

From: [DeLuca, Katie](#)
To: [Dean Gamanos](#)
Cc: [JOSEPHINE CONBOY](#); [Miele, Thomas](#); leslie.yager@gmail.com; [Pruitt, Jacalyn](#); editor@greenwichsentinel.com
Subject: Re: Over-Size Housing Developers Are Targeting Greenwich - P&Z Must Try to Stop!
Date: Sunday, April 10, 2022 2:52:37 PM

Thank you. I have have forwarded to the Commission and added this to the record

Katie

From: Dean Gamanos <deangws@gmail.com>
Sent: Sunday, April 10, 2022 3:24 AM
To: DeLuca, Katie <Katie.DeLuca@greenwichct.org>
Cc: Dean Gamanos <DeanGWS@gmail.com>; JOSEPHINE CONBOY <gptrust0909@aol.com>; Miele, Thomas <thomas.miele@bernstein.com>; leslie.yager@gmail.com <leslie.yager@gmail.com>; Pruitt, Jacalyn <jacalyn.pruitt@greenwichct.org>; editor@greenwichsentinel.com <editor@greenwichsentinel.com>
Subject: Over-Size Housing Developers Are Targeting Greenwich - P&Z Must Try to Stop!

[EXTERNAL]

Dear Planning and Zoning Members (and friends/ colleagues)

This is to express my concern not only about the proposed 192 unit building on Church Street in the heart of the Fourth Ward Historic District which you will be reviewing at this coming week's meeting. But I am also concerned about the many, out-of-control projects that are being planned and/or proposed all over Greenwich (at least 5 or 6 major ones)..

The Town's Development Plan calls for construction that "blends seamlessly" into its surroundings. That is not what is happening in many of the projects on the drawing board -- certainly not in the plans for 35 Church Street which I have examined..

The developers of Church / Sherwood make it sound like they are building their proposed mega-structure to help people afford to live in Greenwich. That's difficult to believe.. They are likely to make significant profits by virtue of the large size of their proposed building. Many here believe that they can get away with this by taking advantage of a flawed Connecticut statute which allows them to waive local zoning concerns to encourages affordable housing

If allowed to proceed, along with the other proposed projects, there is a good chance they will transform Greenwich from the nice town it currently is, where neighbors know their neighbors to just another overbuilt city like Stamford and New Rochelle. I moved to Greenwich from the City so I could smell grass, hear songbirds and escape from congested living.. Now there's a chance urban life may catch up to me. Perhaps over-development is inevitable in many places due to population growth *but*

it shouldn't have to happen here, at least not irresponsibly!

I think developers are targeting Greenwich because people are willing to pay higher rents, perhaps to be able to say they live here in Greenwich. Higher rents mean higher profits. But only a fraction of the units have lower than market rates (and many of those are small one- bedroom units which are likely to be too small for working families.

Church and Sherwood are not wide streets. I live close by and know how traffic build-up can easily take place. With the prospect of many more residents moving in, the local streets will not be able to handle the increase (which will cause delays and safety concerns).. And it is unlikely that the sewers can handle the increase.

I'm on the Board of a group called the Greenwich Preservation Trust that is concerned about this activity because many old, charming and historic homes will have to be destroyed in order to make way for the new monster building proposed for Church Street. I should add that **the proposed site on Church Street is in a National Historic District ...the Fourth Ward**. We should preserve and protect this renowned district which is *the oldest neighborhood of working people* in our Town.

It's important to note that the proposed Church / Sherwood project calls for the demolition of several attractive, historic homes.**If allowed to proceed at least four very attractive old structures will be felled by the wrecking ball (including Second Empire, Italianate, and other significant architectural styles)**

It is not widely known that Greenwich actually has a large number of affordable housing units. **We have many subsidized units, are building more, and the figures don't include smaller multi-family homes where rentals are affordable to local teachers and government workers.**

Our local leaders are teaming up with others from Stamford, Darien and elsewhere to amend the 8-30 Ct law which is causing all this turmoil. It seems very wrong to me, perhaps even unconstitutional, that local zoning laws are trumped by decisions made elsewhere.

We can't afford to wait for 8-30 (the CT Statue) to be amended as many believe it should -- P&Z must act now to do what it can to halt these over-sized projects before the bulldozers move in. It is important that we unite and save our Town which dates back to 1640 -- we have a legacy that's worth preserving.
Sincerely,
Dean Gamanos

note to J. Pruitt - please pass this on to Ms Alban as I don't have her email address. Thank you.
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From: [Vargas, Madeline](#)
To: [Pruitt, Jacalyn](#); [Mangs, Peter](#)
Subject: FW: Louise Puchell provided me with your contact details
Date: Friday, April 8, 2022 1:51:57 PM

Hi Jackie,

May you please add this email to the link for 35 Church Street?

