A Regular meeting of the Planning and Zoning Board of Appeals of the Town of Greenwich was held on Wednesday, May 10, 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  
Wayne Sullivan  
Ken Rogozinski

The following appeals were heard:

**APPEAL No. PLZE201700138**

Appeal of Matthew Emrich and Felicia Schecter-Emrich, 213 Riverside Avenue, Riverside, CT for variances of floor area ratio to permit the enclosure of an existing porch on a dwelling located in the R-12 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 floor area ratio. Accordingly, the appeal is denied.

Mr. Sullivan made a motion to approve the variance which was seconded by Mr. Rogozinski. Messrs. Rogozinski and Sullivan voted in favor of the motion. Messrs. Weisbrod, Delmhorst and Ms. Kirkpatrick voted against the motion. Having failed to receive four affirmative votes the motion does not pass and the appeal is denied.

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

Sitting for this appeal were: David Weisbrod, Arthur Delmhorst, Patricia Kirkpatrick, Wayne Sullivan and Ken Rogozinski.

**APPEAL No. PLZE201700186**

Appeal of 75 Strickland, LLC., Strickland Shores LLC, 75, 77 & 79 Strickland Road, Cos Cob, CT for variances of rear yard setback and building height to permit the construction of a new dwelling and the raising of an existing dwelling on a property located in the R-6 zone.

It was unanimously RESOLVED that said appeal be granted with conditions.
After due consideration, the Board finds there is hardship due to the location of the property within a flood zone combined with its location which abuts an interstate highway. Therefore, the requested variances of rear yard setback and the building height of number 79 (labeled as building number 1), is granted from sections 6-203 and 6-205(a) with the conditions that a 6-foot solid fence be placed along the westerly boundary of 73 Strickland road, prior to construction, if there is a need to blasting, that a pre-blast survey be done and that exterior footprint and walls of the structure remain as is and are not demolished.

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

Sitting for this appeal were: David Weisbrod, Arthur Delmhorst, Lawrence Larson, Wayne Sullivan and Ken Rogozinski. Patricia Kirkpatrick recused herself for this appeal.

**APPEAL No. PLZE201700193**

Appeal of Stillmun Partners, LLC, 2 Little Cove Place, Greenwich, CT for a variance front yard setback to permit the construction of a new dwelling 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 deficient right of way width, the location of the property in a flood zone and the reduction of nonconformity. Therefore, the requested variance of front yard setback is granted from sections 6-203(b) and 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.

Sitting for this appeal were: David Weisbrod, Arthur Delmhorst, Patricia Kirkpatrick, Wayne Sullivan and Ken Rogozinski.

**APPEAL No. PLZE201700194**

Appeal of Sean and Ariel Meyer, 10 Butler Street, Cos Cob, CT for a variance floor area ratio to permit additions to a dwelling located in the R-7 zone.

It was unanimously RESOLVED that said appeal be denied.

After due consideration, the Board found there was no hardship articulated to justify the requested variance of floor area ratio. Accordingly, the appeal is denied.

Sitting for this appeal were: David Weisbrod, Arthur Delmhorst, Patricia Kirkpatrick, Wayne Sullivan and Ken Rogozinski.
APPEAL No. PLZE201700197

Appeal of Il Mandorolo, LLC, 0 Indian Field Road (aka 602 Indian Field Road, Greenwich, CT for a two (2) lot subdivision previously denied by the Planning and Zoning Commission (No. PLPZ 2016-00594) in the RA-2 zone.

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

After due consideration, the board approves the 2 lot subdivision currently identified as 0 Indian Field Road, aka, 602 Indian Field Road, parcel ID number, 02-1612, as shown on Subdivision Plan drawn by S.E. Minor and Company Inc. dated April 1st 2016 and titled, Subdivision Plan for Il Mandorlo, LLC upon the following conditions:

1- The applicant is to submit the Declaration of Restrictions for the required conservation easement, as shown on a Subdivision Plan drawn by S.E. Minor and Company Inc. dated April 1st 2016 and titled, Subdivision Plan for Il Mandorlo, LLC to the law department for review.

2- The conservation easement is to remain in perpetuity.

3- The Board notes department comments from the DPW Engineering Division, the Health department, the DEEP and the Zoning Enforcement Officer.

4- The board notes that this application does not guarantee the ability to develop the lots, which are still subject to normal review and approval of all applicable agencies, which may include, but are not necessarily limited to, the following: The Inland Wetlands and Watercourses Agency, Building Department, Zoning Enforcement, DPW Highway, Engineering, Health Department Planning and Zoning, and others as may apply.

Sitting for this appeal were: David Weisbrod, Arthur Delmhorst, Patricia Kirkpatrick, Wayne Sullivan and Ken Rogozinski.

APPEAL No. PLZE201700207

Appeal of Captains Harbor Land Company, LLC, 24 Cherry Tree Lane, Riverside, CT for a variance of floor area ratio to permit the construction of a new detached garage on a lot 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 lot being located in a flood zone and the removal of a portion of the garage within said flood zone combined with the lot's size, and the reduction of nonconforming floor area. Therefore, the requested variance of floor area ratio 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.

Sitting for this appeal were: David Weisbrod, Arthur Delmhorst, Patricia Kirkpatrick, Wayne Sullivan and Ken Rogozinski.
APPEAL No. PLZE201700209

Appeal of James and Kristina Keogh, 12 Benders Lane, Greenwich, CT for variances of permitted stories and floor area ratio to permit additions to a dwelling located in the R-12 zone.

It was unanimously RESOLVED that said appeal be denied.

After due consideration, the Board found there was no hardship articulated to justify the requested variances of permitted stories and floor area ratio. Accordingly, the appeal is denied.

Sitting for this appeal were: David Weisbrod, Arthur Delmhorst, Patricia Kirkpatrick, Wayne Sullivan and Ken Rogozinski.

The date of these minutes and rendition date of said decisions is May 22, 2017.

The next regular meeting is scheduled to be heard on May 24, 2017.

Arthur Delmhorst, Acting Secretary