1. HDC Regular Meeting Agenda & Packet FINAL

Documents:

HDC AGENDA 2021 06 09 FINAL WITH PACKET.PDF
FINAL AGENDA
ZOOM Meeting of the
Historic District Commission of the Town of Greenwich
Wednesday, June 9, 2021 7:00pm
ZOOM CONFERENCE INFORMATION
Zoom Webinar link:
https://greenwichct.zoom.us/j/81273499446?pwd=bXoyMjZBOHJ6WUJyS3hReFhBTTRDUT09

Webinar ID: 812 7349 9446
Password: 3761610
Dial-in: (646) 518-9805 or (888) 475-4499 (Toll Free)

1. ADVISORY OPINION
376 Greenwich Avenue (non-contributing structure to Greenwich Avenue District, NRHP)
Greenwich, CT 06830
Represented by John Tesei, Esq.

Review proposal to replace street-level windows

2. CERTIFICATE OF APPROPRIATENESS - POSTPONED
731 Lake Avenue
Greenwich, CT 06830
Owner: Frank and Sharon Kinney
Represented by Thomas J. Heagney, Esq.

Continuation April 14th meeting - review request to modify the historic overlay restrictions on the property and replace them with a more up-to-date version of the declaration of restrictions. - POSTPONED

3. ADVISORY OPINION FOR HISTORIC OVERLAY
226 and 230 Mason Street & 16 Havemeyer (aka 224 Mason Street)
Greenwich, CT 06830
Owner: GFC Havemeyer & GFC, LLC
Represented by Chip Haslun, Esq.

Review of site to determine eligibility to rezone from CBG to CBG-HO and special permit to construct a 6 unit residential building with a two-level parking garage.

4. Minutes

5. Demolitions

The Town complies with all applicable federal and state laws regarding non-discrimination, equal opportunity, affirmative action, and providing reasonable accommodations for persons with disabilities. If you require an accommodation to participate, please contact the Commissioner of Human Services at 203-622-3800 or alan.barry@greenwichct.org as soon as possible in advance of the event.
April 28, 2021

Mr. Stephen L. Bishop, Chairman
Historic District Commission
c/o Mead, Bromley & Bishop
41 Bank Street
Stamford, CT 06901
Via Email: anne_h_young@hotmail.com

RE: Certificate of Appropriateness
731 Lake Avenue, Greenwich, CT 06830

Dear Mr. Bishop:

After the April 14, 2021 Historic District Commission meeting, our client conducted extensive research of the Greenwich Historical Society’s records regarding the approval of the historic overlay for their property at 731 Lake Avenue. The records contained a number of newspaper articles, one from the Hartford Current and a number of them from the Greenwich Time from May, June and July of 1992.


It is clear from these reports that the focus was on the garage apartment and the fact that the Town Building Department issued a permit for the renovations of the apartment with a kitchen only to have the Zoning Enforcement Officer prohibit the issuance of Certificate of Occupancy due to the size of the property being only 3 acres.

The focus of the hearings with both the Planning and Zoning Commission and the Historic District Commission on the apartment are also clear from a correspondence from Attorney Thomas F Hartch, which is attached.

The minutes of the June 15, 1992 Historic District Commission meeting also show the discussion revolved around the certificate of occupancy for the garage apartment and also the exterior maintenance of the main dwelling.

In addition, the Historical Society’s records contained two letters from the then Historic
District Commission chair David M. Donald to then chairman of the Planning and Zoning Commission Peter Joyce discussing the exterior maintenance of the buildings.

Copies of the minutes of the June 15, 1992 meeting and the letters from Chairman Donald dated June 15 and June 30, 1992 are attached.

Lastly, there is a memo from Chairman Donald to Diane Fox the then Assistant Town Planner indicating that changes made to the garage and farmhouse were not appropriate to the original design details but nonetheless the Historic District Commission still thought that the property as a whole deserved preservation.

There is no indication in the records from the Planning and Zoning Commission hearings or the Historic District Commission meetings that the focus of the historic overlay designation was on anything other than the exterior of the buildings. The newspaper articles on the meetings did not mention what would have been a very unusual condition of reserving interior aspects of the dwelling and providing for an inspection of the interior.

We are not aware of any other historic designation by the Planning and Zoning Commission which involves interior aspects of a single-family home. The Historic District Commission and Planning and Zoning Commission are assiduous in maintaining their focus on applications for a certificate of appropriateness on the exterior details of homes.

We therefore request a modification, removing the condition imposed in 1992 concerning the interior paneling of the main dwelling.

It is also requested that the Historic District Commission issue a recommendation that the condition required requiring maintenance of trees more than 12 inches in diameter on the property also be removed.

Very truly yours,

Thomas J. Heagney

TJH/em

Attachments

cc: HDC Members
BUILD, BUT DON'T OCCUPY?

THE HARTFORD COURANT

MAY 31, 1992

There ought to be a lesson in the zoning tiff between Gov. Lowell P. Weicker Jr. and the town of Greenwich. How did it happen that Mr. Weicker was given a permit to build an apartment that he was subsequently told not to occupy? Somebody has some explaining to do.

Mr. Weicker decided to rent his house on Applejack Farm while he was governor, but also wanted a place to stay at the Greenwich acreage on weekends. So he remodeled the second floor of the garage into an apartment.

Building permits were issued even though the project exceeded the number of dwelling units permitted on the 3 acres. That's the area of Applejack Farm, which is in a 2-acre minimum lot-size zone. When the governor applied for a certificate of occupancy in December, Greenwich Zoning Enforcement Officer Jeanne Shaffer denied it and notified Mr. Weicker that he was being cited for breaking zoning rules. Occupying the apartment now would also be a violation.

The Weickers are attempting to bring the apartment into compliance by asking the local Planning and Zoning Commission to place the property, with its 1743 farmhouse, in a "historic overlay zone." That would allow another dwelling on the property in return for an easement guaranteeing that the home is kept in good repair and the exterior is not altered. It's a reasonable solution, but one that, in hindsight, should have been tried before the remodeling got under way.

Why was a building permit issued in the first place? Perhaps the scope of Mr. Weicker's project was not clear to zoning officials, as is often the case. To avoid such imbroglios, applicants for building permits in any town should always state explicitly their intentions. And zoning officials and building inspectors should know the law and ask questions if they're uncertain about what an applicant has in mind.

