ITEM NO. 2
The applicant is requesting permission to permit an adjacent business to use the church parking lot for patrons. Parking for businesses is not permitted in residential zones.

Permission was denied and the applicant is seeking a variance of rear yard setback as provided by sections 6-93 and 6-158(a).
Application to appeal to the Planning and Zoning Board of Appeals

Project Address: east side of Riverside Ave

Property Owner: St. Catherine of Sienna and St. Agnes Parish Corporation

Address: 8 Riverside Avenue

Applicant: 

Agent name: Christopher D. Bristol, Esq.

Address: 31 Brookside Drive, Greenwich, CT 06830

Email: cdb@gtlslaw.com

Tax ID: 05-4005/S

Cell Phone: Other Phone:

Email: Cell Phone: Other Phone:

Email: Cell Phone: Other Phone: 203-542-8408

1. I (we) hereby appeal to the Planning and Zoning Board of Appeals from the decision of the Zoning Officer whereby the Zoning Officer:

- [ ] granted or [ ] denied an application to: [ ] Use [ ] Erect [ ] Alter [ ] Add to [ ] Occupy
- [ ] Land only [ ] Structure or building, Year erected: [ ] Family Residence [ ] Accessory building [ ] Business [ ] Industry [ ] Other commercial parking

2. Title of Subdivision Map: 

   Section of Town: Riverside Building. Zone: R-12 Lot Size: 2 acres

   Lot No.

3. PREVIOUS APPEALS have been made with respect to this property as follows:

   Application No(s). Date(s)

4. THIS APPEAL RELATES TO: [ ] Use [ ] Yard dimension [ ] Height [ ] No. of family units [ ] Street frontage [ ] Areas [ ] Other

   BRIEFLY DESCRIBE APPEAL:
   Church would like to lease 46 spaces in existing parking lot on east side of Riverside Avenue for use by J House hotel and restaurant located on adjacent property. Connection will be constructed between J House property and St. Catherine’s parking lot. Because parking by J House has been determined as commercial use prohibited in the R-12 residential zone, variance of 6-158 is required.

5. VARIANCE of the following section(s) of the Building Zone Regulations is (are) requested: 6-158(a)

   a. Strict application of the regulations would produce UNDUE HARDSHIP because:
      Hardship presented by: 1. the location of zone lines relative to the properties, 2. size and configuration of 1114 East Putnam (J House) property, and 3. no mechanism in Regs to expand parking.

   b. The HARDSHIP CREATED IS UNIQUE and not shared by all properties alike in the neighborhood because:
      There is no way for 1114 East Putnam to otherwise expand its parking. Commercial properties surrounding all need all of their parking, and impossible to park in residential zone without variance.

   c. The variance would not change the CHARACTER OF THE NEIGHBORHOOD because:
      Parking lot has existed in this location for church for many years so this will in no way change the character of the neighborhood. Also, spaces to be leased are opposite the residential properties to the south. Will not impact parking needed for Church and school use and functions.

6. A SPECIAL EXCEPTION is requested as authorized by Sections 6-19, 6-20, and of the Building Zone Regulations because:

7. THE ISSUANCE OF PERMIT No. for the above named premises by the Building Official is APPEALED because:
By Hand

Planning and Zoning Board of Appeals
Town of Greenwich
101 Field Point Road
Greenwich, Connecticut 06830

Re: Variance Appeal concerning Saint Catherine's Church parking lot
located on the east side of Riverside Avenue, Riverside, Connecticut

Dear Board Members:

We represent St. Catherine of Sienna and St. Agnes Parish Corporation (the "Church"). St. Catherine's is a Connecticut non-stock corporation that is a religious institution not operated for commercial profit.

St. Catherine's Church owns an approximate 5.5 acre property at 8 Riverside Avenue, Riverside, Connecticut consisting of the main church and school "campus". It contains Saint Catherine's Roman Catholic Church building, a chapel, a rectory, a classroom building (leased to the Japanese School), and a 31-unit elderly congregate housing building. Parking is also provided on this property as shown on the enclosed site plan.

The Church also owns an approximately 2 acre parcel of land and across the street from the main campus improved with a 1,320 sf office building and a large parking lot used in connection with the Church's facilities. The parking lot is partially in the LBR zone directly across the street from the Church with the majority of the parking lot being in the R-12 residential zone. The parking lot, particularly that portion of it in the residential zone is lightly parked during most days. Those days when it is substantially parked are when there are services on major Catholic Holidays (Christmas Eve, Christmas and Easter) and services for weddings and funeral masses.
Application to appeal to the Planning and Zoning Board of Appeals (cont.)

