

## MEMORANDUM

TO: Town Clerk  
Park and Recreation Department

FROM: Jeremy B. Ginsberg

DATE: July 26, 2013

SUBJECT: Special Meeting

The Planning and Zoning Commission will hold a special meeting on Tuesday, July 30, 2013 at 8:00 P.M. in Room 206 of Town Hall. A copy of the agenda is below.

### **PLANNING AND ZONING COMMISSION AGENDA**

Tuesday, July 30, 2013

8:00 P.M.

**ROOM 206**  
Town Hall

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### GENERAL MEETING

**Mandatory Referral #3-2013, Board of Selectmen, Purchase of property on Hecker Avenue.**

Request from the Board of Selectmen to purchase 1.245+/- acres of property on Hecker Avenue, which is a portion of Assessor's Map #41, Lot #20, now owned by St. Johns cemetery, bounded by the Town Hall property to the south; Stony Brook to the east; and Hecker Avenue to the north.

**Deliberation and possible decisions regarding:**

**Coastal Site Plan Review #285, Land Filling & Regrading Application #302, James & Janeen Eckert, 165 Long Neck Point Road.** Proposing to construct an in-ground pool, retaining walls, and expand on-site drainage, and perform related site development activities within a regulated area. The subject property is located on the east side of Long Neck Point Road, approximately 500 feet south of its southernmost intersection with Pear Tree Point Road, and is shown on Assessor's Map #61 as Lot #3, R-1 Zone. *HEARING CLOSED: 6/11/2013. DECISION DEADLINE: 8/15/2013.*

**Coastal Site Plan Review #289, Flood Damage Prevention Application #332, Jacqueline Judge, 97 Nearwater Lane.** Proposing to elevate the existing residence and its associated mechanical units, and construct additions and alterations to the house, and perform related site development activities within regulated areas. *PUBLIC HEARING CLOSED ON 7/23/2013.*

**Flood Damage Prevention Application #180-B, Peter Sikora & Melanie Branca, 16 Mayflower Road.** Proposing to elevate the existing residence and construct additions and alterations, and to perform related site development activities within a regulated area.

**Coastal Site Plan Review #83-A, Flood Damage Prevention Application #71-A, Job & Sascha Sandberg, 47 Pear Tree Point Road.** Proposing to remove existing pier, ramp and float, and construct a new pier, ramp, and float, and to perform related site development activities within regulated areas. *PUBLIC HEARING CLOSED ON 7/23/2013.*

**Approval of Minutes**

July 16, 2013 General Meeting/Public Hearing/

**Discussion of Affordable Housing Trust Fund Ordinance.**

**Since this is a Special Meeting, the Commission cannot consider “Other Business”**

**PUBLIC HEARING**

**Continuation of Public Hearing regarding Coastal Site Plan Review #287, Flood Damage Prevention Application #328, Land Filling & Regrading Application #306, Stephen Milman, 5 Pratt Island.** Proposal to install a retaining wall with associated fill, and perform related site activities within regulated areas. The subject property is located approximately 600 feet southwest of the intersection of Nearwater Lane and Baywater Drive, and is shown on Assessor’s Map #55 as Lot #110 in the R-1 Zone. ***PUBLIC HEARING OPENED ON JUNE 25, 2013. WAS CONTINUED AGAIN AT APPLICANT’S REQUEST TO JULY 30, 2013. TO BE CONTINUED AGAIN TO SEPTEMBER 10, 2013.***

**Continuation of Public Hearing regarding Amendment of Subdivision Application #544-A(7), Jaime & Christina Vicencio, 19 Morley Lane (“North Lot”).** Request to modify previously approved single-family residence to be constructed on the now-vacant lot. The subject property is located on the west side of Morley Lane, approximately 1,000 feet north of its intersection with Redcoat Pass, and is shown on Assessor’s Map #63 as Lot #55A, in the R-1 Zone. ***PUBLIC HEARING OPENED 5/28/2013, continued to 6/11/2013 6/18/2013, 7/23/2013 and 7/30/2013.***

**Proposed Amendments to the Zoning Regulations (COZR #4-2013) put forth by the Tokeneke Club, Inc.** Proposal to modify the definition of Building Coverage in Section 210 of the Darien Zoning Regulations. This change would include only the first and largest court of any pervious tennis or recreational court in the calculation of “Building Coverage” for lots in commercial zones or special permit uses on lots in residential zones.

