

**PLANNING AND ZONING COMMISSION
MINUTES
PUBLIC HEARING/GENERAL MEETING
SEPTEMBER 17, 2013**

Place: Room 119, Town Hall

TIME: 8:00 P.M.

PLANNING & ZONING COMMISSION MEMBERS ATTENDING:
Spain, Cameron, DiDonna, Voigt, and at 9:00 P.M. Olvany arrived

STAFF ATTENDING: Ginsberg and Keating
RECORDER: Syat, Channel 79

Chairman Spain called the meeting to order at 8 P.M. and read the first agenda item:

PUBLIC HEARING

Continuation of Public Hearing regarding: Flood Damage Prevention Application #331, Land Filling & Regrading Application #309, Michael & Elizabeth DeSanctis, 9 Plymouth Road. Proposing to elevate the existing residence, construct additions and alterations, and perform related site development activities within a regulated area. The subject property is located on the east side of Plymouth Road, approximately 500 feet south of its intersection with Shipway Road, and is shown on Assessor's Map #55 as Lot #76 in the R-NBD Zone. ***PUBLIC HEARING OPENED ON JULY 23, 2013. TO BE IMMEDIATELY CONTINUED TO OCTOBER 22, 2013.***

Mr. Spain confirmed that this item will be opened and again continued to October 22, 2013 at 8:00 P.M. in Room 206 at Town Hall.

Mr. Spain then read the next agenda item:

Coastal Site Plan Review #291, Land Filling & Regrading Application #311, John & Charlotte Suhler, 200 Long Neck Point Road. Proposal to construct a new single-family residence, and perform related site development activities within a regulated area. The subject property is located on the west side of Long Neck Point Road approximately 1,400 feet south of its southernmost intersection with Pear Tree Point Road, and is shown on Assessor's Map #61 as Lot #18C in the R-1 Zone. ***POSTPONED.***

Mr. Spain noted that this item has been postponed, and will likely have a public hearing on October 8, at 8pm in room 206 of Town Hall.

Mr. Spain then read the next agenda item:

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

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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.

Mr. Ginsberg outlined the recently submitted materials including: a September 4, 2013 Memorandum of Barry Hammons; a Site Distance Plan last revised September 16th; a Letter Plan; a memo from the Darien Fire Marshal dated September 17th; and a memo from Barry Hammons dated September 17th in response to the Fire Marshal.

Mr. Spain then asked about the abbreviation BCLC which appears as a line along the west side of the road on the Site Distance Plan. Mrs. Stefanoni said that this notation might be a surveying notation.

Mr. Spain explained that he visited the site today and reviewed the sight lines from the proposed driveway. He said the cars driving towards the south were not visible until they pulled beyond the south of Edmond Street. He is puzzled by the suggestion that the sight line is a visible line. Mrs. Stefanoni responded by noting that the darkened lines have been surveyed. There is a sidewalk beyond the sight line. She said that Mr. Hammons measured according to ConnDOT standards.

Mr. Spain explained that this is not a clear line of sight. It crosses over the curb onto property on the west side of Hoyt Street as the road bends to the left. Mr. Stefanoni responded that Mr. Hammons says it is. He put that in writing in his September 4th Memo. Mrs. Cameron said that the submitted plan does not show a straight line. Mrs. Stefanoni said that the sight line is clear and has been certified by Professional Engineer, Barry Hammons.

Mr. Spain said that he was out at the site and made observations. He said that he has another question. The sight line exiting the driveway is of course important. There are also risks from a traffic safety standpoint concerning rear end collisions from drivers driving southbound and striking vehicles in the southbound lane which are stopped waiting to make a left turn into the site. The sight lines from there are substantially less. There is a shorter sight line here and it is much shorter than 550 feet; and it is a much more important sight line.

