

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