

**PLANNING AND ZONING COMMISSION
AGENDA**

Tuesday, November 22, 2011

8:00 P.M.

**ROOM 206
Town Hall**

GENERAL MEETING

Amendment of Special Permit #221, AT&T aka New Cingular Wireless PCS, LLC, 4 Tower Drive.

Request to install three additional antennae and two cabinets, and upgrade and maintain existing equipment within the concrete tank enclosure.

Business Site Plan #269-A/Special Permit, 1292 Boston Post Road, SB Zone.

Request for change of tenants--2nd floor bridal shop tenant in lieu of architect's office previously approved. Condition F of June 28, 2011 Resolution requires Commission review and action.

Business Site Plan #205-D/Special Permit, 205 Boston Post Road.

Request for extension of time to implement approved plan.

Amendment of Business Site Plan #164-B, Normandy Darien Holdings, Darien Green, 320-330 Boston Post Road, OB Zone. Request to allow a professional use in Darien Green--an optometrist who specializes in developmental therapy for vision issues.

Deliberations and possible decision on the following items:

Deliberation and possible decision/resolution regarding Remand for Phase II study--Stefanoni, 77 Leroy Avenue.

By Order dated October 6, 2011 in the matter of Christopher Stefanoni, et. al. v. The Darien Planning and Zoning Commission – Docket No.: HHB-CV-08-4019546 S (the “Appeal”), Judge Henry Cohn remanded the Appeal so that the Darien Planning & Zoning Commission can obtain the plaintiffs’ completed phase II environmental report for 77 Leroy Avenue (the “Subject Property”) for its action thereon. The legal notice for the original application read as follows:

Proposed Amendment to the Darien Zoning Map and Zoning Regulations, Affordable Housing Application, Site Plan Application #261, Land Filling & Regrading Application #208, Christopher & Margaret Stefanoni, 77 Leroy Avenue.

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 west side of Leroy Avenue at the southwest corner formed by the intersection of West Avenue and Leroy Avenue, and is shown on Assessor’s Map #39 as Lots #74-1 and #74-2, R-1/5 Zone.

Proposed: Amendments to the Darien Zoning Regulations (COZR #6-2011); Amendment of the Darien Zoning Map (COZM #1-2011); Site Plan Application #280; Special Permit Application #268; Land Filling & Regrading Application #265, Baywater 745 BPR, LLC, 745 Boston Post Road. Proposing to replace the existing building at 745 Boston Post Road with a new mixed use building and perform related site development activities. Zoning Regulation amendments are proposed to Sections 585, 614, 615 and 616 to permit the development as proposed. Proposed amendment of the Zoning Map would make the entire property in the DB-1 Zone. *HEARING CLOSED ON 10/18/2011. DECISION DEADLINE: DECEMBER 22, 2011.*

Approval of Minutes

November 1, 2011 General Meeting/Public Hearing

PUBLIC HEARING

Land Filling & Regrading Application #267, Scott Leahy, 117 Leeuwarden Road. Proposing to fill, regrade, and construct associated retaining walls along the sides and rear of the property, and perform related site development activities. The subject property is located on the west side of Leeuwarden Road, approximately 800 feet south of its intersection with Old Oak Road, and is shown on Assessor's Map #29 as Lot #122, and is in the R-1/2 Zone. *POSTPONED.*

Continuation of Public Hearing regarding Proposed Amendments to the Darien Zoning Regulations put forth by Christopher & Margaret Stefanoni (COZR #5-2011). Proposing to establish a new section of the Darien Zoning Regulations entitled, "Affordable Housing Floating Zone". This new section would establish a floating zone which could be automatically applied to any lot in Darien at the option of the property owner. It would allow CGS 8-30g affordable housing developments on any lot in Town as a Principal Use as-of-right. It would establish specific Area and Bulk requirements regarding setbacks, and allow structures to be up to three stories and forty feet in height, with a maximum density of thirty-five (35) units per acre. The proposed new regulations would also allow for legalization of existing "in-law" unit(s). The full text of the proposed zoning regulation amendments is on file and available in the Town Clerk's office and the Planning and Zoning Office for inspection. *HEARING OPENED ON 10/25/2011.*

Flood Damage Prevention Application #304, Land Filling & Regrading Application #268, Kim & Christa Mathew, 68 Buttonwood Lane. Proposing to fill in where the proposed residence is in the flood hazard area, and compensate by an excavation of equal area and volume in another part of the site; level the back yard; and perform related site development activities within a regulated area. The subject property is located on the south side of Buttonwood Lane, approximately 550 feet east of its intersection with Mansfield Avenue, and is shown on Assessor's Map #10 as Lot #50, in the R-1 Zone.

Special Permit Application #270, Lloyd & Lynne Byrne, 26 Driftway Lane. Proposing a seasonal temporary installation of a 30' x 60' ice rink in the back yard, with associated chiller condenser unit and to perform related site development activities. The subject property is located on the east side of Driftway Lane approximately 775 feet north of its intersection with Old Farm Road, and is shown on Assessor's Map #66 as Lot #124, and is in the R-1 Zone.

GENERAL MEETING (time permitting)

Deliberations and possible decision on any public hearing item closed on November 22, 2011.

Any Other Business (Requires two-thirds vote of Commission)

ADJOURN.