

START: \_\_\_\_\_

END: \_\_\_\_\_

TENTATIVE AGENDA

FINAL AGENDA

ACTION AGENDA

# TOWN OF GREENWICH PLANNING AND ZONING COMMISSION

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

**November 25, 2008**  
**FINAL AGENDA**

## REGULAR MEETING 7:00 PM

1. **Dwight E. Danielson Et. al;** application FRSB #1948 for a 90-day extension to file the mylar for a previously approved re-subdivision application FRSB #1948 to create Lot "5-R" containing 16,752 sq. ft. and Lot "4-R" containing 16,369 sq. ft. and Open Space Parcel "NB" containing 5,850 sq. ft., which represents 15.01% of the original parcel area on a 38,971 sq. ft. property located at 220 Overlook Drive in the R-12 zone. *(Staff: CT) (Applicant's Presentation: 5 minutes) (Must decide by 12/8/2008) (Page Number: 10)*
2. **Margaret Moore Blair and Frank J. Gilbride II, Esq. Trustee;** application FSB #1955 for a final subdivision to revise a portion of the common boundary line to transfer 4,693 sq. ft. of land area from Lot #4 containing 2.350 acres to Lot #1 containing 2.093 acres on property that totals 4.443 acres located at 38 and 46 Alpine Road in the RA-2 zone. *(Staff: CT) (Applicant's Presentation: 10 minutes) (Must decide by 11/27/2008) (Maximum extension available to 1/31/2009) (Page Number: 19)*
3. **Stephen T. Limpe, Tracy Tang Limpe;** application FSP #3741-C for a final coastal site plan to remove an existing detached garage with apartment, construct additions to existing single-family dwelling, pool, tennis court, and boat storage shed and associated driveway, drainage, utility, and septic modifications on a 1.34 acre property located at 5 Indian Chase Drive in the RA-1 zone. *(Staff: MK) (Applicant's Presentation: 15 minutes) (Must decide by 12/25/2008) (Maximum extension available to 2/28/2009) (Page Number: 47)*
4. **Melinda Pecora and Melinda Pecora, Trustee;** application FSB #1956-C for a final coastal subdivision to create Parcel No. 1 of 24,756 sq. ft. and Parcel No. 2 of 35,514 sq. ft. as depicted on Map 6469 filed in 1988 on a 60,171 sq. ft. property located at 88 Byram Shore Road in the R-20 zone. *(Staff: PL) (Applicant's Presentation: 20 minutes) (Must decide by 12/1/2008) (Maximum extension available to 1/30/2009) (Page Number: 103)*

5. **Curtis Wood**; application FSB #1957 for a final subdivision proposal for a two lot subdivision to create Parcel A of 31,096 sq. ft. and Parcel B of 12,864 sq. ft. and an open space parcel of 7,765 sq. ft. on a 51,725 sq. ft. property located on 8 Grove Lane in the R-12 zone. *(Staff: KB) (Applicant's Presentation: 10 minutes) (Must decide by 12/2/2008) (Maximum extension available to 1/31/2009)*

**Application FSB #1957 POSTPONED BY APPLICANT to 12/16/08**

6. **Nippowin Lane, LLC**; application PSB #1958-C for a preliminary coastal two-lot subdivision to create Lot 1 of 2.002 acres and Lot 2 of 4.371 acres and an open space parcel of 1.127 acres (15.03% of the original parcel size) of a 7.8+ property located at 531 Indian Field Road in the RA-2 zone. *(Staff: KB) (Applicant's Presentation: 10 minutes) (Must decide by 12/9/2008) (Maximum extension available to 2/7/2009) (Page Number: 123)*

**PUBLIC HEARING 7:30 PM**

7. **Nippowin Lane LLC**; application PSP #3747-C and SP #3748-C for a preliminary coastal site plan and special permit to construct a 13,591 square foot single-family residence to exceed 150,000 cubic feet in volume on Lot 2 (pursuant to pending application FSB #1958-C) on a lot proposed as 4.371 acres, pursuant to pending application FSB #1958-C, located at 531 Indian Field Road in the RA-2 zone. *(Staff: KB) (Applicant's Presentation: 10 minutes) (Must open by 12/25/2008) (Maximum extension available to open to 2/28/2009) (Page Number: 175)*
8. **Planning and Zoning Staff**; application AM #08-0009 to amend sections of the Town of Greenwich Building Zone Regulations as follows: Text in **Bold** to be added. *(Staff: DF) (Page Number: 220)*

6-157 – Commercial Loading Areas; Add new (c)

**Sec. 6-157 (c) For automotive dealers in any zone, off loading and on loading of vehicles onto car carriers and/or trucks must be on the site of the automotive business itself and not on public streets. No staging of carriers and/or trucks on public roadways or Town properties is permitted. Off and on-loading may also take place on other commercially zoned properties owned by the same dealerships.**

