TOWN OF GREENWICH
Town Hall ~ 101 Field Point Road ~ Greenwich, CT 06830
Planning & Zoning Department ~ 203-622-7894 ~ Fax.203-622-3795

Site Plan Application

Property Address: 200 Lake Avenue
Property Owner: Michael Newman
Email: newmanmw@gmail.com
Applicant: Michael Newman
Email: newmanmw@gmail.com
Authorized Agent:

Tax ID: 246/063
Cell Phone: 917-853-3959
Cell Phone: 917-853-3959

Select One: □ Pre-Application □ Final
Zone(s): Converting RA-2 to R-12
Lot Area: 4 Lots totaling ~2.5 acres (~112,000 sq ft)

Please select all relevant items below:

□ Special Permit – Complete special permit application form
□ Coastal Overlay Zone
□ Property is within 500 feet of a Municipal Boundary of _____________ (for notification)
□ Amendment to Building Zone Regulations – Section(s) ___________
□ Amendment to Building Zone Map – Zone(s) affected Converting RA-2 to R-12
□ Health Department review needed
□ Sewer Department review needed
□ Architectural Review Committee Application attached or Review needed
□ Planning & Zoning Board of Appeals review needed
□ Inland Wetlands and Watercourses Agency Review / Approval Required
□ Scenic Road Designation

To be completed by P&Z staff only:
Check # ________________ Check Amount: $ ____________
Application # ____________________________
pzSitePlanApp 2020
Application Signature Page

Property Address: 190, 200, & 248 Lake Avenue
Tax ID: 200 Lake - 246/063

Property Owner 1: Michael Newman
Email: newmanmw@gmail.com
Address: 200 Lake Avenue, Greenwich CT 06830
Cell Phone: 917-853-3959
Other Phone: (TAX ID 246/063)
Signature: [Signature]
Date: 10/27/21

Property Owner 2: Robert Aaronson
Email: raaronson.ch@gmail.com
Address: 190 Lake Avenue, Greenwich CT 06830
Cell Phone: 203-253-3224
Other Phone: (TAX ID 246/062)
Signature: [Signature]
Date: 10/27/21

Property Owner 3: Philip Anstey
Email: philip.anstey@gmail.com
Address: 248 Lake Avenue, Greenwich CT 06830
Cell Phone: 203-817-2861
Other Phone: (TAX ID 246/064A)
Signature: [Signature]
Date: 10/27/21

Property Owner 4: 
Address: 
Cell Phone: 
Other Phone: 
Signature: 
Date: 

Applicant: 
Address: 
Cell Phone: 
Other Phone: 
Signature: 
Date: 

Authorized Agent: 
Address: 
Cell Phone: 
Other Phone: 
Signature: 
Date: 

pzSignaturePage 2020
Pre-Application Review Checklist

Property Address: 200 Lake Avenue, Greenwich CT 06830
Anticipated Type of Application: Amendment to Building Zone Map / Zoning Change - RA-2 to R-12
Tax ID: 246/063

Pre-application meeting – For applications requiring a special permit (optional to all other application types), the applicant is required to submit documentation of their development proposal to the Planning and Zoning Commission for a nonbinding pre-application review pursuant to Section 7-159b of the Ct. General Statutes, to be held on a regularly scheduled meeting of the Planning and Zoning Commission, subject to the below requirements. The submission shall include the following.

Please check the items submitted below:

☐ 1. Completed Application Form.

☒ 2. One copy of a signed form titled, Applicant’s Agreement to Pre-Application Review Meeting under the Provisions of CGS Section 7-159b, which notes in part, that this pre-application review is being held at the applicant’s request in accordance with Connecticut General Statutes (Sec. 7-159b). Specifically, Section 7-159b of the Connecticut General Statutes notes that a “Pre-application review and any results or information obtained from it may not be applied under any provision of the general statutes, and shall not be binding on the applicant or any authority, commission, department, agency or other official having jurisdiction to review the proposed project.” Therefore, any comments, thoughts, ideas, or opinions provided by Commission members are non-binding in all respects.

☐ 3. Nine copies of a written narrative describing the project. [ELECTRONIC, 1 HARD COPY]

☒ 4. Nine copies of schematic architectural drawings including but not limited to proposed floor plans, all building elevations indicating proposed height and stories, conceptual site, and landscape plans. [ELECTRONIC, 1 HARD COPY]

☐ 5. Nine copies of an A2 survey and schematic civil engineering site development plans indicating the layout of the proposed development including setbacks, number and dimension of parking spaces and travel lanes, curb cuts and dimension of proposed buildings.

☐ 6. Nine copies of a planimetric GIS map (not aerial) showing the surrounding neighborhood including standard generated topography, infrastructure and flood zones.

☐ 7. An affidavit certifying that all abutting property owners have been notified by mail as evidenced by a certificate of mailings or certified or registered mail receipts, about said application. Owners of lots, or portions of lots, which are across a public or private street shall be deemed to be abutting property owners.

All applicants must make an appointment to submit this application with the Applications Coordinator, Peter Mangs, who can be reached by (email) Peter.Mangs@greenwichct.org or (phone) 203-622-7894.

NOTE: Any new documentation presented at Planning and Zoning Meetings shall be submitted to staff so that they can be made part of the record. Please ensure all documents can easily be removed from presentation boards.
Applicant’s Agreement to Pre-Application Review Meeting under the Provisions of CGS Section 7-159b

Sec. 7-159b. Connecticut General Statutes. Pre-application review of uses of property.

Notwithstanding any other provision of the general statutes, prior to submission of an application for use of property under chapters 124, 126, 440, and 541 or any other provision of the general statutes authorizing an authority, commission, department or agency of a municipality to issue a permit or approval for use of such property, such authority, commissions, department or agency or authorized agent thereof may separately, jointly or in any combination, conduct a pre-application review of a proposed project with the applicant at the applicant’s request. Such pre-application review and any results or information obtained from it may not be appealed under any provision of the general statutes, and shall not be binding on the applicant or any authority, commission, department, agency or other official having jurisdiction to review the proposed project.

