



TOWN OF DARIEN PLANNING AND ZONING COMMISSION APPLICATION FORM

Application is hereby submitted for approval in accordance with the following Sections of the Darien Zoning Regulations (check all that apply).

- Section 810 Coastal Site Plan Review Section 1000 Special Permit Requirements
 Section 820 Flood Damage Prevention Section 1020 Site Plan Requirements
 Section 850 Land Filling, Excavation and Earth Removal Section 1051 Protected Town Landmarks
 Section 1110 Change of Zoning Regulations and/or Zoning Map Subdivision Application
 Other (specify) Waiver of storm water management plan pursuant to Section 888.a and 888.e

Property Location:

Street Address: 90 Pear Tree Point Road
Assessor's Map(s) # 60 as Lot(s) # 13
Subject property is situated on the east side of Pear Tree Point Road (street) approximately 1530 feet south from the corner formed by the intersection of Pear Tree Point Road and Long Neck Point Road (streets).
Zoning District(s): R-1 Size of Site: _____ square feet, 4.8582 acres

The subject property is is not as a result of this project will become tied into the Town sanitary sewer system.
The subject property is is not as a result of this project will become tied into the public water system (Aquarion Water Co.).
The subject property is is not within 500 feet of an adjoining municipality.

Applicant:

Name: Gleason & Associates LLC
Address: 23 Old Kings Highway South
Darien, CT 06820
Phone #: 203-655-9696

Property Owner:

Name: Hans J. Mende, Trustee of the 2005 Irrevocable Kirmar Trust
Address: 600 Steamboat Road South, 3rd floor Greenwiche, CT 06830
Phone #: _____

E-mail address: wilder.gleason@gleason.llc.com

E-mail address: _____

Signature: Wanda Gleason

Signature: _____

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Representative or Contact Person (to whom all correspondence shall be addressed)

Name: Wilder G. Gleason, Esq. Phone #: 203-655-9696

Company/Firm: Gleason & Associates LLC

Address: 23 Old Kings Highway South
Darien, CT 06820

Email address: wilder.gleason@gleasonllc.com

Signature: Wilder Gleason

Summary of proposed activity and development:

See attached

(A more detailed explanation should be attached to this application).

Application Fee of _____

See Appendix B - Schedule of Fees of Darien Zoning Regulations.
Make checks payable to the "Town of Darien". Cash is not accepted.

See requirements under Section 1040 for the applicant's responsibility regarding notification of nearby property owners.

Unless specifically waived in advance and in writing by the Planning & Zoning Director, all required materials must be submitted as part of this application:

For Business Site Plan applications under Section 1020:

See Section 1020 of the Darien Zoning Regulations

For Subdivision Applications see the Darien Subdivision Regulations

The following information is required:

*Development Plan(s) completed in accordance with "Site Plan Checklist" –
 Twelve (12) Sets of Plans including:*

	Submitted	Waived
Existing Conditions based on "A-2" Survey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Site Development Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Grading and Storm Drainage Management Plan	<input type="checkbox"/>	<input type="checkbox"/>
Computations and Analysis of Stormwater Runoff	<input type="checkbox"/>	<input type="checkbox"/>
Landscaping Plan	<input type="checkbox"/>	<input type="checkbox"/>
Architectural Floor Plans and Elevations	<input type="checkbox"/>	<input type="checkbox"/>
Utility Plans	<input type="checkbox"/>	<input type="checkbox"/>
Chart or Table of Zoning Data	<input type="checkbox"/>	<input type="checkbox"/>
Soil Erosion and Sedimentation Control Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Staging or Phasing Plan	<input type="checkbox"/>	<input type="checkbox"/>

For Coastal Site Plan Reviews under Section 810 of the Zoning Regulations:

Base Map showing regulated area(s)	<input type="checkbox"/>	<input type="checkbox"/>
Environmental Assessment Report	<input type="checkbox"/>	<input type="checkbox"/>
Review of CAM policies & goals	<input type="checkbox"/>	<input type="checkbox"/>

For Flood Damage Prevention Applications under Section 820 of the Zoning Regulations:

Base Map of Flood Zones and Elevations	<input type="checkbox"/>	<input type="checkbox"/>
Architectural Floor Plans including elevation of each floor level within the structure	<input type="checkbox"/>	<input type="checkbox"/>
Engineering Report and certification regarding impact on flood conditions	<input type="checkbox"/>	<input type="checkbox"/>
Engineering Report and certification regarding structural stability	<input type="checkbox"/>	<input type="checkbox"/>

For Land Filling & Regrading Applications under Section 850 of the Zoning Regulations:

Detailed Plans of Existing and Proposed Conditions	<input type="checkbox"/>	<input type="checkbox"/>
Report Detailing Operation methods, and Evaluating Impacts	<input type="checkbox"/>	<input type="checkbox"/>

For Special Permit Applications under Section 1000 of the Zoning Regulations:

Detailed Statement of Existing & Proposed Uses	<input type="checkbox"/>	<input type="checkbox"/>
Traffic Report addressing Trip Generation, Traffic Movement and Parking Requirements	<input type="checkbox"/>	<input type="checkbox"/>

90 Pear Tree Point Road, Darien

Hans J. Mende, Trustee of the 2005 Irrevocable Kirmar Trust purchased 90 Pear Tree Point Road (formerly Plumfield School and then Pear Tree Point School) in July 2018 and now seeks to subdivide the property into four lots conforming to the requirements of the R-1 acre zone in which the property is located and eventually, dock access to the Darien River. Pursuant to prior PZC approvals (see Special Permit #37 attached as Exhibit A) the property was used for many years as a school serving up to 140 younger children who were typically dropped off at the beginning of the day and picked up later. That was a far more intense Special Permit use in a residential zone, than the conforming residential use proposed by this subdivision application.