Sec. 6-100 USE GROUP FOR BUSINESS ZONES

USE GROUP 1

Sidewalk outdoor dining facilities, ancillary and contiguous to an eating establishment (**restaurant, or retail food store**), operating on a temporary (six month-seasonal) basis subject to the following:

### **USE GROUP 7b**

**Sidewalk outdoor dining facilities, ancillary and contiguous to an eating establishment (restaurant or retail food store), operating on a temporary (six month-seasonal) basis, subject to the standards and conditions listed (1) through (8) under Section 6-100 Use Group 1.**

#### 6-5 Definitions

**Sec. 6-5(a)(3.1) Bank shall mean any business that primarily provides person to person retail banking services including cash deposits and withdrawals using tellers and secondarily other banking services including personal business and mortgage loans and other financial services and is licensed as a bank by the Connecticut Department of Banking.**

**Sec. 6-5(a) (3.2) Bank Drive-in shall mean any physical structure, manned or non-manned (automatic teller machine), where retail banking services and related financial business is transacted from within one's vehicle. A Bank Drive-in is permitted as an accessory use only to a principal Bank use and structure on the same site. The terms drive-in, drive-up and drive thru, and similar variations shall be synonymous.**

#### Renumber -

**[(3.1)] (3.3) Basement.** A basement is that portion of a building that is partly or completely below grade plane. See Sec. 6-45.1 "Story Above Grade" to determine when basement is counted as a story. (4/30/2002)

**Sec. 6-5(a)(10.2) Carport shall mean an enclosed structure or portion of a structure for use as a covered parking area. If the carport is part of a principal structure it may have one (1) or two (2) walls in common with that structure. If the carport is an accessory structure it may not have any walls. Garage doors are not permitted in any case. Aesthetic enclosure of required structural columns may not exceed eighteen inches (18) in width. Lattice screening must have a minimum of fifty percent (50%) of its surface area open.**

**Sec. 6-5(a)(23) Floor Area Ratio shall mean the ratio of the aggregate Gross Floor Area of all buildings on a lot (including accessory structures having walls and a roof, such as pool houses, sheds, and garages) to the total area of the lot excluding underwater coastal lands as described in Sec. 6-138 and excluding that land over which a right-of-way for a private road exists.**

### **Section 6-144. ACCESSORY BUILDINGS IN RESIDENTIAL AND COMMERCIAL ZONES.**

**6-144 (a) Accessory buildings in Commercial and Residential Zones shall not exceed a height of twenty-five (25) feet and must be at least five (5) feet from another structure.**

9. **The Whitby School, Inc.;** application FSP #3744 and SP #3758 for a final site plan and special permit for a proposed two-story, four (4) classroom addition to the School's main academic building (Renaissance Hall), an addition to the existing gymnasium building, install (2) solar photovoltaic rooftop systems, a solar wall on south side of gymnasium building, parking improvements, and improve the existing driveways and landscaping on a 24.7768 acre property located at 969 Lake Avenue in the RA-4 zone. *(Staff: KB) (Applicant's Presentation: 15 minutes) (Must open by 12/25/2008) (Maximum extension available to 2/28/2009) (Page Number: 224)*
10. **One Oak Street, LLP and DCH/BMW of Greenwich;** application PSP #3718 and SP #3719 for a preliminary site plan and special permit to construct a new car showroom of 8,488 square feet and 41 parking spaces on a .74 acre property located at 359 West Putnam Avenue in the GB zone. *(Staff: CT) (Applicant's Presentation: 20 minutes) (Must open by 11/27/2008) (Maximum extension available to 1/31/2009) (Page Number: 431)*
11. **644 West Putnam Associates LLC;** application PSP #3737 and SP #3738 for a preliminary site plan and special permit to construct a two story, 35,902 square foot commercial building with retail on the first floor to be used by a bank and a drug store, each with a drive-up window, and retail/office on the second floor with 190 spaces and 9 handicapped spaces on a 74,512 sq. ft. property located at 644 West Putnam Avenue in the LB and GBO zones. *(Staff: DF) (Applicant's Presentation: 30 minutes) (Must open by 12/11/2008) (Maximum extension available to 2/14/2009) (Page Number: 474)*
12. **SG Greenwich, LLC;** application PSP #3733 and SP #3734 for a preliminary site plan and special permit for a change of use to convert the first floor from editorial and business offices, classified and display advertising sales, and newspaper sales by the Greenwich Times to general office use on a 16,391 square foot property located at 20 East Elm Street in the CGB zone. *(Staff: CT) (Applicant's Presentation: 20 minutes) (Must open by 12/11/2008) (Maximum extension available to 2/14/2009) (Page Number: 538)*
13. **Carolyn Properties, LLC;** application FSP #3696 and SP #3697 for a final site plan and special permit to amend final site plan/special permit approval #2059.1 to permit an expanded group of uses for the Professional Office portion of the property at 63 Church Street on a 6,820 square foot property located at 63 Church Street in the LBR-2 zone. *(Staff: DF) (Applicant's Presentation: 10 minutes) (Continued from the 11/13/2008 meeting) (Seated: Heller, Farricker, Maitland, Marchese, Alban for Heimbuch) (Must close by 12/18/2008) (Maximum extension available to close to 2/21/2009)*