I have read and understand the above provision of the Connecticut General Statutes and understand and agree that whatever discussion, comments and/or recommendations are made through this review are non-binding upon the parties.

Further, acknowledge and agree that this pre-application review meeting is being conducted prior to and in anticipation of a formal application to the Greenwich Planning and Zoning Commission, Zoning Board of Appeals or Wetlands Agency to obtain feedback and response to the proposal or design, as it exists on this date, in the interest of preparing an application consistent with the Zoning, Subdivision or Wetlands regulations of the Town of Greenwich as the case may be.

Property Address: 190, 200, & 248 Lake Avenue  
Tax ID: 200 Lake - 246/063

Anticipated Type of Application: Amendment to Building Zone Map / Zoning Change - RA-2 to R-12

Property Owner 1: Michael Newman  
Signature: [Signature]

Address: 200 Lake Avenue (TAX ID 246/063)  
Date: 10/27/21

Property Owner 2: Robert Aaronson  
Signature: [Signature]

Address: 190 Lake Avenue (Tax ID 246/062)  
Date: 10/27/21

Property Owner 3: Phillip Anstey  
Signature: [Signature]

Address: 248 Lake Avenue (Tax ID 246/064A)  
Date: 10/27/21

Property Owner 4:  
Signature:  

Address:  
Date: 

Applicant:  
Signature:  

Address:  
Date: 

Authorized Agent:  
Signature:  

Address:  
Date: 

pzSec7-159bCGS 2020
Affidavit of Notification of Pre-Application Review

STATE OF CONNECTICUT       )
COUNTY OF FAIRFIELD        )
ss: GREENWICH

I, Michael Newman, being first duly sworn, do hereby certify that on October 27th, 2021, I caused to be mailed, postage prepaid, to those persons whose names are set forth on Exhibit A attached hereto a copy of the notice attached hereto as Exhibit B.

Said persons were the record owners, as of October 27th, 2021 as shown on the Town Tax Assessor's Office records of property abutting (as said term defined in Sec. 6-14 (a)(3) of the Greenwich Building Zone Regulations) the property located at 200 Lake Avenue, 190 Lake Avenue, 240 Lake Avenue, and 248 Lake Avenue in Greenwich, Connecticut for which an Pre-Application Review has been filed with the Greenwich Planning and Zoning Commission.

[Signature]

Subscribed and sworn to
Before me on October 27th, 2021

[Signature]
Notary Public 4-30-23

Subscribed and sworn
Before me on __________________ day of __________________________

[Stamp] NOTARY PUBLIC

W. CONN. NOT. REG.Expires
EXHIBIT A

Proposed Properties for Rezoning at 200, 190, 240 and 248 Lake Avenue

Michael Newman
200 Lake Avenue
Greenwich, CT 06830
10-2335/S

Lake Avenue Family
c/o Robert Aaronson
190 Lake Avenue
Greenwich, CT 06830
10-1525/S

Jane Liu & Thomas Ku
240 Lake Avenue
Greenwich, CT 06830
10-2336/S

Philip & Aleska Anstey
248 Lake Avenue
Greenwich, CT 06830
10-2237/S

Abutting Neighbors to Proposed Properties for Rezoning at 200, 190, 240 and 248 Lake Avenue

Carmel Academy
c/o Jon Malkin, President
270 Lake Avenue
Greenwich, CT 06830

Field Club of Greenwich
276 Lake Avenue
Greenwich, CT 06831
10-1207/S

Vicki & Andrew Morton
271 Lake Avenue
Greenwich, CT 06830
07-1241/S

Robert Kirk Bedell
261 Lake Avenue
Greenwich, CT 06830
07-1459/S

Scott Sternberg
25 Evergreen Road
Greenwich, CT 06830
07-1187/S
EXHIBIT A

Abutting Neighbors to Proposed Properties for Rezoning at 200, 190, 240 and 248 Lake Avenue Continued

Stephen Sullivan
241 Lake Avenue
Greenwich, CT 06830
07-1573/S

Lynn Flynn
237 Lake Avenue
Greenwich, CT 06830
07-1273/S

Jim & Betsy Gallagher
195 Lake Avenue
Greenwich, CT 06830
07-1774/S

Salvatore Bellofatto
193 Lake Avenue
Greenwich, CT 06830
07-1773/S

Steve Kavulich
191 Lake Avenue
Greenwich, CT 06830
07-1772/S

Steve Kavulich
284 Riverside Avenue
Riverside, CT 06878
(mailing address for 191 Lake Avenue)

Ibanez Rueda
183 Lake Avenue
Greenwich, CT 06830
07-1106/S

Phillip & Kristina Larson
186 Lake Avenue
Greenwich, CT 06830
Michael Newman  
200 Lake Avenue  
Greenwich CT 06830  
917-853-3959  
newmanmw@gmail.com  

October 27th, 2021  

RE: Rezoning 200 Lake Avenue, 190 Lake Avenue, 240 Lake Avenue and 248 Lake Avenue from RA-2 to R-12 Zoning  

Dear Neighbor,  

Following our conversation and the conversations I have had with our neighbors in the abutting properties to the addresses referenced above, I wanted to provide you with an official notification of my rezoning pre-application consistent with local practices and procedures.  

Notice is hereby given that Michael Newman has filed a pre-application with the Town of Greenwich Planning and Zoning Commission for a Zoning Change approval for 200 Lake Avenue, 190 Lake Avenue, 240 Lake Avenue and 248 Lake Avenue. This application proposes to change four residential properties currently zoned as RA-2 to the R-12 designation abutting the properties on Lake Avenue and Evergreen Road.  

This first map below highlights the four properties currently in RA-2 proposed for rezoning.  

![Map 1](image1.png)  

This second map below highlights the four properties 'as if rezoned' with R-12 neighbors on Lake Avenue and Evergreen Road.  

![Map 2](image2.png)  

Further information concerning this application may be obtained by contacting the Planning and Zoning Commission at 203- 622-7894.  

Additionally, I am readily available to speak to the application in person or at the above contact information.  

