

REGULAR MEETING
AGENDA

Wednesday, July 15, 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. 35-2015

The application of Scott Church on behalf of LTB Properties submitted on May 20, 2015 for an interpretation of Section 385 and variances of Sections 334, 904 and 226 of the

Darien Zoning Regulations; to allow the construction of a two and one-half story replacement house; Section 385: a determination that the subject lot is a legal nonconforming building lot with 90.00 in lieu of 100.0 feet minimum required lot width and can be properly developed with adequate related site improvements; Section 334: construction on a portion of the lot with 90.0 in lieu of 100.0 feet minimum required lot width; and Sections 904 and 226: installation of parking with 20.5 in lieu of 24.0 feet minimum required backup space. The property is situated on the east side of Brookside Road approximately 100 feet north of the intersection with Bates Farm Lane and is shown on Assessor's Map #14 as Lot #26, being 74 Brookside Road and located in an R-1/2 (residential) Zone.

CALENDAR NO. 37-2015

The application Paul Harris and Cole Harris Associates on behalf of 7 Wild Rose Lane L.L.C. submitted on June 16, 2015 for an interpretation of Section 385 and variances of Sections 334 and 406 of the Darien Zoning Regulations; to allow the construction of essentially a replacement two story house with AC equipment; Section 385: a determination that the subject lot is a legal nonconforming building lot with 10,888 in lieu of 43,560 square feet minimum required lot size; 92.2 in lieu of 150.0 feet minimum required lot width and 110.2 in lieu of 150.0 feet minimum required lot depth and can be properly developed with adequate related site improvements; Section 334: construction on a portion of the building lot with 92.2 in lieu of 150.0 feet minimum required lot width and 110.2 in lieu of 150.0 feet minimum required lot depth; Section 406: 19.3 in lieu of 65.0 feet minimum required front yard setback as measured from the center line of Clock's Lane; 26.2 in lieu of 40.0 feet minimum required Wild Rose Lane front yard setback, 36.0 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Wild Rose Lane, and 14.1 in lieu of 25.0 feet minimum required west side yard setback. The property is situated on the south side of Wild Rose Lane at the intersection with Clock's Lane and is shown on Assessor's Map #64 as Lot #57, being 7 Wild Rose Lane and located in an R-1 (residential) Zone.

CALENDAR NO. 38-2015

The application of Paul Harris and Cole Harris Associates on behalf of 14 Clock's Lane L.L.C. submitted on June 16, 2015 for an interpretation of Section 385 and variances of Sections 334 and 406 of the Darien Zoning Regulations; to allow the construction of essentially a replacement two story house with AC equipment; Section 385: a determination that the subject lot is a legal nonconforming building lot with 19,544 in lieu of 43,560 square feet minimum required lot size and 82.0 in lieu of 150.0 feet minimum required lot depth and can be properly developed with adequate related site improvements; Section 334: construction on a portion of the building lot with 82.0 in lieu of 150.0 feet minimum required lot depth; and Section 406: 36.6 in lieu of 65.0 feet minimum required front yard setback as measured from the center line of Clock's Lane

and 7.7 in lieu of 40.0 feet minimum required rear yard setback. The subject property is located on the southeast corner of the intersection formed by Clock's Lane and Wild Rose Lane and is shown on Assessor's Map #64 as Lots #60 & #61, being 14 Clock's Lane and located in an R-1 (residential) Zone.

CALENDAR NO. 39-2015

The application of Peter & Sarah Appel submitted on June 17, 2015 for a variance of Section 406 of the Darien Zoning Regulations; to allow the construction of second story and two story additions; Section 406: 8.6 in lieu of 11.8 feet minimum required south side yard setback. The property is situated on the east side of Ridgeley Street approximately 120 feet north of the intersection with West Avenue and is shown on Assessor's Map #22 as Lot #19, being 27 Ridgeley Street and located in an R-1/5 (residential) Zone.

CALENDAR NO. 40-2015

The application of Courtney Jones Hrycay & William Hrycay submitted on June 17, 2015 for a variance of Section 406 of the Darien Zoning Regulations; to allow the construction of a covered front porch; Section 406: 30.1 in lieu of 40.0 feet minimum required front yard setback. The property is situated on the west side of the west loop of Colony Road approximately 600 feet southwest of the intersection with Middlesex Road and is shown on Assessor's Map #23 as Lot #132, being 14 Colony Road and located in an R-1/2 (residential) Zone.

CALENDAR NO. 41-2015

The application of William I. Haslun II, Esq. and Johnson, Haslun & Hogeman LLC on behalf of Giovanni's at Water's Edge and PR Partnership LLC submitted on June 19, 2015 for variances of Sections 381-387, 406, and 904 of the Darien Zoning Regulations; to allow the construction of a one story entry canopy addition; and modification of the front dropoff, parking, and landscape areas; Sections 381-387: enlargement of a non-conforming building and intensification of a non-conforming use; Section 406: 0.5 in lieu of 30.0 feet minimum required front yard setback; and Section 904: expansion of gross floor area with a possible reduction from the approximately 33 valid parking spaces on a property with deficient existing parking quantity. The property is situated on the south side of the Boston Post Road opposite the intersection of Brookside Drive and is shown on Assessor's Map #54 as Lot #35, being 2748 Boston Post Road and located in an R-1/3 (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. Requested amendment to the approved plans of Calendar No. 60-2014, T.G. Diners LLC, 275 Boston Post Road.
2. Requested interpretation of the Resolution of Calendar No. 7-2015, Heidi & Jordan Davis, 134 Holmes Avenue.
3. Requested six month extension, received July 6, 2015, to obtain all required permits and begin on-site construction for ZBA Calendar No. 56-2014, First Congregational Church of Darien, 11 Brookside Road. The Public Hearing of this matter was November 12, 2014. Initial ZBA approval expired on May 21, 2015.
4. Approval of Minutes of meeting on May 13, 2015. ZBA members attending this meeting were Chuck Deluca, Vic Capellupo, Mike Nedder, Ruth Anne Ramsey, and Rich Wood.
5. Possible amendment of project plans for ZBA Calendar No. 8-2015, Joseph & Rita Maruszewski, 102 Mansfield Avenue.
6. Discussion of subcommittee work with a Planning and Zoning Commission subcommittee on recommended Zoning Regulation changes.
7. Discussion of Verrillo v. Branford ZBA Appellate Court decision.
8. 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.

9. 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

ZBA/07.15.2015agn