

STAFF QUESTIONS - for October 14, 2020

1. A pylon style sign has 2 support posts, a pole sign just 1. The current regulations consider them the same with the zoning limitations.
2. A wood mockup installation of the proposed pylon/pole sign was requested of the applicant on September 30. Questions were also raised about the proposed flagpole and the existing nearby trees (message attached). After some reluctance by the property owner, on October 7 the applicant advised that the mockup will be installed on Saturday October 10 and be setup through the Oct 14 ZBA meeting. The Architectural Review Board Chair advises that it would also assist their evaluation of the pole sign features to see the mockup.
3. As of October 7 the applicant advised that the proposed flagpole near the proposed pole sign is being removed from the plans.
4. As of October 7 the applicant did not answer if the existing trees near the proposed pylon sign location would be preserved. They are approximately identified on the attached Staff prepared site information plan.
5. It turns out the nearby Mobil sign (photo enclosed) is identified as a Hanging Sign in the current regulations. And that style, in lieu of any wall sign, can be in the front setback space. However, the fuel price sign cannot be closer to the road than the gas island, just like a pylon/pole sign. The adjacent office building has a monument style sign (photo enclosed). Would a Mobil like hanging sign, or a monument style sign, be more acceptable?
6. ZBA staff added the possibility of a monument style instead of a pylon/pole sign to the application Legal Notice. However as of October 5 the applicant advised that 7eleven is not interested at this time in possible approval of a monument sign. FYI, a monument sign with up to 20 square feet of content is permitted now within the front setback space. A pylon/pole sign up to 18 square feet and a fuel price sign up to 12 square feet are only permitted at least as far back as the gas island. Were those limitations deliberately set by the P&ZC to establish more orderly and attractive commercial properties with less above ground signage near the roads? Apparently a fuel price sign near the road is a significant goal. Detailed plans of just where and what would need to be submitted with a

subsequent variance application, but would a monument or hanging sign with fuel price info be an approvable alternative?

7. Environmental Protection Commission staff indicates that relocating the pylon/pole sign to a conforming location near the proposed new parking area along the northeast State property line would not be a problem to be added to the Site Plan. There is no wetland soil on the State property, there's just an intermittent drainage pipe watercourse through an apparent dugout ditch. The 7eleven site plan proposes to reduce the parking area pavement by about 18' in that area. The excavation for the pylon sign would be larger but similar to that needed for routine parking area lightpoles. Therefore, there is that alternative location available. There also are conforming locations available in front of and behind the proposed store building as depicted on the attached Staff highlighted Site Layout plan.
8. A site redesign alternative, that might place the gas island closer to the Post Road and allow a conforming pole sign to be equally closer to the road, has not been submitted.
9. Possible Determinations and Stipulations:
  - A. The proposed service station use is acceptable subject to specific additional Planning & Zoning Commission evaluation and approval. The ZBA is concerned about the safety of left hand turns exiting the property. The ZBA suggests that additional traffic study be conducted of the entry/exit layout and consideration be given to prohibiting left hand exit turns with signage and carefully designed curb installations.
  - B. The proposed service station use is not acceptable. Due to???
  - C. The proposed pylon sign is acceptable. Subject to elimination of a wall sign or signs, location or area adjustments/reductions of ?? in order to achieve minimum adjustment necessary signage.
  - D. The proposed pylon sign is not acceptable. The ZBA recommends that the applicant consider the installation of a hanging style sign or monument sign with a new variance application to include limited fuel price information.

SKIN MOCKUP

**Woodside, Robert**

**To:** Amy Souchuns  
**Subject:** RE: Darien 7eleven sign mockup and flagpole

FLAGPOLE  
TREES

**From:** Amy Souchuns [mailto:ASouchuns@hssklaw.com]  
**Sent:** Wednesday, September 30, 2020 5:53 PM  
**To:** Woodside, Robert <rwoodside@darienct.gov>  
**Subject:** RE: Darien 7eleven sign mockup and flagpole

Woody – I’ve notified our team about the request and we’re checking how quickly we can get it installed. I will be in touch once confirmed so you can notify the ZBA members. I will also check on the flag & tree question.

Thanks, Amy



Amy E. Souchuns, Esq.  
HURWITZ SAGARIN SLOSSBERG & KNUFF, LLC

147 North Broad Street  
Milford, CT 06460  
Tel: 203-877-8000 ext. 101 Fax: 203-878-9800  
ASouchuns@hssklaw.com hssklaw.com

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Please note that Hurwitz Sagarin Slossberg & Knuff, LLC does not accept .zip attachments.

**From:** Woodside, Robert <rwoodside@darienct.gov>  
**Sent:** Wednesday, September 30, 2020 3:22 PM  
**To:** Amy Souchuns <ASouchuns@hssklaw.com>  
**Subject:** Darien 7eleven sign mockup and flagpole

Miss Souchons,

We have your previously submitted Cummings page 10 photoshop image of the proposed pylon sign. However in preparation for the followup ZBA hearing meeting on Oct 14, the ZBA members request that you have a 2x4 or 2x6 and plywood mockup installed asap, to indicate just where the proposed pylon sign would be located and how it would appear onsite. Please arrange for the two proposed vertical supports to be installed to the proposed height, with their proposed spacing and with a plywood panel at the proposed size of the sign. No additional graphics are needed on the 2xs or plywood. Naturally this will require some secure cross bracing to ensure the mockup is stable and doesn't break up with wind.

In addition would you advise what the intention is for the flagpole proposed to be located very close to the pylon sign. That is what flags would be flown.

And will the existing maple and pear trees near the proposed pylon sign be preserved.

Thank you,

Robert Woodside, ZBA Staff

**Woodside, Robert**

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SKIN MOCKUP

**From:** Amy Souchuns <ASouchuns@hssklaw.com>  
**Sent:** Wednesday, October 7, 2020 2:27 PM  
**To:** Woodside, Robert  
**Subject:** 7-Eleven

~~FLAGPOLE~~  
TREES?

Woody – the sign mock up will be installed Saturday and remain up through the ZBA's meeting on Wednesday.

With respect to the flagpole, it was not intended to have any 7-Eleven flag, but is being removed from the site plan as part of the revisions the team is making in response to various agency members' comments.