Sincerely,  

Michael Newman
RE: Rezoning 200 Lake Avenue, 190 Lake Avenue, 240 Lake Avenue and 248 Lake Avenue from RA-2 to R-12 Zoning

October 27th, 2021

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Additionally, I am readily available to speak to the application in person or at the above contact information.

Sincerely,

Michael Newman
<table>
<thead>
<tr>
<th>USPS Tracking/Article Number</th>
<th>Addressee (Name, Street, City, State, &amp; ZIP Code™)</th>
<th>Postage</th>
<th>Handling Charge</th>
<th>Actual Value if Registered</th>
<th>Insured Value</th>
<th>Due Sender if COD</th>
<th>ASR Fee</th>
<th>ASRD Fee</th>
<th>RD Fee</th>
<th>RR Fee</th>
<th>SC Fee</th>
<th>SCRD Fee</th>
<th>SH Fee</th>
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<tbody>
<tr>
<td>1.</td>
<td>Scott Sternberg 25 Evergreen Road Greenwich, CT 06830</td>
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<td>2.</td>
<td>Stephen Sullivan 241 Lake Avenue Greenwich, CT 06830</td>
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<td>3.</td>
<td>Lynn Flynn 237 Lake Avenue Greenwich, CT 06830</td>
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<td>4.</td>
<td>Jim &amp; Betsy Gallagher 195 Lake Avenue Greenwich, CT 06830</td>
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<td>5.</td>
<td>Salvatore Bellofatto 193 Lake Avenue Greenwich, CT 06830</td>
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<td>6.</td>
<td>Steve Kavulich 191 Lake Avenue Greenwich, CT 06830</td>
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<td>7.</td>
<td>Steve Kavulich 284 Riverside Avenue Riverside, CT 06878</td>
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<td>8.</td>
<td>Ibanez Rueda 183 Lake Avenue Greenwich, CT 06830</td>
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**Affix Stamp Here**
(for additional copies of this receipt).
Postmark with Date of Receipt.

**Total Number of Pieces Listed by Sender**

**Total Number of Pieces Received at Post Office**

**Postmaster, Post (Name of receiving employee)**

**Privacy Notice:** For more information on USPS privacy policies, visit usps.com/privacypolicy.
Application for Rezoning of Four Properties on Lower Lake Avenue

Michael Newman
200 Lake Avenue
Greenwich, CT 06830
(917)853-3959
newmanmw@gmail.com

October 27th, 2021

RE: Zoning Map Amendment:
Proposal to Re-Zone Four Properties on Lower Lake Avenue from RA-2 to R-12

The Applicant, as representative of several property owners from the below referenced addresses, requests that the Planning and Zoning Commission re-zone four properties from the RA-2 zone to the R-12 zone in accordance with Section 6-22 of the Town of Greenwich Building Zone Regulations and Title 8 of the Connecticut General Statutes.

Address of the four homes proposed by the Applicant for Rezoning Consideration

<table>
<thead>
<tr>
<th>Address</th>
<th>Parcel Number</th>
<th>Tax ID</th>
<th>Current Owner</th>
<th>Year Built</th>
</tr>
</thead>
<tbody>
<tr>
<td>200 Lake Avenue</td>
<td>10-2235/S</td>
<td>246/063</td>
<td>Newman (Applicant)</td>
<td>1889</td>
</tr>
<tr>
<td>190 Lake Avenue</td>
<td>10-1525/S</td>
<td>246/062</td>
<td>Aaronson</td>
<td>1890s</td>
</tr>
<tr>
<td>240 Lake Avenue</td>
<td>10-2236/S</td>
<td>246/064</td>
<td>Ku/Liu</td>
<td>1890s/2000</td>
</tr>
<tr>
<td>248 Lake Avenue</td>
<td>10-2237/S</td>
<td>246/064A</td>
<td>Anstey</td>
<td>1849</td>
</tr>
</tbody>
</table>

The four properties abut one another and are located on a continuous section of the west side of lower Lake Avenue, north of the Lake Avenue traffic circle and south of the Field Club of Greenwich. The plots are abutted eastward across the street by R-12 and R-7 housing on Lake Avenue and abutted westward by Carmel Academy (formerly Rosemary Hall). All four lots are legally non-conforming with RA-2 zoning. Moreover, all four single family homes situated on these respective lots are also legally non-conforming.

A zone change for these properties is appropriate because all four are significantly undersized for the zone. If changed to R-12, all four properties will be conforming in lot area and significantly more conforming regarding other important attributes of the Greenwich Municipal Code referenced in 6-205 Schedule of Required Open Spaces, Limiting Heights and Bulk of Buildings (a) Residential Zones. In short, the proposed zoning map amendment will reduce existing non-conformities.

The Town of Greenwich values family, values history, and it values equity. Rezoning the properties to the R-12 designation, will also allow the families to continue to grow in their homes. Equally important, the families will be able to maintain their homes with confidence that their investments will not be diminished by the unduly restrictive regulations that uniquely affect them by historical accident. The Applicant believes the Town should want to support these homeowners in maintaining and investing in these historical properties.

In addition to maps, tables of the individual properties, their surveys, field cards, and historical background are provided below.
Application for Rezoning of Four Properties on Lower Lake Avenue

Introduction

The four properties under consideration do not appear appropriately zoned today. All four properties are less than 1 acre lots, and cumulatively amount to ~2.5 acres, despite RA-2 2 acre lot minimum. A cursory glance at the GIS maps included in this application highlights that these properties are not like the surrounding institutional campuses and surrounding RA-2 housing found in Rock Ridge, on Zaccheaus Mead and on Round Hill Road. Instead, they are generally more similar to the neighboring properties on Lake Avenue and Evergreen Road, which they directly face and are physically incorporated with when considering the character of the neighborhood.

The four properties under consideration are extreme outliers in the impact the combination of the 1957 and 2003 zoning regulations had on them. Together, these properties include four out of five lots with homes on less than 1 acre that were among the 259 contiguous properties rezoned as RA-2 in a 1957 zoning amendment detailed below. These four lots all have odd shapes and non-conforming setbacks given RA-2 zoning requirements. Moreover, the homes all date back before 1900 and have non-conforming FAR ratios given they homes were built before the introduction of FAR to the RA-2 zone in 2003, also detailed below. A detailed look back at the 2002-2003 proposals submitted by P&Z staff show the FAR modifications originally proposed incorporated an amendment to adjust FAR ratios higher for undersized lots. While that amendment was seemingly dropped from the final regulations, it clearly indicates a recognition of the uneven impact the ensuing regulations could have on non-conforming properties and their families.

