

REGULAR MEETING
AGENDA

Wednesday, March 11, 2015 7:45 P.M.
Public Meeting Room 206
Darien Town Hall, 2 Renshaw Road
Darien, Connecticut

OPENING

Requests to the ZBA involve important legal property rights. The proposal may expand one owner's limitations and reduce another's protections as defined within the Zoning Regulations. Therefore, any information considered must be clearly provided and all hearing comments are recorded. **Please speak only into the microphones near the podium. In order to avoid unnecessary distractions, please silence all electronic/communication devices and avoid side conversations** within the meeting room and hallway near the door.

The ZBA will make every reasonable effort to complete this agenda in a timely manner. However, complications may arise and it may be difficult to properly consider all of the requests tonight. You can be helpful by making your presentation efficiently. Due to necessary scheduling of ZBA members, and possible involvement with other Board/Commission review, the following items may be considered out of sequence. Application requests may be heard and then deliberated one by one rather than all the deliberations occurring at the end of the meeting. Please understand that one or more hearing items may need to be opened and continued to a subsequent meeting and some hearings may be completed tonight but ZBA deliberation of the requests may be postponed to a later date. After the hearing of the project you are interested in is concluded, you may choose to make subsequent inquiries about a possible decision to ZBA office staff at 203-656-7351 during regular business hours.

PUBLIC HEARINGS

CALENDAR NO. 1-2015 **TO BE REOPENED & RECONTINUED TO APRIL 8**

The application of Kathleen Willcox submitted on December 5, 2014 for a variance of Section 406 of the Darien Zoning Regulations; to allow the construction of second story

dormers and a deck for additional living/studio/office space in a non-conforming garage structure; Section 406: enlargements of a structure 8.4 in lieu of 10.0 feet minimum required northeast side yard setback. The property is situated on the southeast side of West Avenue approximately 450 feet southwest of the intersection of Stony Brook Road and is shown on Assessor's Map #39 as Lot #93, being 117 West Avenue and located in an R-1/3 (residential) Zone.

CALENDAR NO. 5-2015

POSTPONED TO APRIL 8

The application of Douglas McKay on behalf of 537 Post Road LLC submitted on December 17, 2014 for a variance of Section 406 of the Darien Zoning Regulations; to allow the construction of a dance/exercise studio within an existing barn structure located in a Residential Zone; Section 406: dance/exercise studio use where none is permitted. The barn is located to the rear of the property situated on the north side of the Boston Post Road approximately 530 feet east of the intersection with Brookside Road and is shown on Assessor's Map #14 as Lot #36, being 537 Boston Post Road and located in an DB-2 (commercial) Zone and R-1/2 (residential) Zone.

CALENDAR NO. 8-2015

The application of John Toates and JTAD LLC on behalf of Joseph & Rita Maruszewski submitted on January 14, 2015 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of effectively a replacement house with one story, two story, second story, attic and bilco door additions; Section 406: 12.2 in lieu of 18.1 feet minimum required south side yard setback, 11.9 in lieu of 17.8 feet minimum required north side yard setback, and 24.1 in lieu of 30.0 feet minimum required total of two side yards setback. The property is situated on the east side of Mansfield Avenue approximately 130 feet north of the intersection with Roland Drive and is shown on Assessor's Map #15 as Lot #114, being 102 Mansfield Avenue and located in an R-1/2 (residential) Zone.

CALENDAR NO. 12-2015

The application of Timothy & Lauren Stisser submitted on February 10, 2015 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of a second story, two story, and covered porch additions; Section 406: 25.2 in lieu of 40.0 feet minimum required Hollow Tree Ridge Road front yard setback, 53.3 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Hollow Tree Ridge Road, and 26.3 in lieu of 40.0 feet minimum required rear yard setback. The property is situated at the southeast corner of the intersection formed by Nutmeg Lane and Hollow Tree Ridge Road and is shown on Assessor's Map #9 as Lot #126, being 334 Hollow Tree Ridge Road and located in an R-1 (Residential) Zone.