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Weicker cited on zoning violation

By April Gavin
Staff Writer

Even the governor of Connecticut isn’t above Greenwich zoning laws.

Gov. Lowell Weicker Jr. has been cited for violating zoning rules by creating an apartment above the garage of his Lake Avenue home, Applejack Farm, Zoning Enforcement Officer Jeanne Shaffer said.

Weicker remodeled the second story of the garage after he was elected governor, so he could rent the house but still have a place to stay in Greenwich when he came home for the weekends. His main residence is the governor’s mansion in Hartford.

The arrangement runs afoul of local laws because Applejack Farm is in a zone for single-family homes on parcels of at least two acres. By having two dwellings on the three acres he owns, he is exceeding the number of homes allowed, Shaffer said.

The problem was discovered in December, when Weicker applied for a certificate of occupancy for the garage apartment. Shaffer denied the application and notified Weicker through his attorney, Thomas Hartch of Greenwich, that he was being cited for breaking zoning rules.

Occupying the apartment now would also be a violation because it has not received a certificate of occupancy.

The citation carries no immediate financial penalty, but Weicker must now bring the home into compliance. He is attempting to do that by asking the Planning and Zoning Commission to place his home in a “historic overlay zone.”

The zone was created by the commission to encourage the protection, enhancement, perpetuation and use of buildings having special historical or aesthetic value which represent or reflect elements of the town’s cultural, social, economic, political and architectural history.

Applejack Farm, originally known as the Daniel Reynolds House, was built in 1743. According to a 1988 report from the Historical Society of the Town of Greenwich, the main house “is a fine example of early colonial architecture in Greenwich.”

The house received a special plaque that year from the historical society, citing it as one of the few remaining residences built before the 19th century.

Placing the house into a historic overlay zone would allow another dwelling on the property in return for an easement guaranteeing the home.

By April Gavin
Weicker

Continued from Page A1

is kept in good repair and the exterior is not altered.

The easement could be enforced by either the local Historic District Commission or the town. For example, the zoning regulations say, if the owner of a historic building failed to maintain the structure, the historic district or the town could repair it and charge the cost to the owner.

Avice Meehan. Weicker’s press secretary, said Tuesday the governor has used the apartment on weekends, but did not say when and referred all other questions about the apartment to his attorney, Hartch.

Hartch said he was not sure whether Weicker has been using the apartment recently.

Asked if it would be illegal for his client to use the apartment without the required certificate, Hartch laughed and said: “I won’t comment on that.”

The 1,060-square-foot apartment contains six rooms, including two bedrooms and one bath, according to documents filed with the zoning office. The main house is 6,000 square feet and there are also two smaller buildings — a woodshed and a storage building.

The zoning application will have to go to the Historic District Commission first, which will advise the zoning commission.

The application should be heard in the next two months, Hartch said.

Hartch said the garage, which is detached from the main house, is about 100 years old, and throughout that time, there have been living quarters on the second floor of the garage.

Shaffer said she did not know if there were living quarters before the remodeling, but said that prior to Weicker’s purchase of the property in 1989, the house and garage were part of an estate that had more than four acres. A second unit would have been allowed then because it worked out to one dwelling unit per two acres, she said, in accordance with the zoning regulations.

Weicker was issued building permits to remodel the garage apartment by the town, Shaffer said, but she did not see them or approve them. The violation was caught after the remodeling was done and Weicker applied for the certificate allowing him to live in the apartment.

Weicker paid $1.5 million for Applejack Farm and both he and Meehan have said the governor “loves” the estate.

“It’s absolutely magnificent,” Weicker said in an interview earlier this year.

Weicker put the house up for sale at the end of the month after his tenants told him they would be moving out. He took it off the market in late April after finding another tenant.

The reported asking price for Applejack Farm was $1.88 million.
Weicker on hold

Can use apartment while zoning issue considered

By April Gavin
Staff Writer

Gov. Lowell Weicker Jr. is being allowed to use the garage apartment at his historic home in Greenwich while he tries to straighten out a zoning problem.

"I've made no effort to get him out of there," said Zoning Enforcement Officer Jeanne Shaffer. "He's trying to resolve the problem and I don't use any special efforts if anyone is trying to resolve a problem."

Weicker does not have a certificate of occupancy for the apartment, a permit that was denied because of a mistake the town made in approving recent renovations to the unit above the garage of Applejack Farm on Lake Avenue.

The town's Building Department inadvertently allowed Weicker to renovate the apartment without checking to see if it was in compliance with zoning law.

Weicker's house is zoned for a single-family residence on a minimum of 2 acres. Shortly after becoming governor in early 1991, Weicker submitted plans to the town to remodel the second floor of his garage. He intended to live there on weekends while he rented out the main house. Weicker's main residence is the governor's mansion in Hartford.

"It was always a goal of his to renovate the apartment," said Avice Meehan, Weicker's press secretary. She said that Weicker sometimes talked about using the two-bedroom unit as a place for his children or his wife's parents to stay.

When the plan was submitted to the Building Department, it should have been reviewed to make sure the unit conformed to zoning laws. But Building Official William Marr said the review was omitted due to an oversight:

"It slipped through the cracks," said Marr. "Nobody

Please turn to WEICKER, Page A4

Weicker

Continued from Page A1

seems to know how. I assure you it wasn't deliber-
Weicker

Continued from Page A1

seems to know how. I assure you it wasn’t deliberate.”

What the department failed to catch is that having two homes on the 3 acres meant there were too many units on the property.

Meanwhile, Weicker received the permits for the renovation work, which was later inspected to make sure the construction was done correctly. The mistake was caught when the plan came up for a certificate of occupancy and Shaffer denied the permit, saying it did not conform to the zone.

Weicker is now trying to rectify the situation by having the house placed in a “historic overlay zone” by the town’s Planning and Zoning Commission.

If the home, built in 1743, is given the zone change, Weicker could be permitted to have the second unit. The zone was established to give homeowners incentives to keep historic buildings intact.

While admitting the building department made a mistake in issuing the permits for renovating the apartment, Marr said that he did not think the town should take the entire blame for Weicker’s zoning problem.

When Weicker bought the property, the setting already had a kitchen, the item that made the apartment a separate unit under the town’s regulations. For example, without the kitchen, the building would be considered a “guest house” or residence and not a separate dwelling.