Today, the four properties all have legally non-conforming lots with legally non-conforming residential buildings that have been grandfathered in. The combination of the 1957 law including these four properties in the RA-2 zone and the 2003 introduction of FAR to the RA-2 zone have created a set of extreme non-conformities in the town’s existing zoning maps. Rezoning these four homes to R-12 will significantly reduce these extreme non-conformities.

In addition to reducing non-conformities, rezoning the four properties will allow the owners of said properties to maintain and modernize these homes that were originally built more than a century ago, thereby conserve their value and preserving the character of the neighborhood.
Application for Rezoning of Four Properties on Lower Lake Avenue

Zoning Maps Showing the Four Properties

The first image below presents the current zoning configuration with the four properties outlined in green in the southwest corner of the map. The four properties are designated RA-2 and abut R-12 and R-7 zones directly across the street on Lake Avenue.
Application for Rezoning of Four Properties on Lower Lake Avenue

The second image below highlights in blue the large continuous section of properties that were rezoned from RA-1 to RA-2 in 1957. Additionally, the image highlights in green the four properties proposed by the Applicant for inclusion into the abutting R-12 zone immediately across from the properties highlighted in yellow. Per the Grand List, of 259 properties with housing on them surrounded by the blue outline (inclusive of the four properties highlighted in green) a total of five properties with housing on them are less than 1 acre. Several other parcels that have shared land are less than 1 acre (e.g., the triangles in Rock Ridge). The combined ~2.5 acres of the four properties are clearly outliers among the 700 plus contiguous acres that were part of the 1957 rezoning. All four properties’ lots line and homes predated the 1957 zoning changes to 2 acre zoning.
Application for Rezoning of Four Properties on Lower Lake Avenue

For closer detail, the 3rd image below highlights how the four proposed properties would combine with the existing R-12 zoning across Lake Avenue that continues down Evergreen Road. This closer image allows the viewer to see that the four properties abut R-12 zoning and R-7 zoning. Moreover, this image allows the viewer to see the large institutional campuses of Carmel Academy (formerly Rosemary Hall) to the west and the Field Club of Greenwich to the North. These large institutional properties have historically directed the residents of the four properties towards their neighbors in the R-12 and R-7 abutting zones and separated them from the larger lots and housing stock of the surrounding RA-2 zone.
Application for Rezoning of Four Properties on Lower Lake Avenue

Finally, a 4th image of the lots As If Combined and Comparative Statistics Tables between the lots and housing among these neighbors.

<table>
<thead>
<tr>
<th>Address</th>
<th>Lot Size</th>
<th>Finished Area</th>
<th>Lot Size</th>
<th>House Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>271 Lake Avenue</td>
<td>23,000</td>
<td>3,792</td>
<td>23,087</td>
<td>4,200</td>
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<tr>
<td>261 Lake Avenue</td>
<td>19,950</td>
<td>4,478</td>
<td>20,038</td>
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<tr>
<td>30 Evergreen</td>
<td>22,477</td>
<td>3,074</td>
<td>22,651</td>
<td>3,074</td>
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<td>34 Evergreen</td>
<td>21,954</td>
<td>3,442</td>
<td>21,780</td>
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<tr>
<td>36 Evergreen</td>
<td>19,907</td>
<td>4,196</td>
<td>20,038</td>
<td>4,196</td>
</tr>
<tr>
<td>29 Evergreen</td>
<td>28,915</td>
<td>3,330</td>
<td>28,750</td>
<td>3,330</td>
</tr>
<tr>
<td>33 Evergreen**</td>
<td>22,346</td>
<td>3,285</td>
<td>22,216</td>
<td>3,285</td>
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<tr>
<td>31 Evergreen</td>
<td>36,198</td>
<td>4,611</td>
<td>36,155</td>
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<td>27 Evergreen</td>
<td>28,154</td>
<td>3,821</td>
<td>28,750</td>
<td>4,196</td>
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<tr>
<td>241 Lake Avenue</td>
<td>15,520</td>
<td>3,780</td>
<td>12,000</td>
<td>3,780</td>
</tr>
</tbody>
</table>

*The order of properties above traces the existing R-12 zone homes from the northwest corner to the east around the cul de sac of Evergreen Road and back west towards Lake Avenue.

*33 Evergreen was originally a cottage owned by the family that owned 31 Evergreen.

| Minimum | 15,520 | 1,358 | 15,682 | 1,358 |
| Maximum | 36,198 | 6,814 | 36,155 | 7,401 |
| Average | 23,116 | 3,916 | 23,123 | 4,015 |
| Median  | 22,150 | 3,807 | 21,998 | 4,196 |

| R-12 Zone Minimum Lot | 12,000 | 3,780 |

<table>
<thead>
<tr>
<th>Four Proposed Properties</th>
<th>Grand List Data</th>
<th>Building Records Data*</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Lot Size</td>
<td>Finished Area</td>
</tr>
<tr>
<td>248 Lake Avenue</td>
<td>32,670</td>
<td>3,504</td>
</tr>
<tr>
<td>240 Lake Avenue</td>
<td>13,068</td>
<td>4,115</td>
</tr>
<tr>
<td>200 Lake Avenue</td>
<td>24,829</td>
<td>3,598</td>
</tr>
<tr>
<td>190 Lake Avenue</td>
<td>43,560</td>
<td>5,450</td>
</tr>
</tbody>
</table>

*For 200 Lake Avenue Lot Size and FAR are measured using updated survey and FAR measurements. Prior FAR included unfinished attic space of 450 square feet.
Comparison of Non-Conformities Between Existing and Proposed Rezoning

Comparing the existing four properties under their current RA-2 zoning versus the proposed R-12 zoning illustrates a significant improvement in overall conformity.

