

MINUTES:

A Regular meeting of the Planning and Zoning Board of Appeals of the Town of Greenwich was held on Wednesday, April 26, 2017 at 8:00 P. M. in the Joseph Cone Meeting Room, pursuant to due notice.

PRESENT: David Weisbrod, Chairman
Arthur Delmhorst, Acting Secretary
Lawrence Larson
Patricia Kirkpatrick
Frank O'Connor

ABSENT: Wayne Sullivan

The following appeals were heard:

APPEAL No. PLZE201600682

Appeal of Binney Point, LLC, 68 Binney Lane, Old Greenwich for variances of floor area ratio, front, rear and side yard setbacks to permit the construction of a new dwelling and attached decks located in the R-12 zone.

It was RESOLVED that said appeal be granted with conditions.

After due consideration, the Board finds there is hardship due to the lot's shape, size and the location of the property within a flood zone combined with the reduction of nonconformities. Therefore, the requested variances of floor area ratio, side, rear and front yard setback as shown on zoning location survey titled, Binney Point, LLC, drawn by Rocco V. D'Andrea, dated April, 19 2017, and architectural plans drawn by Joel Moore Architects, titled ZBA Submission, are granted from sections 6-203, 6-205 and 6-128 with the condition that the proposed deck on the northeast side of the dwelling be reduced by 5 feet in the direction of the dwelling.

Mr. Larson made a motion to approve the appeal with conditions which was seconded by Mr. O'Connor. Messrs. Delmhorst, O'Connor, Larson and Weisbrod voted in favor of the motion. Ms. Kirkpatrick voted against the motion.

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. PLZE201700075

Appeal of Fisk Management, LLC, 63 Church Street, Greenwich for variances of side yard setbacks, lot coverage, FAR, required parking, required lot area, allowable lot coverage, required garage space and permitted use to permit the conversion of existing office to multi-family residence located in the LBR-2 zone.

It was unanimously RESOLVED that said appeal be continued at the applicant's request.

APPEAL No. PLZE201700139

Appeal of Robert Rioseco, 32 Pleasant Street, Cos Cob for a variance of front yard setbacks to permit additions to a dwelling located in the R-7 zone.

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

After due consideration, the Board finds there is hardship due to the preexisting nonconforming location of the existing dwelling. Therefore, the requested variance of front yard setback is granted from sections 6-9, 6-128, 6-141(b)(2)(B) and 6-205.

Mr. Delmhorst made a motion to approve the appeal which was seconded by Mr. O'Connor. Messrs. Delmhorst, O'Connor, Larson and Weisbrod voted in favor of the motion. Ms. Kirkpatrick voted against the motion.

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. PLZE201700140

Appeal of Alpha Realty & Development, LLC, 1191 East Putnam Avenue, Greenwich for a variance of allowable fence/wall height to allow for an existing wall/fence to remain on a commercial property located in the LB zone.

It was unanimously RESOLVED that said appeal be continued at the applicant's request.

APPEAL No. PLZE201700171

Appeal of Jonathan & Paola Ryckman, 39 Druid Lane, Riverside for a variance of side yard setbacks to permit the construction of a window well on a dwelling located in the R-12 zone.

It was RESOLVED that said appeal be denied.

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

Ms. Kirkpatrick made a motion to deny the appeal which was seconded by Mr. Larson. Mr. Larson and Ms. Kirkpatrick voted in favor of the motion. Messrs. Delmhorst, O'Connor and Weisbrod voted against the motion. Having failed to receive four affirmative votes the motion does not carry.

Mr. Delmhorst made a motion to approve the appeal which was seconded by Mr. O'Connor. Messrs. Delmhorst, O'Connor and Weisbrod voted in favor of the motion. Mr. Larson and Ms. Kirkpatrick voted against the motion. Having failed to receive four affirmative votes the motion does not carry and the appeal is denied.

The date of these minutes and rendition date of said decisions is May 8, 2017.

The next regular meeting is scheduled to be heard on May 10, 2017.