8. ALL OWNERS whose property bounds upon any portion of subject property including that property directly across the street and bounding it:

Name ___________________________ Mailing Address ___________________________ See attached Exhibit A to Affidavit of Notice

Name ___________________________ Mailing Address ___________________________

Name ___________________________ Mailing Address ___________________________

Name ___________________________ Mailing Address ___________________________

Name ___________________________ Mailing Address ___________________________

Name ___________________________ Mailing Address ___________________________

Instructions and Procedures for Application for Appeal to the Planning and Zoning Board of Appeals

Regular meetings of the Board are bi monthly on Wednesdays at 8:00 pm at Town Hall or such other time or place as the Chairman or Acting Chairman of the board may from time to time determine.

Applications must be typed and filed in triplicate on the original application forms only and each shall be signed by the property owner. If there is also an applicant, the applicant must also sign the application. If there is an agent representing the owner and/or the applicant, the agent must also sign the application. All pertinent questions on the application must be answered and all information required on the form shall be concisely stated. Additional statements may be added if required, in the blank space or on separate sheets. Do not use supplemental sheets unless the application form is filled.

Supporting documents — Applications must be accompanied with three copies of a class A-2 survey by a CT Licensed Land Surveyor, three sets of building plans for a new or existing building, addition, or alteration to a building, a copy of the G.I.S. (Geographical Information System) aerial map, a copy of the current Assessor’s field card, and the appropriate filing fee (checks or credit card). Please make checks payable to the Town of Greenwich. Building plans and surveys submitted with this application may not be larger than 11” x 17” in size. Larger scale drawings may be submitted at the Public Hearing. Applications involving floor area ratio must be accompanied by building floor plans demonstrating the calculated areas.

Notice — The appellant or his agent must submit an affidavit certifying that all abutting property owners have been notified by mail, as evidenced by the Certificate of Mailing, stamped and certified by the US Post Office, about said application, concurrent with filing the application to the Planning and Zoning Board of Appeals. Owners of lots, or portions of lots, which are across a public or private street shall be deemed to be abutting property owners. If topographical conditions are claimed as hardship, the applicant must be prepared with photographs or a topographical survey showing same at the time of the public hearing.

The final date for filing applications shall be nineteen days before the date of a regular meeting, which date will be kept posted in the office of the Board and of the Building Official / Zoning Enforcement Officer. Applications will be heard on a first come first heard, agenda space available basis. Plans approved by the Board cannot be changed. What is presented for approval must be built. Any changes to approved plans will require re-submission to the Planning and Zoning Board of Appeals for a new public hearing. On an application for a re-hearing, the appellant must allege new facts and prove same at the hearing.

Survey Maps accompanying applications pertaining to gasoline filling stations, garages, auto showrooms, and parking lots, in addition to giving the location of building or buildings shall also include the location of any pumps and shall show height and size of signs in addition to location, height and intensity of lights, planting, curbs, sidewalks, street lines, exits and entrances.

The filing fees for all Planning and Zoning Board of Appeals applications shall be: $210 for single and 2 family residential appeals, $260 for appeals of the decisions or orders of the Zoning Enforcement Officer, $360 for appeals for division of non-conforming lots and $560 for all other appeals including review of subdivisions. This includes the $80.00 State of Connecticut mandatory land use application fee effective 10/1/09.

The Board in its discretion may dismiss an appeal (without prejudice) for failure to comply with any of the foregoing rules.

Appellant or his agent must be present at the meeting. Failure to appear may result in the application being dismissed.

Owner’s Signature ___________________________ Applicant’s Signature ___________________________ Agent’s Signature ___________________________

Application fee paid: $560.00 Receipt no.: 369146 CT Land Use fee paid: _____________ Receipt no.: _____________
St. Catherine's has been approached by the owners of The J House hotel, which also contains the popular "Tony's" restaurant, located at 1114 East Putnam Avenue, to use the rear 46 parking spaces on the Property as supplemental parking for the hotel and restaurant during those times when the parking is not needed for the uses being conducted on the West Parcel, particularly the Church. The area in question is shown on the attached site plan (the "License Area").

The J House hotel is legally non-conforming as to the current parking requirements under the Greenwich Building Zone Regulations (the "Regulations"). The restaurant is very popular during the evenings and even if parking met the Regulations more would be needed. The hotel and restaurant have a valet program in place to manage parking.

