

**REGULAR MEETING
AGENDA**

Wednesday, June 24, 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.

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. Discussion, deliberation, and possible decision of Calendar No. 29-2015, Jacqueline Kaufman and Carmody Torrance Sandak & Hennessey LLP on behalf of Noroton Yacht Club Inc., 23 Baywater Drive, previously heard by the ZBA on May 20, 2015 and June 17, 2015. Decision deadline is August 21, 2015 (within 65 days after completion of the hearing on June 17th). After closing the hearing the ZBA subsequently deliberated and then determined to table this matter for further consideration at the June 24th meeting tonight. The next scheduled regular ZBA meeting is July 15, 2015. Seated ZBA members who have heard both segments of the hearing and participated in the June 17th deliberation are Chuck Deluca, Vic Capellupo, Mike Nedder, Jeff Williams, and Rich Wood. Gary Greene and Kevin Fullington also attended the May 20th segment of the hearing.
2. Election of Officers by regular members.

PUBLIC HEARINGS

CALENDAR NO. 32-2015

The application of Gary Orelup and Gary Orelup Architect on behalf of Bridget Fallon Bepler submitted on May 13, 2015 for variances of Section 406 of the Darien Zoning Regulations; to allow the reconstruction of an enlarged garage and the addition of a mudroom and second story office/playroom; Section 406: 10.0 in lieu of 13.6 feet minimum required west side yard setback, and 21.4 in lieu of 25.0 feet minimum required total of two side yard setbacks. The property is located on the south side of Lake Drive approximately 700 feet west of the intersection with Hoyt Street and is shown on Assessor's Map #25 as Lot #153, being 19 Lake Drive and located in an R-1/3 (residential) Zone.

CALENDAR NO. 33-2015

The application of Neil Hauck, AIA and Neil Hauck Architecture LLC on behalf of Benjamin R. & Trudie T. Larrabee submitted on May 14, 2015 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of a second story addition; Section 406: 13.8 in lieu of 18.5 feet minimum required east side yard setback and 13.9 in lieu of 14.4 feet minimum required west side yard setback on a property with 21.7 in lieu of 20.0% maximum allowable coverage. The property is located on the south side of Fairview Avenue approximately 140 feet west of the intersection of Academy Street and is shown on Assessor's Map #16 as Lot #50, being 26 Fairview Avenue and located in an R-1/3 (residential) Zone.

CALENDAR NO. 34-2015

The application of John and Katherine McGrath submitted on May 20, 2015 for a variance of Section 406 of the Darien Zoning Regulations; to allow the construction of a second story and two story additions; Section 406: 22.0 in lieu of 25.0 feet minimum required rear yard setback. The property is situated on the east side of Dubois Street approximately 420 feet north of the intersection with Boston Post Road and is shown on Assessor's Map #43 as Lot #92, being 16 Dubois Street and located in an R-1/3 (residential) Zone.

CALENDAR NO. 36-2015

The application of Carol McCullough on behalf of 14 Charles Street LLC submitted on May 20, 2015 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of second story, two story, and covered front porch additions; Section 406: 49.0 in lieu of 50.0 feet minimum required front yard setback as measured from the centerline of Charles Street, 9.2 in lieu of 11.9 feet minimum required north side yard setback, 8.1 in lieu of 10.8 feet minimum required south side yard setback and 17.3 in lieu of 20.0 feet minimum required total of two side yard setbacks for the second story addition; and 44.5 in lieu of 47.0 feet minimum required front yard setback as measured from the centerline of Charles Street for the covered porch. The property is situated on the east side of Charles Street approximately 150 feet north of the intersection with West Avenue and is shown on Assessor's Map #23 as Lot #60, being 14 Charles Street and located in an R-1/5 (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

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1. Discussion of subcommittee work with a Planning and Zoning Commission subcommittee on recommended Zoning Regulation changes.
2. Possible amendment of project plans for ZBA Calendar No. 8-2015, Joseph & Rita Maruszewski, 102 Mansfield Avenue.
3. Discussion of Verrillo v. Branford ZBA Appellate Court decision.
4. Approval of 2016 meeting schedule.
5. Approval of Minutes of meeting on April 8, 2015. ZBA members attending this meeting were Chuck Deluca, Vic Capellupo, Gary Greene, Mike Nedder, and Ruth Anne Ramsey.
6. Possible requested amendment to the approved plans of Calendar No. 60-2014, T.G. Diners LLC, 275 Boston Post Road.
7. 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.
8. 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).

ADJOURNMENT