Mrs. Stefanoni responded that speed management is needed here. She said, "The road, Hoyt Street, is Level of Service A in this location. The accident history of the site does not bear out what you are discussing". Mr. Spain asked Mrs. Stefanoni whether she quarreled with the sight line. Mrs. Stefanoni said that she is not a surveyor. Mr. Spain acknowledged that better enforcement may be needed. The Commission, as part of its remand, has received information from Adler Consulting, State of Connecticut DOT as well as Michael Galante. He believes that there is a risk here. Mrs. Stefanoni responded that moving the proposed driveway to the south was an improvement over the prior plan and the State had approved that prior plan. Mr. Spain confirmed the State of Connecticut DOT has not overridden the Planning & Zoning Commission's authority and the Commission can still look at the traffic safety issue. Mrs. Stefanoni added that the State DOT has jurisdiction on this road and they were okay with the prior driveway. Her position is that there is no issue and she does not think that the driveway is in a dangerous location.

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Mr. Spain explained that the focus here is on vehicles driving south, they stop, waiting their opportunity to turn left, the vehicles behind them will not see them waiting. It is a short sight line at 40 miles an hour and faster, and that is why there is a significant risk of accidents. Mrs. Stefanoni disagreed, stating that this is a safe situation and there is no problem. She said to Mr. Spain that he has his position and she disagrees with it.

Mrs. Cameron said that she has crossed that road a number of times in order to find the best place to cross. The safest place to return is across from number 71 Hoyt Street which has the clearest sight line to the north. Mrs. Stefanoni explained that she does not control crosswalks over a State highway and she does not control the location of sidewalks in front of other peoples' properties. Mr. Spain noted that the address he referenced earlier should be number 74 Hoyt Street (Lot number 46). That is where the driveway entrance location first comes into view for a car driving south.

Mrs. Cameron explained that the Commission's job is to look at what could happen. She believed that in the real world there is not enough parking for the proposed number of units and people may end up parking on the street due to the lack of on-site parking.

Mr. DiDonna explained that he was not present at the public hearing on Tuesday, September 10th. He did, however, watch the DVD of the meeting. He explained that he did request Mrs. Stefanoni's position on the defined open space area. Mrs. Stefanoni said she would summarize, and explained that the deed language speaks for itself. There is a private property issue here which is separate from zoning.

Mrs. Stefanoni said that they have added a window for fire rescue purposes and have proposed to sprinker the entire building. She explained that the windows on the eastern side are decorative. But there is ladder access in this area. She said that the one tree in the open space area is not where the windows would be and they believe that they do have the rights to clear trees in the open space.

Mr. DiDonna believes that this issue has shifted since the last meeting and he asked Mrs. Stefanoni whether they are no longer relying on the open space. Mrs. Stefanoni responded that the unit that has windows facing east also has windows facing south and they do not rely on the windows to the east as rescue windows. Mr. DiDonna asked whether the issue is moot and he questioned the fact that neighbors are saying the Stefanonis do not have the right to cut trees in the area, but there are existing large trees in the open space. Mrs. Stefanoni noted that the Fire Marshal and Fire Departments would have fire access there if they want it. Mr. DiDonna asked whether she is limiting residents' exits from fire rescue windows.

Mrs. Stefanoni responded that the plans were changed in response to comments received. The corner unit has the greatest rescue ability, possibly because it has more windows than the other units. She continued by noting that part of the eastern façade is a fire stair/exit. There is one 24 inch hickory near the stairwell, but it is not near the windows. In the records for this matter, they have a survey for 2010 which shows the location of the trees in the open space.

Mr. DiDonna asked whether the neighbors would have rights to plant trees in the open space. Mrs. Stefanoni said that the neighbors would not have that right without the Stefanonis' permission. Mrs. Stefanoni added that they have recently cleared some of the dumping which had been occurring in the open space and cleared some of the brush. She said that this is a private property rights issue

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and is irrelevant to the issue of fire safety. She explained that Mrs. Guttuso co-owns the open space.