Prior to his purchase, the two units were on 4 acres of property, meeting the requirement that a unit be on at least 2 acres of land, according to Marr.

Weicker however bought 3 acres and made the second unit a violation of zoning regulations.

Meehan, however, said that is beside the point. “The fact of the matter is that the town issuing permit that the governor tried to get it,” she said. “That’s the point.”

If the zoning commission denies Weicker’s permit, Weicker could still keep most of the apartment, according to Shaffer.

“He would have to take out the kitchen, still stay there on the weekends,” because considered a guest house, she said.
Plan for Weicker house aired

By April Gavin
Staff Writer

An attorney for Gov. Lowell Weicker Jr. last night argued that the governor's Greenwich home deserved to be placed in a historic zone that would allow him to keep a separate apartment on his property.

"This is really a rare estate in Greenwich," Greenwich attorney Thomas Hartch said of Applejack Farm, Weicker's Lake Avenue property.

The Planning and Zoning Commission, meeting last night in Town Hall, did not rule on the application for designation of the property as a Historic Overlay Zone.

Hartch said the house, built in 1743 and enlarged in about 1910, is one of the few in town that predate the American Revolution.

The town's Historic District Commission recommended earlier this month that the property should be placed in the historic zone, created to encourage homeowners to preserve historic structures.

In exchange for preserving the building as a historic structure, the owner is offered certain incentives, such as an extra unit on the property.

If the owner fails to preserve the building, the town can make repairs and charge the owner.

Weicker applied for the new zoning designation in May, after the apartment, above a garage, failed to receive a certificate of occupancy.
Weicker has been using the apartment, as a weekend home while he rents out the main house at 731 Lake Ave. His main residence is the governor's mansion in Hartford.

The zoning problem with the home was discovered in December, when Weicker attempted to get the certificate of occupancy for the apartment after remodeling it. The town had mistakenly issued Weicker several building permits without checking to see if the apartment complied with zoning regulations.

The house is zoned for single-family homes on at least 2 acres. Prior to Weicker's purchase in 1989, the house and garage were on more than 4 acres of property and met all the town's requirements.

But when Weicker bought the house, he purchased just under 3
Continued from Page A1

acres, creating the zoning violation, a point brought up by zoning panel Chairman Peter K. Joyce.

"The error, if you want to look at it that way, seemed to occur at the time of the sale of the property," he said.

Hartch did not address the issue, noting that he was not the attorney who handled the sale.

The Weicker case, along with other incidents where zoning violations have occurred when properties are divided, has prompted the zoning panel to consider requiring a "certificate of zoning compliance."

The document would be filed in the town's land records when a person purchases a parcel created through the division of a property.

The certificate, said Joyce, would prevent situations such as Weicker's and a recent problem that surrounded the sale of the former Daycroft School on lower Lake Avenue.

In that case, a zoning violation was discovered while Daycroft, which closed last year, was selling its property to a Japanese School based in New York City.

Daycroft had sold 7 of its 24 acres of property in the early 1980s and the amount of building on the remaining 17 acres exceeded what was allowed under town rules. The school was ordered to raze part of the historic campus.

Destruction of the buildings was only avoided when the zoning commission amended its regulations.

When asked what he thought of a certificate of zoning, Hartch said it should be carefully considered because it would create more work for the zoning enforcement officer.

If attorneys were asked for this, "They would want something in writing from the zoning enforcement officer" to confirm that the property complied.

"One of the effects would be a significant increase in the workload for the attorney and the (zoning enforcement officer)," he said.

Weicker was not present at the hearing, and no members of the public spoke on the request.

The commission is likely to consider the request at its next meeting, July 14.
Board allows Weicker to keep apartment

By April Gavin
Staff Writer

After little discussion, the Planning and Zoning Commission last night granted Gov. Lowell Weicker Jr.'s request to place his Greenwich home in a historic zone, which will enable him to maintain an apartment over the garage at the Lake Avenue residence.

Weicker was prompted to ask that the 3-acre estate, Applejack Farm, be placed in the zone after finding out that the apartment, on the property since he bought it in 1989, was illegal.

Under the historic zone designation, perks such as office space or additional dwelling units are allowed in exchange for the commitment to maintain and preserve the historic structure.

The home at 731 Lake Ave., part of which was built in 1743, was awarded a plaque from the Historical Society of the Town of Greenwich in 1988, recognizing it as a "landmark homestead." in the town.

The rezoning of the property was approved unanimously after a brief discussion of its historic merits.

"I'm not sure if anyone's mentioned this, but it's also the residence of a sitting governor of the state," added Joel Kaye, an alternate commissioner on the panel, "We don't have too many of those."

Commissioner Lora Siefer smiled and said the current occupant of the home did not count as a criteria for historical merit.

"A hundred years from now it will be historic because Weicker lived there," she said, "but not now."

Neither the governor nor his attorney, Greenwich resident Thomas Harch, were present at the meeting in Town Hall.

With the house rented out, the garage apartment is where Weicker now lives on weekends. His main residence is the governor's mansion in Hartford.

Applejack Farm is in an area zoned for single-family houses on at least 2 acres of land. The apartment had existed prior to Weicker's purchase, but at that time there were more than 4 acres of land, enough to support two units.

When Weicker purchased the house three years ago, he only bought slightly less than 3 acres, placing the apartment in violation of the zoning laws.

The error was only caught after Weicker applied for building permits to remodel the interior of the apartment last year. Complicating the matter was a mistake at the Building Department when officials issued the permits without checking to see if the apartment met the zoning regulations.

Zoning Enforcement Officer Jeanne Shaffer — who has said she never saw Weicker's application until after the permits had been issued — caught the problem after the work was done and the apartment came up for a certificate of occupancy.

Weicker has been allowed to use the apartment while the matter was being settled.
Greenwich Planning and Zoning Commission
Town Hall
101 Field Point Road
Greenwich, Connecticut 06830

Re: Premises of Lowell P. Weicker, Jr. and Claudia T. Weicker
adjacent to Lake Avenue, Greenwich, Connecticut - Applejack Farm

Dear Commission:

We represent Lowell P. Weicker, Jr. and Claudia T. Weicker, owners of approximately three acres on the north side of Lake Avenue, Greenwich, Connecticut. This is the petition and application for a change of zone for said premises from RA-2 to RA-2-HO. This is also an application for the appropriate special permit for a second dwelling unit as well as the covering letter for the site plan request.

