MINUTES:

A Regular meeting of the Planning and Zoning Board of Appeals of the Town of Greenwich was held on Wednesday, June 10, 2015 at 8:00 P. M. in the Joseph Cone Meeting Room, pursuant to due notice.

PRESENT:       David Weisbrod, Chairman
                Lawrence Larson, Acting Secretary
                Patricia Kirkpatrick
                Ennala Ramcharandas
                Wayne Sullivan

ABSENT:        Arthur Delmhorst

The following appeals were heard:

**APPEAL No. PLZE201500206**

Appeal of Robert Baker, 44 John Street, Greenwich for a variance of side yard setback to permit the replacement of air conditioning units on a property located in the RA-4 zone.

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

After due consideration, Board finds that there is hardship due to the lot’s topography which contributed to the location of the existing dwelling. Therefore the requested variance of side yard setback is granted from section 6-205 to permit additions to an existing garage.

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

**APPEAL No. PLZE201500207**

Appeal of Elk Himes Partners ll, LLC, 52 Brookside Drive, Greenwich for variances of grade wall height, front and side yard setback to permit the construction of a new multi-family dwelling and retaining walls located in the GB zone.

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

After due consideration, Board finds that there is hardship due to the lot’s topography. The Board notes the elimination of the nonconforming side yard setback. Therefore the requested variances of allowable wall height, front and side yard, setback is granted from sections 6-203, 6-205 and 6-134.

The Board also finds that this relief can be granted without detriment to the public welfare or impairment to the integrity of the regulations.
Mr. Larson made a motion to approve the appeal which was seconded by Mr. Ramcharandas. Messrs.' Larson, Sullivan, Ramcharandas and Mr. Weisbrod voted in favor of the motion and Ms. Kirkpatrick voted against.

**APPEAL No. PLZE201500218**

Appeal of Country Realty Company, 180 West Putnam Avenue, Greenwich requesting variances of lot coverage, rear and side yard setbacks as well as special exception approval to permit alterations to a commercial building used for automotive sales, service and storage and the construction of new retaining wall on a lot located in the GB zone.

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

After due consideration, the Board finds that the special exception standards as provided by sections 6-19, 6-20 and 6-100 of the Building Zone Regulations have been met. Accordingly, the special exception to permit alterations to a commercial building used for automotive sales, service and storage and the construction of new retaining wall is granted.

Further, the Board finds that there is hardship due to the lot’s shape, location of wetlands and nature of the use. Therefore, the requested variances of lot coverage, rear and side yard setbacks are granted.

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

Ms. Kirkpatrick made a motion to approve the appeals which was seconded by Mr. Weisbrod. Messrs.’ Larson, Ramcharandas, Weisbrod and Ms. Kirkpatrick voted in favor of the motion and Mr. Sullivan voted against.

**APPEAL No. PLZE201500234**

Appeal of Eric Vincent, 55 Byram Shore Road, Greenwich for a variance of front, rear and side yard setback to permit the placement of 2 air conditioning units on a lot located in the R-20 zone.

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

After due consideration, the Board finds there is hardship due to the lot’s size. Therefore, the requested variances of front and side yard setback are granted from sections 6-203 and 6-205 with the conditions that the units be high efficiency, low noise, and be screened with a solid fence with a height as tall or taller than the proposed units installed.

The Board further finds that there was no hardship articulated to permit the construction of the proposed balcony to the rear of the dwelling. Therefore, the requested variance of rear yard setback is denied.

The Board further finds that this relief can be granted without detriment to the public welfare or impairment the integrity of the regulations.
APPEAL No. PLZE201500235

Appeal of Greenwich Country day School Inc., 401 Old Church Road and 50 Fairfield Road, Greenwich for special exception approval to permit the consolidation of 2 parcels and the construction of an addition to the lower school located on the RA-1 zone.

It was unanimously RESOLVED that said appeal be continued at the applicants request.

APPEAL No. PLZE201500250

Appeal of Saddle River Greenwich, LLC, 647 River Road, Greenwich for variances of front and side yard setbacks to permit the construction of a new gate house located in the RA-1 zone.

It was RESOLVED that said appeal be denied.

After due consideration, Board finds that there was no hardship articulated to justify the requested variances of front and side yard setback. Ms. Kirkpatrick made a motion to deny the appeals which was seconded by Mr. Larson. Messrs.’ Larson, Sullivan, Ramcharandas, and Ms. Kirkpatrick voted in favor of the motion and Mr. Weisbrod voted against. The appeal is therefore denied.

APPEAL No. PLZE201500251

Appeal of Alberto Milani, 12 Skylark Road, Greenwich for variances of front yard setback to permit an addition to a dwelling located in the R-7 zone.

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

After due consideration, Board finds that there is hardship due to the lot’s topography and shape combined with the curvature of the road. Therefore the requested variance of front setback is granted from sections 6-203, 6-205.

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

The date of these minutes and rendition date of said decisions is June 22, 2015.

The next regular meeting is scheduled to be heard on June 24, 2015.

Lawrence Larson, Acting Secretary