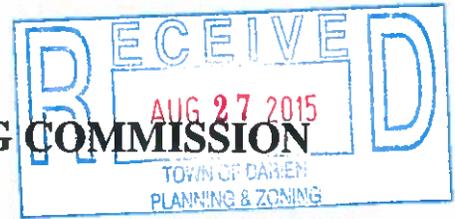


**TOWN OF DARIEN
PLANNING AND ZONING COMMISSION
APPLICATION FORM**



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

- | | |
|---|---|
| <input type="checkbox"/> Section 810 Coastal Site Plan Review | <input type="checkbox"/> Section 1000 Special Permit Requirements |
| <input type="checkbox"/> Section 820 Flood Damage Prevention | <input type="checkbox"/> Section 1020 Site Plan Requirements |
| <input type="checkbox"/> Section 850 Land Filling, Excavation
and Earth Removal | <input type="checkbox"/> Section 1051 Protected Town Landmarks |
| <input checked="" type="checkbox"/> Section 1110 Change of Zoning Regulations and/or Zoning Map | <input type="checkbox"/> Subdivision Application |
| <input type="checkbox"/> Other (specify) _____ | |

Property Location:

Street Address: 1904, 1918, 1926, 1936, 1950 & 1958 Post Road; 6 & 8 Rings End Road

Assessor's Map(s) # 51 as Lot(s) # 36, 37, 38, 39, 40, 41, 35 & 34

Subject property is situated on the [north south east west] side of Post Road (street)
(circle as appropriate)
approximately 475 feet [north south east west] from the corner formed by the
(circle as appropriate)
intersection of Post Road and Rings End Road (streets), and
on the west side of Rings End Road, 100 feet south of Boston Post Road.

Zoning District(s): NB & R-1/2 Size of Site: 110,163± square feet, 2.529± acres

The subject property is is not within 500 feet of an adjoining municipality.

Applicant:

Name: 1950 Post Road LLC

Address: 48 Rings End Road
Darien, CT 06820

Phone #: _____

Fax #: _____

E-mail address: _____

Signature: Authorization Letter

Property Owner:

Name: See List of Owners

Address: _____

Phone #: _____

Fax #: _____

E-mail address: _____

Signature: N.A.

DARIEN PLANNING AND ZONING COMMISSION
ZONING APPLICATION FORM
PAGE 2 OF 3

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

Name: Robert F. Maslan, Jr., Esq.

Company/Firm: Maslan Associates PC

Phone #: 203-656-0500

Address: 30 Old Kings Highway South

Fax #: 203-656-1624

Darien, CT 06820

Email address: RMaslan@maslanlaw.com

Signature: 

Summary of proposed activity and development:

The applicant proposes an amendment of the Zoning Map to eliminate split lots, by

relocating the existing boundary between the NB and R-1/2 Zones from the existing location

to the rear boundaries of the properties that front on the south side of Post Road. 6 Rings

End Road would remain in the NB Zone, and the entire property at 8 Rings End Road would

be included in the R-1/2 Zone, rather than split between the NB Zone and the R-1/2 Zone.

The applicant also requests an amendment to section 604(c) regarding dwelling units.

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

Application Fee of \$ \$440.00

See Appendix B - Schedule of Fees of Darien Zoning Regulations.

Make checks payable to the "Town of Darien"

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

DARIEN PLANNING AND ZONING COMMISSION
 ZONING APPLICATION FORM
 PAGE 3 OF 3

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:*

	<u>Submitted</u>	<u>Waived</u>
Existing Conditions based on "A-2" Survey	<input type="checkbox"/>	<input type="checkbox"/>
Site Development Plan	<input 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 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"/>

**1950 POST ROAD LLC
PETITION FOR AMENDMENT OF
DARIEN ZONING MAP AND REGULATIONS**

August 25, 2015

NARRATIVE

The Applicant, 1950 Post Road, LLC, is the record owner of the property located at 1950 Boston Post Road. Like several neighboring properties, the Applicant's property is split between the Neighborhood Business ("NB") Zone, and the R-1/2 Residence Zone. Roughly one-third of the property is in the NB Zone and the other two-thirds of the property is in the R-1/2 Zone. This situation began in 1925, when the first Business Zone boundary was set parallel to and 100 feet from the Boston Post Road right of way, when the base map did not contain property boundaries. The zone boundary between Rings End Road and the St. John's Church property has not changed since 1925.

The Applicant request that the current boundary between the NB Zone and the R-1/2 Zone be revised to run along property boundaries as shown in the attached Compilation Plan Depicting Proposed Zone Line Revision.

The current zoning boundary severely limits reasonable development in both the NB Zone and the R-1/2 Zone portions of the property. Development in the NB Zone portion of the property is limited to 90 feet, due to the 10-foot front setback, and further reduced by the requirement for a 25-foot buffer where the property abuts residential properties. This is not a sufficient area to locate a commercial or mixed use structure and required off-street parking.

The R-1/2 Zone portion of the site is virtually non-developable because it is limited to a single-family residence. Without its own 50 feet of street frontage (which would further reduce the already non-viable building envelope in the NB Zone portion of the site), a single-family residence could not be built. This situation exists in four Boston Post Road properties (1926, 1936, 1950 and 1958).