Please let me know if you need anything else.

Amy



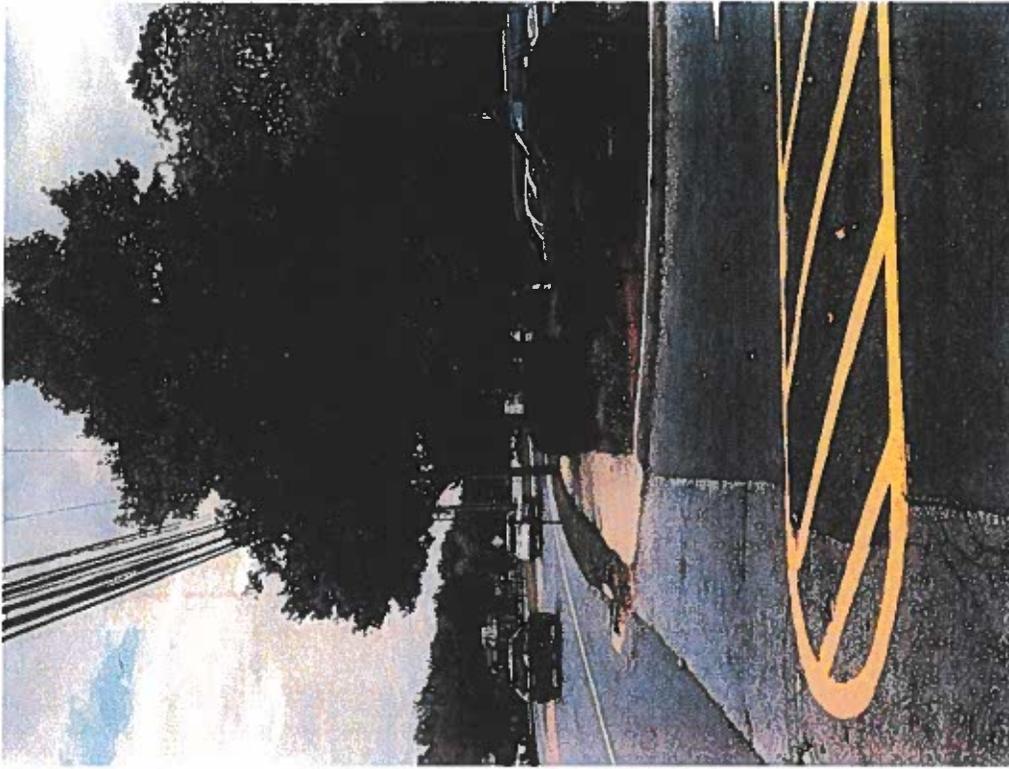
Amy E. Souchuns, Esq.  
HURWITZ SAGARIN SLOSSBERG & KNUFF, LLC

147 North Broad Street  
Milford, CT 06460  
Tel: 203-877-8000 ext. 101      Fax: 203-878-9800

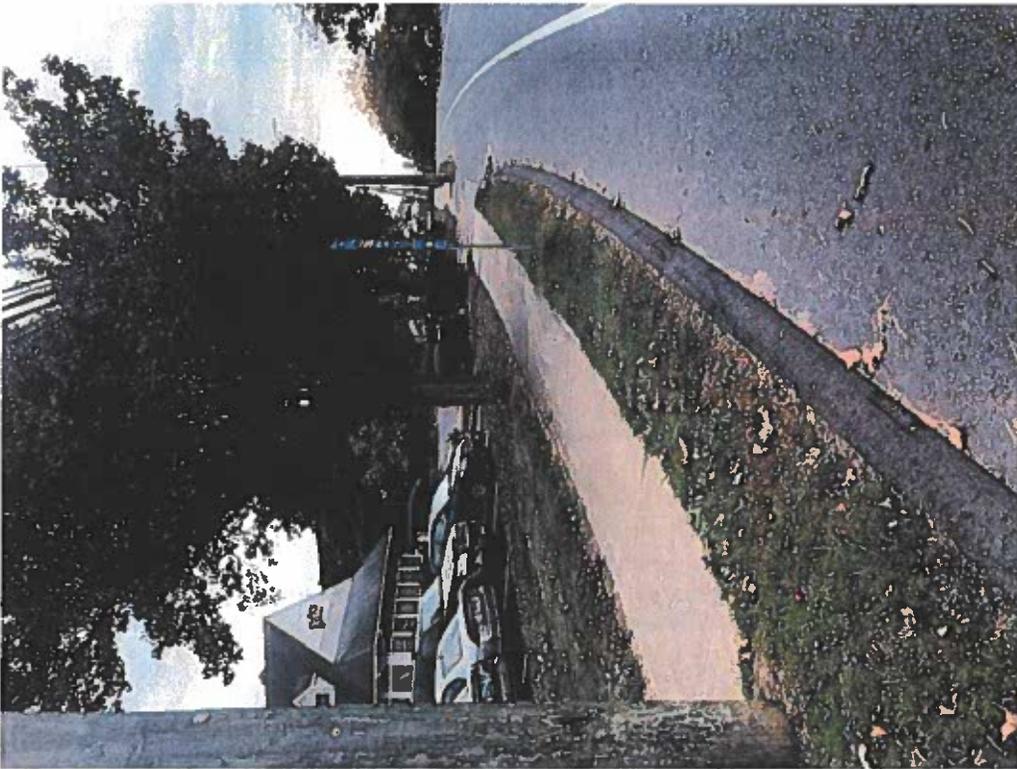
ASouchuns@hssklaw.com      hssklaw.com

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TREES NEAR  
PROPOSED  
PYLON SIGN