Enclosed herewith are the following: site plan application, check for $650.00, copy of authorization to act on behalf of owner, affidavit of notice to abutters with attached list of owners and sample of notice, rezoning map (scale 1" = 400'), six copies of "Historic Overlay Map" of site dated March 25, 1992, copy of file of Historical Society of Town of Greenwich, two copies of garage floor plans and fifteen photographs showing building elevations and site details.

June 15, 1992
OC recommended
Granting #6.
May 15, 1992

The building zone regulations set out the requirements for the historic overlay zone in detail. In addition, there have been several conferences in person and numerous telephone conferences with Town personnel in order to comply with the requirements.

With regard to the proposed change of zone to RA-2-HO, the historic overlay zone is particularly suitable for the Weicker premises in that it continues a land use pattern extending back to 1743 when the farmhouse was built. As the attached seven-page report from the Historical Society of the Town of Greenwich points out, the house is a "fine example of early colonial architecture in Greenwich." In 1988 the Historical Society awarded it a historic plaque. The Applejack Farm complex includes the house, a garage, a wood shed and a small storage building. The garage and the other two outbuildings are detached from the house. The Historical Society has identified it as a "landmark homestead."

The farm buildings more than fulfill the 40 year standard of Section 6-109.1 as well as all four of the standards of Section 6-109.1(3)(a). The structures are unique, have historical significance, have a distinctive architectural character and the site itself consists of a unique estate.

For centuries the house has been used as a single family residence; it includes magnificent wood paneling and other distinctive architectural features. The garage has a history of being used for staff quarters. The present owner has retained architect, Gunnar H. Moberg, to renovate the interior of the garage to allow it to become a second dwelling unit. Mr. Moberg has advised us that the renovation will not result in additional square footage.

The house is rented to a tenant because the owner resides most of the time in Hartford. However, the owner wishes to be able to live in the garage unit when in Greenwich on weekends or during portions of the summer.

The farm has been certified by S. E. Minor & Co., Inc. to have an area of 3.051 acres. The density formula of Section 6-109.1(5)(b) yields a figure of 1.2 and the Commission may "consider any fraction of a unit as a complete unit." Thus, there is a real basis for authorizing a total of two dwelling units especially in view of the area being more than fifty percent above the minimum lot size requirement of two acres.
The map prepared by S. E. Minor & Co., Inc. dated March 25, 1992 shows the location of the driveway, turnaround area and garage. The map and the plans of the three-car garage which have also been submitted, show that there is parking on the premises for at least eight vehicles. The large size of the lot allows for significant additional parking if the same is deemed necessary.

In summary, the Applejack Farm application fulfills the historic overlay standards as well as the requirements for site plan and special permit. The Weickers would appreciate being placed on the agenda for the next available hearing of the Historic District Commission and for the next available hearing of the Planning and Zoning Commission. If there are any questions concerning the material submitted, please telephone us at 661-3000.

Very truly yours,

HARTCH & CALHOUN

by: Thomas F. Hartch

TFH: sam

cc: Mr. and Mrs. Lowell P. Weicker, Jr.
    Mr. Gunnar H. Moberg

BY HAND
Minutes of Meeting
held June 15, 1992

This meeting of the Historic District Commission of the Town of Greenwich was held upon notice at 8:00 P.M. on Monday, June 15, 1992 in the Carleton Gisborne Room at Town Hall. Present were regular members Marcia G. Coyle, David M. Donald, Fred Mascioli and Richard G. McClung; alternate members Josephine Conboy and Frank Nicholson; and advisor Susan Tritschler. Mr. Donald was chairman and Mr. McClung was secretary. The chairman appointed Mr. Nicholson as a voting member in the absence of Peter Alexander.

The secretary distributed minutes of the meeting of the Commission held May 18, 1992; and upon motion duly made and seconded such minutes were unanimously approved.

The chairman presented to Mrs. Coyle in recognition of her service as chairman of the Commission a beautiful birdhouse with a front garden, made and painted by Mr. Donald. Mrs. Coyle expressed her thanks for such a significant gift.

The chairman welcomed to the meeting Mr. Thomas Hartch, counsel for Gov. Lowell P. Weicker, Jr. and Claudia T. Weicker, and Mr. Gunnar H. Moberg, architect in charge of renovating the garage at Applejack Farm, 731 Lake Avenue, owned by the Weickers. The chairman referred to the letter dated May 15, 1992 to the Commission from Mr. Hartch requesting a change in the zone for the premises comprising 3.051 acres known as Applejack Farm from Zone RA-2 to RA-2-HO. Copies of this letter, the site plan showing the main dwelling (now occupies by tenants under lease from the Weickers), three outbuildings, including the garage, and a number of photographs of the garage dwelling as it has been altered, were distributed to the members. Mr. Hartch explained that his clients had proceeded with and completed a renovation of the garage building, having applied for and received a building permit for altering the garage to make it a self-contained dwelling for the Weickers to use when not in Hartford. After the renovation work was completed, the Town Division of Buildings (by letter dated
December 3, 1991) said that the building permit had been issued in error, and that no certificate of occupancy could be issued because it could not approve the garage as a second dwelling unit on three-plus acres in a zone where the zoning regulations required two acres for each dwelling unit.

Mr. Hartch explained that the application for a grant of an HO Zone for Applejack Farm was amply justified by reason of the main dwelling unit, which included the portion of the dwelling constructed in 1742-43. He said that the renovation of the garage did not add any square feet of floor space. The three outbuildings, including the garage, were about 100 years old. Mr. Moberg said that the renovation work was first-rate, that the outside walls had been reinforced, and that the changes including a cathedral ceiling for the living room made the building more attractive.

In the discussion which followed, members of the Commission were clear that they were being asked to "approve" or "confirm" a fait accompli, and expressed concern about establishing a precedent for two-acre zoning. Several expressed regret about some features of the renovation and that this Commission had not had an opportunity to review the proposal. It was pointed out that the main dwelling was much in need of paint and that any recommendation for approval of an HO Zone must be conditioned on future maintenance of all buildings on the premises according to a standard which would be enforceable.