Thank you,
Madeline

From: DeLuca, Katie
Sent: Friday, April 8, 2022 12:50 PM
To: Vargas, Madeline <Madeline.Vargas@greenwichct.org>; Alban, Margarita <Margarita.Alban@greenwichct.org>; Arn Welles (arnwelles@aol.com) <arnwelles@aol.com>; Barolak, Bob <Bob.Barolak@greenwichct.org>; Levy, Peter <Peter.Levy@greenwichct.org>; Lowe, Peter S. <peter.lowe@greenwichct.org>; Macri, Nick <Nick.Macri@greenwichct.org>; Peter Levy (peter@kamberllc.com) <peter@kamberllc.com>; Welles, Arn <Arn.Welles@greenwichct.org>; Yeskey, Dennis <Dennis.Yeskey@greenwichct.org>
Subject: FW: Louise Puchell provided me with your contact details

From: RBK <rbennk@gmail.com>
Sent: Friday, April 8, 2022 12:09 PM
To: Alban, Margarita <Margarita.Alban@greenwichct.org>; DeLuca, Katie <Katie.DeLuca@greenwichct.org>
Subject: Louise Puchell provided me with your contact details

[EXTERNAL]

Dear Planning and Zoning,

I have lived in Milbrook since 1989. There have been lots of changes during those 33 years--mostly good ones, but the changes planned with the supposed plan for an apartment building construction near the Indian Field Road intersection and on Church Road is a dangerous one.

I oppose the building of apartments on the Post Road due to increased traffic, poor traffic light planning, dangerous driving conditions around a public school. There are some days it has taken me 45 minutes to get from Old Church Road going north to Westbrother Dr (a 2 minute drive) if there is an accident on I95, or the number of parents picking up their children at the public bus stop on the Post Road next to the playing field. Many parents park outside the entrance of Milbrook on Westbrother Dr and clog up the entrance. Cars trying to enter the Post Road from Brookridge Dr

and going north, take their life in their hands if there is a bottleneck since there is no traffic light there. There are so many issues to be discussed, but my main reason for writing is how dangerous the traffic becomes during peak hours with aggressive drivers. It really is a quality of life issue. If the apartment buildings are erected, it will indirectly affect the hundreds of students (and other pedestrians) who walk north towards Indian Field Road and their safety will be jeopardized.

I hope you seriously consider the longterm ramifications of such a project.

Robin Kanarek, RN
5 Cliff Road
Greenwich
203-869-1648

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IVEY, BARNUM & O'MARA, LLC

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writer's e-mails: asisca@ibolaw.com

April 8, 2022

BY EMAIL

Town of Greenwich
101 Field Point Road
Greenwich, Connecticut 06830

Attn: Katie DeLuca
Director of Zoning/Town Planner
Katie.DeLuca@greenwichct.org

RE: Church/Sherwood C.G.S. Section 8-30g Housing Development: Final Site Plan & Special Permit Application, PLPZ 2022 00047 (“Application”)

Dear Katie:

We represent Sherwood Green Condominium Association, Inc. (“Sherwood Green”) in connection with the Application for the proposed Church/Sherwood C.G.S. Section 8-30g Housing Development (the “Development”) submitted by and/or on behalf of Church Sherwood, LLC as owner, together with SJP Properties and Eagle Ventures, as developers (collectively, “Applicant”). Sherwood Green has various concerns relating to the Development and its impact on the public, health and safety that are detailed below and in our prior correspondence, a copy of which is annexed hereto and incorporated herein. Sherwood Green also joins in the concerns identified by other residents of the Historic Fourth Ward, including Town and Country, as well as the Greenwich Preservation Network.

Sherwood Green is a two-story structure containing ten modest two-bedroom condominium units, some of which are rented and some of which are owner-occupied. The impact that the proposed building will have on Sherwood Green will be immense. For example, the approximately 84-foot-tall building will cast shadows over the Sherwood Green property, effectively leaving both the exterior of the property and the interior of the units – specifically the kitchens, second floor living areas and the courtyards – in the dark. Having spent a significant part of the last eighteen months

Katie Deluca
Director of Planning/Town Planner
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is some form of confinement due to the COVID-19 pandemic, the necessity of having access to sunlight in our homes and yards is paramount for one's health. Ceolin, Gilciane, et al. "Vitamin D, depressive symptoms, and Covid-19 pandemic." *Frontiers in Neuroscience* (May 13, 2021) 15:513, <https://www.frontiersin.org/articles/10.3389/fnins.2021.670879/full> ("Furthermore, reduced exposure to sunlight, thereby reducing the biosynthesis of vitamin D in the skin, is a strong factor in the pathophysiology of vitamin D deficiency and studies have been demonstrated that sun exposure can enhance vitamin D synthesis"). The construction of the Development proposed by Applicant will eviscerate the existence of those features at Sherwood Green and will likely have similar effects on other adjacent properties, thereby impacting the health of residents in Sherwood Green and the Fourth Ward.



