

**PLANNING AND ZONING DEPARTMENT**  
**QUARTERLY REPORT: JULY 1, 2010 – SEPTEMBER 30, 2010**

The Planning and Zoning Commission met seven times this quarter—four times in July and three times in September. In July, the Commission approved a new custom furnishings showroom at 770 Boston Post Road; use of a portion of the first floor of the building at 76 Tokeneke Road by a commodity trading office; and additions and alterations and establishment of a new restaurant at 934 Boston Post Road—the former Crystal Gardens/D’Iorio Printing building. In September, the Commission approved applications for additions and alterations to the existing William Raveis building at 22 Old King’s Highway South; a new restaurant, “Phils Grill” within Noroton Heights in the former Roxy Video space; temporary lights for DJFL fall use at the High School and at Holohan Field; and additions to the Darien YMCA, including a new gymnastics area, rebuilding of the nursery school, and parking lot expansion and improvements.

At its September 28 meeting, a public hearing was held on a request to raze the Cookhouse restaurant and construct a Mini of Fairfield auto dealer. That public hearing was continued to October 5. In October, the Commission will hear three requests for new docks, and a proposal for a new restaurant at 21 Tokeneke Road, within the Little Red Schoolhouse building. They will also decide the pending application for rezoning of the Noroton Heights commercial area, which was submitted by a number of commercial property owners in the Heights.

Actions by type this quarter:

Site Plans/Business Site Plans: 4 approved  
Coastal Site Plan Review: 4 granted, 1 denied.  
Flood Damage Prevention: 5 approved, 1 denied  
Land Filling/Excavation: 3 approved  
Special Permit: 7 granted

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Total Number of Projects\*: 18 applications, no amendments requested or approved.

\*Total number of projects does not equal number of actions, because some applications include multiple permits.

This upcoming quarter will be quite active, as there are two pending 8-30g applications, which will require the scheduling of extra public hearing nights. As of this writing, the exact dates of those public hearings are unknown.

The Zoning Board of Appeals (ZBA) met three times, once in July and twice in September--they did not meet in August. In July, they granted four applications. In September, at its two meetings, they acted upon twelve applications. Of the sixteen applications acted upon, twelve were granted and four were denied. Although there will be more applications processed in 2010 than in 2009, 2010 will be the least applications processed since 1994.

In September, the ZBA granted variances for signage at the proposed Mini of Fairfield. They denied a request for an outdoor deck expansion on Giovanni’s. In October, the ZBA is likely to have only one meeting, as only four applications are pending. Two of those applications are for two new houses to be constructed on Chestnut Street, on property now owned by Aquarion Water Company, one of which used to be the site of a former water tower.

The Environmental Protection Commission (EPC) met once each month this period. In all, they processed eleven applications. Of those, seven were granted, one was denied, two were withdrawn,

and in one case, it was determined that a permit was not required. They also approved three permit amendments. One of the applications granted was to remedy a violation. It is expected that the October-December period will be busier, with nine applications currently pending. It is possible that a second October meeting will be held to accommodate the volume of applications, and could include an Executive Session to discuss pending litigation.

The Architectural Review Board (ARB) met twice—once each in July and September. They approved nine applications, and one was approved in part. The applications approved include a new wall sign for the Puritan; solar arrays on Ox Ridge Elementary School and Darien High School; new awnings, wall sign and blade sign for Scena; and new awnings, wall sign and window signs for Burgers Shakes & Fries, which is expected to open in October.

Significant time was spent this quarter in an effort to resolve some of the pending land use litigation. On September 16, the case of Whole Foods Market vs. ZBA was withdrawn by Whole Foods. Also this quarter, the case of Wheeler vs. ZBA was withdrawn. Staff expects that at least one more case pending will be resolved or withdrawn in this upcoming quarter.

This quarter, 127 Zoning Permits were reviewed and acted upon. This includes 42 in July, 47 in August, and 38 in September. This is about the same number acted upon the July-September quarter in 2008 and 20% more than this quarter in 2009. Of the six zoning permits approved for new residences, four were replacement houses, and two were on vacant lots (both on Eddy Lane). The chart on the next pages shows further details on number of permits acted upon by type and their respective review times.

Staff continues to improve policies and procedures in an effort to expedite simpler Zoning Permits. This includes: improved triage at the front counter by secretaries; continued coordination with the Health Department, Public Works Department, and Fire Marshal for permits which require their review; more efficient processing of permits which have already been approved by EPC and ZBA; and giving the more simple permits to the zoning officer to review immediately. In September, 18 of the 38 permits were acted upon in three days or less. As of September 30, only six permits are pending, an indication that the Department is generally “caught up” on permits.

This quarter, the Manager--Community Development Services worked on a variety of projects, including: FEMA insurance review for Cherry Street, FEMA Grant closeout, and Route 1 Corridor study review of consultants' reports. In August, time was spent preparing the return of records in the Whole Foods Market vs. ZBA matter—the case was ultimately withdrawn. In early July, the town's moratorium application was submitted to DECD, with comments sent in September in response to those received by DECD. A decision on this matter is expected in late October.

**ZONING PERMIT ACTIVITY  
THIS QUARTER**

		<u>JUL-10</u> <u>permits</u>	<u>Average</u> <u>Review</u> <u>Time</u>	<u>AUG-10</u> <u>permits</u>	<u>Average</u> <u>Review</u> <u>Time</u>	<u>SEP-10</u> <u>permits</u>	<u>Average</u> <u>Review</u> <u>Time</u>	<u>TOTAL</u> <u>permits</u>	<u>AVERAGE</u> <u>TIME</u>	<u>PROPOSED</u> <u>STANDARD</u> <u>AVERAGE</u> <u>TIME</u>
AS	Accessory Structure	0	N/A	2	7.0	2	5.0	4	6.0	8
BB	Business Building	1	5.0	0	N/A	0	N/A	1	5.0	N/A
CA	Commercial Tenant Fit-Up	2	2.5	3	10.3	0	N/A	5	7.2	10
DG	Access. Structure/Detached Garage	1	3.0	0	N/A	1	8.0	2	5.5	17
F	Foundation Only	1	49.0	3	23.66	1	13.0	5	26.6	N/A
FAB	Finish Attic/Basement	1	0.0	1	0.0	1	1.0	3	0.33	6
FR	Flood Repair	0	N/A	0	N/A	0	N/A	0	N/A	N/A
M	Miscellaneous	3	1.0	6	4.16	3	0.33	12	2.4	6
N/DW	New Residence or Comm. Bldg.	1	38.0	2	27.0	5	8.6	8	16.8	18
P	Pool and/or Spa	3	24.3	3	19.0	3	15.0	9	19.4	15
R	Remodel and/or Renovate	15	1.53	12	1.41	7	0.8	34	1.34	5
RA	Residential Alterations	11	10.8	13	9.0	13	12.7	37	10.8	11
RR	Re-Roof	0	N/A	0	N/A	1	0.0	1	0.0	9
S	Sign	3	0.6	2	0.5	1	1.0	6	0.66	9
TC	Tennis Court	0	N/A	0	N/A	0	N/A	0	N/A	N/A
TT	Temporary Tent	0	N/A	0	N/A	0	N/A	0	N/A	N/A

**TOTAL:      42                                      47                                      38                                      127**

Source: CityView

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