

TENTATIVE AGENDA

FINAL AGENDA

ACTION AGENDA

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

**Wednesday
May 6, 2009**

**ACTION AGENDA
WITH DECISIONS**

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

PUBLIC HEARING 7:00 PM

1. **2009 Plan of Conservation and Development;** to hear from the public on the final revised draft dated May 6, 2009.

Public Hearing on POCD is Closed

2. **Greenwich Council Boy Scouts of America;** applications FSP #3866 and SP #3803 for a final site plan and special permit to construct a 43+/- feet tall climbing tower and associated 29+/- sq. ft. shed and seating area on the Seton Reservation on a 158 acre property located at 411 Riversville Road in the RA-4 zone. (Staff: PL) (Applicant's Presentation: 10 minutes) (Must decide by 6/18/2009) (Maximum extension granted to 8/22/2009) (Page Number: 5)

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

3. **221 Round Hill Road, LLC**; applications PSP #3864 and SP #3865 for a preliminary site plan and special permit to construct a new single family house with guest cottage and indoor swimming pool totaling 16,968 square feet in excess of 150,000 cubic feet in volume, relocate the existing septic system, maintain existing driveway, and maintain the existing barn on site on a 19.856 acre property located at 221 Round Hill Road in the RA-2 zone. *(Staff: MK) (Applicant's Presentation: 10 minutes) (Must open by 6/18/2009) (Maximum extension available to 8/22/2009) (Page Number: 26)*

Motion to move to final site plan with modifications
Moved by Maitland, seconded by Heimbuch
Voting in favor: Heller, Farricker, Heimbuch, and Maitland *(Alban seated for Marchese)*
Abstaining: Alban
4-1

No action on special permit

REGULAR MEETING

4. **Brian Raabe and Rachel Overton**; application FSP #3868-C for a final coastal site plan to replace a deteriorated timber bulkhead with a concrete seawall on a 6,150 square foot lot located at 7 Oak Lane in the R-12 zone. *(Staff: KB) (Applicant's Presentation: 10 minutes) (Must decide by 6/18/2009) (Maximum extension available to 8/22/2009) (Page Number: 58)*

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

5. **Christopher P. Iannaccone and Michele R. Iannaccone**; application FSP #3871-C for a final coastal site plan to demolish an existing dwelling and construct a new dwelling, driveway, landscaping, site drainage and a pool on a 18,500 square foot lot (18,469.4 square feet excluding coastal land under water) located at 15 Bryon Road in the R-12 zone. *(Staff: KB) (Applicant's Presentation: 20 minutes) (Must decide by 6/18/2009) (Maximum extension available to 8/22/2009) (Page Number:92)*

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

6. **DISCUSSION ITEMS:** None

7. **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 2nd 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. **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

- d. **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

8. **APPROVAL OF MINUTES:**

None

9. **OTHER:**

- a. Executive Session on pending litigation settlement of pending appeal.

Motion to go into executive session at 9:15 pm

Moved by Farricker, seconded by Heller

All in favor: Heller, Farricker, Heimbuch, Maitland, and Marchese

Upon a second motion to go out of executive session 9:30pm

Moved by Farricker, and seconded by Maitland

All in favor: Heller, Farricker, Heimbuch, Maitland, and Marchese

Discussion of pending litigation regarding Catalano vs Town of Greenwich Church Street Public Accessway and proposed settlement. Farricker moved to approve settlement and site plan of S.E. Minor & Co., Inc. and Matt Popp Landscape plan, seconded by Heimbuch with the following modifications: strike language of indemnification in Section #6; and the changes to the railing design to preclude horizontal bars.

Voting in favor: Heller, Farricker, Heimbuch, Maitland, and Marchese

5-0

- 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)*

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 close by 6/2/2009) (Maximum extension available to 8/6/2009) (Continued from the 4/28/2009 meeting) (Seated: Donald Heller, Raymond Heimbuch, Richard Maitland, Paul Marchese and Frank Farricker)*