Mr. DiDonna asked whether, if Ms. Guttuso were to install a fence along her property line, that fence would affect access to the rescue windows. Mrs. Stefanoni said that the proposed building would be 10.3 feet from the Guttuso/Stefanoni property line at some places. She acknowledged that the Fire Marshal would prefer more space than 10.3 feet. However, her expert says 10 ft. should be sufficient and the Darien Zoning Regs allows a 10 foot minimum setback in this zoning district for single family residences. She explained to the Commission that the underlying zoning here is R- $\frac{1}{3}$ which has a side yard setback minimum of one to be 10 feet. She also acknowledged that in another zoning district in Town which allows multi-family housing, the 3.7 AH Zone, it allows a minimum of 10 ft. between two buildings. She mentioned that the Maplewood project on the Boston Post Road has a 4 ft., 1 in. setback and that is for an assisted living building and her expert says that a 10 foot setback is adequate. Mrs. Stefanoni explained that beyond the ladder, the fire departments do not need 9 feet to walk behind the ladder they only need 4 feet to move around in her view. She acknowledged that the Fire Marshal wants the optimal design, not necessarily the minimal design. She said that she only needs to design what is safe and she believes that her building is safe and the evidence of such is in the record.

There were no further questions from Commission members or neighbors. The matter was then adjourned until later this evening to allow Mrs. Stefanoni to research the reference to BCLC on the submitted plans and that will be determined later in the evening.

At about 9:00 P.M., Mr. Spain then read the next agenda item:

Continuation of Public Hearing regarding 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. ***PUBLIC HEARING OPENED ON JULY 30, 2013.***

Mr. Olvany arrived at the meeting. Attorney Robert F. Maslan, Jr. was present on behalf of the applicant. He said that one of the issues from last time was the proposed rain garden. He then introduced Professional Engineer, Holt McChord, to explain the change to the plan.

Mr. McChord explained that the site now drains from west to east. What they have proposed is a hybrid solution. There will be a rain garden proposed along the south property line to collect the water from the proposed parking areas. The retention area proposed is about 3,000 cubic feet. He said that they can provide a level spreader to improve this design. Mrs. Cameron asked how this rain garden will fit in with the proposed retaining wall. Mr. Maslan said that they can work with staff on that specific design. Mrs. Cameron countered that she wishes to see the details as it's a very narrow space in this area. Mr. McChord suggested that the proposal might include stepped rain gardens.

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Mrs. Cameron then asked about the manhole cover which is located near the stairs near the north property line. She showed those present a photo.

Mr. Troy Sober, Landscape Architect, has said that the proposed wall along the north property line has been reduced 2½ feet. They have lowered the wall along the property line. The property line wall is now 4 feet high. They have also proposed to add layers of vegetation. Mr. Maslan confirmed that they are dropping the wall in height in certain spots. Architect Robert Bucher said that the wall was originally 8½ feet high at the corner and it is now 6 feet high from the grade.

Mr. Maslan explained that no work on this application is within 100 feet of mean high water and no activity is proposed within the flood zone. The new wall ends at the flood zone line. They are here tonight for a filling and regrading permit and the grading is intended to smooth out the areas. Mr. Maslan said that they have worked with Attorney Amy Zabetakis who represents the Ewings directly adjoining this property.

Mr. Dinyar Wadia, the architect for this project, confirmed that they have been working closely with Attorney Zabetakis. Mr. Olvany asked what the distance was between the walled terrace and the property line. Mr. Wadia responded it was 15 feet. Mr. Maslan then distributed a copy of revised plans and a tree assessment.

At about 9:20 P.M., Mr. Spain opened the public hearing for public comments.

Mr. Mark Cohen of 201 Long Neck Point Road explained that he had sent an email on behalf of him and the adjacent property owners, the Blacks. He said that they have three general concerns: 1) Retaining walls; 2) Property line walls and; 3) Tree removal.

Mr. Cohen said that the revised plans have widened out the terraces. The total proposed terrace length is 270 feet, and Mr. Cohen distributed two photographs. Mr. Cohen explained that his concern is also the mass and height of the walls proposed, and his desire to see the walls and terraces stepped back which will improve access near the property lines.

