley Road in the RA-4 zone. *(Staff: PL) (Applicant's Presentation: 10 minutes) (Must decide by 5/25/2009) (Maximum extension available to 7/24/2009) (Page Number: 58)*

Application Left Open – Continued to the May 12, 2009 Meeting

6. **Conatus Capital;** application FSP #3825-C for a final coastal site plan to install a new generator on a 4.179 acre property located at 2 Greenwich Plaza in the **CGB GB** zone. *(Staff: CT) (Applicant's Presentation: 5 minutes) (Must decide by 6/28/2009) (Maximum extension granted) (Page Number: 82)*

Motion to approve final coastal site plan with modifications

Moved by Farricker, seconded by Maitland

Voting in favor: Heller, Farricker, Heimbuch, Maitland, and Marchese  
5-0

7. **OPR #2, LLC;** application PSP #3812 for a preliminary site plan to relocate the existing parking in compliance with the 1985 site plan approval for this property, and the relocation of a garbage dumpster, reconfiguration of the walkway on site on a 14,462 sq. ft. property located at 57 Old Post Road #2 in the GB zone.  
*(Staff: DF) (Applicant's Presentation: 10 minutes) (Must decide by 4/28/2009) (Maximum extension available to 6/13/2009) (Continued from the 3/24/2009 meeting) (Seated: Donald Heller, Frank Farricker, Raymond Heimbuch, Richard Maitland, and Paul Marchese) (Page Number: 111)*

Motion to move to final site plan with modifications  
Moved by Maitland, seconded by Farricker  
Voting in favor: Heller, Farricker, Heimbuch, and Maitland  
Voting against: Marchese  
4-1

### **PUBLIC HEARING 7:30 PM**

8. **North American Energy System;** applications PSP #3810 and SP #3811 for a proposed new medical office building, and relocation of a handicapped space on a 14,000 sq. ft. property located at Lot 5-2 Old Post Road #2 in the GB zone.  
*(Staff: DF) (Applicant's Presentation: 10 minutes) (Must close by 4/28/2009) (Maximum extension available to 7/2/2009) (Continued from the 3/24/2009 meeting) (Seated: Donald Heller, Frank Farricker, Raymond Heimbuch, Richard Maitland, and Paul Marchese) (Page Number: 148)*

Motion to move to final site plan  
Moved by Maitland, seconded by Farricker  
Voting in favor: Farricker  
Voting against: Heller, Heimbuch, Maitland, and Marchese  
1-4

Motion to deny final site plan and special permit  
Moved by Maitland, seconded by Heimbuch  
Voting in favor of denial: Heller, Heimbuch, Maitland, and Marchese  
Voting against denial: Farricker  
4-1

Applications PSP #3810 and SP #3811 is denied

9. **Harvest Time Assembly of God, Inc.;** applications FSP #3859 and SP #3776 for a final 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 the northerly 90 to be constructed of turf block 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) (Must decide by 4/30/2009) (Maximum extension granted) (Page Number: 174)*

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

10. **SG Greenwich, LLC;** applications FSP #3835 and SP #3836 for a final site plan and special permit, for a change of use to convert the first floor from editorial and business offices, classified and display advertising sales, and newspaper sales by the Greenwich Times to general office use on a 16,391 sq. ft. property located at 20 East Elm Street in the CGB zone. *(Staff: CT) (Applicant's Presentation: 10 minutes) (Must open by 5/14/2009) (Maximum extension available to 7/18/2009) (Page Number: 206)*

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

11. **DCH Midland, LLC dba BMW of Greenwich;** applications FSP #3855 and SP #3856 for a final site plan and special permit to construct a new car showroom of 8,488 square feet and 41 parking spaces on a 32,234 sq. ft. property located at 359 West Putnam Avenue in the GB zone. *(Staff: CT) (Applicant's Presentation: 20 minutes) (Must open by 5/28/2009) (Maximum extension available to 8/1/2009) (Page Number: 239)*

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

12. **Heidi Smith;** applications FSP #3860-C and SP #3861-C for a final coastal site plan and special permit to construct a pool pavilion, walks and terraces, and enclose a screened in porch to increase the floor area to 11,637 square feet where the structure is over 150,000 cubic feet in volume on a 3.5 acre property located at 15 Field Point Circle in the RA-2 zone. *(Staff: KB) (Applicant's Presentation: 10 minutes) (Must open by 6/18/2009) (Maximum extension available to 8/22/2009) (Page Number: 271)*

Application Left Open

## REGULAR MEETING CONTINUED

### 13. DISCUSSION ITEMS:

Modification of approval letter for **Pickwick Properties LLC**, record owner, for a final site plan and special permit, FSP #3771 and SP #3772, and requirements for square footage of storage, office, and restaurant use. (*Page Number: 291*)

Commission finds that a revised letter is necessary.

