

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

**September 21, 2009
ACTION AGENDA
WITH DECISIONS**

Regular Members Present and Seated: Donald Heller, Frank Farricker, Raymond Heimbuch, Richard Maitland, and Paul Marchese
Alternate Member Present: Margarita Alban (arrived for the Public Hearing items) and Frederic Brooks
Alternate Members 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

REGULAR MEETING 7:00 PM

1. Update and progress report on POCD Implementation.

Pursuant to the 06/22/09 memo from Diane Fox, Town Planner to the Planning and Zoning Commission regarding Planning Priorities, which was subsequently distributed to the public, the schedule for the study on impervious surfaces is as follows:

Beginning in July and anticipated to take 6 months:

- Planning and Zoning will review each property for existing lot and building coverage in all residential zones.
- Provide existing %'s for each lot and provide a range of existing %'s for each residential zone.
- Using these ranges, staff will develop proposed % limits for each zone and see how much new development that will allow on each property and how many non-conforming lots would be created with each % limitation in each residential zone. This is to try to minimize the number of non-conformities that would be created in each zone.

Next 3 months: January 2010 – March 2010:

- Staff will meet with DPW after developing conceptual percentages for each zone and have Engineering Division review these proposals for estimates of runoff and drainage issues and to evaluate flooding issues that may or may not occur with these limits.
- Public information meetings will be held to allow residents to see and hear the draft regulations proposals and provide input to the Commission and staff.
- Public hearings will be held on proposed regulations to limit amount of lot coverage (impervious surfaces).

The project is on schedule. The percent of each lot that is covered with impervious surfaces has been quantified and mapped. This information is also broken out by conforming lots, non-conforming lots, and a total over all lots. As expected the non-conforming lots across all zones have higher percentages of impervious surfaces. Not only are the lot sizes smaller, but the setbacks drop down to the next lower zones allowing for more impervious area. It is also no surprise that the larger acreage zones have less percent impervious. The data that has been compiled to date is still in draft form and is therefore not available to the public at this time. As described above, it is anticipated that the Planning and Zoning Commission will hold public hearings in January 2010.

2. **Birch Lane Sewer Line – Michael and Barbara Murray;** applications FSP #3965 and MI #0575 for a final site plan and municipal improvement to install a low pressure sewer system from 63 Birch Lane to the existing sewer manhole approximately 900 feet from the property located at 63 Birch Lane in the RA-1 zone. *(Staff: DF) (Applicant's Presentation: 10 minutes) (Must decide FSP by 10/22/2009 and MI by 9/25/09) (Maximum extension available to 12/26/09 for FSP and 12/24/2009 for MI) (Page Number: 6)*

Motion to approve final site plan with modifications

Moved by Heimbuch, seconded by Maitland

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

Motion to approve municipal improvement

Moved by Heimbuch, seconded by Maitland

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

3. **Luca's Steakhouse;** application FSP #3996 for a final site plan to modify the approved layout for the first floor restaurant, kitchen and bar area pursuant to the

6/17/08 decision letter of FSP #3463 and SP #3467 on a 1.89 acre property located at 35, 39, 43, and 47 Church Street, 2, 3, and 4 Putnam Court and 32, 36, and 42 Sherwood Place in the CGBR/CGB/R-6 zones. (*Staff: DF*) (*Must decide by 11/25/2009*) (*Maximum extension available to 1/29/2010*) (*Page Number: 18*)

Motion to approve final site plan for revisions to the first floor restaurant seating layout only with modifications
Moved by Maitland, seconded by Heimbuch
Voting in favor: Heller, Farricker, Heimbuch, Maitland, and Marchese
5-0

4. **Shemin Nurseries, Inc.;** application FSB #1972 for a final subdivision to create 5 lots where 3 are rear lots and 2 are fronting lots off a proposed road and 3 open space parcels that together total 18.3% of dedicated open space and 11.1% of “non-developable areas” on a 44.1029 acre property located at 1081 King Street in the RA-2 zone. (*Staff: PL*) (*Applicant’s Presentation: 10 minutes*) (*Must decide by 10/29/2009*) (*Maximum extension granted*) (*Page Number: 42*)

