

START: 7:00 p.m.
END: 10:10 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

May 20, 2008

ACTION AGENDA WITH DECISIONS REVISED

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

Alternate Member 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. **DECISION ITEM:**

Olga Kogan; applications PSP #3416 and SP #3417 for a preliminary site plan/special permit to construct a single-family residence of 27,189 square feet to exceed 150,000 cubic feet in volume on a 7.0578 acre property located at 18 Simmons Lane in the RA-2 zone. (*Staff: KB*) (*Must decide by 6/12/2008*) (*Seated: Heller, Heimbuch, Maitland, Marchese and Alban*) (*for Farricker who recused*)

Motion to approve preliminary site plan/special permit

Moved by Maitland, seconded by Heimbuch

Voting in favor: Heimbuch, Maitland

Voting against: Heller, Alban, and Brooks

2-3

Application failed to carry and therefore is denied

2. **35 Shore Road Associates, LLC;** request for an extension for filing of the subdivision map on the GLR for application FRSB #1922-C a final coastal

subdivision to create two lots where Lots 1 and 2 will each comprise 12,000 square feet with two conservation easements of 1,118 sq. ft. (4.56%) and 2,071 sq. ft. (8.45%) and an open space area of 497 square feet (2.03%) on a 24,497 sq. ft. property located at 35 Shore Road in the R-7 zone, as approved at the March 4, 2008 meeting. (Staff: MK) (Page Number: 10)

Motion to extend the filing period of the subdivision map on the GLR
Moved by Heimbuch, seconded by Farricker
Voting in favor: Heller, Farricker, Heimbuch, Maitland, and Marchese
5-0

3. **Shemin Nurseries, Inc.;** application PSB #1940 for a preliminary subdivision of a 44.0129 acre parcel to be subdivide into 5 lots to comprise Lot 1 of 3.6819 acres, Lot 2 of 3.4014 acres, Lot 3 of 2.7573 acres, Lot 4 of 3.9682 acres and Lot 5 will remain the nursery with 20.4481 acres, and a 17.8 % set as reserved area located at 1081 King Street in the RA-2 zone. (Staff: PL) (Applicant's Presentation: 15 minutes) (**Must decide by 6/1/2008**) (Maximum extension available to 7/31/08) (Page Number: 20)

Extension Granted and Item Postponed by Applicant to July 15, 2008

4. **Whispering Winds Joint Venture;** application FSB #1937 for a final subdivision of a 14.30 acre property to create 5 lots including Lot 1 of 3.0078 acres, Lot 2 of 2.0221 acres, Lot 3 of 2.0702 acres, Lot 4 of 2.4448 acres (2.2877 acres excluding access way), and Lot 5 of 2.5403 acres (2.2749 acres excluding access way) and an open space area of 2.1737 acres (15.2%) and a conservation easement area of 3.1499 acres (22.1%) on a 14.2589 acre property located at 487 North Street in the RA-2 zone on a 14.2589 acre property located at 487 North Street in the RA-2 zone. (Staff: PL) (Applicant's Presentation: 30 minutes) (**Must decide by 5/30/2008**) (Maximum extension available to 7/12/2008) (Page Number: 80)

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

5. **623 Steamboat, LLC;** application FSP #3566-C for a final coastal site plan to demolish the existing 2-family residence and construct a new 2-family residence of 5,180 square feet on a 9,450 sq. ft. property located at 623 Steamboat Road in the R-6 zone. (Staff: KB) (Applicant's Presentation: 10 minutes) (**Must decide by 6/12/2008**) (Maximum extension available to 8/16/2008) (Page Number: 110)

Held Open to the June 3, 2008 Meeting

PUBLIC HEARING 8:00 PM

6. **Carolyn Properties;** application FSP #3537 and SP #3538 for a final site plan/special permit and RZ #08-13 to rezone from LBR-2 to LBR-2-HO, and to convert the existing professional office condominium building currently comprised of office space into two residential condominium units; and to modify the existing condominium unit to add a dining room space of 186 square feet, and a modification to Final Site Plan/Special Permit #2059.3 to “allow for related professional or similar office uses that do not increase the approved on-site parking” on a 6,820 sq. ft. property located at 63 Church Street in the LBR-2 zone. (Staff: DF) (Applicant’s Presentation: 15 minutes) (**Must decide by 5/29/2008**) (Maximum extension available to open to 8/2/2008) (Page Number: 153)