HANGING STYLE SIGN  
ON NEARBY STATION

Woodside, Robert

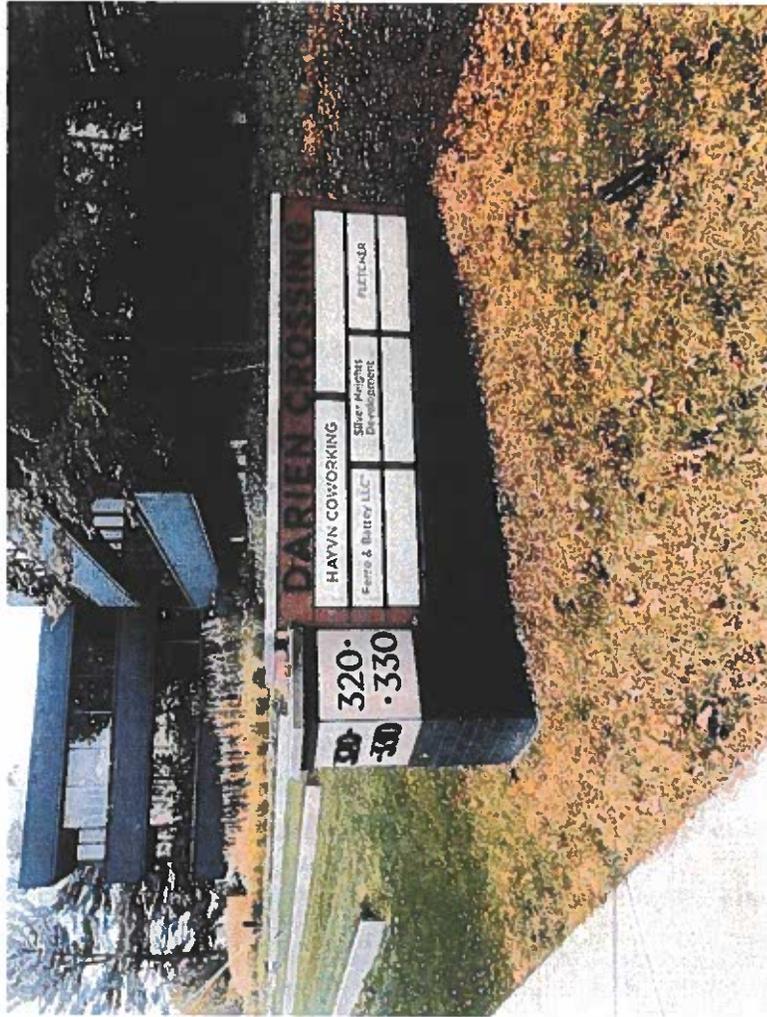
**From:** Woody W. <rwoodside825@gmail.com>  
**Sent:** Tuesday, October 6, 2020 3:10 PM  
**To:** Woodside, Robert  
**Subject:** Mobil sign



Sent from my iPhone

THIS KIND OF SIGN IS CONSIDERED  
A "HANGING SIGN" IN THE CURRENT  
REGULATIONS - LIMITED TO 12 SQUARE  
FEET, 9' HIGH & IN LIEU OF A WALL  
SIGN BUT NO SETBACK

MONUMENT STYLE SIGN  
ON ADJACENT PROPERTY



Sent from my iPhone

TRAFFIC  
PEEP REVIEW

September 17, 2020

Mr. Jeremy Ginsberg  
Planning and Zoning Director  
Darien Town Hall  
2 Renshaw Road  
Darien, Connecticut 06820

**Subject: Preliminary Review of Traffic Study – Proposed 7-Eleven Convenience/Gas Station,  
306 Boston Post Road, Darien, Connecticut**

Dear Mr. Ginsberg:

As requested, we completed a review of the Traffic and Parking Study prepared by McMahon Associates, Inc., July 2020, for the proposed 7-Eleven Convenience/Gas Station.

#### **Project Description**

This Traffic Study was prepared to determine the potential impacts related to the proposed 7-Eleven Convenience/Gas Station, which will replace the existing 4,204 square-foot Duchess restaurant. The proposal is for a 4,050 square-foot 7-Eleven convenience store with a 12-vehicle fueling position gas station. Site Access will be maintained at the existing location and an analysis has been provided for both a single-lane exit and a two-lane exit.

Due to COVID-19 conditions, traffic counts at the existing Duchess fast-food restaurant could not be performed; therefore, the Applicant estimated what the existing Duchess restaurant would generate under normal conditions using trip rates from the Institute of Transportation Engineers (ITE) "Trip Generation Manual, 10<sup>th</sup> Edition for a fast-food restaurant with drive-through window. It is estimated that the existing restaurant would generate a total of 169 and 137 vehicle trip ends during the weekday morning and weekday afternoon peak hours, respectively.

The proposed 7-Eleven Convenience/Gas Station will have a 365 square-foot foodservice counter, which the Applicant has taken out of the total building square-footage and accounted for utilizing trips rates for a fast-food restaurant without drive-through window. This area is estimated to generate a total of 10 vehicle trip ends during the weekday morning and weekday afternoon peak hours. The remaining 7-Eleven Convenience/Gas Station area used the super convenience market/gas station trip rates based on 12 vehicle fueling positions. This area is estimated to generate a total of 336 and 276 vehicle trip ends during the weekday morning and weekday afternoon peak hours, respectively. Review of the land use description indicated that the proposal would match the described attributes and traffic will be driven more by the convenience store aspect of the proposal than the gas station.

The full development proposal will generate a total of 346 and 286 vehicle trip ends during the weekday morning and weekday afternoon peak hours, respectively. The Duchess restaurant traffic is already included in the background volumes; therefore, they were subtracted from the total proposed site traffic. The net increase in traffic for the proposal is a total of 177 and 149 vehicle trip ends during the weekday morning and weekday afternoon peak hours, respectively. Following the Connecticut Department of Transportation (CTDOT) guidelines, a 20 percent pass-by credit was applied to the net increase in site traffic to account for vehicles already passing the site today stopping to use the proposed retail use. After applying the pass-by credit, the proposal will generate a total increase of 143 and 119 primary (new) vehicle trip ends during the weekday morning and weekday afternoon peak hours, respectively.

