

Ms. Margarita T. Alban
Chairperson
Planning & Zoning Commission
101 Field Point Road
Greenwich, CT 06830

November 19, 2022

Dear Ms. Alban,

By way of introduction, my name is Rick Potocki, and I am writing to you on behalf of my wife Jane as well. We currently reside at 10 Rock Ridge Avenue, and our property abuts Eagle Hill School, located at 45 Glenville Road.

We are writing to voice our strong opposition to Project 4 of Eagle Hill School's current Site and Special Permit request that you will be considering this coming Tuesday, November 22, 2022. Project 4 concerns the proposed construction of a playground on the field to the east of the Academic Building located at 45 Glenville Road.

The field in question is bound by an existing agreement that prohibits the construction of such a playground.

Before providing a detailed explanation of our opposition, Jane and I feel that it is important for you to understand the Potocki family's history with Eagle Hill School, which has brought us to where we stand today:

- Jane and I moved into our house in 2001, a house originally built by Eagle Hill. We are therefore the second owner after Eagle Hill. When we moved in, the space behind us was wide open to Eagle Hill. There was no road behind our house, no fencing, nor any screening. It was bucolic.
- In 2003 Mark Griffin, then Head of School, approached us as he wanted to build the current learning center/music building, to add the traffic loop on the South side of the building and, very importantly, to construct a road behind our house connecting to faculty housing. Mark came to our home, outlined his plan, conceded that Eagle Hill had no more FAR and thereby asked for our support. While all of these changes would significantly alter the dynamic of our property, for a host of reasons, chief of which was the safety of the children, Jane and I agreed to support Mark's efforts. In return, Mark offered us a sum of money for us to install screening and fencing. Mark assured us that, since Eagle Hill was already out of FAR, there would be no additional requests made for variances in the future.
- In 2013, despite having been told Eagle Hill had no more FAR and therefore was done expanding, a plan was put forth by Marjorie Castro, then Head of School, to add a large auditorium in our line of sight and, most significantly, she wanted to shift the pick-up and drop-off of students directly behind our house by adding a new circle and pathway

directly in our line of sight. In essence, significantly altering all the work, routing and agreements we had reached with Mark Griffin. Despite the recommendation of many to oppose, we suggested to Eagle Hill that we would be willing, again in the spirit of cooperation, to allow the auditorium but that the traffic flow change would not be acceptable. For whatever reason this was not acceptable to Eagle Hill. Regrettably we had to engage counsel. A great deal of time and money was then spent to end up exactly with what we had originally offered. Eagle Hill moved forward with their auditorium and the traffic flow remained as per our agreement with Mark Griffin. The negotiation resulted in all of the conditions you now see in the document referenced above, PLZE 2013 00762.

- On October 26, 2022, we noticed construction taking place on the field to the east of the Academic Building. That same day, I sent an email to Tom Lasley, Director of Finance at Eagle Hill, inquiring as to the nature of the project. Soon thereafter, construction ceased.

Jane and I felt it essential to provide this narrative and history because we hope that it demonstrates our willingness to work with Eagle Hill with an open mind and in a conciliatory manner over the years.

Now that you have this understanding, we would like to provide a more detailed explanation of our very strong opposition to Project 4:

Very simply, Jane and I reached an agreement with Eagle Hill in 2014 relating to Eagle Hill Foundation's appeal for a variance of floor area ratio and special exception approval to permit additions to the Hardwick and main academic building, the construction of a sports court as well as improvements to the site's parking and drainage at a private school located in the RA-2 zone (Appeal No. PLZE201300762).

The agreement that we reached with Eagle Hill School contained ten (10) conditions that imposed various binding requirements on Eagle Hill School. These ten (10) conditions were memorialized in a letter from the Town of Greenwich Planning and Zoning Commission Board of Appeals to Thomas J. Heagney, authorized agent of Eagle Hill School, on April 14, 2014. A digital copy of this letter exists in the Town of Greenwich Planning and Zoning Commission's files related to this meeting. **It is titled "PLZE 2013 00762.pdf."**

This letter clearly states the following as the very first condition of approval:

"Accordingly, the special exception and floor area ratio variance to permit additions to the Hardwick and main academic building, the construction of a small garage as well as improvements to the site's parking and drainage, as shown on site and architectural plans drawn by KG&D Architects, titled, Eagle Hill Campus Capital Improvements, revised on 3/26 and 3/28/2014, is granted from section 6-205 with the following conditions:

1. No drop-off or dismissal drives shall be located or procedures take place on the east side of the Academic Building in the future. **The field on the east side of the Academic Building shall remain a field in the future."**

The language of that condition is clear and unambiguous. A field is a field. An agreement is an agreement.

Accordingly, our respectful ask is twofold: (1) that Eagle Hill School fulfill its obligations—namely, that the field remain a field—under the agreement that we reached and that was memorialized by the Town of Greenwich Planning and Zoning Commission Board of Appeals on April 14, 2014; and (2) that you and the Planning and Zoning Commission Board enforce the terms of that agreement and deny Eagle Hill School's request to construct the playground in question in its current location.

Thank you for your time and consideration.

Regards,

Rick Potocki