

TOWN OF GREENWICH PLANNING AND ZONING COMMISSION

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

September 1, 2009

ACTION AGENDA WITH DECISIONS

Regular Members Present and Seated: Frank Farricker, Raymond Heimbuch, and Richard Maitland

Absent: Donald Heller, and Paul Marchese

Alternate Member Present: Ellen Avellino, Margarita Alban (seated for Heller), and Frederic Brooks (seated for Marchese)

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. **Robert J. McCreary**; for a 90-day extension for the filing of the mylar for previously approved at the June 23, 2009 meeting application FRSB #1968 for a final re-subdivision to consolidate 16 Thunder Mountain Road of 2.109 acres (1.887 acres minus deducted area) and 20 Thunder Mountain Road of 2.774 acres (2.586 acres minus access strip) to create one lot of 4.883 acres (4.661 acres excluding deficiency) on properties located at 16 and 20 Thunder Mountain Road in the RA-2 zone. *(Staff: CT) (Page Number: 5)*

Motion to approve request for 90-day extension for filing of the mylar

Moved by Maitland, seconded by Heimbuch

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

5-0

2. **North Mianus School Parking Expansion**; applications FSP #3909 and MI #0573 for a final site plan and municipal improvement for the reconstruction and

expansion of a 39 space parking lot to 104 spaces, addition of a bus queuing lane, relocation of playing field, construction of sidewalks consistent with ADA requirements and associated drainage on a 9.53 acre property located at 309 Palmer Hill Road in the R-12 zone. *(Staff: DF) (Applicant's Presentation: 10 minutes) (Must decide site plan by 10/3/2009 and MI by 9/15/2009) (Maximum extension granted)(Continued from the 6/9/2009 and 7/21/09 meetings) (Seated: Heller, Farricker, Heimbuch, Maitland and Alban (for Marchese))*

Application Withdrawn

3. **261 East Putnam Avenue, LLC;** application FSP #3969-C for a final coastal site plan to maintain a performing arts studio with a retail component in a 462 square foot space where the remainder of the 1,895 square foot building is residential (2 units) on a 9,230 square foot property located at 261 East Putnam Avenue in the LBR zone. *(Staff: MK) (Applicant's Presentation: 10 minutes) (Must decide by 10/22/2009) (Maximum extension available to 12/26/2009) (Page Number: 9)*

(Seated: Heimbuch, Maitland, Avellino, Alban, and Brooks)
Farricker recused

Motion to approve final coastal site plan
Moved by Heimbuch, seconded by Brooks
Voting in favor: Heimbuch
Voting against: Maitland, Avellino, Alban, and Brooks
1-4

Motion to deny final coastal site plan
Moved by Brooks, seconded by Avellino
Voting in favor of denial: Maitland, Avellino, Alban, and Brooks
Voting against denial: Heimbuch
4-1

Application is denied

4. **Peoples United Bank;** application FSP #3958-C for a final coastal site plan to demolish an existing restaurant and construct a new one story 470 square foot bank building for drive-up tellers on a 21,471 sq. ft. property located at 85 East Putnam Avenue in the LB zone. *(Staff: DF) (Applicant's Presentation: 10 minutes) (Must decide by 10/22/2009) (Maximum extension available to 12/26/2009) (Page Number: 27)*

Application Postponed to September 21, 2009

5. **Old Mill Properties;** application FSB #1974 for a final subdivision to create two lots where Lot No.1 known 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 9/29/2009) (Maximum extension available to 11/28/2009) (Page Number: 58)*

Motion to approve final subdivision with modifications
Moved by Heimbuch, seconded by Maitland
Voting in favor: Farricker, Heimbuch, Maitland, Alban, and Brooks
5-0

6. **Tom S. Ward, Trustee;** application FSP #3928-C for a final coastal site plan to demolish the existing dwelling and construct a new dwelling and pool on a 1.541 acre property located at 11 Island Lane in the RA-1 zone. *(Staff: PL) (Applicant's Presentation: 10 minutes) (Must decide by 10/17/2009) (Maximum extension available to 10/17/2009) (Continued from the 7/21/09 meeting) (Seated: Farricker, Heimbuch, Marchese and Alban) (Page Number: 79)*

