

1. Planning & Zoning Board Of Appeals Meeting Materials - 10/24/18

Documents:

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1.1. Decisions 10/24/18

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Attention: - Greenwich Times

Advertise 1 time **10/12/18** "Greenwich Time" for Planning & Zoning Board of Appeals - Greenwich.

Advertise 1 time **10/17/18** "Greenwich Time" for Planning & Zoning Board of Appeals - Greenwich (622-7753).

PUBLIC NOTICE

Notice is hereby given that on Wednesday, October 24, 2018 at 8 P.M. in the Joseph Cone Meeting Room, Town Hall, 101 Field Point Road, Greenwich, a 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 PLZE201800587 **306 ROUND HILL ROAD, GREENWICH.** Appeal of Christopher and Elizabeth Pollack for a variance of front yard setback to permit an existing treehouse to remain on a lot located in the RA-4 zone.
- No. 2 PLZE201800595 **35 LEONARD AVENUE, GREENWICH.** Appeal of 35 Leonard Ave, LLC for a variance of front yard setback to permit the addition of a new covered porch to a dwelling located in the R-12 zone.
- No. 3 PLZE201800600 **73 ORCHARD PLACE, GREENWICH.** Appeal of 73 Orchard Place, LLC for a variance of front yard setback to permit the construction of a new two family dwelling located in the R-6 zone.
- No. 4 PLZE201800608 **105 PROSPECT STREET, GREENWICH.** Appeal of Greenwich 105 Prospect, LLC for variances of lot coverage, building coverage, floor area ratio, front rear and side yard setback to permit additions to an existing mixed use building located in the GB zone.
- No. 5 PLZE201800613 **32 WEST WAY, OLD GREENWICH.** Appeal of Thomas and Noelle Twiggs for a variance of front yard setback to permit the construction of a new dwelling on a lot located in the R-20 zone.
- No. 6 PLZE201800557 **241 HAMILTON AVENUE, GREENWICH.** Appeal of HM Hamilton, LLC for modification of a condition on a previously approved variance limiting the use of the existing dwelling to two families as opposed to the three existing on a lot located in the R-6 zone.

Dated: October 24, 2018

Patricia Kirkpatrick, Chairman

**TOWN OF GREENWICH
PLANNING & ZONING BOARD OF APPEALS
PUBLIC NOTICE: DECISIONS 10 /24/18**

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. PLZE201800557 through Appeal No. PLZE201800613 described below heard October 24, 2018 have been filed in the Office of the Town Clerk, and that the effective date of said decisions is November 5, 2018.

- No. 1 PLZE201800587 **306 ROUND HILL ROAD, GREENWICH.** Appeal of Christopher and Elizabeth Pollack for a variance of front yard setback to permit an existing treehouse to remain on a lot located in the RA-4 zone was granted with conditions.
- No. 2 PLZE201800595 **35 LEONARD AVENUE, GREENWICH.** Appeal of 35 Leonard Ave, LLC. for a variance of front yard setback to permit the addition of a new covered porch to a dwelling located in the R-12 zone was granted.
- No. 3 PLZE201800600 **73 ORCHARD PLACE, GREENWICH.** Appeal of 73 Orchard Place, LLC. for a variance of front yard setback to permit the construction of a new two family dwelling located in the R-6 zone was granted with conditions.
- No. 4 PLZE201800608 **105 PROSPECT STREET, GREENWICH.** Appeal of Greenwich 105 Prospect, LLC. for variances of lot coverage, building coverage, floor area ratio, front rear and side yard setback to permit additions to an existing mixed use building located in the GB zone was granted in part and denied in part.
- No. 5 PLZE201800613 **32 WEST WAY, OLD GREENWICH.** Appeal of Thomas and Noelle Twiggs for a variance of front yard setback to permit the construction of a new dwelling on a lot located in the R-20 zone was granted.
- No. 6 PLZE201800557 **241 HAMILTON AVENUE, GREENWICH.** Appeal of HM Hamilton, LLC for modification of a condition on a previously approved variance limiting the use of the existing dwelling to two families as opposed to the three existing on a lot located in the R-6 zone continued.

Dated: November 5, 2018

MINUTES:

A Regular meeting of the Planning and Zoning Board of Appeals of the Town of Greenwich was held on Wednesday, October 24, 2018 at 8:00 P. M. in the Joseph Cone Meeting Room, pursuant to due notice.

PRESENT: Patricia Kirkpatrick, Chairman
John Vecchiolla, Acting Secretary
Ken Rogozinski,
Frank O'Connor
Frank Baratta

ABSENT: Arthur Delmhorst
Wayne Sullivan

Ms. Patricia Kirkpatrick, Chairman called the meeting to order at 8:12 p.m. John L. Vecchiolla acting as Secretary for this meeting which ended at 10:35 p.m.