As can be seen in Table 1, none of the properties have the minimum 2 acre lot size. Even the largest lot would still not be conforming to a single acre zone. Similarly, given the unusual lot shapes, none of the properties meet the 200 ft diameter RA-2 minimum lot shape. Given these homes were built in the 19th century and their historical relations to one another (shared ‘party wall’, farm house, etc.), none of the properties meet the RA-2 front and side setbacks. Finally, with all four homes were built prior to the 2003 introduction of FAR to the RA-2 zone, it is not surprising that all four homes are above their permitted FAR ratio despite being smaller than many of the neighboring houses across the street on Lake Avenue and Evergreen Road.

As can be seen in Table 2, each of the properties becomes significantly more confirming when measured under the Municipal Code R-12 designation. Immediately, all four lots meet the minimum lot size. The R-12 designation would also allow the properties to achieve far greater conformity across categories such as frontage, shape, and setbacks. Estimated FARs will be far more proportional to permitted FARs. Admittedly, not all conformities can be removed. For example, the shared wall of 190 Lake Avenue and 200 Lake Avenue will always be non-conforming to every Municipal Code designation.

Table 1: Illustrative Legal Non-Conformities of the four Properties under existing Municipal Code RA-2

<table>
<thead>
<tr>
<th>Address</th>
<th>Lot Size (2 acres)</th>
<th>Frontage</th>
<th>Shape</th>
<th>Front Setback</th>
<th>Side Setback</th>
<th>Permitted FAR</th>
<th>Estimated FAR</th>
<th>FAR Overage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permitted</td>
<td>~87,120</td>
<td>125</td>
<td>Circle/200ft</td>
<td>75 ft</td>
<td>50 ft</td>
<td>(.09)</td>
<td>7,840</td>
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<tr>
<td>190 Lake Avenue</td>
<td>~42,688</td>
<td>✓</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<td>1,699</td>
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<td>200 Lake Avenue</td>
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<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<td>240 Lake Avenue</td>
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<td>X</td>
<td>X</td>
<td>X</td>
<td>1,144</td>
<td>4,115</td>
<td>2,974</td>
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<td>X</td>
<td>X</td>
<td>2,940</td>
<td>3,504</td>
<td>564</td>
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Table 2: Illustrative Conformity Improvements for Four Properties Rezoned to Municipal Code R-12

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<th>Frontage</th>
<th>Shape</th>
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<td>X</td>
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<td>13,446</td>
<td>5,540</td>
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<td>✓</td>
<td>X</td>
<td>7,513</td>
<td>3,130</td>
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<tr>
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<td>X -5ft</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>4,001</td>
<td>4,115</td>
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<tr>
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<td>✓</td>
<td>10,291</td>
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<td>✓</td>
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*Given the structures on 190 Lake Avenue and 200 Lake Avenue share a party wall, there is no way to conform the existing footprints to the side set back for any residential zone of the municipal code.

Taken in totality, the proposed R-12 designation would reduce significant legal existing non-conformities. Further, the proposed R-12 designation errs on being conservative relative to an R-7 designation opposite several of the properties on Lake Avenue that might have been proposed. The Applicant believes that R-12 is better suited given the four properties’ lot sizes and existing setbacks. While an R-12 designation will allow maintenance, investment and improvement going forward it will also ensure the four properties maintain the overall character of the neighborhood.
Application for Rezoning of Four Properties on Lower Lake Avenue

Relevant Historical Background: 1957 Zoning Changes

In 1957, the Town of Greenwich moved a large swath of property from RA-1 to RA-2 in an effort to limit subdivision. It is generally understood that some members of the community didn’t want to see the post-war growth of Greenwich continued in a manner that might interrupt what they perceived as the existing character of Greenwich. This change moved approximately 1000 acres into RA-2.

The four properties under consideration are among the oldest and smallest properties in the 1957 rezoning. At the time of the zoning change, there was likely no reason to object to these changes given the setbacks were not as restrictive as today’s current setbacks, nor was there any FAR restriction in the RA-2 zone at that time. These homes were in good physical standing despite having been built over 50 years before the 1957 changes zoning changes. However, another 50 years have passed since these zoning changes. Further below, the Applicant describes the burden of these regulations on prior owners of the 240 Lake Avenue property when the home was rebuilt in 2000. It should also be noted that at that time the move from RA-1, the existing zone prior to 1957, to RA-2 at the time was likely not seen as a meaningful issue for these properties. The 1957 changes were primarily focused on limiting further subdivision of plots. Given all four properties were already non-conforming to RA-1, they were already unable to subdivide their plots further and thus the RA-2 designation (which at the time didn’t contain FAR) may have seemed harmless. Moreover, given the existing footprints of homes, the newly introduced RA-2 existing setbacks grandfathered in their existing setbacks as legally non-conforming.

Relevant Historical Background: 2002/2003 Zoning Changes

Since 1957, there have been a number of changes to the setbacks and regulations surrounding RA-2 zones. The most important for these four properties are the changes made in early 2003. In late 2002, P&Z staff submitted proposed FAR regulation changes. Among them was the inclusion of FAR into the RA-2 and RA-4 designations (as well as a further 10% reduction in FAR for zones with preexisting FAR regulations). From numerous interviews with community members present at the time, (that were and continue to practice real estate law or residential brokerage), it can be surmised that the Town of Greenwich and community members were increasingly concerned about the number of extremely large homes that were being built on RA-2 and RA-4 lots. Specifically, the introduction of FAR to RA-2 and RA-4 was driven by concern about the growth in over 10,000+ sqft homes being created. As community members and the P&Z commission are aware, this regulatory change was highly controversial. The Town of Greenwich combatted lawsuits for almost a decade following its passage.