Mr. Spain noted that it is now 25 feet from the property line and Mr. Cohen is asking for grading to occur in two steps. Mr. Cohen then referred to his board and the photographs showing terraced walls. He asked that the terrace be pinched another 5 feet. Mr. Wadia responded that they may be cutting the wall near the north property line. Mr. Cohen mentioned that a combination of terracing and planting is ideal. Mr. Voigt asked about the possibility of planting without terracing. Mr. Cohen noticed the proposed terrace is elevated with modest changes of 5 feet on each side. The total length of terrace in the backyard is 270 feet long. Mr. Spain noted the possibility of doing two stepped walls of 4 feet in height each.

Mr. Cohen believes that the proposed design could be made more sympathetic. The second point he had was the distance from the wall to the CAM line. His concern is inviting more debris during large storms. He showed the location of a flood zone line which is about 130 feet from the seawall. He suggests not putting a property wall 6 feet high into a potential debris area.

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Mr. Steve Black of 207-209 Long Neck Point Road said that the subject proposal is to eliminate all the trees on the subject property except for two. He believed that more than two trees are salvageable. He believes that there are 70 of them within 15 to 20 feet of the property line.

Ms. Cameron asked whether there was an existing survey showing trees. Mr. John Moran, an Arborist, then reviewed his submitted report. In response to a question, Mr. Sober noted that the proposed north terrace measures 70'x60'. Mr. Spain believed that if they reduced the size of that terrace, there would be room for proposed plantings.

Mr. Maslan attempted to summarize items that needed to be followed up on by his team. This includes: the iron cap; further details on the proposed rain garden; and additional copies of the Arborist's Report. Mr. Spain then asked Mr. Maslan about the issue of the debris field being repeated.

Mr. Maslan responded that the wall is not in the FEMA Flood Zone and they show the wall extending down to the CAM line. The wall is for aesthetics and privacy. He believes that they meet all the setbacks and have no impact on the adjacent properties. Mr. Maslan then agreed to a continuation of the public hearing to October 15th at 8:00 P.M. in Room 206 of Town Hall.

At 10:07 P.M., Mr. Spain then called Mrs. Stefanoni to the podium.

Affordable Housing Application Under CGS 8-30g (#1-2010), Site Plan Application #277, Land Filling & Regrading Application #247, Christopher & Margaret Stefanoni, 57 Hoyt Street.

He asked whether she was able to determine what the abbreviation BCLC stood for. Mrs. Stefanoni responded that BCLC stands for bituminous concrete lip curb. There were no further questions from the Commission members or the general public.

Mr. DiDonna then made a motion to close the public hearing on the Stefanoni remand matter. That motion was seconded by Mrs. Cameron and unanimously approved.

Mr. Spain then read the next two agenda items which both related to portable, temporary practice lights at Darien High School:

Special Permit Application #188-B(2)/Site Plan, Darien Board of Education, Darien High School, 80 High School Lane. Proposing to utilize six (6) portable lights at the Darien High School Stadium Field for seasonal fall use by Darien High School fall sports teams for five years. The subject property is located on the north side of High School Lane approximately 1,200 feet west of its intersection with Middlesex Road, and is shown on Assessor's Map #9 as Lots #80 and #81, R-2 Zone.

Special Permit Application #188-D(2)/Site Plan, Darien Junior Football League (DJFL), Darien High School, 80 High School Lane. Proposing to utilize six (6) portable lights at the Darien High School Stadium Field for seasonal fall use by DJFL for at least five years. The subject property is located on the north side of High School Lane approximately 1,200 feet west of its intersection with Middlesex Road, and is shown on Assessor's Map #9 as Lots #80 and #81, R-2 Zone.

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Mr. Michael Sullivan, Athletic Director for the Darien Board of Education, was present to explain the proposal. Mr. Spain asked how the 30 foot lights worked last fall.