The converse situation exists on the property at 8 Rings End Road, which is a single-family residence that is partially in the NB Zone.

The Town Plan of Conservation and Development addresses the problem of split-lots in two respects. Chapter 9 of the Plan (at pages 9-2, 9-3 and A9-3), which is entitled, "Land Use," includes several recommends that support the proposed zoning boundary revision, such as:

Continue the commitment to upgrading al of the commercial districts within the Town . . . to better serve the needs of the Town.

Continue efforts to improve community appearance in all zoning districts.

Continue to encourage vibrant commercial areas.

The recommendations include continued study and consideration of amending zone boundaries that split properties.

The Appendix to Chapter 9 (at page A9-5) recommends that the Commission be hesitant to rezone existing commercial properties for other uses, in order to preserve a mix of residential and commercial zones.

The Applicant also requests that section 604(c) of the Zoning Regulations be amended to eliminate the restriction of dwelling units to the second floor of existing buildings. There is no logical reason to limit new dwelling units in the NB Zone to second floors of existing structures. This discourages new construction that otherwise would include apartments on second floors. Chapter 6 of the Plan addresses housing in general, and the Zoning Regulations already encourage small, residential housing in section 585, which requires below market rate units for several types of new construction. At page A6-8, the Plan mentions that dwelling units are allowed on second floors in the NB and other Zones, and states, "Thus, there is opportunity for additional housing to be built in these areas."

Section 604 already allows residences in the NB Zone by special permit. The following amendment to section 604(c) would allow, by special permit, dwelling units on second floors of both existing and new buildings:

"c. Dwelling units located on ~~the second floor of existing buildings~~ upper floors." (added language underlined)

The reference to "upper floors" is intended to allow dwelling units on third floors where allowed under the inclusionary zoning incentives in section 585.

The proposed map and text amendments are consistent with Town Plan of Conservation and Development, and we request the Commission to grant this application.

APPENDIX

Letter to Town Clerk with Proposed Map and Regulation Amendments	A-1 to A-4
Excerpts of Town Plan of Conservation and Development	A-5 to A-19
Aerial Map of Properties within 500 feet of proposed zone boundary revision	A-20
List of Properties Subject to Proposed Revision of Zoning Boundary and Properties within 100 Feet	A-21 to A-24
Applicant's Authorization Letter	A-25
Additional Submission: Compilation Plan Depicting Proposed Zone Line Revision	

MASLAN ASSOCIATES P.C.

Attorneys at Law

Robert F. Maslan, Jr.*

Carolyn M. Colangelo
Of Counsel
*Also Admitted in New York

30 OLD KING'S HIGHWAY SOUTH
DARIEN, CONNECTICUT 06820
TELEPHONE (203) 656-3800
FACSIMILE (203) 656-1624

Legal Assistants
Suzann C. Maslan

Writer's e-mail:
maslan@maslanlaw.com

August 26, 2015

Donna Rajczewski, Town Clerk
Town of Darien
2 Renshaw Road
Darien, CT 06820

**Re: 1950 Post Road LLC
Petition to Amend Zoning Map
and Zoning Regulations**

Dear Madam Clerk:

We represent 1950 Post Road LLC. Please accept for recording the enclosed Petition For Amendment of Darien Zoning Map and Regulations, and attached map depicting the proposed map amendment. As you know, proposed zoning map and regulation amendments must be filed with the Town Clerk.

Please stamp the additional two copies, one for the Planning and Zoning Department, and one for our file.

Please feel free to call us if any additional information is required.

Thank you.

Very truly yours,


Robert F. Maslan, Jr.