Sherwood Green

Proposed 84-foot-tall building to be constructed against property

Aside from the impact on the health of the residents of the Fourth Ward, the construction of the Development will require the demolition of the following seven structures:

Katie Deluca
Director of Planning/Town Planner
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39 Church Street	R-6	Two family
43 Church Street	R-6	Three family
47 Church Street	R-6	Two family
1 Putnam Court	CGB	Single family
2 Putnam Court	CGB	Two family
3 Putnam Court	CGB	Single family
32 Sherwood Place	CGB	General Office

On March 25, 2022, the State Historic Preservation Review Board reaffirmed that these structures contribute to the Fourth Ward and therefore shall remain on the National Register as part of the Fourth Ward Historic District (2000), Greenwich. Connecticut law allows a commission to consider historic factors in connection with an affordable housing application. *See United Progress, Inc. v. Borough of Stonington Plan. & Zoning Comm'n*, No. CV 92-0513392S, 1994 WL 76803 (Hartford, Mar. 4, 1994) (the Court acknowledged that the Commission could consider historic factors in an 8-30g application, but did not hold that historic factors, individually, outweigh the need for affordable housing); *Connecticut Hist. Comm'n v. Wallingford*, No. CV020468446S, 2011 WL 1087088 (New Haven, Feb. 22, 2011) (Court granted permanent injunction against defendant's proposed demolition of an historic building to construct a gazebo because the building was in relatively good condition, remained structurally sound and had maintained its decorative integrity and unique architectural elements which made it unique and factored into the contribution it made to the overall historic district in the defendant town, and there were no feasible and prudent alternatives to demolition); *Conn. Gen. Stat. § 22a-15* ("...it is in the public interest to provide all persons with an adequate remedy to protect the air, water and other natural resources from unreasonable pollution, impairment or destruction."); *Conn. Gen. Stat. § 22a-16* ("any person. . . may maintain an action. . . for the protection of the public trust in the air, water and other natural resources of the state from unreasonable pollution, impairment or destruction. . ."); *Conn. Gen. Stat. § 22a-17* ("When the plaintiff in any such action has made a prima facie showing that the conduct of the defendant, acting alone, or in combination with others, has, or is reasonably likely unreasonably to pollute, impair or destroy the public trust in the air, water or other natural resources of the state, the defendant may rebut the prima facie showing by the submission of evidence to the contrary. The defendant may also prove, by way of an affirmative defense, that, considering all relevant surrounding circumstances and factors, there is no feasible and prudent alternative to the defendant's conduct and that such conduct is consistent with the reasonable requirements of the public health, safety and welfare. . ."); *Conn. Gen. Stat. § 22a-18(a)* ("The court may grant temporary and permanent equitable relief, or may impose such conditions on the defendant as are required to protect the public trust in the air, water and other natural resources of the state from unreasonable pollution, impairment or destruction."); *Conn. Gen. Stat. § 22a-19(a)(1)* ("In any administrative, licensing or other proceeding. . . any person. . . may intervene as a party on the filing of a verified pleading asserting that the proceeding or action for judicial review involves conduct which has, or which is reasonably likely to have, the effect of unreasonably polluting, impairing or destroying the public trust in the air, water or other natural resources of the state.");

Katie Deluca
Director of Planning/Town Planner
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Conn. Gen. Stat. § 22a-19a (“the provisions of sections 22a-15-22a19, inclusive, shall be applicable to the unreasonable destruction of historic structures and landmarks of the state. . .”). Connecticut statutory and case law make it clear that this Commission is authorized to consider the historic nature of the seven structures Applicant seeks to destroy to construct the Development as part and parcel of determining whether to approve the Application.

As discussed in our pre-application submission, Sherwood Green is concerned about the effect that the Development will have on the sanitary sewer system to which it will connect and reserves its rights to address and rebut any reports and testimony submitted by Applicant relating to the sewers. Sherwood Green is also concerned about stormwater management and relies on the report prepared by Trinkhaus Engineering, LLC, a copy of which will be submitted by Town and Country, for the issues with the stormwater management plan submitted by Applicant.