After full discussion, upon motion duly made and seconded, it was unanimously

RESOLVED, that this Commission regrets that this application for an HO Zone comes after the second dwelling unit on the premises has already been constructed; and this Commission anticipates that a procedure be established to prevent the issuance of a building permit in like circumstances in the future; and it was further

RESOLVED, that this Commission recommend to the Planning and Zoning Commission that the application to apply the HO Zone to the 3.051 parcel at 731 Lake Avenue be approved, subject to the maintenance in good repair of all buildings on the parcel; and that "good repair" includes no peeling paint or structural change or damage that would detract from the good appearance of the buildings.

Mrs. Tritschler reported on the progress in the repairs to the Bush-Holley House. The meeting discussed regrettable changes under way at several locations in Town.

With no further business to come before the meeting, it was upon motion duly made and seconded, unanimously adjourned at 9:40 P.M.

Respectfully submitted,

Richard G. McClung, Secretary
Mr. Peter Joyce, Chairman  
Planning and Zoning Commission  
Town of Greenwich  
Greenwich, Ct 06830

Dear Peter:

The Historic District Commission met this evening and heard the petition of Lowell P. Weicker, Jr., for an Historic Overlay for Applejack Farm at 731 Lake Avenue, Greenwich, Ct.

Our Commission recommends that an H.O. be granted, with the proviso that the buildings on the site be maintained in good repair. Our definition of "good repair" would include no peeling paint or other structural damage that would detract from the good appearance of the buildings.

Sincerely,

David M. Donald  
Chairman
30 June 1992

Mr. Peter Joyce, Chairman
Planning and Zoning Commission
Greenwich, Ct 06830

Re: HO Zone for Applejack Farm, 731 Lake Avenue.

Dear Peter:

I have discussed this matter with members of the Historic District Commission and we are agreed to supplement my letter dated June 15, 1992.

The Historic District Commission strongly recommends that if your final disposition of this matter is to adopt our recommendation to approve an HO Zone for the premises, P & Z direct that all buildings on the premises be maintained to a standard applied by the Historic District Commission and that this Commission make inspections at least once a year. We suggest you refer specifically to Section 6-109.1(5)(b) of the zoning regulations and the perpetual preservation easement therein provided.

I am advised that in this matter the Planning and Zoning Commission is considering a requirement that such Commission approve any proposed window or door replacements and any proposed extension or alteration of any building on the premises, presumably after receiving the recommendations of this Commission. We certainly support this additional requirement.
We also strongly urge that you make specific that the present parcel can
never be subdivided but must be transferred as a whole. We think that this
is the law but we also think that in this case it may be good to belabor the
obvious.

Sincerely,

[Signature]

David M. Donald
Chairman
MEMO TO: Diane W. Fox, Assistant Town Planner
FROM: David M. Donald, Chairman, Historic District Commission
DATE: June 24, 1992
RE: Applejack Farm

This is in response to your memo of June 15.

The application for an H.O. for Applejack Farm is unique in that our
Commission was asked to review the application after the modifications had
been made to the garage apartment. It is unfortunate that we did not have
the opportunity to participate in reviewing the architectural plans before
the changes were made.

Over the years modifications and changes have been made to the garage
and the farm house which we believe are not appropriate to the original
design details, but we acted upon the application as the buildings were
presented to us, and believe that they still represent a part of Greenwich
history that should be preserved.

Chairman
Stephen Bishop
Chairman
Historic District Commission
Town of Greenwich
101 Field Point Road
Greenwich, CT 06830

May 26, 2021

Re: GFC Havemeyer LLC & GFC, LLC: 226 & 230 Mason St. & 16 Havemeyer (a/k/a 224 Mason St)
Historic Overlay Designation & Preservation

Dear Chairman Bishop:

On behalf of GFC Havemeyer LLC & GFC, LLC, owners of property located at and known as 226 & 230 Mason St. & 16 Havemeyer (a/k/a 224 Mason St) (hereinafter, "the Property") and subsidiaries of HB Nitkin Real Estate Fund II, LLC (hereinafter, collectively, the "Applicant"), I am hereby submitting a request for review of a proposed project at the Property pursuant to Section 6-109 of the Building Zone Regulations by the Historic District Commission. On May 25, 2021, the Planning & Zoning Commission heard a pre-application in advance of an anticipated application for a proposed change of zone from CGB to CGB-HO and site plan and special permit approval to construct a 6 unit residential building with a two-level parking garage on the Property and directed the Applicant to request this review by the HDC.

The Applicant received approval from the HDC and P&Z in 2007 for the construction of 9 townhouses on the Property (FSP #3263 and SP #3264) after removal of the drill shed, but with a façade easement on the armory building. Subsequently, in 2012, the Commission approved an application for office use within the armory building pending the commencement of construction of the previously approved townhouses. The townhouses ultimately were not constructed, and the approved office use has continued to the present day under the terms and conditions set forth in the approval and without the establishment of an HO or any preservation easement.
In 2016, the Applicant decided to reconfigure the residential development concept so as to construct 6 apartments, rather than the previously approved 9 townhouses, and to incorporate the ongoing office use of the armory building and thereby create a mixed-use development. The plans for this development called for the preservation of the entirety of the armory building, not just the façade, and, as in 2007, the removal of the drill shed. This plan was reviewed by the HDC on April 12, 2017 and received unanimous support for the preliminary design as presented, with the suggestion that subsequent plans “reflect a more cohesive relationship between the proposed structure, the fire separation wall and the Armory building.”

Shortly thereafter, while the preparation of the application to P&Z was nearing completion, the Chabad of Greenwich approached the Applicant with an alternative plan for the use of the Property, which plan, as you know, has been the subject of prior HDC and Commission review and ultimately an approval and a subsequent appeal.

The Applicant now proposes to proceed with the plan as originally envisioned in 2016-207, with the creation of 6 residential units and a two-level garage under an HO zone designation with the adaptive reuse of the Armory building as office space and the preservation of the entirety of that building.

We believe that it has been well-established that the armory building meets the standards for HO designation and preservation under Section 6-109 of the BZR and further that the project as proposed is in keeping with and responsive to the 2019 POCD which encourages in-fill development for residential purposes in central Greenwich. We look forward to presenting this application at the next available hearing of the HDC.

If you have any questions or comments or if you require additional information, please do not hesitate to contact me.