The following appeals were heard:

APPEAL No. PLZE2018 00587

Appeal of Christopher and Elizabeth Pollack, 306 Round Hill Road for a variance of front yard setback to permit an existing treehouse to remain on a lot located in the RA-4 zone.

It was unanimously RESOLVED that said appeal be granted with conditions.

On motion made by Mr. John L. Vecchiolla and seconded by Mr. Frank O'Connor, it was unanimously resolved to approve a variance of front yard setback as hardship was found due to the lot's topography and deficient right of way width on Porchuck Road. Therefore, the requested variance of front yard setback is granted from Section 6-205 (a) on the condition that screening be maintained and that when and if the tree house was replaced the owner would apply for the proper building permit, if required, and zoning certificate.

The Board notes that an abutting neighbor, Mr. and Mrs. Charles Rose wrote a letter in support of this application.

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

APPEAL No. PLZE2018 00595

Appeal of 35 Leonard Ave, LLC, 35 Leonard Avenue, Greenwich for a variance of front yard setback to permit the addition of a new covered porch to a dwelling located in the R-12 zone.

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

On motion made by Mr. Ken Rogozinski and seconded by Mr. Frank Baratta, it was unanimously resolved to approve this variance of front yard setback as hardship was found due to the deficient right of way width and lot shape. Therefore, the requested variance of front yard setback is granted from Section 6-205 (a)

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

APPEAL No. PLZE2 01800600

Appeal of 73 Orchard Place, LLC, 73 Orchard Place, Greenwich for a variance of front yard setback to permit the construction of a new two family dwelling located in the R-6 zone.

It was unanimously RESOLVED that said appeal be granted with conditions.

On motion made by Mr. John L. Vecchiolla and seconded by Mr. Ken Rogozinski, it was unanimously resolved to approve a variance of front yard setback as hardship was found due to the lot's shape and deficient right of way width on Orchard Place. Therefore, the requested variance of front yard setback is granted from Sections 6-203 and 6-205 (a) on the condition that adequate screening be planted as approved and shown on the CAM application.

The Board notes Mrs. Eileen Toretta, an abutting property owner, stated she had no objection to the granting of this variance provided that there was adequate screening.

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

APPEAL No. PLZE2018 00608

Appeal of Greenwich 105 Prospect, LLC, 105 Prospect Street, Greenwich for variances of lot coverage, building coverage, floor area ratio, front rear and side yard setback to permit additions to an existing mixed use building located in the GB zone.

It was unanimously RESOLVED that said appeal be granted in part and denied in part.

On motion duly made by Mr. John L. Vecchiolla and Mr. Ken Rogozinski to approve this appeal with a reduced rear deck, said motion did not pass as it did not receive four (4) votes (Mr. John L. Vecchiolla, Mr. Ken Rogozinski, and Mr. Frank Baratta voted in favor of this motion). Voting no were Ms. Patricia Kirkpatrick and Mr. Frank O'Connor.

On motion duly made by Ms. Patricia Kirkpatrick and seconded by Mr. John L. Vecchiolla, it was unanimously resolved to approve the variance of the floor area ratio for the enclosure of the front porch as there will be a reduction in the perceived bulk and FAR by removal of the rear stair well. 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.

APPEAL No. PLZE201800613

Appeal of Thomas and Noelle Twiggs, 32 West Way, Old Greenwich for a variance of front yard setback to permit the construction of a new dwelling on a lot located in the R-20 zone.

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

On motion duly made by Mr. Ken Rogozinski and seconded by Frank O'Connor, it was unanimously resolved to approve this variance of front yard setback as hardship was found due to the deficient right of way width and the change in the FEMA flood zone map. Therefore, the requested variance of front yard setback is granted from Section 6-205 (a)

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

APPEAL No. PLZE201800557

Appeal of HM Hamilton, LLC, 241 Hamilton Avenue, Greenwich for modification of a condition on a previously approved variance limiting the use of the existing dwelling to two families as opposed to the three existing on a lot located in the R-6 zone.

It was unanimously RESOLVED that said appeal be continued.

On motion made by Mr. Ken Rogozinski and Mr. John L. Vecchiolla the continuance was unanimously granted (5-0-0).

Meeting was adjourned at 10:35 p.m.

The date of these minutes and rendition date of said decisions is November 5, 2018 .

The next regular meeting is scheduled to be heard on November 7, 2018.

John L. Vecchiolla, Acting Secretary