### Site Plan

A review of the Site Plan indicates that the Applicant is proposing a two-lane exit and one-lane entrance from Boston Post Road into the Subject Property. Under current conditions the driveway is one-lane in and one-lane out with a flush painted center median. Connecticut Department of Transportation (CTDOT) will not accept a two-lane exit from a driveway under STOP sign control. The reason for not permitting this is a concern with restricting sightlines for each vehicle exiting the site. The Applicant analyzed a one-lane and a two-lane exit; however, the one-lane exit should be shown on the Site Plan. It is recommended that the one exit lane have a lane width of up to 16 feet and one entering lane at the 13.7 feet provided on the Site Plan and the remaining area shown as a flush painted center median. This will accommodate large trucks turning in and out of the site and meet the goals of both the Town and CTDOT for the layout of the access drive.

It is recommended that the Applicant consider eliminating the first parking space located on the right as motorists enters the site from Boston Post Road. There is a concern that this parking space is too close to the throat of the driveway and interfere with a motorist pulling into the site from Boston Post Road at a higher rate of speed and not being able to stop in time when a motorist is backing out of that first parking space.

The Applicant should update its turning template maneuvers for the site driveway for large trucks, which will serve the site for fueling purposes. This modification should maintain that a truck entering and exiting the site will not travel over the centerline in or out of the site; however, the truck can travel over flush painted median to turn into the site or out of the site.

### Preliminary Review Comments

Based on our review of the Applicant's Traffic Study, we offer the following comments:

1. Existing Conditions – Based on the Town Property Record Card for the existing Duchess restaurant, there is 2,983 square feet of franchise (retail) area and 1,221 square feet of support area in the basement, for a total of 4,204 square feet. Existing site traffic generation should have been based on the 2,983 square feet of franchise (retail) area only. Therefore, the existing Duchess restaurant volumes at the site driveway should be revised.

The size of the fitness studio across the street should be provided to confirm the traffic calculated for it. The Applicant should provide an explanation on how the existing Duchess restaurant traffic distribution was determined, as it differs from the distribution used for the proposed 7-Eleven/Gas Station.

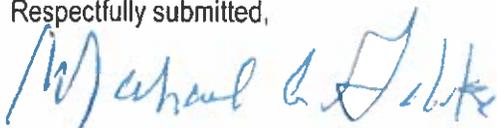
2. Background Conditions – The Applicant applied an annual growth rate of one percent, which accounts for the other development identified in the area and is reasonably acceptable. See Comment 1.
3. Site Traffic Distribution – The site traffic distribution estimates are reasonably acceptable.
4. Site Traffic Generation – See Comment 1 above regarding the revision to the existing Duchess restaurant traffic estimates. The site traffic estimates for the proposed land uses are reasonably acceptable. The methodologies used to calculate the new trips are acceptable. The net increase in site traffic should be revised based on Comment 1.

Review of Figures 9 and 10 indicated that the figure titles do not clearly define what is illustrated. Based on our review, the net increase site traffic estimates in Table 1 were not used on these figures. It is unclear where the site traffic estimates provided in these figures are from.

5. Combined Traffic Volumes – See Comments 1, 2 and 4. Volumes shown are the Figures 11 and 12 is not the sum of the background traffic in Figures 6 and 7 and site traffic in Figures 9 and 10 as stated on page 18. The Applicant should provide an explanation.
6. Capacity Analysis – It appears that the approach Peak Hour Factors (PHF) were used and is unacceptable. As stated on Page 19-26 of the Highway Capacity Manual (HCM) 6<sup>th</sup> Edition, "If peak hour factors are used, a single peak hour factor for the entire intersection is generally preferred because it will decrease the likelihood of creating demand scenarios with conflicting volumes that are disproportionate to the actual volumes during the 15-minute analysis period." Therefore, the peak hour factor for the intersection should be used for analysis purposes and is accepted by CTDOT.

Review of the proposed traffic signal timing plan indicated that some of the inputs provided are incorrect. The vehicle extension and minimum gap should be 3 seconds for each phase. The maximum split timings and cycle lengths do not appear to match the timing plan. Also, our office conducted field timings and they do not match the analysis maximum splits and cycle. Typically, with a closed loop system, CTDOT has a time space diagram sheets that provide the maximum splits, cycle lengths and offsets for each intersection in the system for each time period's timing plan. Enclosed please find the time space diagram cover sheets requested by this office from CTDOT. The Applicant should revise their analysis to use these splits, cycle lengths and offsets. A more detailed review of the capacity analysis will be performed once all comments are addressed.

Respectfully submitted,



**Michael A. Galante**  
Director of Traffic  
Hardesty & Hanover, LLC

Enclosure













TIME OF DAY COVER SHEET

ROUTE: 1  
 SYSTEM: N-3  
 PROJ #:

HOURS OF OPERATION:  
 DAYS(S) OF OPERATION:  
 TOWN(S):

SEE BELOW  
 SEE BELOW  
 DARIEN

INT #	ID #	LOCATION	PATTERN 1		PATTERN 2		PATTERN 3		PATTERN 4		PATTERN 5		PATTERN 6		FLASH		PRILE		
			MON-FRI	SAT/SUN	MON-FRI	SAT/SUN	MON-FRI	SAT/SUN	MON-FRI	SAT/SUN	MON-FRI	SAT/SUN	MON-FRI	SAT/SUN	MON-FRI	SAT/SUN	MON-FRI	SAT/SUN	MON-FRI
035-206	203	HECKER AVE	0630-1130	1900-2200	0600-0930 1600-1900 / 0900-1700	0930-1900 / 0900-1700	ALL OTHER HOURS	1130-1900	0930-1600							2200-0600 2200-0600			
035-226	204	I-95 NB OFF RAMP	0630-1130	1900-2200	0800-0930 1600-1900 / 0900-1700	0930-1900 / 0900-1700	ALL OTHER HOURS	1130-1900	0930-1600							2200-0600 2200-0600			
035-207	205	LEROY AVE	0630-1130	1900-2200	0600-0930 1600-1900 / 0900-1700	0930-1900 / 0900-1700	ALL OTHER HOURS	1130-1900	0930-1600							2200-0600 2200-0600			
035-208	206	CORBIN AVE	0630-1130	1900-2200	0600-0930 1600-1900 / 0900-1700	0930-1900 / 0900-1700	ALL OTHER HOURS	1130-1900	0930-1600							2200-0600 2200-0600			
035-209	201ML/202L	RT 136 @ MECHANIC	0630-1130	1900-2200	0600-0930 1600-1900 / 0900-1700	0930-1900 / 0900-1700	ALL OTHER HOURS	1130-1900	0930-1600							2200-0600 2200-0600			
035-211	207	RT 124 (MANSFIELD AVE)	0630-1130	1900-2200	0600-0930 1600-1900 / 0900-1700	0930-1900 / 0900-1700	ALL OTHER HOURS	1130-1900	0930-1600							2200-0600 2200-0600			
035-212	208	SEDGWICK AVE	0630-1130	1900-2200	0600-0930 1600-1900 / 0900-1700	0930-1900 / 0900-1700	ALL OTHER HOURS	1130-1900	0930-1600							2200-0600 2200-0600			
035-213	209	BROOKSIDE RD	0630-1130	1900-2200	0600-0930 1600-1900 / 0900-1700	0930-1900 / 0900-1700	ALL OTHER HOURS	1130-1900	0930-1600							2200-0600 2200-0600			
035-224	210	OLD KINGS HWY NORTH	0630-1130	1900-2200	0600-0930 1600-1900 / 0900-1700	0930-1900 / 0900-1700	ALL OTHER HOURS	1130-1900	0930-1600							2200-0600 2200-0600			
035-218	211	I-95 SB OFF RAMP (EX 1)	0630-1130	1900-2200	0600-0930 1600-1900 / 0900-1700	0930-1900 / 0900-1700	ALL OTHER HOURS	1130-1900	0930-1600							2200-0600 2200-0600			