Mr. Sullivan explained that the Board of Education partnered with DJFL and are proposing to have 30 foot high lights through the end of the fall season. The last anticipated regular season use is November 26, 2013 and if teams make the playoffs, this use could run possibly to December 13, 2013. He believed that the 30 ft. lights were able to focus more downward than the previous 20 ft. lights. The concern was to minimize glare from the school. He said that no concerns were received by him from the neighbors regarding glare. They have blackened the plywood to cover the windows facing eastward. The proposed lights will be 30 degrees off parallel with 30 ft. lights which still provided sufficient coverage of the field.

Mr. Spain asked whether they could put shields on the lights or some type of cone. Mr. Michael Lynch, Director of Facilities at the Board of Education, responded that they do not own the lights and, thus, could not put the cone or shield on them. Ms. Cameron mentioned that the lights were originally run by diesel and that these are leased lights from United Rentals. Mr. Spain noted that the Commission is always urging improvement to minimize neighbor impacts. Mr. DiDonna said that Mr. Falcone in his report said that light shields can be made and maybe United Rentals would allow them to install such shields.

Ms. Cameron noted that there are some vines near the existing evergreen trees on the north side of the property. She believed that there should be a plan to clear those vines on a regular basis to ensure that the trees are as healthy as possible, because they shield the lights more and more each year as they have grown.

At about 10:30 P.M., Mr. Spain asked if anyone was present to speak on behalf of the **DJFL application** to install temporary, portable lights at the High School.

Mr. Jim Coley of 48 Old Farm Road said he is the President of DJFL. He said that the Musco expert said some years ago that by baffling the lights it creates more glare. That is noted on page 2 of the technical study. He believed that the most effective lighting is higher lighting and that the proposed application before the Commission tonight is exactly the same application as last year. They have used 14 of the 28 allotted days approved by the Commission in 2012. He noted that not all the days are used because not all coaches practice every night. As part of this application, they are asking for a minimum of 5 years and he also noted that a January 24, 2013 report about last season was submitted for the record in this matter.

Mr. Walter Raleigh of 369 Middlesex Road said that he spoke to the manufacturer about possible visors for the temporary lights. He said that would not be possible on round shaped lights, but would be possible on oval shaped ones. He said that having the northern most light turned a little bit was helpful to the neighbors. The neighbors feel that having no change from the prior year's application is both good and bad news. He suggested to the Commission that having these required annual reviews documents progress that has been made through the years. For example, window coverings went in a few years ago which killed the glare coming off the cafeteria windows, and that was helpful to neighbors.

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Mr. DiDonna asked whether it would be possible to test oval lights with visors. Mr. Raleigh suggested that the DJFL and Board of Education continue to work on moving the towers around to optimize their position and minimize the viewing of the bulbs and any potential glare by neighbors. The glare has not worsened due to the 30 ft. lights, but it has not become better. Mr. DiDonna confirmed that it is both an issue of positioning as well as shielding.

There were no further questions from Commission members or the general public on these portable lights at the High School for use of both High School teams and DJFL. Therefore, Mr. Voigt made a motion to close the public hearing on these two matters. That motion was seconded by Ms. Cameron and unanimously approved.

Mr. Spain then read the next agenda item:

Special Permit Application #125-D(3), Darien Junior Football League (DJFL), Holahan Field, 2 Renshaw Road. Proposing to install three temporary lights at Holahan Field for DJFL team practices on weekdays in the fall for at least five years. The subject property is located on the northeast corner of the intersection formed by Renshaw Road and Park Place, and Holahan Field is behind Town Hall. The property is shown on Assessor's Map #41 as Lot #85, in the R-1/3 Zone.

Mr. Jim Coley of 48 Old Farm Road, President of DJFL, was present to present the application. He confirmed that the proposed application before the Commission this evening is unchanged from what they approved last year. At Holahan Field, they propose to install three portable, temporary lighting units which will be powered by diesel. In 2012, they used the field 13 of the 28 days approved by the Planning & Zoning Commission. At the end of the project, they received no neighbor complaints or comments. They are asking tonight for a 5 year approval for this same operation.