Enclosures

cc: 1950 Post Road LLC
Jeremy B. Ginsberg, Town Planner

1950 POST ROAD LLC
PETITION FOR AMENDMENT OF
DARIEN ZONING MAP AND REGULATIONS

August 25, 2015

NARRATIVE

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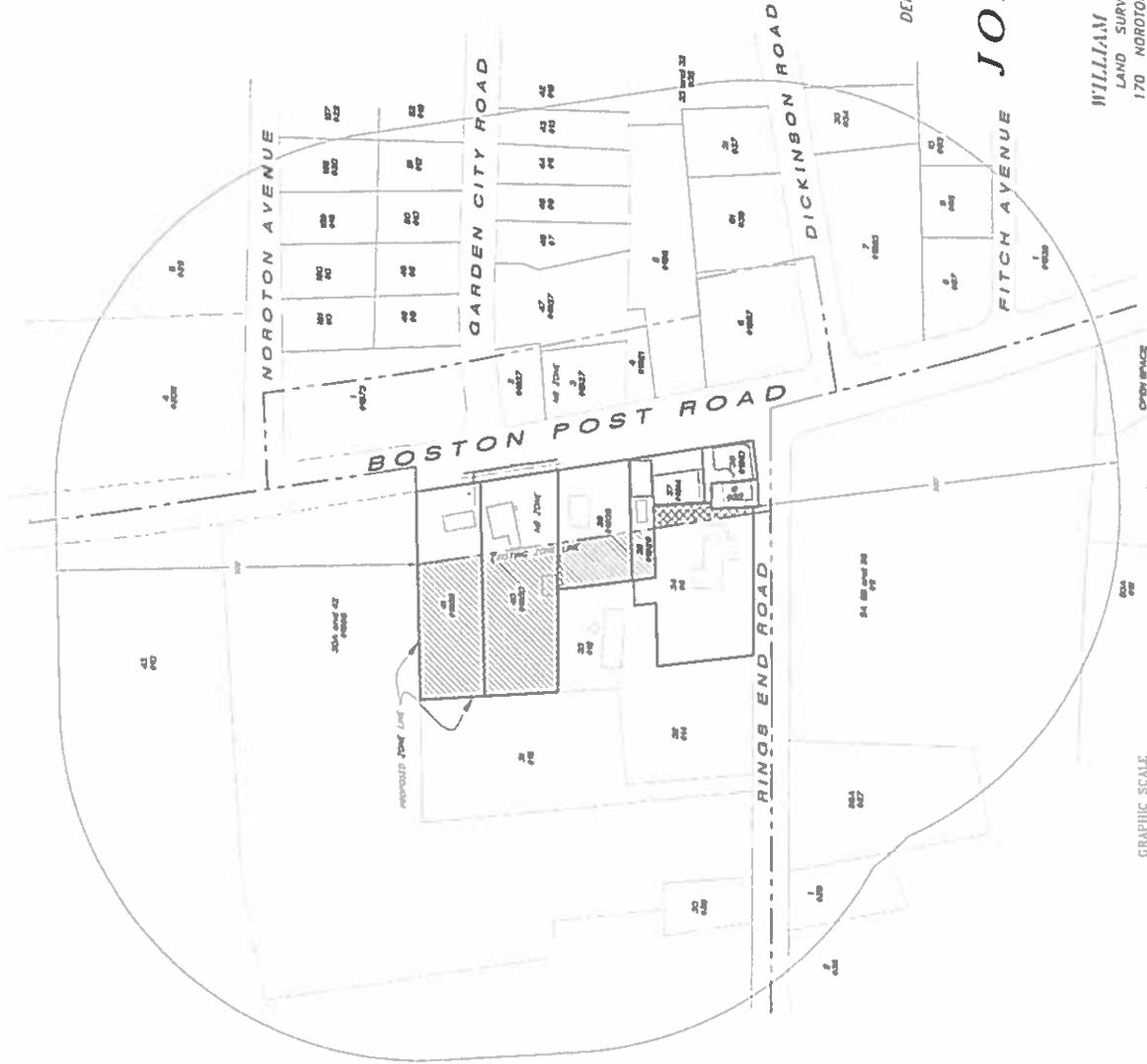
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The proposed map and text amendments are consistent with Town Plan of Conservation and Development, and we request the Commission to grant this application.



AREA TO BE RE-ZONED FROM R-1/2 ZONE TO R-1 ZONE - AREA = 0.0752 AC.

AREA TO BE RE-ZONED FROM R-1 ZONE TO R-1/2 ZONE - AREA = 2.0754 AC.

ASSESSOR'S LOT AND STREET #



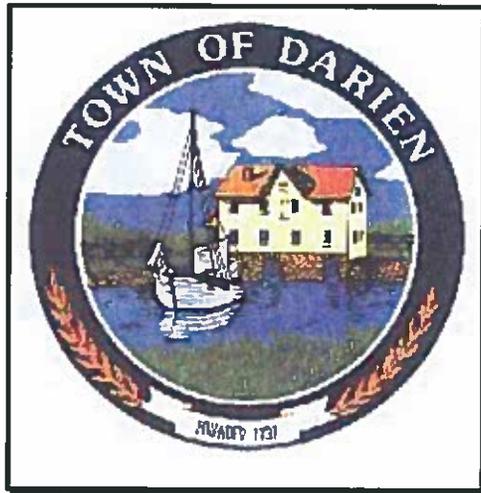
COMPILATION PLAN
 DEPICTING PROPOSED ZONE LINE REVISION
 1950 BOSTON POST ROAD
 PREPARED FOR

JON VACCARO

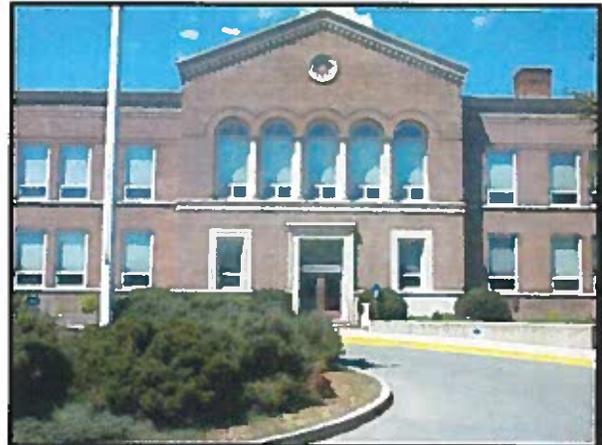
DARIEN, CONNECTICUT
 SCALE: 1" = 80 FT
 JULY 14, 2014

WILLIAM W. SEYMOUR & ASSOCIATES, P.C.
 LAND SURVEYORS, ZONING & LAND USE CONSULTANTS
 170 NOROTON AVENUE, 203-655-1111, DARIEN, CONN. ©

TO MY KNOWLEDGE AND BELIEF, THIS MAP IS PREPARED TO COMPLY WITH ALL RELEVANT STANDARDS AND REGULATIONS OF THE STATE OF CONNECTICUT.