Fortunately for 240 Lake Avenue, the house was completely rebuilt between 1998-2004 (details below in the history). However, if an owner were to try to build today, the RA-2 zoning only permits a 1,144 square foot home with non-conforming setbacks. 240 Lake Avenue happens to sit directly across Lake Avenue from ~4800 square foot home that has a .36 acre lot. Another example is 200 Lake Avenue that the RA-2 zone permits a 2,100 square feet on its .54 acre lot. 200 Lake Avenue directly faces two homes on Lake Avenue that are designated R-7 and have 5000 square feet on .20 acres and a second home of 2,136 square feet on .18 acres. These FAR examples highlight the disproportionate impact RA-2 zoning has on such non-conforming lots. Similar cases can be made across these four properties regarding the restrictive setbacks RA-2 zoning has imposed on their unusual lot shapes and sizes. Taken together, the
Application for Rezoning of Four Properties on Lower Lake Avenue

FAR and setback restrictions for the four properties under consideration are extremely limiting given the undersized and atypical lot shapes.

Relevant Historical Background: General History of the Four Properties

The four properties and the respective homes included in this application date back to the late 1800s and were eventually utilized by the Administration and families of Rosemary Hall. All four properties sit about 50 feet from Lake Avenue (if not significantly less) as was common in the 19th century. All four properties face eastward with their combined frontage having a roughly even split between the R-12 zoning and R-7 zoning across the street. To be clear, the four properties and their respective homes are oriented to the neighbors across the street on Lake Avenue. These neighbors all generally interact with each other and consider themselves to all live on “Lower Lake Avenue.” The four properties are surrounded by the 270 Lake Avenue Campus, and further enclosed by The Field Club of Greenwich, the larger more private homes of the Deer Park Association and the Rock Ridge Association. A simple look at the lot lines or, better yet, a drive by of these homes can see that the four properties tie far more closely with their neighbors across the street in R-12 and R-7 than they do the institutional properties and large home owner associations situated in RA-2.

The properties at 200 Lake Avenue and 190 Lake Avenue date back before 1900. Today these properties are legally separate and share a so-called ‘party wall’, whereas they were at one time a single residential home. Some local research suggests that following a fire at the Rosemary Hall campus, the well-respected Headmistress Caroline Ruutz- Rees took over these properties. Further research reports that when Ruutz-Rees hired Mary Elizabeth Lowndes as Co-Headmistress in 1910, she and her colleague began sharing the respective homes, with Ruutz-Rees at 190 Lake Avenue and Lowndes at 200 Lake. The two taught and served as Co-Headmistresses until their joint retirement in 1938. Both continued to live in their respective residences overlooking a shared garden until their passing. Lowndes passed away in 1949 and Ruutz-Rees passed away in 1955. A deed for the properties from 1955 shows that upon Ruutz-Rees death, these homes and their lots were finally legally subdivided. However, local residents, including alumni of Rosemary Hall, commonly referred to 190/200 Lake Avenue as the ‘double house’ for years before the split and still do so today.

The property at 248 Lake Avenue is believed to be the oldest of the four properties under consideration, dating back to 1849. Articles discovered online suggest that the lot and its farmhouse were eventually purchased for and/or gifted to Caroline Ruutz-Rees upon her retirement as Headmistress from Rosemary Hall. It appears that much of the lot was retained by Rosemary Hall and continues today serves as sports fields on the current 270 Lake Avenue Campus. This house was later purchased by the well-respected P&Z Commission Member Robert Shippee. And, an additional fact is that Mr. Shippee donated the lands that now serve as a primary entrance to 270 Lake Avenue property.

The Applicant was less able to determine the history of the property at 240 Lake Avenue. While the Field Card for 240 Lake Avenue suggests it was built in 2000, a more accurate statement would be that it was rebuilt in 2000. The lot was non-conforming, and with over 100 years of age, the home badly needed updating, if not a complete rebuild. A local builder set about rebuilding the home, however, he was forced to rebuild the home over several years from the inside out. Local residents (including a still practicing local real estate broker) attested that the house was commonly referred to as the ‘inside out’
Application for Rezoning of Four Properties on Lower Lake Avenue

house because it was re-built from the inside and then a new exterior was placed upon it after rebuilding. The zoning restriction of RA-2 on a .30 acre were such that the builder was effectively forced to rebuild the home piece by piece. Tearing down and rebuilding would not have been possible given the impact of setbacks on the property at that time. Note that this was before the introduction of FAR into RA-2 in 2003. Were the home to be built today, the property would have be restricted to 1,177 sq feet despite sitting directly across Lake Avenue from two similar sized lots of .36 acres and .20 acres that have homes of 4,794 and 5,001 square feet. That is also assuming a builder could design against the RA-2 setbacks.

Conclusion

Rezoning the four properties would be sensible in the context of their size, lot shape, proximity, and identification with the abutting R-12 neighbors and the four properties’ separation from other RA-2 residential housing, and should be a viewed as a reasonable correction of a historical oversight.

Importantly, the proposed rezoning reduces significant non-conformities to the existing town zoning maps.

Finally, rezoning the four properties will allow the owners of said properties to maintain and modernize these homes that were originally built more than a century ago, thereby conserving their value and preserving the character of the neighborhood.

Thank you for your time and consideration.
RESIDENTIAL

LAND DATA AND CALCULATIONS

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<th>Land Type</th>
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SUPPLEMENTAL CARDS

TRUE TAX VALUE 963900

CARD NO. 1

963900

1 Residential Land

0.5700
### PHYSICAL CHARACTERISTICS
- **Style:** Colonial
- **Occupancy:** Single family
- **Story Height:** 2.5
- **Finished Area:** 3598
- **Attic:** None
- **Basement:** None

### FLOORING
- **Roof:** Asphalt shingles, Gable, Std for Class, Not available
- **Base Allowance:** 1.0, 2.0, 2.5

### EXTERIOR COVER
- **Wood Siding:** 1.0, 2.0, 2.5

### INTERIOR FINISH
- **Normal for Class:** 1.0, 2.0, 2.5

### ACCOMMODATIONS
- **Finished Rooms:** 9
- **Bedrooms:** 3
- **Formal Dining Rooms:** 1
- **Fireplaces:** 4

### HEATING AND AIR CONDITIONING
- **Primary Heat:** Forced hot air-gas
- **Lower:** Full Part / Bsmt: 1 Upper Upper
- **Air Cond:** 0 1636 0 0