Sincerely,

W.I. Haslun II

Enclosures:
Application
P&Z Pre-Application
Architectural & Development Plans
Property History Prepared by Bruce Cohen, Esq. (2006)
HDC Action Agenda April 12, 2017
Historic District Commission of the Town of Greenwich
Advisory Opinion to the Planning and Zoning Commission [adjust size]

For changes:

- To a structure listed on the National Register of Historic Places
- To a structure listed on the State Register of Historic Places
- X To a public or commercial building with historic features

Or
- X For a requested Historic Overlay
- For a requested Historic Residential Overlay
- For a requested Preservation Easement

Address of work: 226 & 230 Mason & 16 Haymeyer

GFC Havemeyer LLC
Owner(s) GFC, LLC
Address 230 Mason St Greenwich 06830

c/o HB Nitkin

Phone 203-861-9000 Fax e-mail address ydecicco@hbnitkin.com

Architect: JERP Architects
Address 100 East Penn, Philadelphia, PA 19107

Phone 215-928-9331 Fax e-mail address

Agent/Contractor W.I. Haslun II
Address JHH, LLP 21 Sherwood Place, Greenwich 06830

Phone 203-983-6750 e-mail address chaslun@jhh-law.com

Estimated Dates: Begin TBD Complete TBD

Proposed work is:

- To be undertaken on:

- Change X
- Addition

- Residential building
- Accessory building
- Commercial building X

Explanation of work: Please attach current photographs, elevation drawings, site plan and a view of the streetscape or natural setting that illustrates the building’s context.

Signed by Owner Date

Historic District Commission Meeting Date: 6/9/21

Commission Action: Endorsed
TOWN OF GREENWICH
Town Hall – 131 Field Point Road – Greenwich, CT 06830
Planning & Zoning Department – 203-622-7894 – Fax 203-622-3795

Pre-Application Review Checklist

Property Address: 226 & 230 Mason Street & 16 Havemeyer Pl (a/k/a 224 Mason)

Anticipated Type of Application: Zone Change to CGB-HO, Site Plan & Special Permit

Pre-application meeting – For applications requiring a special permit (optional to all other application types), the applicant is required to submit documentation of their development proposal to the Planning and Zoning Commission for a nonbinding pre-application review pursuant to Section 7-159b of the CT. General Statutes, to be held on a regularly scheduled meeting of the Planning and Zoning Commission, subject to the below requirements. The submission shall include the following.

Please check the items submitted below:

1. Completed Application Form.

2. One copy of a signed form titled, Applicant’s Agreement to Pre-Application Review Meeting under the Provisions of CGS Section 7-159b, which notes in part, that this pre-application review is being held at the applicant's request in accordance with Connecticut General Statutes (Sec. 7-159b). Specifically, Section 7-159b of the Connecticut General Statutes notes that a Pre-application review and any results or information obtained from it may not be applied under any provision of the general statutes, and shall not be binding on the applicant or any authority, commission, department, agency or other official having jurisdiction to review the proposed project. Therefore, any comments, thoughts, ideas, or opinions provided by Commission members are non-binding in all respects.

3. Nine copies of a written narrative describing the project.

4. Nine copies of schematic architectural drawings including but not limited to proposed floor plans, all building elevations indicating proposed height and stories, conceptual site, and landscape plans.

5. Nine copies of an A2 survey and schematic civil engineering site development plans indicating the layout of the proposed development including setbacks, number and dimension of parking spaces and travel lanes, curb cuts and dimension of proposed buildings.

6. Nine copies of a planimetric GIS map (not aerial) showing the surrounding neighborhood including standard generated topography, infrastructure and flood zones.

7. An affidavit certifying that all abutting property owners have been notified by mail as evidenced by a certificate of mailings or certified or registered mail receipts, about said application. Owners of lots, or portions of lots, which are across a public or private street shall be deemed to be abutting property owners.

All applicants must make an appointment to submit this application with the Applications Coordinator, Peter Mangs, who can be reached by (email) Peter.Mangs@greenwichct.org or (phone) 203-622-7894.

NOTE: Any new documentation presented at Planning and Zoning Meetings shall be submitted to staff so that they can be made part of the record. Please ensure all documents can easily be removed from presentation boards.

PdPre-AppChecklist 2020
Site Plan Application

Property Address: 226 & 230 Mason St. & 16 Havemeyer Pl. (a/k/a 224 Mason)

Property Owner: GFC Havemeyer, LLC & GFC, LLC
Email: vdecicco@hbnikkir.com

Applicant: Owners as above

Authorized Agent: W.I. Haslun Il, Johnson Haslun & Haga, LLP
Email: chaslun@hh-law.com

Select One: ☑ Pre-Application ☐ Final
Zone(s): CGB, CGIO Lot Area: 31,408 sq ft

Please select all relevant items below:

☑ Special Permit – Complete special permit application form
   ☑ Coastal Overlay Zone
   ☑ Property is within 500 feet of a Municipal Boundary of ____________________ (for notification)
   ☑ Amendment to Building Zone Regulations – Section(s) ____________________
   ☑ Amendment to Building Zone Map – Zone(s) affected C G B
   ☑ Health Department review needed
   ☑ Sewer Department review needed
   ☑ Architectural Review Committee Application attached or Review needed
   ☑ Planning & Zoning Board of Appeals review needed
   ☑ Inland Wetlands and Watercourses Agency Review / Approval Required
   ☑ Scenic Road Designation