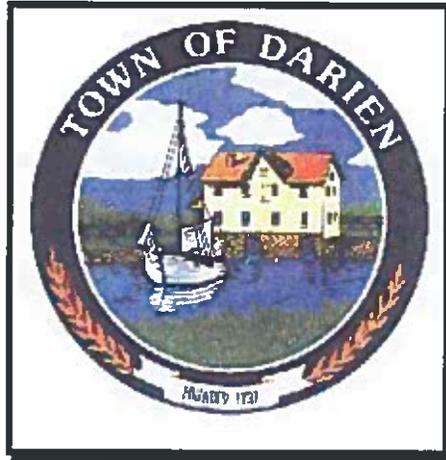


**DARIEN, CONNECTICUT
2006
TOWN PLAN OF
CONSERVATION & DEVELOPMENT**



Effective June 25, 2006

Darien Town Plan of Conservation & Development



Adopted: May 23, 2006

Effective: June 25, 2006

Planning & Zoning Commission Members:

Patrick J. Damanti, Chairman

Frederick B. Conze, Vice-Chairman

Joseph H. Spain, Secretary

Peter Bigelow

Ursula W. Forman

David J. Kenny

Traffic and Transportation Consultant:

URS Corporation

Environmental Resources Consultant:

Fitzgerald & Halliday, Inc.

Graphics work in Chapter 9:

Wesley Stout Associates

APPENDIX A6

HOUSING



Introduction

Existing housing in Darien can be distinguished into two types: single-family and multi-family. Since affordable housing can be one or the other, that topic is treated separately.

Housing by Type

Single-family housing

Over 90% of the dwelling units in Darien are in the form of single-family housing detached units (6,213 out of 6,792 overall units). This is a lower percentage than in past years (see page A6-2 for details on housing by type). The percentage will continue to decrease over time, as condominium units were built in the 1980s and apartment units such as the recently constructed Avalon Darien were completed. Issues related to the construction of single-family residences are covered in the Housing Chapter.



Two examples of single-family houses built in the late 1990s in the R-2 Zone in Darien.

Exhibit 6-1 shows the number of Zoning Permits issued for new single-family residences.

EXHIBIT 6-1 ZONING PERMITS FOR NEW SINGLE-FAMILY RESIDENCES BY YEAR

YEAR	PERMITS
1997	21
1998	24
1999	28
2000	45
2001	43
2002	28
2003	30
2004	41
2005	54

Source: Darien Planning & Zoning Department records.

Exhibit 6-2 shows housing by type in Darien and surrounding communities. Except for the cities of Stamford and Norwalk, most housing within the Southwestern region consists of one unit detached (single-family) housing.

Other housing allowed in Darien

Section 650 of the Darien Zoning Regulations allows as a permitted principal use, dwelling units located on upper floors in the Central Business District Zone (the CBD Zone, which is downtown Darien). They are also allowed by right in the SB and SB-E zones (except above automotive service uses). They are also allowed in the DC Zone (Noroton Heights), NB Zone, DB-1 Zone, DB-2 Zone, by Special Permit. Thus, there is opportunity for additional housing to be built in these areas. The Grove Street Plaza project consists of two mixed-use buildings with apartments on the upper floors. This project provides 10 new residential units in the middle of Downtown Darien across from the Darien Train Station. This is the first new housing constructed downtown since Clock Hill Homes back in the early 1990s.

In 2004, the Grove Street Plaza project was constructed in the CBD Zone. It consisted of two mixed use buildings on the north side of Grove Street in downtown Darien. The upper floors on each of the buildings will have residential apartments of various sizes—a total of 10 in all. As noted in the 1995 Town Plan, apartments in downtown may provide “desirable housing alternatives for childless households, both young and old, who may work in the business area or who desire the convenience which such a location offers. It also has the advantage of introducing a night-time population that add to the security as well as the variety of life in the business areas.”

In the late 1990s, the Planning and Zoning Commission amended the Darien Zoning Regulations to allow Assisted and Independent Living Facilities in the Service Business (SB) zone (Section 667 of the Regulations). This resulted in the constructed of an assisted living facility on Ledge Road, a facility with 86 units.

Another related issue is group homes. It is likely that in the future, requests will be made to allow group homes in Darien. These may consist of a group of supervised developmentally disabled adults who live together in a house. Such a use may be affordable housing, or may not be. Such uses should be located within walking distance of public transportation facilities such as the train or bus.

