

START: 7:00 p.m.  
END: 11:30 p.m.

TENTATIVE AGENDA

FINAL AGENDA

ACTION AGENDA

# TOWN OF GREENWICH PLANNING AND ZONING COMMISSION

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

**October 6, 2009**  
**ACTION AGENDA**  
**WITH DECISIONS**

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

*Alternate Member Present: Frederic Brooks*

*Alternate Members Absent: Ellen Avellino, and Margarita Alban*

*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.

### **Planning Report #2 – Update on POCD Planning Studies; Waterfront Business Zones (WB) Study for possible change in Regulations.**

Per recommendation 1.20 in the POCD (pg. 68) “consider modifying the WB zoning designation into three areas: River Road, Steamboat Road, and the Byram waterfront,” the Planning and Zoning staff has initiated a study on the WB zone in these areas.

There are three Waterfront Business Zones in Greenwich, which have existed since the 1970s. They are located on the east side of River Road in Cos Cob on the Mianus River, the west side of Steamboat Road in Greenwich Harbor and on the west side of the Byram River on South Water Street in Byram. The purpose of this zone is to encourage water dependent and water related uses of the scarce resource of commercial waterfront properties in town.

The Study is looking at:

- Existing uses and potential build-out in each of the three WB zones;

- what approvals the Planning and Zoning Commission has rendered in the WB zones in the past and the reason why the Town adopted the WB zone;
- non-conforming uses in the WB zone in each of the areas;
- what the present WB zone requires in terms of uses and FAR;
- what other coastal communities in Connecticut permit in their waterfront zones and areas;
- what the Connecticut States Statutes require for waterfront coastal areas and public access;
- what the Coastal Resource Advisory Committee is reviewing and their recommendations;
- DEP guidelines developed and recommended in the study of December 2003 of “Improving Public Waterfront Access – A Planning and Design Guidelines Manual,” which is being used across the state;
- why would we want to change the Regulations, whether we should have an overall overlay zone or three different WB zones.

This study will take approximately three months or more and may or may not lead to regulation changes sometime around February 2010.

2. **North Mianus School Parking Expansion;** applications FSP #3991 and MI #0577 for a final site plan and municipal improvement to expand and re-construct the parking and driveways accessed from Old Orchard Road including the addition of 42 spaces and 2 handicapped spaces, new curbing, drainage, lighting and landscaping 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 11/29/2009 and **municipal improvement by 10/8/2009**) (Maximum extension available for site plan by 1/23/2010 and municipal improvement by 1/6/2010) (Page Number: 6)*

Application Left Open – Extension Granted for MI to January 16, 2010

3. **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: 30)*

Application Left Open – Extension Granted to November 12, 2009

4. **J. Todd Hahn & Brian M. Balmer;** application FSB #1977 for a final subdivision to subdivide a property into two lots where Parcel One will comprise 16,758 square feet and Parcel Two will comprise 22,229 square feet and an open space parcel of 6,882 sq. ft. (15%) on a 1.053 acre property located at 4 Cat Rock Road in the R-12 zone. *(Staff: PL) (Applicant's Presentation: 10 minutes) (Must decide by 10/27/2009) (Maximum extension available to 12/26/2009) (Page Number: 75)*

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

5. **Virginia Todd and William Gies Stoddard;** application FSB #1976 for a final subdivision to divide the property into two lots where Parcel One will comprise 12,100 sq. ft., and Parcel Two will comprise 14,840 sq. ft. including a 2,740 sq. ft. access way, and an open space parcel of 3,490 sq. ft. (11.5% of the property) on a 30,430 sq. ft. property located at 54 Shore Road in the R-12 zone. *(Staff: CT) (Applicant's Presentation: 10 minutes) (Must decide by 10/24/2009) (Maximum extension available to 12/23/2009)*