### 14. DECISION ITEMS:

- a. **One Glenville Street;** application SP #3845 for a **SPECIAL PERMIT ONLY** to demolish the existing building and existing 3-car garage, construct a new building on the same footprint, re-construct existing 2<sup>nd</sup> accessory structure to provide garage parking spaces, and pave gravel driveway, and rear parking areas on a 9,279 sq. ft. property located 1 Glenville Street in the LBR-2 zone. (*Staff: DF*) (*Must decide by 7/2/2009*) (*Maximum extension granted*) (*Moved to final at the 3/24/2009 meeting*) (*Seated: Heller, Farricker, Heimbuch, Maitland, and Marchese*)

No Action

- b. **Omathaun Limited Partnership;** application SP #3778 for a **SPECIAL PERMIT ONLY** 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*) (*Must decide by 6/29/2009*) (*Maximum extension granted*) (*Moved to final at the 3/10/2009 meeting*) (*Seated: Heller, Farricker, Heimbuch, Maitland, and Marchese*)

No Action

- c. **Round Hill Community Church and Community House;** application SP #3770 for a **SPECIAL PERMIT ONLY** 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*) (*Must decide by 5/8/2009*) (*Maximum extension granted*) (*Moved to final at the 2/18/2009 meeting*) (*Seated: Heller, Farricker, Heimbuch, Alban (for Marchese) and Brooks (for Maitland)*)

Application Withdrawn

- d. **Robert Dietrich Family Limited Partnership;** applications SP #3820 for a **SPECIAL PERMIT ONLY** to construct a new 10,388 sq. ft. building containing two floors of retail and a third floor for two two-bedroom

apartments and an actualization of an equal area exchange of 437 square feet that was approved by the RTM in June 1987 on a 3,693 sq. ft. property located at 415-417 Greenwich Avenue in the CGBR zone. *(Staff: MK) (Must decide by 7/23/2009) (Maximum extension granted) (Moved to final at the 4/14/2009 meeting) (Seated: Heller, Farricker, Heimbuch, Marchese and Maitland)*

No Action

- e. **LuDor Corporation & Chase Branch Bank, Lessee;** applications SP #3814-C for a **SPECIAL PERMIT ONLY** 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) (Must decide by 5/28/2009) (Maximum extension available to 7/2/2009) (Moved to final at the 4/14/2009 meeting) (Seated: Heller, Farricker, Heimbuch, Alban for Marchese, and Brooks for Maitland)*

No Action

- f. **Greenwich Council Boy Scouts of America;** application SP #3803 for a **SPECIAL PERMIT ONLY** to construct a 43+/- feet tall climbing tower and associated 29+/- sq. ft. shed and seating area on a 158 acre property located at 411 Riversville Road in the RA-4 zone. *(Staff: PL) (Must decide by 6/18/2009) (Maximum extension granted) (Moved to final at the 3/10/09 meeting) (Seated: Heller, Farricker, Heimbuch, Maitland, and Marchese)*

No Action

15. **APPROVAL OF MINUTES:**

April 6, 2009  
April 14, 2009

Motion to approve minutes of April 6, 2009 and April 14, 2009  
Moved by Heimbuch, seconded by Farricker  
Voting in favor: Heller, Farricker, Heimbuch, Maitland, and Marchese  
5-0

16. **OTHER:**

- a. Executive Session on pending litigation or personnel matters. - None

- b. Other items as may properly come before the Commission. - None

**APPLICATIONS HEARD PREVIOUSLY THAT WILL BE HEARD ON  
SUBSEQUENT MEETINGS**

**701 Putnam-Post Road Partnership, LLC & McIntyre Putnam-Post Road Partnership, LLC (Greenwich Digital Media Center);** applications PSP #3823 and SP #3824 for a preliminary site plan and special permit to demolish the existing building of 3,200 sq. ft. used for automotive service and repair, and construct a new building of 9,445 square feet for office use and retention of 10 parking spaces and the addition of 45 spaces on the property and through a lease agreement on adjacent property owned by CL&P on a 30,552 sq. ft. property located at 701 West Putnam Avenue in the R-6 zone. *(Staff: CT) (Applicant's Presentation: 20 minutes) (Must close by 5/19/2009) (Maximum extension available to 7/23/2009) (Continued from the 4/14/2009 meeting) (Seated: Donald Heller, Raymond Heimbuch, Richard Maitland, Paul Marchese and Fred Brooks (for Frank Farricker - recused))*

**Sheldon and Hong Chong Pang;** applications FSP #3848 and SP #3849 for a final site plan and special permit to demolish the existing house of 5,226 square feet and tennis court and construct a new residence of 14,681 square feet over 150,000 cubic feet in volume and a pool, tennis court, and drive on a 3.243 acre property located at 17 Brookridge Drive (*filed as 18 Stanwich Road*) in the RA-1 zone. *(Staff: PL) (Applicant's Presentation: 10 minutes) (Must close by 5/19/2009) (Maximum extension available to 7/23/2009) (Continued from the 4/14/2009 meeting) (Seated: Donald Heller, Raymond Heimbuch, Richard Maitland, Paul Marchese and Frank Farricker)*

**Pascarella Mason Street LLC;** applications FSP #3826 and SP #3863 for a final site plan and special permit to convert 1,149 sq. ft. of storage area in the building penthouse to a fitness center for use by tenants only on a 29,545 sq. ft. property located at 165 Mason Street in the CGB zone. *(Staff: DF) (Applicant's Presentation: 10 minutes) (Must close by 5/19/2009) (Maximum extension available to 7/23/2009) (Continued from the 4/14/2009 meeting) (Seated: Donald Heller, Raymond Heimbuch, Richard Maitland, Paul Marchese and Frank Farricker)*