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

PUBLIC HEARING 7:30 PM

5. **Anthony R. Petri;** application FRSB #1975 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: 10 minutes*) (*Must decide by 10/5/2009*) (*Maximum extension available to 12/4/2009*) (*Page Number: 218*)

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

6. **KLGC, LLC;** applications FSP #3963 and SP #3964 for a final site plan and special permit to construct a single family residence of 22,257 square feet over 150,000 cubic feet in volume per on a 20.115 acre property located at 28 Conyers

Farm Drive in the RA-4 zone. *(Staff: CT) (Applicant's Presentation: 15 minutes) (Must open by 10/22/2009) (Maximum extension available to 12/26/2009) (Page Number: 234)*

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

7. **Brian and Randye Kwait;** application FRSB #1973 for a final re-subdivision to transfer 6,052 sq. ft. of land into deed restricted open space and transfer 5,501 sq. ft. of land out of the deed restricted open space area as shown on Map No. 6878 on a 5.135 acre property located at 75 Rock Maple Road in the RA-2 zone. *(Staff: CT) (Applicant's Presentation: 10 minutes) (Must decide by 11/5/2009) (Maximum extension granted) (Page Number: 273)*

Motion to find not a subdivision or re-subdivision
Moved by Heimbuch, seconded by Farricker
Voting in favor: Heller, Farricker, Heimbuch, Maitland, and Marchese
5-0

8. **Cos Cob Financial Plaza;** applications FSP #3976 and SP #3977 for a final site plan and special permit to allow for a physical training tenant to occupy a portion of the approved first floor space in the east building, an area in the first floor garage (eliminating 2 parking spaces) and a portion of the basement area currently designated for storage only on a 34,421 sq. ft. property located at 444-450 East Putnam Avenue in the LB zone. *(Staff: MK) (Applicant's Presentation: 10 minutes) (Must open by 10/22/2009) (Maximum extension available to open to 12/26/2009) (Page Number: 295)*

Application Left Open – Must Close by October 26, 2009

REGULAR MEETING CONTINUED

9. **Marc and Marilyn Andersen, Trustees;** application FSP #3956-C for a final coastal site plan to remove the existing dwelling and construct a new dwelling of 9,988 sq. ft., driveway, walks, decks and associated improvements on a 0.729 acre property located at 19 Meadow Place in the R-12 zone. *(Staff: MK) (Applicant's Presentation: 10 minutes) (Must decide by 10/22/2009) (Maximum extension available to 12/26/2009) (Page Number: 324)*

Application Postponed by Applicant to the October 6, 2009 Meeting

10. **DISCUSSION ITEMS:**

- a) 9 Tulip Street; alteration to an existing three-family dwelling and accessory garage on a 13,413 sq. ft. lot in the R-6 zone. (*Page Number: 385*)

Applicant must submit a site plan and special permit application to the Planning and Zoning Commission.

- b) 49 Greenwich Avenue; spa on the 2nd floor. (*Page Number: 394*)

Applicant must submit a site plan and special permit application to the Planning and Zoning Commission.

11. **DECISION ITEMS:** None

12. **APPROVAL OF MINUTES:** September 1, 2009

Motion to approve minutes of September 1, 2009

Moved by Farricker, seconded by Maitland

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

13. **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**

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*)

315 Milbank Properties, LLC; applications PSP #3922 and SP #3923 for a preliminary site plan and special permit for a change of use from a new car dealership and service center to retail and/or office building and a reduction in floor area from 18,396 to 12,629 square feet and an increase in parking from 20 to 40 spaces with 2 handicap spaces on a 44,706 sq. ft. property located at 315 Milbank Avenue in the CGB zone. (*Staff: PL*) (*Applicant's Presentation: 15 minutes*) (*Must close by 10/29/2009*) (*Maximum extension granted*)