### PLUMBING
- **# 5 Fixt. Baths:** 1 5
- **3 Fixt. Baths:** 2 6
- **2 Fixt. Baths:** 1 2
- **Kit Sink:** 1 1
- **TOTAL:** 14

### REMODELING AND MODERNIZATION
- **Amount Date:** Kitchen 1 10/01/2004

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### ADMINISTRATIVE INFORMATION

**PARCEL NUMBER**
10-1525/S

**Parent Parcel Number**

**Property Address**
LAKE AVENUE

**Neighborhood**
162100 MID COUNTRY WEST - DIST 10 [3]

**Property Class**
101 Single Family

**TAXING DISTRICT INFORMATION**

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### Site Description

**Topography:**

**Public Utilities:**
Water, Sewer, Electric

**Street or Road:**

**Neighborhood:**

**Zoning:**
RA-2 Single Family

**Legal Acres:**
1.0000

### RESIDENTIAL

#### TRANSFER OF OWNERSHIP

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### Supplemental Cards

- TRUE TAX VALUE: 1080000

### TOTAL LAND VALUE

- 1080000
### PHYSICAL CHARACTERISTICS
- **Style:** Colonial
- **Occupancy:** Single family
- **Story Height:** 2.0
- **Finished Area:** 5450
- **Attic:** Unfinished
- **Basement:** 1/2

### ROOFING
- **Material:** Asphalt shingles
  - **Type:** Gable
  - **Framing:** Std for Class
  - **Pitch:** Not available

### FLOORING
- **Slab:** B
  - **Sub and joists:** 1.0, 2.0, A
  - **Base Allowance:** B, 1.0, 2.0, A

### EXTERIOR COVER
- **Wood Siding:** 1.0, 2.0, A
- **Normal for Class:** B, 1.0, 2.0, A

### INTERIOR FINISH
- **Finished Rooms:** 17
- **Bedrooms:** 7
- **Formal Dining Rooms:** 1
- **Fireplaces:** 7

### HEATING AND AIR CONDITIONING
- **Primary Heat:** Hot water - gas
- **Lower:** Full Part
- **Basement:** 1/2
- **Air Cond:** 0 3717 1333 400

### PLUMBING
- **4 Fixt. Baths:** 2 8
- **3 Fixt. Baths:** 3 9
- **2 Fixt. Baths:** 2 4
- **Kit Sink:** 1 1
- **Extra Fixt:** 1
- **TOTAL:** 23

### REMODELING AND MODERNIZATION
- **Kitchen:** 1 01/01/1983

### SUMMARY OF IMPROVEMENTS

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KU YISHAN HOMAS & LIU FANG JANE

LAKE AVENUE 0240

PARCEL NUMBER 10-2336/S
Parent Parcel Number

Property Address
LAKE AVENUE 0240

Neighborhood
162100  MID COUNTRY WEST - DIST 10 [3]

Property Class
101  Single Family

TAXING DISTRICT INFORMATION
Jurisdiction 57  Greenwich, CT
Area 001
Corporation 057
District 10
Section & Plat 165
Routing Number 4484S0022

Site Description

Topography:

Public Utilities:
Water, Sewer, Electric

Street or Road:

Zoning:
RA-2 Single Family 2

Legal Acres:
0.3000

OWNERSHIP
KU YISHAN HOMAS & LIU FANG JANE
240 LAKE AVENUE
GREENWICH, CT 06830
LOT NO 15A LAKE AVE S-22

TRANSFER OF OWNERSHIP
Date
03/17/2006  KU YISHAN THOMAS  $0
11/18/2004  KU YISHAN THOMAS  $2995000
11/18/2004  GUERIN PIERRE PATRICE & SUZANNE EMOR  $2995000
07/27/2001  HORBY FREDERICK L  $2375000
08/24/1998  PICCHIONE NICHOLAS A & HE  $495000

RESIDENTIAL

MARKET

VALUATION RECORD

Assessment Year 10/01/2015  10/01/2015  10/01/2016  10/01/2017  10/01/2018  10/01/2019  10/01/2020

| VALUATION | L | 891000 | 891000 | 891000 | 891000 | 891000 | 891000 | 891000 |
| Market    | B | 1461600 | 1461600 | 1461600 | 1461600 | 1461600 | 1461600 | 1461600 |
|           | T | 2352600 | 2352600 | 2352600 | 2352600 | 2352600 | 2352600 | 2352600 |
| VALUATION | L | 623700 | 623700 | 623700 | 623700 | 623700 | 623700 | 623700 |
| 70% Assessed | B | 1023120 | 1023120 | 1023120 | 1023120 | 1023120 | 1023120 | 1023120 |
|           | T | 1646820 | 1646820 | 1646820 | 1646820 | 1646820 | 1646820 | 1646820 |

LAND DATA AND CALCULATIONS

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Supplemental Cards
TRUE TAX VALUE
891000

Supplemental Cards
TOTAL LAND VALUE
891000

Permit Number

Type

Filing Date

Est. Cost

Field Visit

Est. SqFt
**IMPROVEMENT DATA**

### PHYSICAL CHARACTERISTICS
- **Style:** Colonial
- **Occupancy:** Single family
- **Story Height:** 2.0
- **Finished Area:** 4115
- **Attic:** None
- **Basement:** Full

### ROOFING
- **Material:** Asphalt shingles
- **Framing:** Std for Class
- **Pitch:** Not available

### FLOORING
- **Slab:** B, 1.0
- **Sub and joists:** 2.0
- **Base Allowance:** B, 1.0, 2.0

### EXTERIOR COVER
- **Wood Siding:** 1.0, 2.0

### INTERIOR FINISH
- **Normal for Class:** B, 1.0

### ACCOMMODATIONS
- **Finished Rooms:** 8
- **Bedrooms:** 4
- **Formal Dining Rooms:** 1
- **Room Area:** 1400
- **Fireplaces:** 3

### HEATING AND AIR CONDITIONING
- **Primary Heat:** Forced hot air-gas
- **Lower Full Part:** 1
- **Upper Full Part:** 0
- **Air Cond:** 0, 1
- **Primary Heat:** Forced hot air-gas