Motion to approve re-zoning
Moved by Heimbuch, seconded by Brooks
Voting in favor: Heimbuch
Voting against: Heller, Marchese, Avellino, and Brooks
1-4
Re-zoning application is denied

Motion to approve final site plan/special permit with modifications
Moved by Heimbuch, seconded by Marchese
Voting in favor: Heimbuch
Voting against: Heller, Marchese, Avellino, and Brooks
1-4
Application is denied

7. **Greenwich Country Day School;** application PSP #3541, SP #3542, and MI #0565 for a preliminary site plan/special permit, and municipal improvement to demolish and reconstruct the Upper School and Administrative Building, demolish ancillary buildings, construct a new School Theater, modify existing outdoor athletic facilities, and modify internal roadway, parking, and landscaping, and related site improvements and for a Municipal Improvement, to create a new dedicated right turn lane for northbound traffic at the terminus of Old Church Road at Fairfield Road within the Town’s public right-of-way and the construction of a new left turn only lane with the Town’s public right-of-way for westbound traffic on Fairfield Road and the School’s east driveway on a 31.2954 acre property located at 401 Old Church Road in the RA-1 zone. (Staff: KB) (Applicant’s Presentation: 50 minutes) (**Must decide by 5/29/2008**) (Maximum extension available to open to 8/2/2008) (Page Number: 200)

Motion to move to final site plan with modifications
Moved by Farricker, seconded by Maitland
Voting in favor: Heller, Farricker, Heimbuch, Maitland, and Marchese
5-0 *Decision on this item continued on next page*
Motion to approve municipal improvement
Moved by Farricker, seconded by Maitland

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

No action on the special permit

8. **401 Columbus Avenue Co., LLC and JSM Partners, LLC**; application FSP #3548 and SP #3549 for a final site plan/special permit to demolish a mixed use building of restaurant and office of approximately 19,500 square feet and construct a new building for 2 floors office use of 30,876 square feet and 113 parking spaces and 5 handicapped spaces on a 63,995 sq. ft. property located at 581 West Putnam Avenue in the GBO zone. (*Staff: CT*) (*Applicant's Presentation: 15 minutes*) (**Must open by 5/29/2008**) (*Maximum extension available to open to 8/2/2008*) (*Page Number: 328*)

Application converted to a preliminary site plan

Motion to move to final site plan with modifications

Moved by Farricker, seconded by Maitland

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

5-0

No Action on the special permit

9. **Sherri DeVito**; application FSP #3535-C and SP #3536-C for a final coastal site plan/special permit to demolish a three car garage and convert 1,083 gross square feet residential space within a 2,177 square foot building from residential to office and created 5 parking spaces and 1 handicapped space and related site improvements on a 10,685 sq. ft. property located at 84 East Putnam Avenue, Cos Cob in the LB zone. (*Staff: PL*) (*Applicant's Presentation: 10 minutes*) (**Must open by 5/29/2008**) (*Maximum extension available to open to 8/2/2008*) (*Page Number: 365*)

Withdrawn by Applicant

REGULAR MEETING CONTINUED

10. **DISCUSSION ITEMS:**

11. **APPROVAL OF MINUTES:**

April 29, 2008

Motion to approve minutes

Moved by Heimbuch, seconded by Farricker

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

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

**ITEMS THAT HAVE BEEN PREVIOUSLY HEARD BY THE COMMISSION
AND WILL BE HEARD AT FUTURE MEETINGS**

STANWICH SCHOOL TO BE HEARD JUNE 17, 2008

The Stanwich School, Inc.; application PSB #1938 for a preliminary subdivision to consolidate a 25 +/- acre property of The Stanwich School, Inc. (Lot A-2, Map 8042 GLR) at 257 Stanwich Road, and an 11.5 acre property of the Greenwich Reform Synagogue, Inc. (Lot B, Map 6787 GLR) also located at 257 Stanwich Road to create a single 37 +/- acre property, and to establish an open space set-aside pursuant to conditions of Final Subdivision #1777 on The Stanwich School, Inc.'s property, comprised of a 4.8318 acre conservation area and a 4.4996 acre conservation easement area on properties located at 257 Stanwich Road in the RA-2 Zone. *(Staff: DF, KB) (Must decide by 6/4/2008) (Maximum extension available to 7/22/2008)*

