

GREENWICH HISTORICAL SOCIETY

GREENWICH PRESERVATION NETWORK

To: Ms. Margarita Alban, Chairman,  
Planning and Zoning Commission Members  
Katie DeLuca, Director Planning and Zoning Dept  
Patrick LaRow, Asst. Director Planning and Zoning Dept

From: Greenwich Historical Society- Greenwich Preservation Network

RE: PLPZ202000311- Foundation House 124 Old Mill Road

Date: February 17,2021

The Greenwich Preservation Network members have seen the application for Foundation House on Old Mill Road that is scheduled for tonight's P&Z meeting and have the following comments. There are three areas of concern we would like the applicant to address:

- 1- **HISTORIC SELLECK MILL –PRESERVATION AND REPAIR** (second oldest mill structure in the State of CT). We are particularly concerned about the present condition of the Historic Selleck Mill, which is in dire need of repair and maintenance. Having reviewed the Declaration of Restrictions and Conservation Easements (filed on the GLR in 1994) which govern this property and in particular section 4- the preservation of the Selleck Mill, we are requesting that the Commission require the owner to fulfill the requirements of said Declaration and perform immediate repairs to this historic Mill which is on the National Register of Historic Places. We note that this Mill is surrounded by a plot of Conservation Easement land associated with the functioning of the Mill. Those conditions are as follows:

Section 4- Historic Façade Easement-

(b) a façade easement is granted to the Town of Greenwich which runs with the land to ensure the preservation of the exterior appearance of the Mill building in its existing or an approved historically appropriate and enhanced state of repair.

(c) the roof, exterior walls, windows doors shutter and structural framework shall be maintained utilizing reasonably historically appropriate materials so that the structural integrity and appearance of the Mill are maintained to at least the existing state of repair and appearance as of the date of this document (1994)

(d) the Historical Society of the Town of Greenwich, or any successor thereto shall be authorized upon prior notice to the then owner of the Mill to make periodic annual inspections of the Mill to assure that this façade easement is

being reasonably maintained to the standards herein. Any violation of this easement or the need for any required maintenance shall be reported to the then owner of the Mill who shall make the required repairs and if same are not instituted within one year, the Town of Greenwich or its designee, shall be given access to the Mill to make the required repairs. (e) the owner shall be permitted to utilize such grills and grates in the raceway area and to provide locks as may be required to keep the Mill secure from trespassers. (f) Interior use and modifications of the space therein shall be in accordance with the rules and regulations of the town and shall be such that the use of modification shall not violate this façade easement or damage the existing structure, the millstone or the turbine without the Planning and Zoning Commission' prior approval.

As noted on p. 10 of these Declaration of Restrictions the last part of paragraph (f) states that "The covenants and restrictions declared herein shall not be amended, released or altered in any way without the prior written consent of the Planning and Zoning Commission, the Board of Selectmen, and the RTM and all adjoining property owners."

We concur with the HDC in their statements that the property's unique structures warrant protection and preservation which can be achieved through a new Declaration of Preservation and Maintenance and would be in keeping with the 2019 POCD goal "to protect and harness our Town's historic heritage, and such "Historic Preservation is a key component of Community character and the imperative to retain these distinguishing characteristics by encouraging the maintenance and preservation of older structures"

The HDC's comments on the Selleck Mill are critical and HDC should be a consultant to the owner in restoration of this unique and valuable structure and be included in the Declaration of Preservation/ Maintenance for continued monitoring of said structure over time.

The Preservation Network is asking the Commission to have the owners make the required repairs as soon as possible in compliance with the Declaration of Restrictions conditions that still govern this property.

## **2- PRESERVATION FAÇADE EASEMENT ON THE MANOR HOUSE**

While we certainly commend the applicant for stating that they will retain the existing mansion and accessory buildings, preserve the Selleck Mill and allow for horse trails to be used by the public, we have concerns that there needs to be a more formal and detailed commitment for such preservation and maintenance. The P&Z Commission approval letter of March 15 1994 notes " that the Old Mill Farm Estate, which includes the Manor house, stable and community house(staff residences) were designed by the noted architect Lewis Bowman, built in the late 1920's, is an

imposing presence on Old Mill Road worthy of preservation and the large land areas surround said structures give a sense of setting and will continue its visual and unique aesthetic streetscape impact. The preservation of such structures must include restoration, not just preservation.

The change of use from residential to educational uses and public meeting uses on the property- whether for profit, not for profit or non-profit ownership and uses- is a major change of use in this area of backcountry and warrants protections for the historic structures themselves and for the neighbors.

While the rezoning of the property to an Historic Overlay (HO) would be preferable to ensure the continued preservation of these buildings, we understand that this might not be possible because of the applicant and neighbor's concerns.

However we feel that at a minimum a new Declaration of Preservation and Maintenance for the historic and architecturally significant buildings is necessary to be filed with P&Z, HDC and on the Greenwich Land Records to guarantee such preservation and maintenance for the future. Such preservation can only occur after restoration is completed. Such restoration should be under the HDC and P&Z auspices.

The restoration, protection and maintenance of these historic structures will be a "win-win" for both the applicant and the Town, and we look forward to seeing such a partnership for this property and others in the future.

**3 CONSERVATION EASEMENTS ON THE PROPERTY-** Conservation Easements are granted to the Town of Greenwich in, over and across all areas shown and designated on the Map of the Property as "Conservation easement areas for the purposes of keeping said areas as open space and in their undeveloped and natural state forever in accordance with following provisions :

a)no structure or improvement shall be in these conservation easement areas and no said areas shall be paved for common parking.

b) no topographic changes shall be made in said areas, (includes filling grading etc and no removal of stone walls, installation of any utilities or laying out of foot or riding paths or trails.

It is noted that the current report from Conservation Commission Staff has noted language in the approved declaration of restrictions for the subdivision that prohibited "laying out of foot or riding paths or trails." Analysis of aerial photographs shows a dirt road located between the stone wall and the Converse Pond Brook which is not shown on the original subdivision survey or recently submitted one." They are asking the applicant to address the issue as it is within the approved conservation easement

c) no debris or refuse be placed in these areas,

d) no live or undiseased tree or shrub shall be cut removed or destroyed in these areas except as necessary for clearing of approved driveways roads, maintenance of the Mill and other uses approved by the Planning and Zoning Commission

If the owners fail to comply with their obligations the Grantee(Town of Greenwich) has the right and authority to enforce these covenants by giving notice to the owners to correct the conditions within 30 days, and the Town can take any and all available and necessary action to assure proper compliance and may assess the cost against the Grantors owners.

The present P&Z staff report has stated, "The applicant has not yet provided a subdivision map depicting the proposal as required by Sec. 6-268 and Sec. 269 of the Town's Subdivision Regulations. Applicant is proposing to change the configuration of lots 1 &2 to transfer 4 acres of land from lot 1 to lot 2 (for the new Event Barn &septic system )"

For all the above reasons , we ask that this application be kept open for applicant to resolve outstanding issues and address the need for the Mill repair and façade preservation easement of the Manor House.

Very truly yours

Diane W. Fox, AICP  
Chairman  
Greenwich Preservation Network

cc Greenwich Preservation Network members; Greenwich Historical Society.