Mr. DiDonna asked about the possibility of powering the units by something other than diesel. Mr. Coley confirmed that there are no conduits nearby, but what they have tried to do is add plywood baffles to minimize the noise from the diesel powered units. Mr. Coley noted that the potential of hard wiring was explored two years ago, but was very expensive and thus was not pursued.

Mr. Spain encouraged him to continue to make efforts to remove the diesel powering which would thus reduce the noise significantly. Mrs. Cameron confirmed that he should continue to explore opportunities to make the situation better for neighbors. Mr. Spain asked if there were anyone present to wished to comment on this application. There was none.

There being no further questions or comments from Commission members, Ms. Cameron made a motion to close the public hearing on this matter. That motion was seconded by Mr. Voigt and unanimously approved.

At 11:00 P.M., Mr. Spain then read the next agenda item:

Special Permit Application #279/Site Plan, Beth DuPont, 51 Tokeneke Road. Proposing to establish a convenience food service use in a portion of the first floor of the building formerly occupied by Pedal and Pump. The subject property is located on the south side of Tokeneke Road at the southwest corner formed by its intersection with Old King's Highway South, and is shown on Assessor's Map #72 as Lot #43, CBD Zone.

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Mr. Ginsberg noted that, due to the late hour, the Commission would have to decide how they wished to handle the remainder of the agenda. He noted that while the remaining agenda items were all minor in nature, and would each take in the range of five minutes, due to the number of them, this would run the Commission meeting well past 11:30 P.M.

After a brief discussion among Commission members, it was agreed to continue the rest of the agenda this evening to different nights rather than continuing on tonight.

Mr. Voigt then made a motion to open the public hearing on 51 Tokeneke Road and immediately continue it to October 8th at 8:00 P.M. in Room 206 of Town Hall.

Coastal Site Plan Review #292, Land Filling & Regrading Application #312, 99 Wit's End LLC, 99 Long Neck Point Road. Proposing to raze the existing residence and construct a new single-family residence with associated filling/excavation and regrading work and retaining wall, 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 1,300 feet north of its intersection with Pear Tree Point Road, and is shown on Assessor's Map #59 as Lot #1 in the R-1 Zone.

Mr. Voigt made a motion to continue this matter to October 15th at 8:00 P.M. in Room 206 of Town Hall. That motion was seconded by Mrs. Cameron and unanimously approved.

Continuation of Public Hearing regarding 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-ZBA) 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. ***PUBLIC HEARING OPENED ON JULY 30, 2013.***

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Commission members agreed to continue the public hearing on the Zoning Regulation amendments to October 15, 2013 at 8:00 P.M. in Room 213 at Town Hall.

GENERAL MEETING (Time permitting)

Mr. Spain asked Mr. Ginsberg to follow up with Commission members on scheduling of the General Meeting items which were put on the agenda this evening. If Mr. Ginsberg could receive feedback from Commission members, that would allow him to schedule things appropriately and possibly draft Resolutions on pending applications. Thus, the following agenda items were postponed to another night.

Coastal Site Plan Review #293, Reed & Renee Schwandt, 36 Baywater Drive, R-NBD Zone.
Request to remove four trees.

Amendment of Subdivision Application #602, Nastro/Blair, 360, 362, 366 Brookside Road.
Proposed modification of previously approved subdivision, by eliminating a shared driveway.

Approval of Minutes

July 23, 2013 Public Hearing/General Meeting
July 30, 2013 Public Hearing/General Meeting

Deliberations and possible decisions on the following (AND IF TIME PERMITS):

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.

Coastal Site Plan Review #223-A Patrick & Janienne Hackett, 112 Pear Tree Point Road.
Proposal to construct a new detached garage, relocate the existing generator, install stormwater management, and perform related site development activities within a regulated area.

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.

There was no further business. At 11:12 P.M., Mr. DiDonna then made a motion to adjourn the meeting. That motion was seconded by Mr. Olvany and unanimously approved.

Respectfully submitted,

Jeremy Ginsberg
Planning & Zoning Director

David J. Keating
Assistant Planning & Zoning Director