15 - 2020 7 eleven

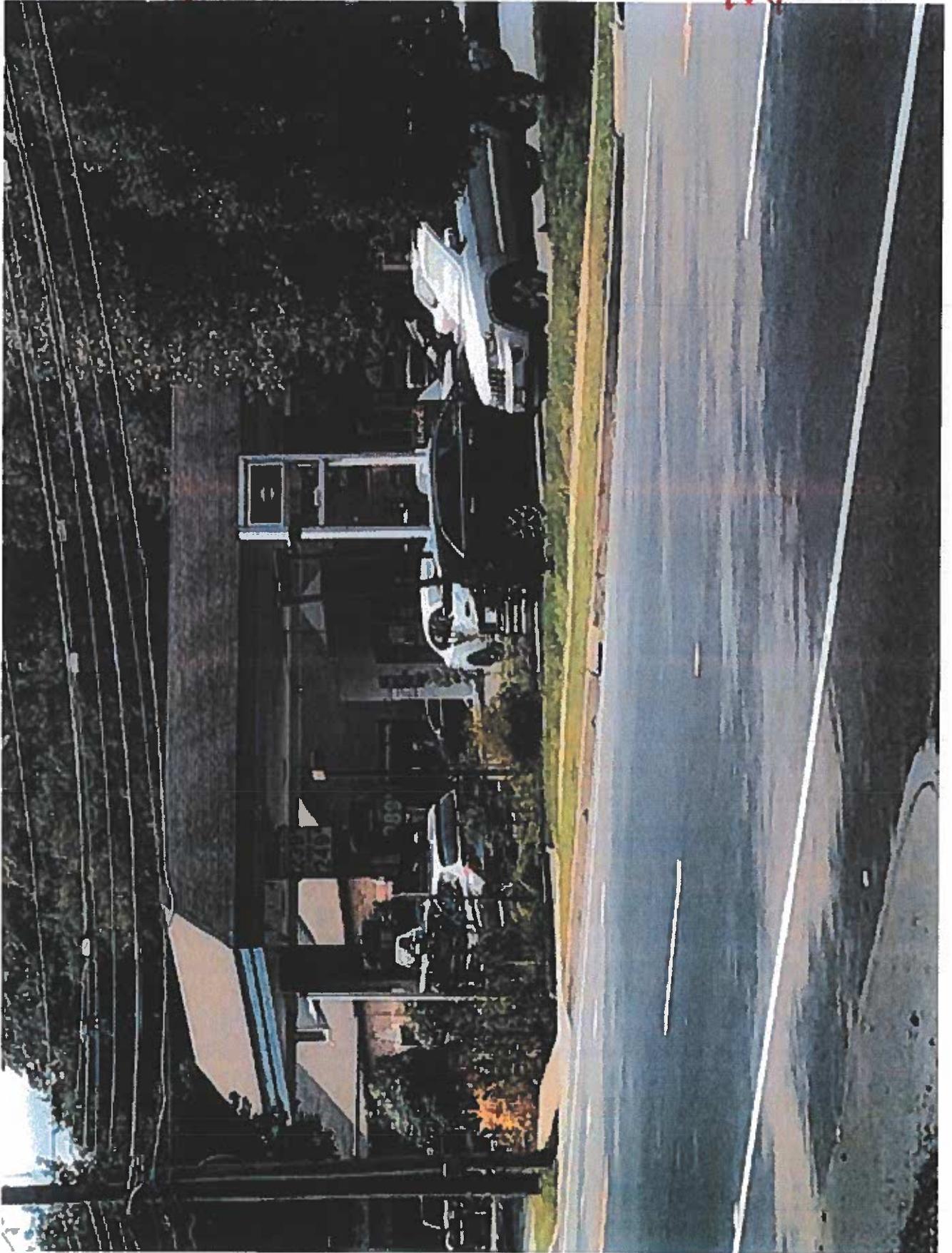
FOR 9/16 ZBA HEARING

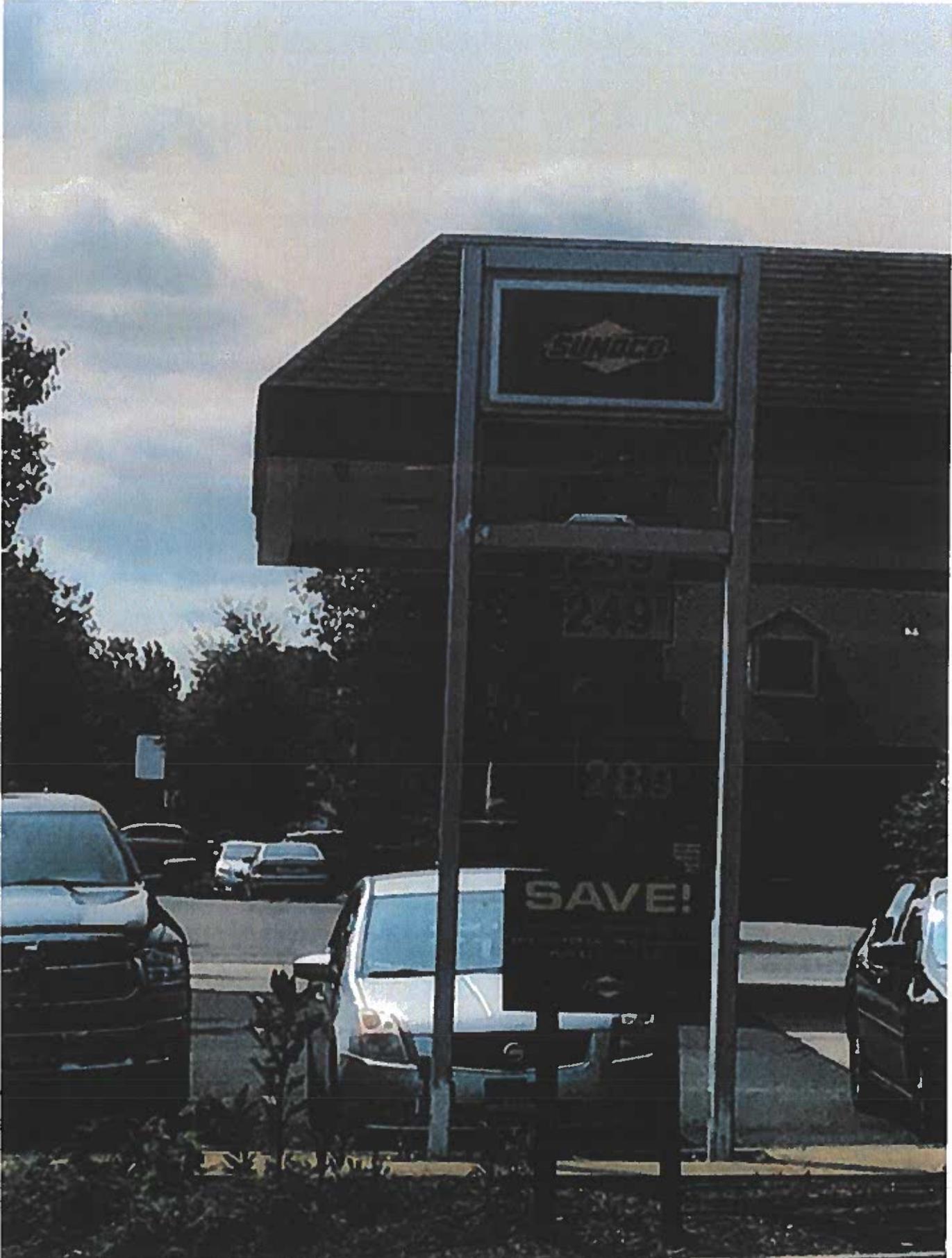
STAFF QUESTIONS

1. Motor vehicle gas station (not the convenience store) location approval or denial apparently is the responsibility of the ZBA. But we haven't had any such request for at least 20 years. So staff has no previous determinations to pass along for your reference. However, indications are that the current Duchess site is a logical location on a wide State Road, in the Service Business zone, with other similar uses nearby but no residences. The P&ZC will review detailed aspects of the site such as entry drive layout, vehicle circulation, parking, dumpster, lighting and other related site improvements. Can the ZBA find that 306 Boston Post Road is acceptable for the proposed gas station?
2. The proposed signage includes at least 4 variance requests. With a brand new redevelopment of the whole site is there a land based hardship to justify the variances? Will any potential customer not recognize the business with conforming signage?
3. After significant study and sign expert consultant study, the P&ZC completely revised all of the sign regulations a few years ago. Was something missed relative to signage for this use and property? Would it be a bad precedent for the ZBA to effectively overrule the applicable sign regulations? If there is some problem that merits regulation change should that be considered by the P&ZC instead of the ZBA?
4. Could any of the requested variances be reduced to some more minimum adjustment necessary?
5. If acceptable are there any stipulations that should be specified?

