

From: Lesley Groff <[REDACTED]>
To: John Heyrich <[REDACTED]>
Subject: Re: Board statement
Date: Thu, 29 May 2014 14:33:03 +0000

Understand...sooner is better and I know you will do best you (and Sarah) can...I would think just a copy of the letter signed by you and Sarah sent to me via email so I can then print would be fine for the neighbor notifications, right? why do the neighbors need a raised seal?

On May 29, 2014, at 10:26 AM, John Heyrich <[REDACTED]> wrote:

10 days B4 the hearing date of the 24th is the 14th, which is your last official day of postmarking. After that your onto the July meeting, if you miss it

I agree w/you, but I have to get Sarah to review this & okay it . She can sign/seal copies and forward it directly to you [REDACTED] home. I just cannot guaranty this will all happen by monday and it probably won't if I was asked to bet on it. I will try my best to get this out to you as soon as we can.

On May 29, 2014, at 10:10 AM, Lesley Groff wrote:

I SEE ON THE "NOTIFICATION OF PROPERTY OWNERS" we must notify the neighbor of pending application by mailing a notice at least 10 days prior to the first scheduled hearing. lets put it this way, the sooner we can get them out the better...I prefer to send them out early next week. Do you think possible?

On May 29, 2014, at 9:48 AM, John Heyrich <[REDACTED]> wrote:

You have until June 10th to postmark these neighbor letters, I believe? You may want to check... That should be plenty of time.

On May 29, 2014, at 9:44 AM, Lesley Groff wrote:

Great idea to see what Sarah says and get her on board.

I looked up the definition on Webster! not our town ordinance! Just wanted to see what it said.

I can't send out the neighbor notifications until I have your letter...it is to be included with the Special Permit Application...I must get the letters to the neighbors by June 10. So would really like to mail out certified mail no later than Tuesday June 3. think we can get it done?

On May 29, 2014, at 9:37 AM, John Heyrich <[REDACTED]> wrote:

thanks Les, I'm gonna send this to Sarah today to get her input, and to put this on her letterhead and sign. It may be a few days before we get it back.

Your zoning Official, [REDACTED] has already said it wasn't a roof (not that I believe anything this friggin' A'hole tends to tell us).and also it's specifically noted that this is excluded from any building coverage in your zoning ordinance sect 2.2 (page 13). It's lumped together here w/ 'trellis' here too, so I think they are pretty much interchangeable in the eyes of this town.

This trellis definition is from where, Webster?it's not in the ordinance that I can find. You may want to look this up on-line on the New Canaan home page under the government heading to get familiar w/this language.

...let me know. I'm here as your sounding board if you have any questions/concerns.

John

On May 28, 2014, at 5:17 PM, Lesley Groff wrote:

SOUNDS very well put to me...you seem to address all concerns...do you think people will consider the overhead slats of the pergola a 'roof'? Do you think it is necessary to state that a pergola was specifically asked about and we were told "anything could be built as long as there is no roof"? I looked up the definition of Pergola: an arbor formed of horizontal trelliswork supported on columns or posts... you did mention "trellis"...just wondering if better to say a pergola was specifically discussed...

On May 28, 2014, at 4:38 PM, John Heyrich <[REDACTED]> wrote:

Check it out: a 1st draft!! Be ruthless w/your critique...

[REDACTED]
% The Town of New Canaan, Planning and Zoning Commission
New Canaan Town Hall
77 Main Street
New Canaan, Ct 06840

re: Groff Residence

[REDACTED]
(Special Permit)

Dear Chairman and Board members,

The home layout designed for Lesley and Ike Groff at the above referenced property address had provided for two exterior terrace areas from the very project onset, both of which originally were delineated with new roof coverings on exterior column supports as initially proposed. Exterior, covered outdoor living space extensions and access from their new home for frequent family and social outdoor activities and related functions are important to the Groff's lifestyle during the warm weather calendar months. The main rear terrace is behind the dinette/family room and other main level living spaces. The second terrace location is angled to the side/front of the home office, and is the main focus of this discussion.

Further zoning investigation into building coverage limitations necessitated an omission of these two proposed roofs. Still these open air, masonry patio/terraces were each constructed in their approved locations attached to the house, utilizing fully stepped foundations integrally tied back to main basement wall construction. Perhaps these future roofs with potentially additional approvals then could be added at a later date, if necessary.

In the midst of the project's finish construction phases, an idea had surfaced early last fall of 2013 to add an attractive wooden looking, pergola element above a majority the side/front angled terrace. This missing and critical home design element was readily apparent: something attaining a lower, one story scale was needed to graduate the main taller house massing down to the ground, very similar to similar low rooflines and the swooped stone wall effects on the opposite end of this house. An open air, trellis type of structure seemed to be a practical and logical solution. A courtesy call to the New Canaan zoning office brought an initial positive response in that, 'anything could be built over the patio as long as there is no roof'. The owners and builder decided to purchase an attractive prefabricated kit, and following the Town's directive, erected this structure surprisingly without any further building permit fees or paperwork updates. The ensuing result was deemed a success.

As the home recently entered it's final construction stages, the builder had just begun the process of closing out the project about a month ago, allowing the Groffs to shortly occupy and move into their home. He received a startling email in late April 2014 from your zoning office that reversed the initial oral directive: that this new pergola now is considered an accessory structure, although it's not clearly defined as such in the zoning ordinance. The paradoxical new ruling would also require a 150 foot front setback from [REDACTED] for the pergola, now deemed to be located in the front yard. A physical hardship exists with the math calculations in the fact that the lot depth is a scant 238 feet, (and minus a rear setback of 35 feet), only a remaining severely limited 53 foot +/- depth envelope would be left to locate a totally detached similar structure in the heart of the main backyard. This new dictated pergola location would not suit the layout and usage patterns of their establish home. Alternatively, the owners are required to seek a special permit for violation of section 3.4.C.6 of the zoning ordinance.

Communications were then diverted to the New Canaan Planning Office, where an alternative sketch attempt was offered to physically attach to the main house the upper pergola members with similar trellis type materials, bridging a current 7 to 8 foot gap. This compromise redesign premise would visually connect this pergola directly to the house to become part and parcel to the principal home, and thereby eliminate any 'accessory structure' labeling and its unworkable setback consequences. Unfortunately, this option was rejected, thereby sending the Groffs for relief before your Board.

The proposed incidental exterior home uses described above are very desirable and necessary to the owners, and are in a typical character with normal residential property utilization. Also, an appropriately scaled proportion and a blending of this new pergola appendage merges well with the new French Provincial home styling and it's property surroundings. There is also a continuous existing, old stone wall roughly 4 feet high on the two main property front perimeters and, together with abundant array of natural landscaping gives this property it's own privacy. This gracious wall additionally provides enough of a solid buffer to screen internal activities and generated noise from most external perspectives.

Any resulting impacts upon immediate neighbors are generally viewed as positive. The benefits of granting this permit will substantially outweigh any detriments or perceived negative impact, if any that may be ascertained.

Respectfully submitted,

Sarah Gordon Drake, AIA
Project Architect

John Heyrich
Associate Architect