

1. Public Notice - 7/27/22

Documents:

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1.1. Decisions 7/27/22

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1.1.i. Minutes 7/27/22

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Attention: - Greenwich Times

Advertise 1 time **7/15/22** "Greenwich Time" for Planning & Zoning Board of Appeals - Greenwich.

Advertise 1 time **7/20/22** "Greenwich Time" for Planning & Zoning Board of Appeals - Greenwich (622-7753).

PUBLIC NOTICE

Notice is hereby given that on Wednesday, July 27, 2022 at 7 P.M. a Virtual Public Hearing will be held by the Planning and Zoning Board of Appeals of the Town of Greenwich to hear appeals from decisions of the Zoning Enforcement Officer, applications to approve special exceptions, and applications to vary the Building Zone Regulations as amended in the following matters:

- No. 1 PLZE202200034 **18 VALLEY DRIVE, GREENWICH.** Appeal of Greenwich Park, LLC. for variances of allowable building and lot coverage to permit an addition onto an existing commercial building located in the GBO zone.
- No. 2 PLZE202200041 **340 OLD CHURCH ROAD, GREENWICH.** Appeal of James and Mandy Hopper for a variance of front yard setback to permit an addition onto an existing dwelling located in the RA-1 zone.
- No. 3 PLZE202200042 **71 VINCI DRIVE, GREENWICH.** Appeal of Greenwich Communities for a variance of rear yard setback to permit the construction of a new multifamily building located in the R-PHD-E/R-6 zone.
- No. 4 PLZE202200043 **220 SOUND BEACH AVENUE , OLD GREENWICH.** Appeal of OG Retail Partners 220 SBA LLC. for variances of building and lot coverage to permit the construction of a new pergola located in the LBR-2 zone.
- No. 5 PLZE202200044 **34 NEARWATER LANE , RIVERSIDE .** Appeal of Stephen & Angela Repenning for a variance of rear yard setback to permit alterations to an existing deck located in the R-12 zone.
- No. 6 PLZE202200045 **1 HALSEY DRIVE, OLD GREENWICH.** Appeal of Tracy Holton for a variance of front yard setback to permit the placement of a new pool on a lot located in the R-7 zone.
- No. 7 PLZE202200046 **10 HAMILTON AVENUE, GREENWICH** Appeal of Arnold Foods, Inc., for a variance of floor area ratio to permit the construction of a generator enclosure on a commercial property located in the GB zone.

Dated: July 15, 2022
Chairman

Patricia Kirkpatrick,

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.

**TOWN OF GREENWICH
PLANNING & ZONING BOARD OF APPEALS
PUBLIC NOTICE: DECISIONS 7/27/22**

Pursuant to the provisions of Public Act 362 effective October 1, 1953, notice is hereby given that the decisions of the Planning Zoning Board of Appeals of the Town of Greenwich on Appeals No. PLZE202200034 through Appeal No. PLZE202200046 described below heard July 27, 2022 have been filed in the Office of the Town Clerk, and that the effective date of said decisions is August 8, 2022.

- No. 1 PLZE202200034 **18 VALLEY DRIVE, GREENWICH.** Appeal of Greenwich Park, LLC. for variances of allowable building and lot coverage to permit an addition onto an existing commercial building located in the GBO zone was denied.
- No. 2 PLZE202200041 **340 OLD CHURCH ROAD, GREENWICH.** Appeal of James and Mandy Hopper for a variance of front yard setback to permit an addition onto an existing dwelling located in the RA-1 zone was granted.
- No. 3 PLZE202200042 **71 VINCI DRIVE, GREENWICH.** Appeal of Greenwich Communities for a variance of rear yard setback to permit the construction of a new multifamily building located in the R-PHD-E/R-6 zone was granted.
- No. 4 PLZE202200043 **220 SOUND BEACH AVENUE, OLD GREENWICH.** Appeal of OG Retail Partners 220 SBA LLC. for variances of building and lot coverage to permit the construction of a new pergola located in the LBR-2 zone was denied.
- No. 5 PLZE202200044 **34 NEARWATER LANE , RIVERSIDE .** Appeal of Stephen & Angela Repenning for a variance of rear yard setback to permit alterations to an existing deck located in the R-12 zone was granted.
- No. 6 PLZE202200045 **1 HALSEY DRIVE, OLD GREENWICH.** Appeal of Tracy Holton for a variance of front yard setback to permit the placement of a new pool on a lot located in the R-7 zone was granted with conditions.
- No. 7 PLZE202200046 **10 HAMILTON AVENUE, GREENWICH** Appeal of Arnold Foods, Inc., for a variance of floor area ratio to permit the construction of a generator enclosure on a commercial property located in the GB zone was granted.

Dated: August 8, 2022

MINUTES:

A Regular meeting of the Planning and Zoning Board of Appeals of the Town of Greenwich was held on Wednesday, July 27, 2022 at 7:00 P. M. on the Zoom Website, pursuant to due notice.

PRESENT: Patricia Kirkpatrick, Chairman
Arthur Delmhorst, Secretary
Ken Rogozinski
Wayne Sullivan
John Vecchiolla
Robert Nalewajek
James Ivester

EXCUSED: Frank Baratta

The following appeals were heard:

APPEAL No. PLZE2022000 34

Appeal of Greenwich Park, LLC, 18 Valley Drive, Greenwich for variances of allowable building and lot coverage to permit an addition onto an existing commercial building located in the GBO zone.

It was RESOLVED that said appeal be denied.

After due consideration, the Board found there was no hardship articulated to justify the requested variance of front yard setback. Accordingly, the appeal is denied.