The J House property's western parking area itself adjoins the Property essentially at the same grade. The parties have come to an agreement, subject to obtaining the necessary approvals, to create an accessway between the J House property and the License Area and to allow employees of the hotel and restaurant and the valet service to park cars in the License Area. This would occur only during those times when St. Catherine's does not need the area to meet the parking needs of the uses being conducted on the West Parcel, which essentially are those times as described above and for those days when the St. Catherine's Carnival is being run on the Property.

A site plan application is pending before the Commission with this proposal. The Zoning Enforcement Officer has determined, and the Commission has agreed, that use of the Church's parking spaces by the J House constitutes a commercial use occurring in the R-12 residential zone in which the Property is located and is prohibited on that basis. Therefore, a variance of Section 6-158(a) of the Regulations is hereby requested.

Hardship in this instance is presented by several factors which preclude the applicant's ability to otherwise obtain additional parking, including the 1114 East Putnam Avenue property's size and configuration, the presence of residential zone lines relative to the properties and the fact that the Regulations contain no mechanism for a commercial property owner to utilize or share existing parking uses.

Overall, this proposal provides for a win-win situation for the community. It helps preclude hotel and restaurant employees and customer parking on nearby residential streets and it allows for less in and out of valet-parked cars onto public streets from the hotel property making for a safer overall travel environment for both general traffic and traffic in and out of the hotel property.
There will be no adverse impact to adjoining properties. There has been a parking lot on the Property for a number of years, so the parking "use" is nothing new to the neighborhood. The spaces to be used by the J House are located on the northeast side of the Property which are farther removed from the two residential properties immediately to the south of the Property on Riverside Avenue. The Church retains all right to satisfy its parking needs using the Property notwithstanding its periodic use by the J House.

With respect to the accompanying application, you will find enclosed the following:

1. Detailed narrative (this letter);
2. PZBA application form;
3. Affidavit of Notice;
4. Certificate of Mailing;
5. Field Cards;
6. GIS Maps;
7. Site Plan for the Property delineating the License Area;
8. Authorization letter from St. Catherine's; and
9. Check in the amount of the required filing fee.

Should you have any questions or require further information, please feel free to contact me. Thank you for your prompt attention to this application.

Very truly yours,

[Signature]

Christopher D. Bristol, Esq.

Enclosures
Application to appeal to the Planning and Zoning Board of Appeals

Project Address: east side of Riverside Ave 05-4005/S
Property Owner: St. Catherine of Sienna and St. Agnes Parish Corporation
Address: 8 Riverside Avenue

Email: ___________________________ Cell Phone: ___________________________ Other Phone: ___________________________
Applicant: ___________________________ Address: ___________________________

Email: ___________________________ Cell Phone: ___________________________ Other Phone: ___________________________
Agent name: Christopher D. Bristol, Esq. Address: 31 Brookside Drive, Greenwich, CT 06830
Email: cdb@gtislaw.com Cell Phone: ___________________________ Other Phone: 203-542-8408

1. I (we) hereby appeal to the Planning and Zoning Board of Appeals from the decision of the Zoning Officer whereby the Zoning Officer:

☐ granted or ☐ denied an application to: ☐ Use ☐ Erect ☐ Alter ☐ Add to ☐ Occupy

☐ Land only ☐ Structure or building, Year erected: ___________________________, For use as:

☐ Family Residence ☐ Accessory building ☐ Business ☐ Industry ☐ Other ☐ commercial parking

2. Title of Subdivision Map: ___________________________ Lot No. ___________________________
Section of Town: Riverside Building Zone: R-12 Lot Size: 2 acres

3. PREVIOUS APPEALS have been made with respect to this property as follows:
Application No(s). ___________________________ Date(s) ___________________________

4. THIS APPEAL RELATES TO: ☐ Use ☐ Yard dimension ☐ Height ☐ No. of family units ☐ Street frontage ☐ Areas ☐ Other

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Church would like to lease 46 spaces in existing parking lot on east side of Riverside Avenue for use by J House hotel and restaurant located on adjacent property. Connection will be constructed between J House property and St. Catherine’s parking lot. Because parking by J House has been determined as commercial use prohibited in the R-12 residential zone, variance of 6-158 is required.

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b. The HARDSHIP CREATED IS UNIQUE and not shared by all properties alike in the neighborhood because:

There is no way for 1114 East Putnam to otherwise expand its parking. Commercial properties surrounding all need all of their parking, and impossible to park in residential zone without variance.
c. The variance would not change the CHARACTER OF THE NEIGHBORHOOD because:

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Application to appeal to the Planning and Zoning Board of Appeals (cont.)