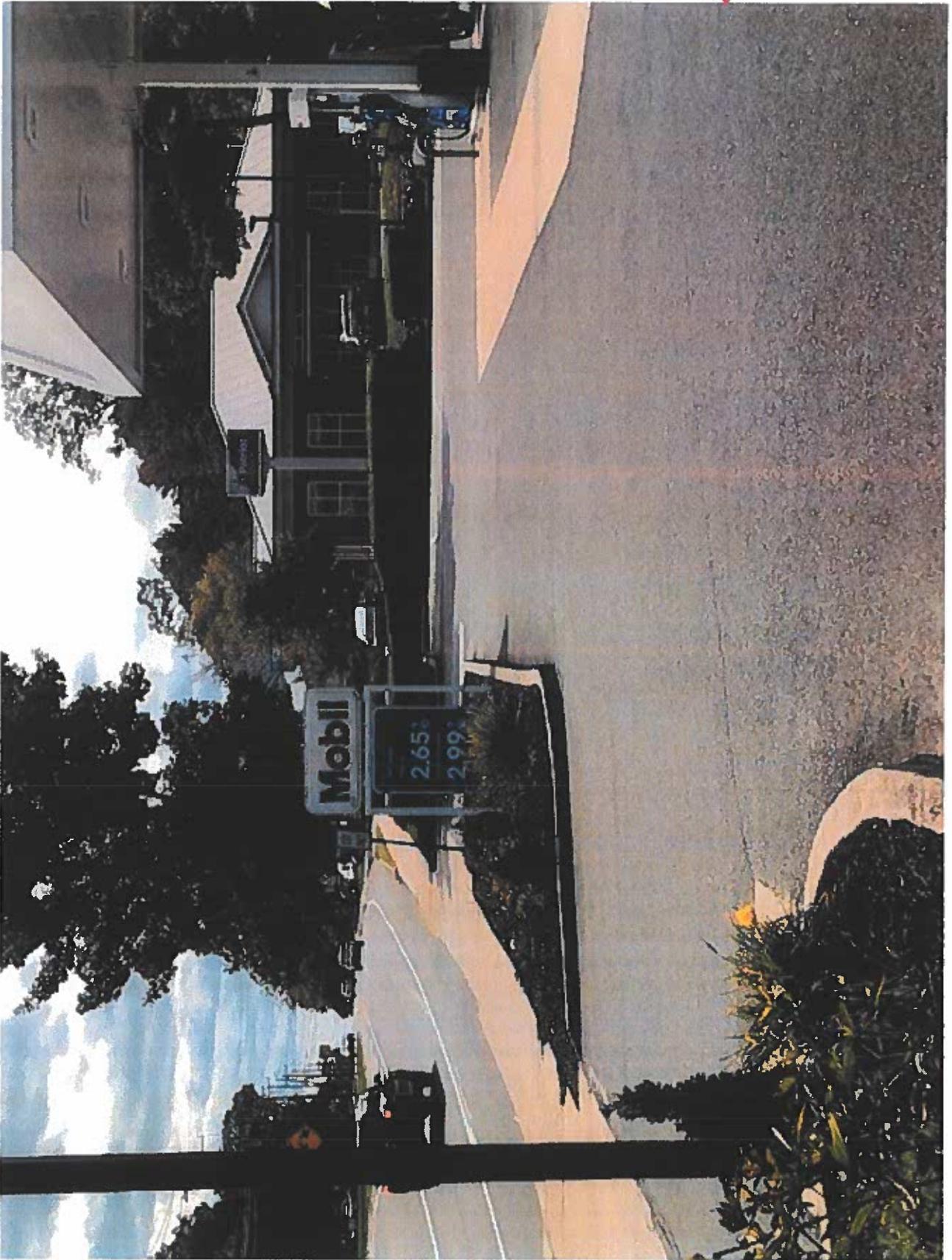
OTHER SERVICE STATIONS  
IN EXIT 13 POST RD AREA

92 BOSTON POST  
9/14/20





211 BOSTON POST  
9/14/20



211 BOSTON POST

ZONING BOARD OF APPEALS  
RESOLUTION  
CALENDAR NO. 15-1993

RECEIVED  
11/13 AM  
APR 1 1993

APPLICANT: Mobil Oil Corporation

OWNER: Ralph Boccarossa

TOWN CLERK'S OFFICE  
DARIEN, CT

SUBJECT AND PREMISES AFFECTED: The application of Mobil Oil Corporation for property of Ralph Boccarossa filed on February 24, 1993 for variations of Section 926 of the Darien Zoning Regulations to allow demolition of the existing gasoline station and construction of a new facility. Section 926 Signage: the ground sign is proposed to be 11.0 feet in lieu of 30.0 feet from the front property line, 7.6 feet tall in lieu of 4.0 feet maximum permitted height, 26.6 square feet in area in lieu of 20.0 square feet as permitted, and will contain 20 inch tall letters in lieu of 4 inch letters as permitted; the proposal also includes two (2) wall signs with 60 inch letters/figures and a total area of 25.5 square feet in lieu of the permitted one sign with 6 inch letters and 24.6 square feet of sign area. The property is situated on the northwest side of Boston Post Road approximately 90 feet southwest of the intersection of Boston Post Road and Richmond Drive and is shown on Tax Assessor's Map #13 as Lot #5, being Street Number 211 Boston Post Road and located in an Service Business East (SB-E) (commercial) zone.

APPEARANCES:

For Applicant: Chris Richter of Bohler Engineering  
Other: E. Mark Stubblefield  
For Opposition: None

ACTION OF BOARD: Granted in part and Denied in part

VOTE:

Affirmative: Mmes. M. Walker and Von Schmidt and  
Messrs. J. Walker, Jones & Castine

Negative: None

WHEREAS, a Public Hearing was held on this application by the Zoning Board of Appeals at its meeting of March 17, 1993 after due publication in the Darien News-Review; and

WHEREAS, the Board finds that:

1. Chris Richter submitted proof of mailing of notification to the neighboring property owners.
2. Mr. Richter explained that his client wishes to obtain variances regarding the signage which could be allowed at the facilities. He said that the plan is to demolish the existing gasoline station and construct an entirely new facility. As part of that reconstruction they wish to install a ground sign or monument style sign in the planted island between the

ZONING BOARD OF APPEALS  
RESOLUTION  
CALENDAR NO. 15-1993  
PAGE 2

sidewalk and gasoline pumps. The ground sign would be 11' from the front property line in lieu of the required 30' setback. The proposed ground sign would be 7.6' tall and would have a total sign area of 26.6 square feet. Some of the letters on the sign would be 20" tall rather than the 4" letters normally permitted on the ground sign. Other sign variance requests include the installation of the wall sign with 10" letters above the service doors and installation of the Mobil "pegasus" logo which would be a figure measuring approximately 5' in diameter.

3. Mr. Richter explained that the proposed ground sign would be internally illuminated (both the Mobil identification portion and the price information) but none of the other signs would be internally illuminated. He said that the Mobil letters would be 20" tall and that the pricing information would be in 6" high figures. He explained that normally a 20 square foot ground sign is permitted and a 6 square foot price sign is permitted. The total sign area for those 2 items is 26 square feet. They proposed 26.6 square feet.
4. In the discussion it was noted that as part of the previous variance request for this property (Calendar 9-1993) the traffic expert indicated that given the speed limits in the area a 20" letter was not necessary. It was concluded that a 15" letter would be sufficient to assure appropriate visibility. The Board members noted that by reducing the height of the letters the area of the sign could be reduced so that 26 square feet of front ground sign and price sign could be accomplished.
5. The Board members concluded that the installation of the pegasus logo on the west side of the building is almost like an architectural feature, but since it is a logo and a sign, a variance of the regulations is appropriate.
6. Mr. Richter explained that the building design would still be red brick with asphalt shingles. Colonial style windows with mullions would be included. He also said that an additional window would be added on the westerly side of the structure per the previous discussion with the Zoning Board of Appeals members. He also noted that the cupola on the top of the building had not yet been included in the drawings but he said that it would be part of the development plans submitted to the Planning and Zoning Commission.
7. It was noted that the entire project is still subject to Planning and Zoning Commission review. The Zoning Board of Appeals is making a ruling only with respect to the possible size, number and location of signs. The zoning issues of interest to the Zoning Board of Appeals but which they make no determination or interpretation about include: the number of required parking spaces for the proposed used; the counting of parking stalls immediately adjacent to the gas pumps as parking spaces; the adequacy of the disabled vehicle storage