### PLUMBING
- **# Fixt. Baths:** 3, 12
- **# Fixt. Baths:** 2, 1
- **Kit Sink:** 1, 1
- **TOTAL:** 16

### REMODELING AND MODERNIZATION
- **Amount:** Date

### SPECIAL FEATURES

### SUMMARY OF IMPROVEMENTS

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<th>Description</th>
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**FINISHED**

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**TOTAL IMPROVEMENT VALUE:** 1498000

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(LCM: 100.00)
ANSTEY PHILIP W
10-2337/S

PARCEL NUMBER
10-2337/S

Parent Parcel Number

Property Address
LAKE AVENUE 0248
LOT NO 15A-4 LAKE AVE S-23

Neighborhood
LAKE AVENUE 0248
162100  MID COUNTRY WEST - DIST 10 [3]

Property Class
101  Single Family

TAXING DISTRICT INFORMATION
Jurisdiction  57  Greenwich, CT
Area  001
Corporation  057
District  10
Section & Plat  165
Routing Number 4484S0023

Property Description:
ANSTEY PHILIP W
248 LAKE AVENUE
GREENWICH, CT 06830
LOT NO 15A-4 LAKE AVE S-23

Transfer of Ownership
Date
06/23/2014  SHIPPEE ROBERT W
Bk/Pg: 6754, 267
$1950000
05/31/2013  SHIPPEE ROBERT W & STARR B W/S
Bk/Pg: 6577, 191
$0
04/12/1984  NA
Bk/Pg: 1380, 148
$0

Valuation Record
Assessment Year 10/01/2015  10/01/2016  10/01/2017  10/01/2018  10/01/2019  10/01/2020


Valuation
Market L 1012500 1012500 1012500 1012500 1012500 1012500 1012500
B 928300 928300 928300 928300 928300 928300 928300
T 1940800 1940800 1940800 1940800 1940800 1940800 1940800

Valuation
70% Assessed B 649810 649810 649810 649810 649810 649810 649810
T 1358560 1358560 1358560 1358560 1358560 1358560 1358560
Supplemental Cards

Total Land Value
1012500

Land Data and Calculations

Zoning:
RA-2 Single Family 2 Residential Land

Legal Acres: 0.7500

Soil ID:
-or-
Effective Frontage 0.7500 1.00 150000.00 150000.00 1125000 A -10% 1012500

Supplemental Cards
TRUE TAX VALUE
1012500

Permit Number

Filing Date

Est. Cost Field Visit

Est. SqFt

Supplemental Cards
TOTAL LAND VALUE
1012500
PHYSICAL CHARACTERISTICS

Style: Colonial
Occupancy: Single family
Story Height: 2.0
Finished Area: 3504
Attic: None
Basement: 1/4

ROOFING
Material: Wood shingles
Type: Gable
Framing: Std for Class
Pitch: Not available

FLOORING
Slab B
Sub and joists 1.0, 2.0
Base Allowance B, 1.0, 2.0

EXTERIOR COVER
Wood Siding 1.0, 2.0

INTERIOR FINISH
Normal for Class B, 1.0

ACCOMMODATIONS
Finished Rooms 9
Bedrooms 4
Formal Dining Rooms 1
Fireplaces: 2

HEATING AND AIR CONDITIONING
Primary Heat: Forced hot air-gas
Lower Full Part
Air Cond 0 1758 1746 0

PLUMBING
5 Fixt. Baths 1 5
3 Fixt. Baths 1 3
2 Fixt. Baths 2 4
Kit Sink 1 1
TOTAL 13

REMODELING AND MODERNIZATION
Amount Date Bath Facilities 2 10/01/2011 2 10/01/2011

SPECIAL FEATURES

SUMMARY OF IMPROVEMENTS

Property Class: 101
LAKE AVENUE 0248

10-2337/S

VM 05/31/2012
TOG 10/01/2015
Neigh 162100 AV

TOTAL IMPROVEMENT VALUE 962000
This map was produced from the Town of Greenwich Geographic Information System. The Town expressly disclaims any liability that may result from the use of this map. Aerial: 4/2016. Topo: 4/2016. Property Data: 10/1/19.

Map Printed Date: 10/25/2021 2:32:32 PM
Copyright © 2000 by the Town of Greenwich.
This map was produced from the Town of Greenwich Geographic Information System. The Town expressly disclaims any liability that may result from the use of this map. Aerial: 4/2016. Topo: 4/2016. Property Data: 10/1/19.

Scale: 1"=400'
Scale is approximate

10/25/2021 2:24:49 PM

Map Printed Date: 10/25/2021 2:24:49 Copyright © 2000 by the Town of Greenwich.
Property surveyed for Rick Hobby
Location Westerly side of Lake Avenue, Greenwich, Connecticut.
Lot numbered 3 on map number 3743 in the Greenwich Land Records. Also refer to map number 6899 in the Greenwich Land Records.

THIS MAP DEPICTS A ZONING LOCATION SURVEY, BASED UPON A RESURVEY PREPARED IN ACCORDANCE WITH HORIZONTAL ACCURACY CLASS A-2 AS SET FORTH IN STATE REGULATIONS SEC. 20-3000-1 THROUGH 20-3000-20.

TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED.

Anthony D'Andrea, CT PELS 9673

ROCCO V. D'ANDREA, INC.
ENGINEERS AND SURVEYORS
GREENWICH, CONNECTICUT

Proof of Location Submitted
Date: Oct 13, 1999
Greenwich Building Zone Rev.
Sec. 0-12/0-13/0-1370.0

AUGUST 17, 1999
OCTOBER 4, 1999
OCTOBER 12, 1999
PROPERTY OF
Robert W. & Starr B. Shippee
GREENWICH, CONN.

Area = 0.756 Acre

Foundation location only. Zoning in accordance with the Standards of a Class A 2 Survey as defined in the recommended standards for surveys and maps in the State of Connecticut, effective Jan. 1, 1993.

Certified substantially correct.

S. E. Minor & Co. Inc., Civil Engineers
GREENWICH, CONN.

Scale 1 in. = 50 ft.