**Continuation of Public Hearing regarding:**

By Order dated December 19, 2012 in the matter of Christopher & Margaret Stefanoni, v. The Darien Planning and Zoning Commission – Docket No.: HHB-CV-11-5015368S (the “Appeal”), Judge Henry Cohn remanded the matter back to the Darien Planning & Zoning Commission for limited reconsideration. The legal notice for the original application read as follows:

**Affordable Housing Application Under CGS 8-30g (#1-2010), Site Plan Application #277, Land Filling & Regrading Application #247, Christopher & Margaret Stefanoni, 57 Hoyt Street.** Proposing to construct 16 units of age-restricted housing (30% of which are proposed to be affordable housing under Section 8-30g of the Connecticut General Statutes) in a new building with associated parking and regrading, and to perform related site development activities. The subject property is located on the east side of Hoyt Street approximately 100 feet south of its intersection with Echo Drive, and is shown on Assessor’s Map #27 as Lot #168-1, within the R-1/3 zone.

**Coastal Site Plan Review #290, Flood Damage Prevention Application #333, Land Filling & Regrading Application #310, ASL Partners, LLC, 203 Long Neck Point Road.** Proposal to demolish the existing single-family residence and construct a new single-family residence with pool, and perform related site activities within regulated areas. The subject property is located on the east side of Long Neck Point Road approximately 1,200 feet south of its southernmost intersection with Pear Tree Point Road, and is shown on Assessor's Map #61 as Lot #9 in the R-1 Zone.

**Proposed Amendments to the Zoning Regulations (COZR #3-2013) put forth by the Darien Planning & Zoning Commission** as outlined in a June 17, 2013 memo from Jeremy Ginsberg. These proposed changes include: Amendments related to Personal Service Businesses: Modify Section 210—Definition of Commercial Sales and Service; Add subsections 604d, 614g, 634g, 654f, and 684j., to specifically call out Personal Service Business as a Special Permit use in certain zones.

Other proposed changes are amendments recommended by the Zoning Board of Appeals (ZBA): 1. Modify Section 210 (Definition of Building Coverage) by noting that the first six inches (6") of building eave, and up to twenty (20) square feet for overhangs for stairs, stair landings, and stoops do not count toward Building Coverage. Delete subsection 416h. Modify subsection 351 (Porches) to better reflect current policy of acceptable size covered front porches which would be exempt from setbacks or subject to reduced setbacks. Modify subsection 354 (Stairs and Ramps) to better reflect current policy of acceptable size entry stairs which would be exempt from setbacks or subject to reduced setbacks. Modify subsection 1126b (General Rules of the Zoning Board of Appeals) regarding submitted application materials. Modify subsection 1126e (General Rules of the Zoning Board of Appeals) regarding reapplications to the ZBA. Modify subsection 1127 (Notification) to have proof of mailing submitted one week prior to the public hearing.

Other proposed changes are amendments recommended by the Architectural Review Board (ARB): Modify subsections 923.1b, c, and d, regarding wall signs in the CBD, DC, and NB Zones; Modify subsection 923.2b regarding hanging signs in the CBD, DC, and NB Zones; Modify subsection 923.5 Prohibited Signs in the in the CBD, DC, and NB Zones; Modify subsection 925.2b, regarding wall signs in the OB, DOR-1 and DOR-5 Zones; Modify subsection 926.1, regarding wall signs in the SB and SB-E Zones.

**ADJOURN.**