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CALENDAR NO. 15-1993  
PAGE 3

area; the landscaping and lighting of the proposed development; the hours of operation; and other aspects of the development which will be reviewed by the Planning and Zoning Commission. Mr. Richter noted that they will have no loud speakers on the site other than communication devises required by the Fire Marshal for safety of patrons; that they have added landscaping to the plans previously reviewed by the Zoning Board of Appeals; that the lighting fixtures will be directed downward to avoid any glare toward the residential area; and that the front landscaping and sidewalk area have been improved compared to the previous plan submitted to the Zoning Board of Appeals.

8. E. Mark Stubblefield of Point O'Woods Road South expressed concern regarding the proposed development activity and the impact that it may have on his residential property. A letter dated February 25, 1993 expresses Mr. Stubblefield's concerns and is in the Zoning Board of Appeals file. Many of the issues raised by Mr. Stubblefield are appropriate to discuss with the Planning and Zoning Commission.
9. A letter dated March 17, 1993 from the Architectural Review Board indicates that the ARB approved: the design of the building and the proposed canopy; the pegasus disk on the left side of the building provided it is not illuminated; the Mobil Service wall sign on the front of the building which will be externally lit and will have letters not exceeding 10" in height. The ARB is divided about whether a ground sign or pole (which would typically be permitted in the SB-E zone) is more appropriate.
10. The Zoning Board of Appeals concluded that the ground sign would be more appropriate than a pole sign, provided it was modified to reduce its size and is not internally illuminated.
11. This resolution shall become effective when recorded in the Town Clerk's office on or subsequent to April 1, 1993.
12. This variance, or any permit granted, if not acted upon within six months from its effective date shall become null and void. Within that six month period the applicant must make diligent progress to apply for and obtain the appropriate Special Permit approval from the Planning and Zoning Commission. Extension of the six month time period may be granted by the Zoning Board of Appeals subject to written request by the applicant and verification that the applicant is diligently pursuing Special Permit approval from the Planning and Zoning Commission.

NOW THEREFORE, BE IT RESOLVED, that due to the unique circumstances of the property and because strict application of the regulations would cause undue hardship, the following variances of Section 926 of the Darien Zoning Regulation are hereby granted to authorize new signage to be installed at the site provided such signage and site development is permitted by the Planning and Zoning Commission:

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PAGE 4

- The ground or monument type sign to be located 11.0 feet in lieu of 30.0' from the front property line provided that sign is no more than 7.0' tall and has a maximum display area of 26.0 square feet per side and is not internally illuminated and contains letters not exceeding 15" in height and the price information to have letters and numbers not exceeding 6" in height and the base and sides of the monument to be constructed of red brick matching that of the building.
- The installation of a 60" diameter pegasus unlighted sign on the east side of the building; and
- installation of unlighted 10" high letters on the front wall of the service building.
- No other sign variances have been requested or granted.

These variances are granted subject to the following conditions and stipulations:

1. The building and construction, and signs shall conform substantially with the plans submitted to and reviewed by the Zoning Board of Appeals which includes the red brick building; use of colonial style windows with wood mullions; inclusion of a second window on the east side of the building; the pitched roof of the building and canopy; the canopy shall have closed ends rather than the open end style at the gables; and the inclusion of a cupola on the building.
2. The ground or monument sign for which variances are being granted shall be in lieu of any other pole or ground sign normally allowed in the Service Business East zone.
3. The determinations regarding: the appropriateness of the uses; the acceptability of the parking lay out and number of parking spaces; the inclusion of the dumpster area within the disabled vehicle enclosure; whether the towing operation is grandfathered and exempt from some regulations; the use of a portion of the building for retail sales unrelated to automotive use; the appropriateness of the planting and landscaping; storm drainage management; and other aspects of the proposed development are all subject to Special Permit review and action by the Planning and Zoning Commission. The action by the Zoning Board of Appeals to grant variances regarding signs is not intended to indicate acceptance of the entire project.

ARCHITECTURAL REVIEW BOARD  
Town of Darien  
2 Renshaw Road  
Darien, CT 06820  
656-7351

March 17, 1993

Christopher Richter, P.E., P.P.  
Bohler Engineering, Inc.  
786 Mountain Boulevard  
Watchung, NJ 07060

Re: ARB Sign Application/ARB Application for Building Review  
Mobil Oil, 211 Boston Post Road

Dear Mr. Richter:

At the Architectural Review Board meeting of March 17, 1993, your request to construct a new building and new signage was discussed. The ARB approved the design of the new building and the proposed canopy as well as the following signage:

- 1) the Pegasus disk on the left side of the building, which will not be lit at all;
- 2) the "Mobil Service" wall sign on the front of the building, which will be externally lit and will not exceed ten (10) inches in height; and
- 3) the "Mobil Mart" window sign, which will not exceed ten (10) inches in height

The Board spent much time discussing the proposed monument sign. The ARB did not reach a definite decision regarding the monument sign, and took no formal action. Some members of the Board approved of the concept of the monument sign versus the allowed pole sign, while some members approved of pole signs over the proposed monument sign. There was also discussion regarding the illumination of the sign, external versus internal. The entire Board was also reluctant to act due to the significant impact that allowing such signs may have on the entire Town. The ARB felt that a much more in depth and Town-wide study would have to be done before it could approve of such a sign.

I have enclosed a copy of the ARB comment sheet for your review. Please Note: This is not a permit. You must obtain the necessary permits and variances prior to commencement of construction activity. If you have any questions or if I can be of any help, please contact me at the Planning and Zoning office.

Sincerely,

  
David S. Kvinge  
Assistant Planner

Enclosure

cc: Zoning Board of Appeals