Affordable Housing

Section 8-30g of the Connecticut General Statutes gives special treatment of affordable housing within certain communities in Connecticut, including Darien. According to the Department of Economic and Community Development, as of 2003, only 29 of the 169 communities in Connecticut are exempt from Section 8-30g. Although the Planning & Zoning Commission has reviewed and approved a number of projects that have been submitted under that Statute, the only one actually constructed was a project on Hollow Tree Ridge Road. That project includes 42 affordable units amongst the 189 apartments constructed. A future site that can also accommodate affordable housing is the adjacent Duhaime property. That property is 3.7 acres in size and can accommodate about 33 apartment units, with the possibility of 11 of those being affordable.

CHAPTER 9

PLAN OF CONSERVATION & DEVELOPMENT



LAND USE

Overview

Darien is primarily a single-family residential community, with some areas of Town specifically set aside for multi-family development. There are a number of commercial areas--Noroton, Noroton Heights, downtown Darien, and certain properties extending along the Boston Post Road east towards Norwalk. The Town is especially interested in maintaining its character in light of the development in the adjacent communities of Stamford and Norwalk. Darien needs to take the impact of this nearby development into account in its own planning. Furthermore, Darien has traditionally developed with higher density residential housing located in and around commercial areas and around the two train stations. As one goes further out to the north and south of the Town center, residential development density gets lower.

By their very nature, land uses are related to many aspects of daily life in the Town. Readers should refer to the various other Chapters in this plan for land use issues relating to Environmental Resources, Traffic and Transportation, Housing, Public Facilities, and Parks and Recreation.

Policies

Maintain a primarily low-density residential community.

Continue the commitment to upgrading all of the commercial districts within Town, including, but not limited to, Noroton Heights and downtown Darien to better serve the needs of the Town.

Preserve the Town's open character and scenic features as part of development and/or redevelopment of any property, whether residential or commercial.

Continue efforts to improve community appearance in all zoning districts.

Continue to encourage vibrant commercial areas.

Continue to encourage small business in the DB-1 and DB-2 Zones, encourage the preservation and renovation of existing older structures, and discourage parcel assemblage in these areas.

Maintain the existing zoning density pattern, which encourages higher density development near train stations, and to a lesser extent, near bus routes.

Continue careful monitoring of Special Use Permits to minimize impact on surrounding single family neighborhoods.

Recommendations

Residential-related

1. A sidewalk plan should be developed and implemented in phases over a period of years. Sidewalks near schools, train stations, and/or adjacent to commercial areas, should be given priority.
2. The Darien Zoning Regulations should be amended to specifically require addressing storm drainage as part of development and/or redevelopment of any property.
3. The Town should consider the establishment of large-scale flood control projects.
4. Re-examine home occupation regulations to ensure that they are consistent with changing times and community needs and desires.
5. The existing Darien Library is located in a residential zone. In the event of the Library's moving, efforts should be made to rezone this property to allow condominiums.
6. The Town should continue exploring possible locations for a community center/community pool facility.
7. Property owners should be encouraged to share docks and floats in order to minimize the impacts to Long Island Sound from a multitude of such facilities.
8. Over the next ten years, the Planning and Zoning Commission should continue to study and continue to consider amending the zoning map. This may be appropriate in areas where existing zone boundary lines split properties and are not a set distance from a street.
9. Some residential district boundaries follow streets rather than rear lot lines, split lots between different districts, or do not appropriately reflect existing lot sizes. In large measure, this is due to those lines having been established as measurements back from a street centerline or right-of-way, before a Town lot line base map existed. It is recommended that these residential zoning district boundaries be studied and carefully reviewed for possible adjustment. Some boundaries which follow streets which should be further considered for alteration include:
 - Hoyt Street properties north of Woodway Road, which are split zoned R-2 and R-1/2;
 - Holmes Avenue properties which are split zoned R-1/5 and R-1/3;
 - Fairmead Road properties which are split zoned R-1 and R-1/2;
 - Hecker Avenue properties near Frate Court, which are split zoned R-1/5 and R-1/3.

Commercial-related

1. As part of any future redevelopment of downtown Boston Post Road properties (south side), consideration should be given to providing a direct accessway to the Center Street Lot South from U.S. Route 1.
2. Keep future commercial development consistent with the existing small-town New England character of Darien.
3. Evaluate the Darien Zoning Regulations to determine if they encourage small storefront shops, while discouraging long blank walls.
4. Better publicize the Board of Selectmen's and Planning and Zoning Commission's policies which encourage outdoor dining.
5. Consider the ease of pedestrian access during the site plan review process. This would especially apply to pedestrian access from municipal parking lots to Boston Post Road and other businesses locations throughout downtown.
6. Consider amending the Zoning Regulations to allow perpendicular hanging signs along the front facades in downtown.
7. Create better signage directing people to downtown municipal parking lots. Adopt clearly defined standards for signs in all commercial zones. Expedite approval of conforming signs. Permit administrative approval of conforming sign applications.
8. Index signs in municipal parking lots showing business locations to direct visitors to businesses.
9. Encourage coordination between property owners/developers to minimize curb cuts, and encourage cohesive development in all commercial zones. Parcel assemblage is beneficial in downtown (the CBD Zone) and in Noroton Heights (the DC Zone) to meet these desires.
10. In large commercial districts, such as Noroton Heights and Downtown, one-stop shopping should be strongly encouraged. Shoppers should be encouraged to park once, and visit numerous businesses in the area.
11. Continue to establish sidewalks in all commercial areas and in front of all commercial properties and include other pedestrian amenities such as benches, trash cans, street lights, and crosswalks and pathways to encourage pedestrian access.
12. The Planning and Zoning Commission should work with the Traffic Authority and property owners to eliminate unsafe parking situations, such as backing into Heights Road or Boston Post Road.