The Stanwich School, Inc.; applications PSP #3499 and SP #3500 for a preliminary site plan/special permit for the cooperative redevelopment by The Stanwich School, Inc., and Greenwich Reform Synagogue, Inc., of a consolidated 37+/- acre parcel to serve as a mixed-use campus for a K-12 school of The Stanwich School with a proposed enrollment cap of 750 students in buildings that together comprise 170,663 square feet (upper school, wastewater treatment plant, lower school, utility and storage rooms, and an existing caretaker's cottage and detached garage), and a new detached synagogue building for the Greenwich Reform Synagogue totaling 14,276 square feet, comprising a 220-seat sanctuary and an adjacent social hall with a seating capacity of 216 persons, classrooms and administrative offices, with 263 proposed shared standard parking spaces, inclusive of 7 handicapped spaces, and 60 non-striped parking spaces for overflow parking, and associated site improvements including two synthetic turf playing fields, drainage improvements, and driveway improvements on an easement located on property of The St. Agnes Roman Catholic Church Corp., at 247 Stanwich Road, and 37.2471 acre property located at 257 Stanwich Road in the RA-2 zone. *(Staff: DF, KB) (Continued from the 2/26/08 meeting)(Seated: Heller, Farricker, Heimbuch, Marchese and Avellino) (Must close by 6/5/2008) (Maximum extension granted)*

CONTINUED FROM PREVIOUS MEETINGS

Richard V. and Patricia Ann Masi, Trustees; application PSP #3507-C for a preliminary coastal site plan to demolish an existing two-family house in the rear of the site and to build a single-family dwelling in its place and maintain an existing building in front of the site used for commercial on the first floor and residential on the second floor on a 9,969 sq. ft. property (7,980 sq. ft. above mean high water) located at 3 Armonk Street in the LBR-2 zone. *(Staff: PL) (Applicant's Presentation: 20 minutes) (Must decide by 6/22/2008) (Left Open) (Continued from the 4/8/08 meeting) (Seated: DH, FF, RM, RH, and EA (for Marchese))*

Louise T. D'Elia et al Trust; application PSP #3486 and SP #3520 for a preliminary site plan/special permit to construct an affordable housing development project comprising eight 2-bedroom apartments, within a proposed four story building constructed above a 12 space parking garage located below grade pursuant to Connecticut General Statutes Section 8-30g as an Affordable Housing Development Project and Sections 6-13 through 6-17, and 6-101 of the Town of Greenwich Building Zone Regulations on a 6,250 sq. ft. property located at Tax Lot No. 31 Edgewood Avenue in the R-6 zone. *(Staff: KB) (Must close by 7/5/2008) (Left Open) (Continued from the 4/29/2008 meeting) (Seated: Heller, Farricker, Heimbuch, Maitland, and Marchese)*

83-84 South Water Street Associates, LLC; application PSP #3531-C and SP #3532-C for a preliminary coastal site plan/special permit and RZ #08-12 to rezone from WB to WB-HO and to preserve the eastern portion of the building, and demolish the westerly portion to construct a modern elevated structure for office use, total of 40,548.2 sq. ft., (45,013.1 square feet existing) total of 77 parking spaces with 4 handicapped, and to create a formal 16-space parking area on a 7,826 sq. ft lot to support this use, located across from 88 South Water Street on a 40,169 sq. ft. property located at 84 South Water Street in the WB zone. *(Staff: KB) (Must close by 6/3/2008) (Left Open) (Continued from the 4/29/08 meeting) (Seated: Heller, Heimbuch, Maitland, and Alban for Farricker who recused)*

Israel and Caryl Englander; application FSP #3495-C and SP #3496-C for a final coastal site plan/special permit to redevelop the property by constructing a 11,287 square feet dwelling in excess of 150,000 cubic feet in volume and associated site improvements on a 3.04 acre property located at 48 Pear Lane in the RA-2 zone. *(Staff: KB) (Must close by 7/3/2008) (Maximum extension granted to 7/3/2008) (Left Open) (Continued from the 3/25/2008 meeting) (Seated: Heller, Farricker, Heimbuch, Maitland, and Marchese)*

Jerry and Kimberly Miller; application FSP #3524 and SP #3525 for a final site plan/special permit to construct a new dwelling of 8,930.9 square feet in excess of