The Property and Topographic Survey of the property (the “Existing Survey,” Exhibit B attached) shows the property as Assessors Lot 13 consisting of 4.8582 acres abutting Long Neck Point Road to the east and Pear Tree Point Road to the west as well as “Parcel ‘X’” a .2481 acres parcel lying west of Pear Tree Point Road and abutting the Darien River which is identified as Assessors Lot 49. The total lot area slightly exceeds 5.1 acres. The larger parcel is oddly shaped as a portion extends north between the residential lots owned by Julie C. Potter at 86 Pear Tree Point Road and the property of John and Elizabeth Novack at 70 Long Neck Point Road. A driveway running from Long Neck Road to Pear Tree Point Road bisects the property. Three school buildings (the gym, a classroom building and administrative building and related playground, sports court and parking areas are shown on the Existing Survey along with a cottage very close to Pear Tree Point Road. These improvements will be removed as part of the subdivision proposal.

The Preliminary Subdivision Map (the “Subdivision Map”, Exhibit C attached) shows the lot layout dividing the main parcel into four residential lots and a 0.3008 acres open space parcel labelled “Open Space 2,” located between Lots 1 and 2. In addition Parcel X will be divided into two smaller parcels of Open Space, labelled on the Subdivision Map “Open Space 1-A” and “Open Space 1-B,” as well as a “Dock Parcel” which eventually will provide access to a shared dock in the Darien River.

Two lots will front on Long Neck Point Road and the other two lots will front on Pear Tree Point Road. Each lot will be served by a private driveway from the street on which the lot fronts and an Open Space parcel of just under .3 acres will separate Lots 1 and 2 and the Novack and Potter properties, minimizing impact on such neighbors.

The proposed Site Development Plan and Details (the “Site Plan”), Exhibit D attached, shows a proposed building footprint of approximately 3,300 sf on each lot including a three-car garage (approximately 800 sf) with a 20 x40’ pool proposed behind each house. Each house is sited within the 200’ square required by Section 334 of the Regulations and the driveways all conform to applicable standards.

The Site Plan shows appropriate soil and erosion controls to minimize construction impacts during development and a stockpile area for each lot.

Each of the lots will conform to the requirements of the Darien Zoning Regulations as demonstrated by the Zoning Charts attached as Exhibit E.

The Drainage Report of DiVesta Civil Engineering Inc. (Exhibit F attached) and waiver letter (Exhibit G, attached) confirm that the requirements of Sections 850 and 880 are satisfied and that the applicant proposes appropriate measures to treat water quality. The CAM report (Exhibit H attached) confirms no sensitive coastal resources will be adversely affected by the proposed development.

The applicant seeks:

- a. approval of the proposed subdivision,
- b. a permit under Section 810 (CAM);
- c. a permit under Section 850 (Landfilling and Regrading) to allow the proposed filling within 15' of a property line and related improvements; and
- d. A waiver of the requirement of a Stormwater Management Plan pursuant to Section 888.a. as the premises are located in a coastal zone and pursuant to Section 880.e. no on site detention or storm water management report is required, provided the applicant proposes appropriate measures to treat water quality.

5. That the location of the proposed park site is desirable with respect to other recreational areas in existence or proposed, and with respect to its location in relation to the population distribution.

The motion was seconded by Mrs. Bailey and was unanimously carried.

Mr. Heflevy was instructed by the Commission to write a letter to the Board of Selectmen stating that it had approved the 45-acre tract for the Town's Plan of Development and that the Commission hopes that the Selectmen will proceed to act to put the proposal into effect.

Following a brief discussion, Mr. Dorrance suggested that Mr. Heflevy add to his letter that "The action we have taken does not cover details of possible access to the property nor necessarily indicates the exact boundaries which should be acquired, and that the Commission intends continuing the study and will keep the Selectmen informed as to the final conclusions".

Mr. Heflevy was further instructed to initiate the necessary steps to place on the agenda for public hearing the additional seven-acre parcel to be added to the park site. He added that the legal notice should state that the additional area is to be used in whole or in part as access and/or parking area in conjunction with the Veiller and Fabrizio properties now shown on the Plan of Development as proposed park use.

SPECIAL PERMIT #37 - PLUMFIELD SCHOOL (Mary Rose Hilton)

Mr. Kraig suggested that the resolution should contain mention that "Approval is not intended as approval of any enlargement of pupil enrollment--larger than the former enrollment as specified in the Commission's previous approval of the original application.

Mrs. Bailey made the following motion:

WHEREAS the Plumfield School filed with this Commission an application for a special permit to allow the enlargement of a classroom in the existing nursery school located in the R-1 residence zone on the east side of Pear Tree Point Road, approximately 275 feet south of the intersection of Pear Tree Point Road and Long Neck Point Road;

WHEREAS a public hearing was held on July 19, 1960 on said application after public notice thereof;

WHEREAS the Commission has considered all the information submitted by the applicant; and

WHEREAS the Commission's approval of the addition is not intended as approval for an enlargement of pupil enrollment greater than the present 140 capacity;

NOW THEREFORE BE IT RESOLVED that the special permit application of the Plumfield School be and the same is hereby approved.