13. As trends change through time, the Commission should consider methods to accommodate such in the Darien Zoning Regulations. Examples include, but are not limited to: the provision of day care; wireless telecommunications; home occupations, senior housing developments, cluster housing, hotels, and larger condominiums. The Zoning Regulations should continue to be reviewed to ensure that they meet the changing demographic needs of the community, while maintaining existing community character.
14. Continue to limit (in most circumstances) commercial and business impacts and intrusion on adjacent residential properties and streets.
15. In the Noroton Heights and downtown commercial areas (the DC and CBD Zones), the Planning & Zoning Commission should consider revising the Zoning Regulations to allow a full third floor especially if it would provide some form of housing, with the exception that such a third floor be set back off the road.
16. Encourage the installation/conversion of existing above-ground utilities to be underground.
17. Emergency planning should be continued. Zoning should accommodate this where necessary and appropriate.
18. Develop regulations to encourage redevelopment of the block opposite the movie theatre, to eliminate the 90° parking facing the buildings from Boston Post Road, to encourage parking behind the buildings and access off Corbin Drive.

Open space-related

1. The Planning & Zoning Commission should consider amending the Subdivision Regulations to require greater open space than the current 10% requirement.
2. The Town should work together with the Darien Land Trust to preserve and protect "natural" open space. This would include a proposal for partial town funding of these efforts introduced by the Board of Selectmen and structured by the Board of Finance that would help provide funding for these efforts. This would be modeled after some of the Private/Public Partnerships in town that have proven successful.
3. The Town should set up a Conservation Easement stewardship effort similar to the Darien Land Trust's. This would be comprised of a formal list of all of the Town-owned properties to assure proper compliance of these easements.
4. The Town should focus on adding open space.
5. Seek legislative authorization for a conveyance tax to be collected by the Town and used solely for acquisition of land for municipal purposes.

6. Consider the establishment of bike paths and greenbelts.

Miscellaneous

1. Consider separating into a separate Planning Commission and Zoning Commission.

APPENDIX A9

LAND USE



1. RESIDENTIAL ZONING (including Special Permit uses)

As noted within the Chapter 7—Housing, and its related Appendix, there are a number of issues related to housing in Darien. It is likely that due to the high cost of land, subdivision of parcels will continue, and houses on oversized lots will seek possible subdivision or resubdivision approval as well. Variances from the Zoning Board of Appeals and applications to the Environmental Protection Commission will increase as more difficult parcels are developed and added on to, as property owners seek to develop their properties to the greatest extent possible.

Permitted Uses

Over the next ten years, the Planning and Zoning Commission should continue to study and continue to consider amending the zoning map. This may be appropriate where existing zone boundary lines split properties and are not a set distance from a street. The residential district boundaries recognize and preserve the character of areas which already have an established residential type of development.

In some areas, existing residential district densities do not match the prescribed density for residential development. This has the effect of making the use of private property difficult for both the homeowner and the Town, where any addition or modification to a single-family residential dwelling is not possible without a variance from the Zoning Regulations.

Special Permit Uses within Residential Zones

The Darien Zoning Regulations allow for a variety of uses of a non-residential nature within all residential zoning districts. This includes such uses as private clubs and places of worship.

Another type of Special Permit use is the Darien Historical Society building on Old King's Highway North. The Darien Historical Society should consider the acquisition of the adjacent property in order to provide for their storage needs and for the possible establishment of a museum-type facility. This will allow the Society to accept more historic donations, as they would have the additional necessary storage space. The museum-type facility would be a worthwhile educational opportunity for local students to learn more about Darien's history.

The Darien Community Association owns 8+/- acres on Middlesex Road. The Town should explore preserving that property. This may be through the use of easements, leases, public-private partnerships, or outright purchase. Similarly, the Ox Ridge Hunt Club is a property which has provided an aesthetic for northern Darien for many years, and the Town should explore preserving through easements or other means all or part of that property as well.

If Special Permit parcels become available, efforts should be made to protect the residential character of the neighborhood. Any future uses should be consistent with residential zoning,

and any succeeding Special Permit uses should be maintained as closely as possible to the prior existing use.

Commercial Development within residential zones (non-conforming commercial uses)

One of the few existing commercial businesses in a residential zone is a hardware store at the intersection of Locust Hill Road and Settler's Trail. Two possible uses could be another hardware store or single-family residences.

Another commercial use in a residential zone is a restaurant on Boston Post Road near the Stamford municipal line. This is a pre-existing non-conforming use, and should not be allowed to expand further into adjacent residentially-zoned properties.