CALENDAR NO. 13-2015

The application of Amy S. Zabetakis, Esq. and Rucci Law Group, LLC on behalf of William & Susannah Lewis for a variance of Section 406 of the Darien Zoning Regulations; to allow the construction of second story and covered porch additions; Section 406: 33.4 in lieu of 40.0 feet minimum required Great Hill Road front yard setback. The property is situated on the northeast corner of the intersection formed by Great Hill Road and Tokeneke Road and is shown on Assessor's Map #36 as Lot #15, being 1 Great Hill Road and located in an R-1/2 (residential) Zone.

CALENDAR NO. 14-2015

The application of Wilder G. Gleason, Esq. and Gleason & Associates LLC on behalf of PAG Connecticut LR1, LLC submitted on February 11, 2015 for variances and interpretations of Sections 926 and 923 of the Darien Zoning Regulations; to allow the installation of wall signs with logos and lighting, the installation of vehicle display areas, and the construction of colored pylon wall additions; Sections 926 and 923: installation of four in lieu of two maximum wall signs; installation of 93.16 in lieu of 41.28 square feet maximum allowable front wall signage; installation of wall signs extending to 23'-5" and 23'-11½" in lieu of 15' maximum allowable height above ground level; 2'-6 3/8" in lieu of 10" maximum height Jaguar leaper logo; 11½" in lieu of 10" maximum height "Land Rover" letters; the installation of two side wall "Darien" signs where none are permitted; internal LED sign illumination where none is permitted; and/or interpretations that halo lit "Darien" signs, colored pylon wall additions, and special vehicle display areas are permitted under the Regulations. The property is situated on the northwest corner of the intersection formed by Boston Post Road and Thorndal Circle and is shown on Assessor's Map #39 as Lot#19, being 1335 Boston Post Road and located in the SB (Service Business - commercial) Zone.

CALENDAR NO. 15-2015

The application of Wilder G. Gleason, Esq. and Gleason & Associates LLC on behalf of Tokeneke Club, Inc. submitted on February 13, 2015 for an amendment of the approved plans for Calendar No. 13-2014; to allow alterations to the existing bathhouse. The property is situated on the southeast corner of the intersection formed by Butler's Island Road and Tokeneke Beach Drive and is shown on Assessor's Map #67 as Lot #83, being 4 Tokeneke Beach Drive and located in an R-1 (residential) Zone.

DELIBERATIONS AND DECISIONS

Discussion, deliberation and possible decisions for Public Hearing request items listed above. Four affirmative votes out of the five seated ZBA members are required to

approve a proposal. Decisions are made after the ZBA members review the public hearing comments, submitted plans and other application materials, and carefully consider possible stipulations to ensure the best possible project fit among the neighboring properties. If complications arise ZBA deliberation of the requests may be postponed or continued to a later meeting date.

OTHER BUSINESS

This portion of the meeting is not a Public Hearing. Applicants and other interested parties are welcome to quietly observe the ZBA and staff fulfilling their regulatory responsibilities for the overall benefit of the community. Any expression from the audience is inappropriate and constitutes grounds for tabling the matter referred to or denying it without prejudice.

1. Approval of Minutes of meeting on February 11, 2015. ZBA members attending this meeting were Chuck Deluca, Vic Capellupo, Gary Greene, Mike Nedder, and Kevin Fullington.
2. Possible extension to obtain all required permits and begin on-site construction for ZBA Calendar No. 32-2014, PR Partnership, LLC dba Giovanni's – Water's Edge, 2748 Boston Post Road. The Public Hearing of this matter was July 16, 2014 and the deliberation concluded September 17, 2014. Initial ZBA approval expires on March 25, 2015 and may be extended upon settlement of litigation.
3. Discussion of subcommittee work with a Planning and Zoning Commission subcommittee on recommended Zoning Regulation changes.
4. General discussion of Application Materials, applicant identity, application review procedures, hearing guidelines, hardship criteria, decision practices/guidelines/ staff questions, project fit relative to neighbor properties, supervision/inspection of construction projects, and/or requested changes.
5. Any other business (a minimum 2/3, 67%, i.e. 3/4, 4/5, or 4/6, favorable vote of members present and voting is required to add an item to the agenda).

ADJOURN