Application Postponed – Extension Granted to December 23, 2009

6. **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: 107)*

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

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

7. **Richard and Andrea Saperstein;** applications FSP #3973 and SP #3974 for a final site plan and special permit, to construct a 216 sq. ft. storage shed on a property improved with 17,641 sq. ft. exceeding 150,000 cubic feet in volume on a 3 acre property located at 50 Calhoun Drive in the RA-1 zone. *(Staff: CT) (Applicant's Presentation: 10 minutes) (Must open by 10/22/2009) (Maximum extension available to 12/26/2009)*

Applications Postponed to November 10, 2009 - Extension Granted

8. **Lorraine Salvin, Trustee;** applications FSP #3985 and SP #3986 for a final site plan and special permit to construct 11,740.24 sq. ft. including a new single family residence, pool, pool pavilion, and tennis court in excess of 150,000 cubic feet in volume, with a new driveway, motor court and septic system on a 3 acre property located at 15 Meadowcroft Lane in the RA-2 zone. *(Staff: KB) (Applicant's Presentation: 10 minutes) (Must open by 11/5/2009) (Maximum extension available to 1/9/2010)*

Applications Postponed to November 10, 2009 - Extension Granted

9. **Spoldi Realty, LLC;** applications FSP #3983 and SP #3984 for a final site plan and special permit to demolish and construct a new two-story mixed use building, comprising first floor retail and second floor residential on a 10,847 sq. ft. property located at 264 Sound Beach Avenue in the LBR-2 zone. *(Staff: MK) (Applicant's Presentation: 10 minutes) (Must open by 11/15/2009) (Maximum extension available to 1/9/2010) (Page Number: 181)*

Application Left Open

10. **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 44 spaces including 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 decide by 10/29/2009) (Maximum extension granted) (Continued from the 7/21/2009 meeting) (Seated: Heller, Farricker, Heimbuch, Maitland and Marchese) (Page Number: 220)*

Motion to move to final site plan with modifications

Moved by Heimbuch, seconded by Farricker

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

No action on special permit

11. **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 close by 10/26/2009*) (*Maximum extension available to close to 12/30/2009*) (*Continued from the 9/21/2009 meeting*) (*Seated: Heller, Farricker, Heimbuch, Maitland, and Marchese*) (*Page Number: 243*)

Marchese recused

Brooks seated for Marchese

Seated: Heller, Farricker, Heimbuch, Maitland, and Brooks for Marchese

Motion to approve final site plan and special permit with modifications

Moved by Brooks, seconded by Maitland

Voting in favor: None

Voting against: Heller, Farricker, Heimbuch, Maitland, and Brooks

0-5

Upon a second motion to deny final site plan and special permit

Moved by Brooks, seconded by Maitland

Voting in favor of denial: Heller, Farricker, Heimbuch, Maitland, and Brooks

5-0

Application is denied

## **REGULAR MEETING CONTINUED**

### **12. DISCUSSION ITEMS:**

- a) Comments from the Planning and Zoning Commission for 2010 to 2014 Greenwich Connecticut Proposed Five-Year Consolidated Plan, Strategic Plan, including 2010 Annual Action Plan submitted by Community Development.

Motion to support plans submitted by Community Development

Moved by Farricker, seconded by Heimbuch

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

5-0

- b) Planning and Zoning Commission 2010 Meeting Schedule (*Page Number: 276*)

Motion to approve Meeting Schedule

Moved by Farricker, seconded by Maitland

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

5-0

- c) 300 West Putnam Avenue; Greenwich Hardware formerly Partridge and Rockwell, installation of a chain link fence surrounding the site and closing direct access to West Putnam Avenue. (*Page Number: 277*)

Applicant should submit an administrative site plan to Planning and Zoning if the intention is to close access to West Putnam Avenue.

- d) 20 East Elm Street; modification of approved site plan (FSP #3835 & SP #3836) to change from approved office use to retail, office and school use in the CGB zone. (*Page Number: 282*)

Applicant to submit site plan application to the Planning and Zoning Commission including an analysis of parking required for the existing versus the proposed use for this change of use.

13. **DECISION ITEMS:**

None

14. **APPROVAL OF MINUTES:**

September 21, 2009

Motion to approve minutes of September 21, 2009

Moved by Heimbuch, seconded by Maitland

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

5-0

15. **OTHER:**

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