(Seated: Farricker, Heimbuch, Alban, and Brooks for Marchese)

Motion to approve final coastal site plan with modifications
Moved by Heimbuch, seconded by Brooks
Voting in favor: Farricker, Heimbuch, Alban, and Brooks
4-0

7. **Valley Stone Partners, LLC;** application FSP #3968 for a final site plan to modify the previously approved site plan #3597 to include a 10' by 9' area immediately to the north of the parking area to display three plaques and a bench with information relative to the historic area on a 5,287 square foot property located at 301 Valley Road in the LBR-1-HO zone. *(Staff: MK) (Applicant's Presentation: 10 minutes) (Must decide by 10/22/2009) (Maximum extension available to 12/26/2009) (Page Number: 146)*

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

PUBLIC HEARING 7:30 PM

8. **Omathaun Limited Partnership;** applications FSP #3961 and SP #3962 for a final site plan and special permit to demolish a 5,712 sq. ft. building and construct a new three-story building containing 11,189 sq. ft. comprising 1,789 sq. ft. of

office space, 5,508 sq. ft. of retail space, and 3,892 sq. ft. of residential spread among three dwelling units and 9 parking spaces plus one handicapped space 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 10/22/2009) (Maximum extension available to 12/26/2009) (Page Number: 170)

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

REGULAR MEETING CONTINUED

9. DISCUSSION ITEMS:

- a. **Putnam Green (aka Greenwich Place)**; removal of trees. (Page Number: 209)

The following shall be submitted to Planning and Zoning Commission staff: Applicant to submit, a) Letter from owner authorizing Girouard Associates as property manager to represent them for applications; b) Arborist report on how the removal of the 48 trees impacts the landscaping plans for the approved site plan (approved by the Board of Appeals in 1960's and the site plan special permit to Planning and Zoning in 2007 for a new clubhouse; c) A replacement landscape plan for screening and planting per Section 6-177(a) (3) and; d) Narrative regarding safety issues the trees to be removed pose to structures. The Town Tree Warden will review the arborist report and provide a written opinion to Planning and Zoning staff regarding the removal of the trees.

- b. **1076 East Putnam Avenue**; modification of site plan Riverside Teahouse #3516 and special permit #3517 regarding location of handicapped parking space. (Page Number: 218)

Commission agreed to amend decision letter and eliminate requirement of handicapped space in front yard based on the Building Official's confirmation that a new striped handicapped space off Riverside Avenue behind the row of stores qualifies under State Statute for ADA compliance. There will be no parking space in front at all, and applicant will submit a revised plan to show the walkway in compliance with ADA standards from the existing sidewalk on East Putnam Avenue to the doorway entry of the new building, as well as a landscape plan in front of the building. These changes will be reviewed by ARC as well as any façade changes needed for the ADA compliant walkway. Applicant will

also submit a site plan showing new revised parking (including the handicapped space) off Riverside Avenue in the rear of the buildings.

- c. **DPW**; request to modify site plan approval condition for issuance of CO for Police Building. (*Page Number: 236*)

Commission agreed to allow the issuance of the final CO of the Police Building without conforming to the approval condition that prior to CO the 18 parking spaces on the Town Hall Annex property facing Mason Street be re-opened to the general public and not for the exclusive use of the Fire Department personnel. Since the Fire Department main building has not been submitted for final plans, there is still a need for maintaining these spaces for the Fire Department personnel. However, the Commission will revisit this issue within five (5) years, if application for the Fire Station has not been approved and the building has not been reconstructed within the next five (5) years.

10. **DECISION ITEMS:**

None

11. **APPROVAL OF MINUTES:**

July 21, 2009

Motion to approve minutes of July 21, 2009

Moved by Heimbuch, seconded by Farricker

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

5-0

12. **OTHER:**

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