In pertinent part, Conn. Gen. Stat. § 8-30g authorizes the Commission to deny an application for affordable housing where the “evidence in the record compiled before such commission” establishes “that (A) the decision is necessary to protect substantial public interests in health, safety or other matters which the commission may legally consider; (B) such public interests clearly outweigh the need for affordable housing; and (C) such public interests cannot be protected by reasonable changes to the affordable housing development.” While Sherwood Green appreciates the Town’s need for affordable housing, Applicant’s attempt to construct a single 192-unit structure by bulldozing an Historic district, while simultaneously harming the remaining adjacent properties, should be denied.

We look forward to hearing from the Commission and Applicant during the hearing on Tuesday, April 12, 2022. Sherwood Green reserves its rights to submit additional evidence into the Record throughout the public hearing process in opposition to the Application.

Very truly yours,

/s/ Andrea C. Sisca
Andrea C. Sisca

Encl.

IVEY, BARNUM & O'MARA, LLC

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writer's e-mail: asisca@ibolaw.com

October 12, 2021

BY HAND

Town of Greenwich
101 Field Point Road
Greenwich, Connecticut 06830

Attn: Katie DeLuca
Director of Zoning/Town Planner

**RE: Church/Sherwood C.G.S. Section 8-30g Housing Development
PLPZ 2021 00406, for a Pre-Application Review**

Dear Katie:

We represent Sherwood Green Condominium Association, Inc. ("Sherwood Green") in connection with the pre-application for the proposed Church/Sherwood CGS Section 8-30g Housing Development ("35 Church") submitted by and/or on behalf of Church Sherwood, LLC as owner, together with SJP Properties and Eagle Ventures, as developers (collectively, "Applicant"). Sherwood Green has various concerns relating to 35 Church and its impact on the public, health and safety that are generally outlined below. Inasmuch as 35 Church is in the pre-application phase pursuant to Conn. Gen. Stat. § 7-159b, Sherwood Green will wait to submit its more formal opposition, which may include expert reports on certain items raised below, until Applicant makes it formal filing. However, out of an abundance of caution and to inform the Town of Greenwich Planning and Zoning Commission ("Commission") of its opposition to 35 Church, Sherwood Green makes this submission.

As the Commission is aware, Conn. Gen. Stat. § 8-30g empowers the Commission to deny a proposal where a public, health or safety issue outweighs the need for affordable housing. It is respectfully submitted that there are public, health and safety issues that outweigh the need for affordable housing in the proposed location on Church Street and Sherwood Place.

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Applicant proposes a residential apartment building with parking lot and associated amenities in central Greenwich, that fronts and spans two relatively narrow side-streets that are feeder routes to Greenwich Hospital. The proposed building will be 7 stories, or approximately 84 feet tall and will have 192 units, of which Applicant has only designated the minimum 30%, or 57.6 (presumably 58) units, as restricted for 40 years in accordance with Section 8-30g.

The construction of 35 Church will require the demolition and/or clearing of multiple existing structures which are differently zoned and classified. Based on the field cards, the following is a list of the zones and property classifications for the properties on which 35 Church is proposed:

Address	Zone	Property Classification
35 Church Street	CGBR	Restaurant
39 Church Street	R-6	Two family
43 Church Street	R-6	Three family
47 Church Street	R-6	Two family
1 Putnam Court	CGB	Single family
2 Putnam Court	CGB	Two family
3 Putnam Court	CGB	Single family
4 Putnam Court	CGB	Parking lot
32 Sherwood Place	CGB	General Office
36 Sherwood Place	CGB	General Office
42 Sherwood Place	R-6	Medical Office

In sum, 10 of the 11 properties are improved (4 Putnam is a parking lot), and 6 of those 10 are classified as residential dwellings (single, two or three family). Stated differently, aside from demolishing office space, Applicant seeks to demolish 11 residential units (10,499 sq ft of gross floor area) to make way for 35 Church.

In addition to spanning two blocks, 35 Church will consist of 289,319 sq. feet of total building floor area, of which 224,115 sq. feet will be residential floor area. Applicant submitted an enclosure with its pre-application entitled "Tallest Residential Buildings in Greenwich," but fails to include its own statistics on that comparison chart, presumably because it would highlight the sheer bulk of the proposed development. Of the seven buildings listed on the attachment, two are 6.5 stories, three are 7 stories, and two are 8 stories. However, height is not the only factor to consider relative to "bulk"; lot size, approximate RSF, number of units, and parking ratios are also important. In point of fact, Guiding Principle #2 contained in the 2019 Plan of Conservation and Development ("2019 Plan") states that affordable housing should blend seamlessly into the community.