To be completed by P&Z staff only:
Check # __________________________ Check Amount: $ ____________
Application # ___________________________
<table>
<thead>
<tr>
<th></th>
<th>EXISTING</th>
<th>PROPOSED</th>
<th>PERMITTED/ REQUIRED</th>
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<tbody>
<tr>
<td>COMMERCIAL/OFFICE</td>
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<td></td>
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</tr>
<tr>
<td>Gross Floor Area</td>
<td>11,857 sq ft</td>
<td>6320.71 sq ft</td>
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<tr>
<td>Usable Floor Area</td>
<td>8690.25 sq ft</td>
<td>4740.53 sq ft</td>
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<tr>
<td>Parking Spaces</td>
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<td>91</td>
<td>Legally N/C</td>
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<td>COMMERCIAL/RETAIL</td>
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<td></td>
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<tr>
<td>Gross Floor Area</td>
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</tr>
<tr>
<td>Usable Floor Area</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Parking Spaces</td>
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<tr>
<td>OTHER USES</td>
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<tr>
<td>Gross Floor Area</td>
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<tr>
<td>Usable Floor Area</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Parking Spaces</td>
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<td></td>
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</tr>
<tr>
<td>RESIDENTIAL</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Number of Units</td>
<td>0</td>
<td>6</td>
<td>13</td>
</tr>
<tr>
<td>Number of Bedrooms</td>
<td>0</td>
<td>12</td>
<td>DNA</td>
</tr>
<tr>
<td>Gross Floor Area</td>
<td>0</td>
<td>19,196.49 sq ft</td>
<td>12*</td>
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<td>Parking Spaces</td>
<td>0</td>
<td>16</td>
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<tr>
<td>TOTAL SQUARE FOOTAGE</td>
<td>11,857 sq ft</td>
<td>25,617 sq ft</td>
<td>28,267 sq ft**</td>
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<tr>
<td>BUILDING HEIGHT</td>
<td>38.6'</td>
<td>39.2'</td>
<td>40'</td>
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<tr>
<td>FLOOR AREA RATIO</td>
<td>.377</td>
<td>.812</td>
<td>.9**</td>
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<tr>
<td>BUILDING COVERAGE</td>
<td>38.8%</td>
<td>45%**</td>
<td>30%</td>
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<tr>
<td>LOT COVERAGE</td>
<td>97.8%</td>
<td>93.7%**</td>
<td>75%</td>
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<tr>
<td>TOTAL PARKING SPACES</td>
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<td>107</td>
<td>103*</td>
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<tr>
<td>GREEN AREA</td>
<td>DNA</td>
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<tr>
<td>AGE OF STRUCTURE</td>
<td>1910</td>
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<td>THIS SITE PLAN INVOLVES:</td>
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<tr>
<td>☑ Additions</td>
<td></td>
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<tr>
<td>☑ Alterations</td>
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<tr>
<td>☑ Demolition</td>
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<tr>
<td>☑ Re-Construction</td>
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<td></td>
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</tr>
</tbody>
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*Per 6-155(3)
**Per 6-109; 205 ***

pzSitePlanApp 2020
# Zoning Data Table

**Zone: CGB (Town of Greenwich Building Zone Regulations)**

<table>
<thead>
<tr>
<th>Section</th>
<th>Requirement</th>
<th>Allowed / Required</th>
<th>Existing</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>BE-0200</td>
<td>Minimum Lot Size</td>
<td>21,440 sf</td>
<td>21,440 sf (2.5 acres)</td>
<td>21,440 sf (2.5 acres)</td>
</tr>
<tr>
<td>BE-0200</td>
<td>Maximum Lot Size for Residential Use</td>
<td>21,440 sf</td>
<td>21,440 sf (2.5 acres)</td>
<td>21,440 sf (2.5 acres)</td>
</tr>
<tr>
<td>BE-0200</td>
<td>Floor Area and F.A.R.</td>
<td>F.A.R. = 0.8 (Section 8-304[A] note 2)**</td>
<td>Actual Floor Area = 21,440 sf x 0.8 = 17,152 sf.</td>
<td>F.A.R. = 0.8 (Section 8-304[A] note 2)**</td>
</tr>
<tr>
<td>BE-0200</td>
<td>Building Height</td>
<td>25 ft</td>
<td>25 ft</td>
<td>25 ft</td>
</tr>
<tr>
<td>BE-0200</td>
<td>Maximum Building Area</td>
<td>21,440 sf</td>
<td>21,440 sf (2.5 acres)</td>
<td>21,440 sf (2.5 acres)</td>
</tr>
<tr>
<td>BE-0200</td>
<td>Maximum Lot Coverage</td>
<td>75% (108,100 sf)</td>
<td>108,100 sf (2.5 acres)</td>
<td>108,100 sf (2.5 acres)</td>
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<tr>
<td>BE-0200</td>
<td>Residential Parking</td>
<td>18 Spaces</td>
<td>18 Spaces (20 ft x 90 ft)</td>
<td>18 Spaces (20 ft x 90 ft)</td>
</tr>
</tbody>
</table>

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* Based on Town's Site Plan for Urban and Suburban Zoning Districts

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* Based on Building Code District

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* Based on Existing Lot Plan (Plan, 1962)
March 9, 2006

Ms. Diane W. Fox, AICP, Town Planner  
Planning and Zoning Commission  
Town of Greenwich  
101 Field Point Road  
Greenwich, CT 06830

RE: Preliminary Site Plan Application  
Preliminary Special Permit Application  
The Houses At Greenwich Armory  
224 Mason Street (also known as 16 Havemeyer Place),  
226 Mason Street and 230 Mason Street, Greenwich  
CGB and CGIO Zones

Dear Diane:

On behalf of our clients, GFC, LLC and GFC Havemeyer LLC (hereinafter collectively referred to as “GFC”), we are pleased to submit herewith an Application for Preliminary Site Plan Approval, and an Application for Special Permit Approval for the adaptive reuse of the former Armory Building property at the corner of Mason Street (224-230) and Havemeyer Place from commercial/light industrial, to nine (9) residential townhomes to be known as The Houses at Greenwich Armory. The Project will also include two levels of below-grade parking: the first to serve the nine (9) townhomes, the second, to provide parking for the Greenwich Financial Center vehicles now using the Armory site. These Applications are made pursuant to: Sections 6-13 through 6-15, 6-17, 6-100, 6-101(a), 6-104.1, 6-110(a)(d)(e), 6-155, 1, 6-161,6-183, 6-192, 6-205(b) Notes “1.” and “*** (a)” of the Greenwich Building Zone Regulations, as amended. The proposed redevelopment is also in conformance with applicable sections of the Town’s 1998 Plan of Conservation and Development (hereinafter, the “Plan”).

Background.