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Name __________________________ Mailing Address __________________________
Name __________________________ Mailing Address __________________________
Name __________________________ Mailing Address __________________________
Name __________________________ Mailing Address __________________________
Name __________________________ Mailing Address __________________________

see attached Exhibit A to Affidavit of Notice

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Appellant or his agent must be present at the meeting. Failure to appear may result in the application being dismissed.

______________________________  ________________________________  ________________________________
Owner's Signature                Applicant's Signature                Agent's Signature

Application fee paid: ___________ Receipt no.: ___________ CT Land Use fee paid: ___________ Receipt no.: ___________
Planning and Zoning Commission
Town of Greenwich
101 Field Point Road
Greenwich, CT 06830

Re: Site Plan Application
Property Location: Parking Lot Located on the East Side of Riverside Avenue, Riverside, CT (the “Property”)

Dear Members of the Commission:

Please be advised that Gilbride, Tusa, Last & Spellane LLC is authorized to represent us in connection with the referenced application pertaining to the Property.

Very truly yours,

St. Catherine of Sienna and St. Agnes Parish Corporation

By: [Signature]
AFFIDAVIT OF NOTICE
THE GREENWICH PLANNING AND ZONING BOARD OF APPEALS

STATE OF CONNECTICUT    )
COUNTY OF FAIRFIELD     ) ss: Greenwich

I, Christopher D. Bristol, being duly sworn, do hereby certify that on February 18, 2022, 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 February 18, 2022, as shown on the Town Tax Assessor's Office records, of property abutting and across the street from the property belonging to St. Catherine of Sienna and St. Agnes Parish Corporation, for which an application has been filed with the Greenwich Planning and Zoning Board of Appeals for a variance of Greenwich Building Zone Regulations Section 6-158(a) to allow 46 parking spaces on the property to be used at times by the adjacent J House hotel for restaurant parking.

Christopher D. Bristol

Subscribed and sworn to before me on February 18, 2022.

TANYA CRUZ
A Notary Public
My Commission Expires: 05/31/2025
State of Connecticut
EXHIBIT A

ABUTTING OWNERS

ST. CATHERINE’S CHURCH PROPERTY
RIVERSIDE, CONNECTICUT

PARCEL ID: 05-1685/S
JC CORPORATION
1064 EAST PUTNAM AVENUE
RIVERSIDE, CT 06878

PARCEL ID: 05-1203/S
MARLENE L FRANK-SCHINTO TR ET AL
19 RIVERSIDE AVENUE
RIVERSIDE, CT 06878

PARCEL ID: 05-1304/S
LINDA HSU
21 RIVERSIDE AVENUE
RIVERSIDE, CT 06878

CONN DEPT OF TRANSPORTATION
2800 BERLIN TURNPIKE
NEWINGTON, CONNECTICUT
EXHIBIT B

GILBRIDE, TUSA, LAST & SPELLANE LLC
ATTORNEYS AT LAW
31 BROOKSIDE DRIVE
GREENWICH, CONNECTICUT 06830

PHONE (203) 622-9360
FACSIMILE (203) 622-9392
WWW.GTSLAW.COM

February 18, 2022

To Whom It May Concern:

Notice is hereby given that St. Catherine of Sienna and St. Agnes Parish Corporation have filed a variance of Greenwich Building Zone Regulations Section 6-158(a) with the Greenwich Planning and Zoning Board of Appeals seeking permission to park 48 vehicles of the J-House hotel and restaurant employees and guests on the eastern portion of its parking lot located on the east side of Riverside Avenue in Riverside, Connecticut. A variance is required because parking related to the J-House hotel is a commercial use which would be taking place in the R-12 residential zone in which the Church is located.

Guest parking will be by valet only. The J-House is located at 1114 East Putnam Avenue, Riverside, Connecticut, and its parking lot abuts the area of the St. Catherine's parking lot it will use. An access drive will connect the parking areas, and this will be the only means for the J-House employees to enter the area of the St. Catherine's parking lot they are permitted to use. St. Catherine's retains the right to use the entire parking lot, including the area to be used by the J-House, at all times to satisfy its parking requirements and operational needs, including use thereof for the annual St. Catherine's Carnival.