The Commission has had a long-standing policy of not allowing additional commercial uses (as distinguished from Special Permit uses) or encroachment into residential zones. That should continue into the future in order to strictly protect these residential areas, which are the core of the Town community.

2. NON-RESIDENTIAL ZONING (including Multi-Family Zones)

Multi-Family Zones

According to the Darien Zoning Regulations, four zoning districts in Town allow multi-family housing. These zoning districts (DBR overlay, DMR, and 3.7AH) are technically considered non-residential zones because they are not exclusively single-family zones. The largest vacant parcel in these zoning districts is the 3.7 acre property on Hollow Tree Ridge Road. It is recommended that access to and from that property be from a shared driveway with Avalon Darien onto Hollow Tree Ridge Road, which is now signaled. This will eliminate conflicts any new curb cut may have with nearby roads, drives, and entrances. A more desirable option would be for development of this property to accommodate the relocation of a single shared driveway with Avalon Darien farther to the south to improve sightlines and safety.

Where logical, the Commission should consider rezoning properties for use as either senior housing or for condominiums. The Procaccini property off of Hoyt Street may be a logical site for such development, if access and wetland issues can be properly addressed.

Commercial Zones

The two largest commercial areas in Town are the downtown/central business district; and the Noroton Heights area (the Heights). There are also smaller commercial areas, such as several sections along the Boston Post Road, and scattered neighborhood business areas.

It is expected that during the next ten years, market forces will determine whether owners seek to convert existing commercial development within DBR overlay zones to multi-family housing. The Planning & Zoning Commission does not recommend expansion of these four non-residential zones into traditional single-family residential zones.

The Commission should be hesitant to rezone existing commercial properties for other uses. The amount of commercial property in Town is quite limited, and as noted in the goals throughout this document, there is a desire for the community to have a mix of zones, and not be entirely residentially zoned. While the Town community is and should remain primarily a residential community comprised mostly of single-family residences, the quality of residential life in such a community is enhanced by well-planned commercial and other "support" uses within the Town.

Aerial Map of Properties within 500 Feet of Subject Properties



Property Information
 Property ID 51/40
 Location 1950 BOSTON POST ROAD
 Owner DEL MAR OF DARIEN LLC