Mr. Sullivan made a motion to deny the appeal which was seconded by Mr. Rogozinski. Messrs. Sullivan, Rogozinski and Ms. Kirkpatrick voted in favor of the motion. Mr. Vecchiolla and Mr. Delmhorst voted against.

Mr. Vecchiolla made a motion to grant the appeal which was seconded by Mr. Delmhorst. Messrs. Vecchiolla and Delmhorst voted in favor of the motion. Messrs. Sullivan, Rogozinski and Ms. Kirkpatrick voted against.

Board Members seated for this appeal were: Patricia Kirkpatrick, Arthur Delmhorst, John Vecchiolla, Ken Rogozinski and Wayne Sullivan.

APPEAL No. PLZE2022000 41

Appeal of James and Mandy Hopper, 340 Old Church Road, Greenwich for a variance of front yard setback to permit an addition onto an existing dwelling located in the RA-1 zone.

It was unanimously RESOLVED that said appeal be granted on the following grounds:

After due consideration, the Board finds there is hardship due to the location of the exiting dwelling combined with the lot's topography and location of the wetlands. Therefore, the requested variance of front yard setback is granted from sections 6-203 and 6-205.

The Board further finds that this relief can be granted without detriment to the public welfare or impairment to the integrity of the regulations.

Board Members seated for this appeal were: Patricia Kirkpatrick, Arthur Delmhorst, John Vecchiolla, Ken Rogozinski and Wayne Sullivan.

APPEAL No. PLZE2 02200042

Appeal of Greenwich Communities, 71 Vinci Drive, Greenwich for a variance of rear yard setback to permit the construction of a new multifamily building located in the R-PHD-E/R-6 zone.

It was unanimously RESOLVED that said appeal be granted on the following grounds:

After due consideration, the Board finds there is hardship due to the need to provide emergency access, combined with the location of the existing dwelling and ledge. The Board notes that the residential planned housing development-elderly (R-PHD- E) would increase the Town's affordable housing stock. Therefore, the requested variance of rear yard setback is granted from section 6-41.

The Board further finds that this relief can be granted without detriment to the public welfare or impairment to the integrity of the regulations.

Board Members seated for this appeal were: Patricia Kirkpatrick, Arthur Delmhorst, John Vecchiolla, James Ivester and Wayne Sullivan.

APPEAL No. PLZE202 200043

Appeal of OG Retail Partners 220 SBA LLC, 240 Sound Beach Avenue, Old Greenwich for variances of building and lot coverage to permit the construction of a new pergola located in the LBR-2 zone.

It was RESOLVED that said appeal be denied.

After due consideration, the Board found there was no hardship articulated to justify the requested variances of building and lot coverage. Accordingly, the appeal is denied.

Mr. Vecchiolla made a motion to approve the appeal with conditions. which was seconded by Mr. Delmhorst. Messrs. Delmhorst and Vecchiolla voted in favor of the motion. Messrs. Sullivan, Rogozinski and Ms. Kirkpatrick voted against.

Board Members seated for this appeal were: Patricia Kirkpatrick, Arthur Delmhorst, John Vecchiolla, Ken Rogozinski and Wayne Sullivan.

APPEAL No. PLZE20220004 4

Appeal of Stephen & Angela Repenning, 34 Nearwater Lane, Riverside for a variance of rear yard setback to permit alterations to an existing deck located in the R-12 zone.

It was unanimously RESOLVED that said appeal be granted on the following grounds:

After due consideration, the Board finds there is hardship due to the lot's topography combined with the location of the floodway. Therefore, the requested variance of rear yard setback is granted from sections 6-203 and 6-205.

The Board further finds that this relief can be granted without detriment to the public welfare or impairment to the integrity of the regulations.

Board Members seated for this appeal were: Patricia Kirkpatrick, Arthur Delmhorst, John Vecchiolla, Ken Rogozinski and Wayne Sullivan.

APPEAL No. PLZE20220004 5

Appeal of Tracy Holton, 1 Halsey Drive, Old Greenwich for a variance of front yard setback to permit the placement of a new pool on a lot located in the R-7 zone.

It was unanimously RESOLVED that said appeal be granted with conditions, on the following grounds:

After due consideration, the Board finds there is hardship due to the lot being on a corner with deficient right of way widths. Therefore, the requested variance of front yard setback is granted from sections 6-203 and 6-205(a) with the condition that any modifications to the proposed pool, would require additional approval by the Board.

Board Members seated for this appeal were: Patricia Kirkpatrick, Arthur Delmhorst, John Vecchiolla, Ken Rogozinski and Wayne Sullivan.

APPEAL No. PLZE20220004 6

Appeal of Arnold Foods, Inc., 10 Hamilton Avenue, Greenwich for a variance of floor area ratio to permit the construction of a generator enclosure on a commercial property located in the GB zone.

It was unanimously RESOLVED that said appeal be granted on the following grounds:

After due consideration, the Board finds there is hardship due to the previously removed thrift store building which, after the construction of the proposed enclosure would result in a net decrease of floor area.

Therefore, the requested variance of floor area ratio granted from sections 6-9, 6-203 and 6-205.

The Board further finds that this relief can be granted without detriment to the public welfare or impairment to the integrity of the regulations.

Board Members seated for this appeal were: Patricia Kirkpatrick, Arthur Delmhorst, John Vecchiolla, Ken Rogozinski and Robert Nalewajek.

The date of these minutes and rendition date of said decisions is August 8, 2022.

The next regular meeting is scheduled to be heard on August 10, 2022.

Arthur Delmhorst, Secretary