150,000 cubic feet in volume and associated site improvements on a 2.3 acre property located at 18 Parsonage Road in the RA-1 zone. *(Staff: MK) (Must close by 6/25/2008) (Left Open) (Continued from the 4/29/2008 meeting) (Seated: Heller, Farricker, Heimbuch, Maitland, and Marchese)*

Luca's Steakhouse, Inc.; applications FSP #3463 and SP #3467 for a final site plan/special permit to renovate the existing banquet facility to provide for fixed seating on the first floor for restaurant only use (150 seats, 18 bar seats) and a reduced banquet facility on the second floor (104 seats), remove the existing canopy on the south and east sides of the building and construct a 249 square feet addition to create a semi-circular entrance on the east side of the building in its place, construct a 917 square feet addition on the second floor to permit the addition of two apartments and circulation from the lower lobby to the second floor, seasonal outdoor dining on an outdoor terrace (12 seats) 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 6/4/2008) (Maximum extension available to close to 6/12/2008) (Continued from the 3/4/2008, 4/8/2008, and 4/29/2008 meetings) (Seated: Heller, Farricker, Heimbuch, Maitland, and Marchese) (Page Number:)*

Richard R.S. Smith (Lot 1) and Richard R.S. Smith, Trustee (Lot 2); application FSB #1934 for a subdivision/re-subdivision to revise the lot lines by conveying 0.199 acres from Lot #1 that is currently 3.071 acres (2.863 acres excluding the access way) to Lot #2 that is currently 2.842 acres (2.369 excluding the access way) on a 6.958 acre property and a 1.044 acre property of open space whose lot lines will not be touched on a properties located at 99 Round Hill Road in the RA-2 zone. *(Staff: MK) (Applicant's Presentation: 10 minutes) (Must decide by 6/24/2008) (Maximum extension available to 7/4/2008) (Page Number:)*

Richard R.S. Smith; application FSP #3539 and SP #2540 for a final site plan/special permit to remove an existing garage and replace it with a new garage and additional living space for a structure that is currently 152,668 cubic feet in volume and 10,051.6 square feet and is proposed as 172,855 cubic feet in volume and 11,691.4 square feet on a 3.071 acre property (2.863 acres excluding the access way) located at 99 Round Hill Road in the RA-2 zone. *(Staff: MK) (Applicant's Presentation: 10 minutes) (Must open by 5/29/2008) (Maximum extension available to open to 8/2/2008) (If opened on 5/14/2008 then must close by 6/18/08) (Page Number:)*

Office Tech, LLC; application FSP #3528 and SP #3529 for a final site plan/special permit to modify FSP #2878 and SP #2879 approved for a 7,124 gsf three (3) story medical office building limited to four (4) medical professionals,

with 26 parking spaces inclusive of 1 handicapped space, to be alternatively used for general office with the exception of 1,294 square feet of residential use comprising two apartments, requiring 30 parking spaces plus one handicapped on a 29,491 sq. ft. property located at 50 Old Field Point Road (a.k.a. 17 Spring Street) in the GB zone. *(Staff: DF) (Applicant's Presentation: 20 minutes) (Must close by 6/3/2008) (Maximum extension to close to 8/7/08) (Continued from the 4/29/08 meeting) (Seated: DH, FF, RM, RH, and PM) (Page Number:)*

John and Elli Bai & Jason and Susan Imperato; application FRSB #1936 for a final re-subdivision, FRSB #1936, to revise the property lines by conveying an equal area of 1,883 sq. ft. between properties on a 2.07 acre property located at 148 and 150 Weaver Street in the RA-C1 zone. *(Staff: CT) (Applicant's Presentation: 15 minutes) (Must open by 5/30/2008) (Maximum extension available to open to 7/11/2008) (If opened on 5/14/2008 then must close by 6/18/08) (Page Number:)*

22 Elm Place Company, LLC; application FSP #3544 and SP #3545 for a final site plan/special permit for a reduction in floor area through renovation from 16,300 square feet to 16,052 square feet, and a change of use for the majority of the building from theater to retail (300 sq. ft. of existing retail to remain) on a 7,447 sq. ft. property located at 356 Greenwich Avenue in the CGBR zone. *(Staff: DF) (Applicant's Presentation: 10 minutes) (Must open by 5/29/2008) (Maximum extension available to open to 8/2/2008) (If opened on 5/14/2008 then must close by 6/18/08) (Page Number:)*