

REGULAR MEETING
AGENDA

Wednesday, March 12, 2014 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.

CONTINUATION OF PUBLIC HEARINGS

CALENDAR NO. 4-2014

TO BE RECONTINUED TO APRIL 23

Opened on February 12, 2014 and immediately continued to tonight, March 12, 2014 at the applicant's request.

The application of Robert F. Maslan, Jr., Esq. and Maslan Associates PC on behalf of Dean C. & Ann K. Ravosa submitted on January 3, 2014 for an appeal under Section 1122, of the Darien Zoning Regulations, of the order, requirement, decision, and/or determination of the Zoning Enforcement Officer; in order to allow the existing landscape plantings and change in grade to remain. The property is situated on the south side of Royle Road approximately 725 feet west of the intersection with Mansfield Avenue and is shown on Assessor's Map #6 as Lot #46, being 19 Royle Road and located in an R-1/2 (residential) Zone.

CALENDAR NO. 5-2014

Opened on February 12, 2014 and continued to tonight, March 12, 2014 in order to allow for more discussion regarding the project features between the applicant and neighbors. The previously seated ZBA members for this request are Vic Capellupo, Chuck Deluca, Jeff Williams, Ruth Anne Ramsey, and Gary Greene. Rich Wood will be available to substitute as necessary. This hearing must be completed by tonight. However, if the ZBA determines to continue this hearing further, the applicant may provide an additional extension allowing the ZBA to continue this hearing to an April meeting.

The application of Michael Vitti on behalf of Noroton Fire Department submitted on January 15, 2014 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of a one and one-half story detached garage/storage building; Section 406: 15.0 in lieu of 25.0 feet minimum required rear yard setback and 22.1 in lieu of 20.0% maximum allowable building coverage; and Sections 906.3, 906.6, 944 and 945.1: modifying perimeter landscaping and establishing additional non-residential special permit use parking within a building 15.0 in lieu of 25.0 feet minimum required from the north boundary line and 10.0 in lieu of 25.0 feet minimum required from the east boundary line. The property is situated on the northeast corner formed by the intersection of Dickinson Road and Boston Post Road and is shown on Assessor's Map #42 as Lot #7, being 1873 Boston Post Road and located in an R-1/3 (residential) Zone.

PUBLIC HEARINGS

CALENDAR NO. 7-2014

The application of John Doherty and Doherty & Deleo Development on behalf of 23 Arnold Street LLC submitted on February 11, 2014 for a variance of Section 334 of the Darien Zoning Regulations; to allow the construction of a replacement two and one half story house; Section 334: construction on a portion of the lot with 140.0 in lieu of 150.0 feet minimum required lot width. The property is situated on the southeast side of Arrowhead Way approximately 10 feet east of the intersection with Winding Lane and is shown on Assessor's Map #69 as Lot #15, being 43 Arrowhead Way and located in an R-1 (residential) Zone.

CALENDAR NO. 8-2014

The application of David LaPierre / Paul Perrotti and Robert A. Cardello Architects on behalf of Charles & Anne Triano submitted on February 12, 2014 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of a cupola, two story bay window, gable roof, second and one and one half story additions; Section 460: 38.6 in lieu of 50.0 feet minimum required front yard setback and 16.0 in lieu of 35.0 feet minimum required side yard setback. The property is situated on the north side of Tower Drive opposite the intersection of Tower Lane and is shown on Assessor's Map #1 as Lot #126, being 31 Tower Drive and located in an R-2 (residential) Zone.

CALENDAR NO. 9-2014

The application of Julie Pagnozzi on behalf of Phillip and Julie Deterlizzi submitted on February 12, 2014 for a variance of Section 334 of the Darien Zoning Regulations; to allow renovations to the existing residence and the construction of a new front porch, second story and two and one-half story additions; Section 334: construction on a portion of the lot with 70.0 in lieu of 100.0 feet minimum required lot width. The property is situated on the south side of Old Kings Highway South approximately 350 feet east of the intersection with Waring Lane and is shown on Assessor's Map #63 as Lot #78, being 87 Old Kings Highway South and located in an R-1/2 (residential) Zone.

CALENDAR NO. 10-2014

The application of Amy Zabetakis, Esq. and Rucci Law Group, LLC on behalf of Ashleigh Banfield submitted on February 12, 2014 for a variance of Section 406 of the Darien Zoning Regulations; to allow the construction of a one story three-car garage addition; Section 406: 14.3 in lieu of 40.0 feet minimum required front yard setback. The property is situated on the northeast corner of the intersection of Mansfield Avenue and Sunset Road and is shown on Assessor's Map #15 as Lot #53-1, being 128 Mansfield Avenue and located in an R-1/2 (residential) Zone.

CALENDAR NO. 11-2014

The application of E. Arthur Morin, Jr. and Law Office of E. Arthur Morin on behalf of Rohit Parwal & Priti Parwal submitted on February 14, 2014, for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of two story and second story additions; Section 406: 23.7 in lieu of 40.0 feet minimum required front yard setback and 10.3 in lieu of 15.0 feet minimum required side yard setback. The property is situated on the northwest corner formed by the intersection of Middlesex Road and Noroton Avenue and is

shown on Assessor's Map #9 as Lot #16, being 288 Noroton Avenue and located in an R-1/2 (residential) Zone.

DELIBERATIONS AND DECISIONS

CALENDAR NO. 56-2013

Opened on November 13, 2013, continued December 11, 2013, recontinued January 15, 2014 and recontinued February 12, 2014. The previously seated ZBA members for this request were Chuck Deluca, Jeff Williams, Vic Capellupo, Ruth Anne Ramsey, Rich Wood, and Gary Greene.

The application of William I. Haslun, II, Esq., and Ivey, Barnum & O'Mara, LLC on behalf of PR Partnership, LLC doing business as Giovanni's - Water's Edge submitted on August 14, 2013 for variances of Sections 381-387, 406, 904 and 927 of the Darien Zoning Regulations; to allow the construction of a one and one half story entry canopy addition, modification of the front dropoff, parking, and landscape areas, and the installation of signage; Sections 381-387: enlargement of a non-conforming building and intensification of a non-conforming use; Section 406: 8.9 in lieu of 30.0 feet minimum required front yard setback and 21.2 in lieu of 20.0% maximum allowable coverage; 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; and Section 927: installation of commercial use ground signage in a residential zone. 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.

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 six month extension, received March 4, 2014, to obtain all required permits and begin on-site construction for ZBA Calendar No. 54-2013, Lauren Chisholm, 8 Clocks Lane. The Public Hearing of this matter was September 11, 2013. Initial ZBA approval expires on March 20, 2014.
2. Requested amendment to the approved monument sign plans of Calendar No. 15-1993, Al Whiting on behalf of Mobil Oil Corporation, 211 Boston Post Road.
3. Requested amendment to the approved plans of Calendar No. 14-1988, Kevin and Tina Stimpson, 5 Shady Acres Road.
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).