As an adjoining property owner, you are entitled to this notice. You may appear at the Public Hearing of this appeal or send a representative. You may also write to the Planning and Zoning Board of Appeals to express your position on this matter under review if you so choose. The date of the hearing has not yet been determined. Prior to the hearing a legal notice will be published twice in the Greenwich Time newspaper to announce the date and time of the hearing. The appeal and accompanying documents are on file at Greenwich Town Hall. You may review these public records at Town Hall if you wish.

Sincerely,

Christopher D. Bristol, Esq.
Gilbride, Tusa, Last & Spellane LLC
31 Brookside Drive
Greenwich, Connecticut 06830
Tel: (203) 622-9360

For Information contact:

Planning and Zoning Board of Appeals
Town of Greenwich
Town Hall, 101 Field Point Road
Greenwich, Connecticut 06830
Tel. (203) 622-7753
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| 2    | 2              | MARLENE L FRANK-SCHINTO TR ET AL  
19 RIVERSIDE AVENUE  
RIVERSIDE, CT 06878                      |         |     |                |                        |               |                 |         |        |        |        |        |        |         |
| 3    | 3              | UNDA HSU 21 RIVERSIDE AVENUE  
RIVERSIDE, CT 06878                        |         |     |                |                        |               |                 |         |        |        |        |        |        |         |
| 4    | 4              | CTN DEPT OF TRANSPORTATION  
3900 BERLIN TURNPIKE  
NEWINGTON, CONNECTICUT 06111               |         |     |                |                        |               |                 |         |        |        |        |        |        |         |
| 5    |                |                                        |         |     |                |                        |               |                 |         |        |        |        |        |        |         |
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| 15   |                |                                        |         |     |                |                        |               |                 |         |        |        |        |        |        |         |

Total Number of Pieces Listed by Sender: 4
Total Number of Pieces Received at Post Office: 4

Postmaster, Per (Name of receiving employee): [Signature]

The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is $50,000 per piece subject to a limit of $500,000 per occurrence. The maximum indemnity payable on Express Mail Merchandise Insurance is $500. The maximum indemnity payable is $25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual RS00, S913, and S921, for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail B parcels.
EXEMPT
IMPROVEMENT DATA

PHYSICAL CHARACTERISTICS
ROOFING
Slate/Tile

WALLS
B 1 2  U
Frame
Brick
Yes
Metal
Guard

FRAMING
B 1 2  U
Wd Jst
0 17596 12998 0

HEATING AND AIR CONDITIONING
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A/C
0 0 3000 0

SPECIAL FEATURES

SUMMARY OF IMPROVEMENTS

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Data Collector/Date
TD 07/12/2021

Appraiser/Date
TGG 10/01/2015

Neighborhood
Neigh 2300 AV

Supplemental Cards
TOTAL IMPROVEMENT VALUE 1199200
### VALUATION RECORD

**Assessment Year**

**Reason for Change**

### VALUATION

**Site Description**

### LAND DATA AND CALCULATIONS

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Supplemental Cards

TOTAL LAND VALUE
PHYSICAL CHARACTERISTICS

ROOFING
Built-up

WALLS
B 1 2 U
Frame Yes Yes Yes
Brick
Metal Guard

FRAMING

F Res 0 6675 4739 0
R Conc 6636 257 0 0

HEATING AND AIR CONDITIONING
B 1 2 U
Heat 4680 6675 4739 0
Sprink 4368 4827 4739 0

IMPROVEMENT DATA

Day School Wing (Renovated 2001)

1 2 s Br 1
B

34 34

17.5 2s Br 29

4231

67 67

1 s Br Sub

18

19 1803 20

59.5 17.5

35 29

Chapel (Rebuilt 2002)

SPECIAL FEATURES

SUMMARY OF IMPROVEMENTS

Data Collector/Date Appraiser/Date Neighborhood Supplemental Cards
TD 07/12/2021 TOG 10/01/2015 Neigh 2300 AV

TOTAL IMPROVEMENT VALUE 5687400
EXEMPT

VALUATION RECORD

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LAND DATA AND CALCULATIONS

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TOTAL LAND VALUE

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### PHYSICAL CHARACTERISTICS

### IMPROVEMENT DATA

#### SPECIAL FEATURES

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#### SUMMARY OF IMPROVEMENTS

Data Collector/Date: TD 04/13/2021  
Appraiser/Date: TGG 10/01/2015  
Neighborhood: Neigh 2300  
Supplemental Cards: TOTAL IMPROVEMENT VALUE 97900
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10/27/2021 10:35:25 AM
Scale: 1"=100'
Scale is approximate