Below is a list of the data provided by Applicant for the "tallest buildings in Greenwich", together with the statistics for 35 Church.

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Name	Address	Floors/ Height	Lot size	Apx RSF	# Units	Park ratio
35 Church	35 Church St	7/ 84 ft	1.97	224,115	192	1.21
Town and Country	20 Church St	8/ 85 ft	1.09	128,123	99	.96
Greenwich Lodge	47 Lafayette Pl	6.5/ 73 ft	1.80	60,617	59	1.00
Greenwich Towers	11 Lafayette Ct	7/ 85 ft	.66	60,568	53	0
Winthrop	25 West Elm St	7/ 85 ft	.46	46,259	49	.90
Greenwich Chateau	4 Lafayette Ct	6.5/ 73 ft	.35	35,406	59	1.00
Ituri Tower	15 Lafayette Ct	7/ 85 ft	1.6			*only info provided by Applicant

Viewing 35 Church in comparison to the “Tallest Buildings in Greenwich” highlights the full magnitude of Applicant’s proposal. Putting aside that the pre-existing buildings were all constructed before 1950 at a time when zoning regulations were first coming into existence, the largest of the buildings has almost one-half of the RSF that Applicant proposes for 35 Church. Of similar relevance is that, prior to 1950, it was uncommon for individuals or even families to own more than one car, whereas in 2021, most individuals own at least one car, and most families own multiple cars. From a practical standpoint relative to 35 Church, this means that with a ratio of 1.21 spaces per unit, it is likely that both residents of and visitors to 35 Church will park on our local streets – Church Street and Sherwood Place. Sherwood Green is in the process of retaining Bernie Adler of The Chazen Companies to analyze the practical impact of the proposed building on Church Street and Sherwood Place, including without limitation, conflicts due to the dimensions of each of the roadways.

Sherwood Green is also particularly concerned about the effect that the addition of 192 residential units that will likely house more than 350 residents will have on the sewer system serving the area. Moreover, there are concerns about stormwater management, particularly in light of the historical drainage issues plaguing the neighborhood and the fact that rainstorms and floods seem to be increasing in prevalence and severity over time. Adding a significant number of people and impervious surfaces will surely negatively impact public health and safety.

Another important factor that the Commission should consider in connection with Applicant’s proposal is the construction-related impact on both the pre-existing home, businesses, and residents on Church Street and Sherwood Place based on the construction of a building of such proposed magnitude. Indeed, an 8-story, 192-unit building will inevitably take several years to

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complete, during which time the construction, vehicles and vendors will drive, park and stage on and near Church Street and Sherwood Place, thereby impacting traffic on already-narrow streets where vehicles traveling in opposite directions cannot currently simultaneously pass. The Commission should consider the impact of a multi-year construction project on the health and safety of the residents living on Church Street and Sherwood Place, as well as the children attending the school at the corner of East Putnam Avenue and Church Street; whether the sewer system is capable of handling the anticipated influx of new residents; whether the addition of impervious surfaces will be sufficiently handled by the stormwater management system; and the cleanliness (construction dirt, dust, noise, chemicals) of the surrounding historic Fourth Ward and its buildings and residents.

Of course, in addition to the concerns raised above, the Fourth Ward is an historically-plaquet district in Greenwich, the very character of which would be eroded in derogation of the Town and State's interests in preserving historic landmarks.

The 2019 Plan and the recommendations from the Greenwich Housing Task Force suggest that 35 Church is not well-situated in the proposed location. For example, the Housing Task Force recommended that affordable housing preserve and construct structures that are consistent with the neighborhood character; they encourage small sites and development where the Town infrastructure is adequate. Based on the pre-application, it appears that 35 Church does not meet these recommendations. Greenwich is not an urban center or a metropolis, but rather is quintessentially suburban. In point of fact, the maximum residential height in any zone in Greenwich is 50 feet or 4 stories. The mass and bulk of the proposed 35 Church – 84 feet or 7 stories, as well as 289,310 sq ft of gross floor area – simply overwhelms the neighborhood and presumably the infrastructure, as well as the other buildings in Town that may superficially seem comparable, but are not.

The foregoing is not intended to be an exhaustive recitation of Sherwood Green's objections to the pre-application. Sherwood Green reserves the right to supplement its submissions throughout the pre-application process.

We look forward to hearing from the Commission and Applicant during the pre-application hearing on Wednesday, October 13, 2021 at 5 PM.

Very truly yours,


Andrea C. Sisca