The subject site, commonly known as the “Armory Site” at 224 and 230 Mason Street is comprised of three (3) parcels: #224 Mason Street, and #226 Mason Street, both owned by GFC Havemeyer, LLC, located at the southwestern corner of Mason Street and Havemeyer Place, and #230 Mason Street owned by GFC, LLC, on which the former Armory Building is located. Taken together, the site comprises 31,408 square feet. The site is bounded to the
FOGARTY COHEN SELBY & NEMIROFF LLC

Ms. Diane W. Fox, Town Planner
March 9, 2006
Page Two

north by Havemeyer Place and the Town of Greenwich Fire Department; to the east by Mason Street and a retail bank; to the south by the Richards retail store parking deck and garage; and to the west by a rear 25-foot wide right-of-way used by retail and mixed use buildings located in the 300 block of Greenwich Avenue, and a 3-story commercial building at 12 Havemeyer Place. The entire site is presently improved with the approximately 11,900 square foot former State Armory Building, and a surface parking lot, accessible via a control gate on Mason Street. Three (3) metered parking spaces are located along its Mason Street frontage. The subject site is served by Town sewer and Town water.

The Armory Building. The former Armory building was completed in 1911 for the 12th Company Coast Artillery Corps of the Connecticut National Guard and is listed as a “Contributory” structure for the Greenwich Avenue Historic District, designated in 1989 on both the National Register for Historic Places and the State Register of Historic Places. The building was constructed by the State and dedicated on April 11, 1911. The Armory remained an active military facility until 1971 when the State deactivated the facility and relocated units stationed in Greenwich to the Norwalk Armory. In December 1972, the State sold the Armory to Fawcett Publications, Inc. Fawcett was then purchased by CBS, Inc. CBS sold the property to Diamond Communications Inc. in 1987, which then transferred title to M.S.E. Limited Partnership in 1989. The current owner acquired the property in August 2001. CBS used the building for offices for a period of time. The building has supported its current uses (dance studio, general offices, storage) since the late 1990s and, since about 1992, as indoor parking for tenants of the Greenwich Financial Center at One Fawcett Place owned by an affiliate of the Armory’s owners.

Its Design. The Armory was designed by Greenwich architect, Captain Frederick G. C. Smith in the “Lombard Military” style with contemporary, castellated fortress-like elements characteristic of many State armories. The building consists of two sections:

a) An L-shaped two story brick wing, the main administrative building section (also referred to as the “Head House”), comprising the façade of the building at Mason Street and a portion of the north wall; and

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1 Source: Greenwich Tax Assessor Field Card Tax I.D. Parcel 01-2572/S for #230 Mason Street.
2 The subject site has a total of three (3) existing curb cuts; only one (1) is used to access the existing parking lot.
5 Captain Smith (1872-1945) was also the architect of the Stamford Armory on Washington Boulevard (demolished).
b) A drill shed with a monitor roof visible primarily from the south and west (rear) elevations.

Originally, overall dimensions of the Armory building measured 100 feet x 150 feet. The first floor of the main section featured an entry foyer and included a large parlor, officer's room, and post-ordinance sergeant’s office. The second floor included the officer's dining suite, a ladies cloak room; a 21 x 49 foot banquet hall, a plotting room, a caretaker's apartment, and gallery capable of seating several hundred spectators overlooking the drill hall. A full basement included a 50 yard long target range, bowling alleys, a kitchen and mess room, toilets and showers.\(^7\)

The drill shed measures approximately 75 feet x 100 feet, and features an iron truss roof permitting the entire floor to be free from obstructions.\(^7\) In the early 1920s, appended to the north wall was a long, single-story shed (84”x26”) for the Company’s equipment room and lockers.\(^8\) This later shed has since been removed.

The Armory’s principal elevation, on Mason Street is the most articulated for what is otherwise a relatively simple, brick structure. The building’s raised, recessed central entrance is framed by a broad, compound Syrian arch. Tall, narrow, slit-like windows flank the entry, and three, arced windows sit above, crowned by a modest, stepped parapet and a State Seal and Coast Artillery tablet. The building entrance also has a prominent, three-story tower element, with alternating, battlement-like narrow windows, machicolated cornice and crenellated parapet. On either side of the central building core are broad wings, with 6 over 6 windows symmetrically placed across the façade. The north and south ends of the building are anchored by smaller, projecting tower-like elements, with corbelled cornices and originally featured crenellated battlements, all in brick.\(^9\)

Photographs and postcards in the Archives of the Greenwich Historical Society reveal that the castellated parapets above the main tower and two end towers on the building façade had been removed by the 1960s.\(^{10}\) The majority of the remaining original exterior elements of the Head House described above are extant today.

As noted in *Built to Serve: Connecticut’s National Guard Armories 1865-1940* (Geoffrey L. Rossano and Mary M. Donohue, Connecticut Historical Commission, 2003),

\(^7\) Kerschus, 1992, HSTG Archives.
\(^8\) *Built to Serve* [EXHIBIT A].
\(^9\) Kerschus, 1992, HSTG Archives, and *Built to Serve* [EXHIBIT A].
\(^10\) Miscellaneous photographs and postcards on file at HSTG Archives [EXHIBIT B].
the interior of the building underwent substantial renovation: the former drill shed gallery has been removed, and the “Head House” completely gutted with none of the original interior of the main section of the building left. The authors did cite, however, that “despite these changes, the principal elevation [of the building] retains its original wooden sash and most of its original appearance, as does the drill shed…” 11
HISTORIC DISTRICT COMMISSION MEETING
MAZZA ROOM
GREENWICH, CT
APRIL 12, 2017

ACTION AGENDA

ATTENDEES PRESENT
COMMISSIONERS: STEPHEN BISHOP – CHAIRMAN, ARIS CRIST, DARIUS TORABY,

ALTERNATES: MARTIN KAGAN, ANNIE McGINNIS

ABSENT: FI FI SHERIDAN, KATHRIN BROWN, MARIE WILLIAMS, SERENA BECHTEL

Mr. Bishop called meeting to order at 7:06pm.

* * *

1. SENSE OF THE COMMISSION

230 Mason Street
Owner: HB Nitkin Group
Represented by: Victor DeCicco, Senior Property Manager

Review preliminary design for new residential building

Motion to support the preliminary design as presented and have subsequent submitted designs reflect a more cohesive relationship between the proposed structure, the fire separation wall and the Armory building

Moved by Mr. Bishop
Seconded by Mr. Crist
Unanimous vote
Voting in favor: Mr. Bishop, Mr. Toraby, Mr. Crist, Mr. Kagan, Ms. McGinnis

2. CERTIFICATE OF APPROPRIATENESS

38 Strickland Road, Cos Cob
Owner: John Kavounas Represented by: John Kavounas
Architect: Paul Hopper, Paul F. Hopper Associates