**REGULAR MEETING CONTINUED**

**14. DISCUSSION ITEMS:**

- a) 33 Lewis Street; expansion of restaurant site plan issues.
- b) Amendment to the Fee Schedule (*Page Number: 568*)
- c) Section 6-5 (49.1) and 6-141; clarification on “substantial improvement” as it relates to buildings more than 50 years old. (*Page Number: 569*)
- d) Request for clarification of modification for approved FSP #2776-C at 51 Glen Avon Drive. (*Page Number: 571*)

**15. DECISION ITEMS:**

- a) **David and Amanda Russekoff**; application FSP #3673 and SP #3674 for a final site plan and special permit to construct a new single family residence of 12,051 sq. ft., with an existing guest cottage of 649 sq. ft. and a barn/stable to be reduced to 2,938 sq. ft. from 2,996 sq. ft. for a total of 15,639 sq. ft. in excess of 150,000 cubic feet in volume on a 9.03 acre property located at 37 Burying Hill Road in the RA-4 zone. (*Staff: DF*) (*Must decide by 1/17/2009*) (*Seated: Heller, Farricker, Maitland, Marchese, and Alban (for Heimbuch)*) (*Page Number:* )
- b) **Holly Hill LLC**; application SP #3652 for a **SPECIAL PERMIT ONLY** to renovate an existing hotel of 48,513 square feet and 106 rooms resulting in a floor area of 57,779 square feet and 86 rooms; the restaurant/banquet space will increase by 2 square feet to 9,325 square feet, however the dining and bar portion of the restaurant/banquet space will decrease from 4,831 square feet to 3,724 square feet with a reduction in capacity from 343 persons to 278 persons; a new 78 person outdoor dining area is proposed; relocation of the existing telecommunication equipment; the elimination of one of the three existing curb cuts and an increase in parking spaces from 102 to 105 spaces (5 handicapped) on a 2.2254 acre property located at 1114 East Putnam Avenue in the LB zone. (*Staff: KB*) (*Must close by 1/17/2009*)

EXTENSION GRANTED TO 1/17/2009

**16. APPROVAL OF MINUTES:**

November 13, 2008

**17. OTHER:**

- a. Executive Session on pending litigation or personnel matters.
- b. Other items as may properly come before the Commission.

**APPLICATIONS SHOWN ON PREVIOUS AGENDAS THAT WILL NOT BE HEARD ON NOVEMBER 25, 2008, BUT WILL BE HEARD AT FUTURE MEETINGS**

**Putnam Water and Filter Plant;** application PSP #3720 and SP #3721, for a preliminary site plan and special permit for improvements and additions to the Aquarion Water Company Treatment Plant including the construction of a new clearwell for increased capacity, and construction of a new chemical storage facility on a 5.75 acre property located at 10 Dekraft Road in the RA-2 zone. (Staff: PL) (Applicant's Presentation: 30 minutes) (Must close by 1/15/2009) (Maximum Extension Granted)

**Chase Branch Bank - Lu Dor Corporation - JP Morgan Chase Bank;** application PSP #3675-C for a preliminary coastal site plan to remove the existing restaurant and construct a 2,702 sq. ft. bank building with two drive-thru lanes and 26 parking spaces on a 35,155 sq. ft. property located at 371 East Putnam Avenue in the LB/PRI0Z zones. (Staff: KB) (Applicant's Presentation: 25 minutes) (Must decide by 1/17/2009)

**Arnold Frumin;** application PSP #3695 for a preliminary site plan to construct a 6,970 sq. ft. medical office building to have shared parking with the adjacent 14,488 sq. ft. property having a 7,000 sq. ft. office building on a 14,004 sq. ft. property located at Lot 5-2 Old Post Road No. 2 in the GB zone. (Staff: DF) (Applicant's Presentation: 10 minutes) (Must decide by 1/17/2009) (Page Number: )

**Stephen A. and Alexandra M. Cohen;** application PSP #3722 and SP #3723 for a preliminary site plan and special permit to add 1,144.89 sq. ft. to an existing 35,084.89 sq. ft. residence on site, in excess of 150,000 cubic feet in volume on a 13.911 acre property located at 30 Crown Lane in the RA-4 zone. (Staff: KB) (Applicant's Presentation: minutes) (Must open by 12/17/2008) (Maximum extension available to 1/31/2009) (Page Number: )

**Meadowpark Townhouses Association, Inc.;** application FSP #3716 and SP #3717 for a final site plan and special permit to revise approved site plan #334, convert a recreation area/clubroom into a one bedroom condominium apartment of 812 sq. ft. to create a new unit (#17) on an approximately 4.35 acre property located at 37 Sheephill Road in the RC-7 zone. (Staff: MK) (Applicant's Presentation: 10 minutes) (Must open by 1/17/2009) (Maximum extension granted) (Page Number: )