500 ft. Abutters

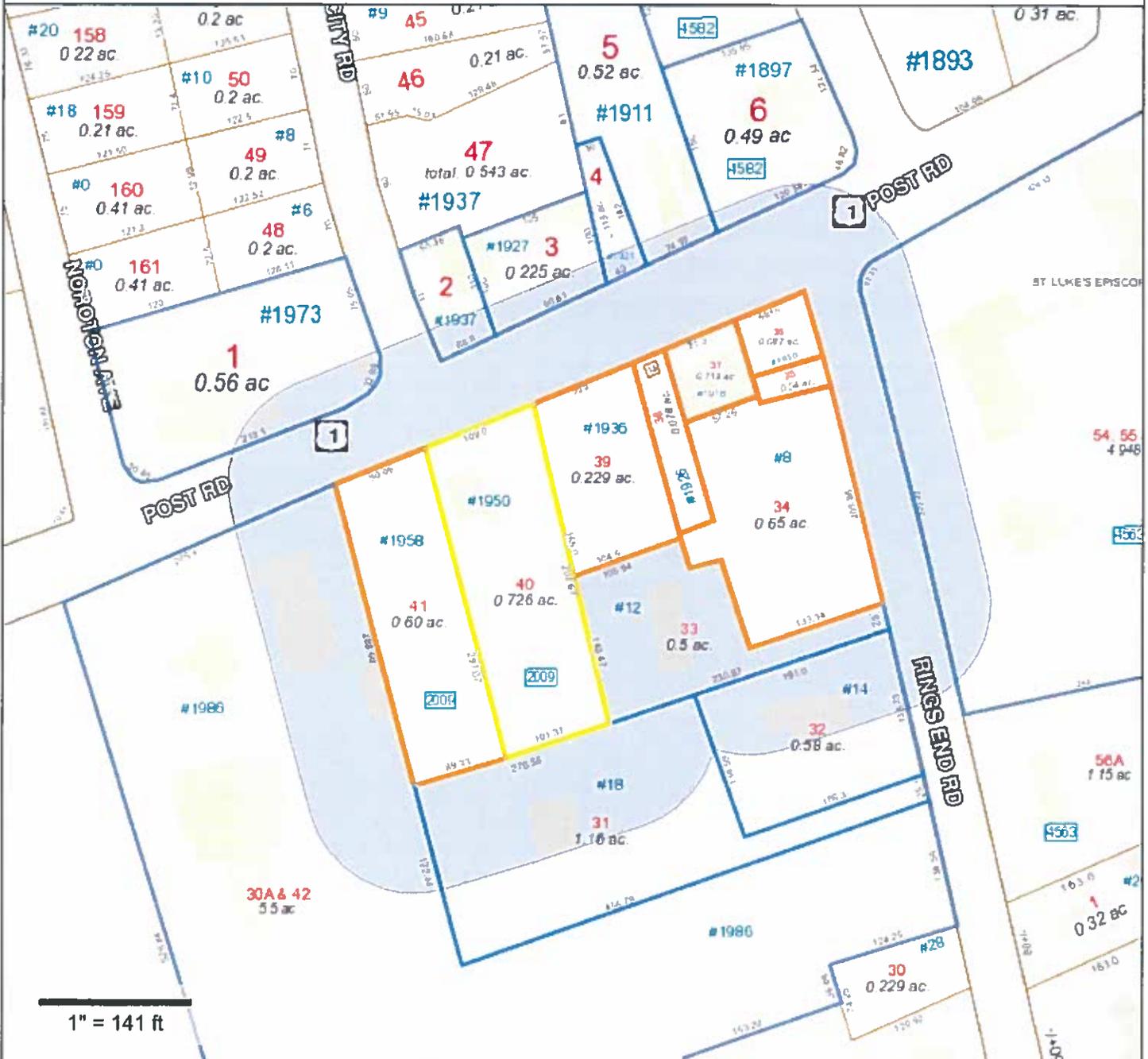


**MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT**

The Town makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map
 Parcels updated April 2014



MAP OF SUBJECT AND ABUTTING PROPERTIES



Property Information
 Property ID 51/40
 Location 1950 BOSTON POST ROAD
 Owner DEL MAR OF DARIEN LLC



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Parcels updated April 2014



100 ft. Abutters

**APPLICATION OF
MASLAN ASSOCIATES P.C.**

FOR

**1950 POST ROAD, LLC
1950 BOSTON POST ROAD, DARIEN**

August 21, 2015

**LIST OF PROPERTIES SUBJECT TO PROPOSED AMENDMENT AND
PROPERTIES WITHIN 100 FEET OF SUBJECT PROPERTIES**

Map 42 Lot 6	Fairfield County Savings Bank 67 Wall Street Norwalk, CT 06852
Map 42 Lot 3	Standard Realty LLC 299 Bishop Avenue Bridgeport, CT 06607
Map 42 Lot 4	1921 Boston Post Road LLC 1921 Boston Post Road Darien, CT 06820
Map 42 Lot 1	Noroton Company LLC P.O. Box 449 Stamford, CT 06904
Map 42 Lot 5	Richard Broadhurst MaryKathryn Broadhurst 1909 Boston Post Road Darien, CT 06820
Map 42 Lot 2&47	AJR Darien LLC 44 Blueberry Lane Darien, CT 06820
Map 49 Lot 54,55&56	St. Luke's Episcopal Church 1864 Boston Post Road Darien, CT 06820
Map 51 Lot 39	Raquel Briganti 1936 Boston Post Road Darien, CT 06820

Map 51 Lot 41	Frank R. Corrente Sonya A. Corrente 227 West Avenue Darien, CT 06820
Map 51 Lot 42	St. John's Roman Catholic Corp. 1986 Boston Post Road Darien, CT 06820
Map 51 Lot 33	Thomas F. Cerussi Louise A. Cerussi 12 Rings End Road Darien, CT 06820
Map 51 Lot 32	Sally Hobby Owen et al. 14 Rings End Road Darien, CT 06820
Map 51 Lot 38	Darien Book Aid Plan Inc. 1926 Boston Post Road Darien, CT 06820
Map 51 Lot 36	1904 Post Road LLC c/o John Tibbetts 25 Salt Box Lane Darien, CT 06820
Map 51 Lot 37	1918 LLC 1918 Boston Post Road Darien, CT 06820
Map 51 Lot 40	1950 Post Road LLC 48 Rings End Road Darien, CT 06820
Map 51 Lot 35	Estate of Lloyd T. Davis Lois S. Davis, Tr. c/o Debbie Ivanov 19744 NW Sunderland Drive Hillsboro, OR 97124
Map 51 Lot 34	Terence F. Gaffney, Jr. Carolyn K. Gaffney 8 Rings End Road Darien, CT 06820

1950 POST ROAD LLC
48 RINGS END ROAD
DARIEN, CT 06820

February 10, 2015

Town of Darien
Planning and Zoning Commission
Zoning Board of Appeals
Environmental Protection Commission
Architectural Review Board
2 Renshaw Road
Darien, CT 06820

RE: 1950 Boston Post Road

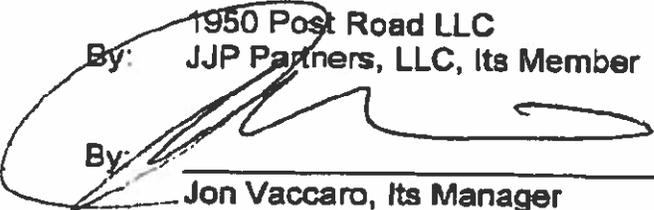
Dear Ladies and Gentlemen:

As record owner of property located at 1950 Boston Road, Darien, CT, we hereby authorize the law firm of Maslan Associates P.C. and its attorneys to file any and all applications related to the property.

Thank you.

Very truly yours,

By: 1950 Post Road LLC
JJP Partners, LLC, Its Member

By: 
Jon Vaccaro, Its Manager