

**REGULAR MEETING
AGENDA**

Wednesday, April 9, 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.

PUBLIC HEARINGS

CALENDAR NO. 12-2014

The application of Wilder G. Gleason, Esq. and Gleason & Associates LLC on behalf of Tokeneke Club, Inc. submitted on March 6, 2014 for variances of Section 362, 406, 825 and

900 of the Darien Zoning Regulations; to allow the razing of the existing tennis house and a portion of the clubhouse structure, the construction of **clubhouse** additions, and the installation of additional **parking**; Section 362: installation of replacement 10.0 in lieu of 4.0 feet maximum height tennis court fencing extending to 22.2 in lieu of 40.0 feet minimum required front yard setback and 32.2 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Butlers Island Road; Section 406: additions to an existing building located 35.0 in lieu of 40.0 feet minimum required rear setback; Section 825: portions of habitable space, mechanical equipment, electrical features, and appliances to remain at elevations ranging from 7.2 to 12.0 in lieu of 15.0 and 17.0 feet minimum required elevation; and Sections 908 and 226: additional parking with 8.0 in lieu of 24.0 feet minimum required backup space. 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.

CALENDAR NO. 13-2014

The application of Wilder G. Gleason, Esq. and Gleason & Associates LLC on behalf of Tokeneke Club, Inc. submitted on March 6, 2014 for a variance of Section 825 of the Darien Zoning Regulations; to allow alterations to the existing **bathhouse**; Section 825: portions of habitable space, mechanical equipment, and electrical features to remain at elevations ranging from 7.8 to 12.0 in lieu of 15.0 and 17.0 feet minimum required elevation. 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.

CALENDAR NO. 14-2014

The application of James Hines and JMK Construction Group LLC on behalf of Carlyle & David Upson submitted on March 12, 2014 for variances of Sections 406 and 334 of the Darien Zoning Regulations; to allow the installation of an AC compressor; Section 406: 13.4 in lieu of 21.2 feet minimum required northeast side yard setback; 17.2 in lieu of 25.0 feet minimum required total of two side yards setback; 44.5 in lieu of 55.0 feet minimum required front yard setback as measured from the centerline of Oakland Terrace; 27.1 in lieu of 20.0% maximum allowable building coverage; and Section 334: installation of a building feature on a lot with 86.0 in lieu of 100.0 feet minimum required lot depth. The property is situated on the northwest side of Oakland Terrace approximately 200 feet south of the intersection the Boston Post Road and is shown on Assessor’s Map #54 as Lot #24, being 5 Oakland Terrace and located in an R-1/3 (residential) Zone.

CALENDAR NO. 15-2014

The application of James Hines and JMK Construction Group LLC on behalf of Francis & Jolene Sutter submitted on March 12, 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 with three car garage; Section 334: construction on a portion of the lot with 192.0 in lieu of 200.0 feet minimum required lot width. The property is situated on the southeast corner of the intersection formed by Shady Acres Road and Marianne Road and is shown on Assessor's Map #4 as Lot #1, being 2 Shady Acres Road and located in an R-2 (residential) Zone.

CALENDAR NO. 16-2014

The application of Amy Zabetakis, Esq. and Rucci Law Group, LLC on behalf of Kevin & Tina Stimpson submitted on March 12, 2014 for variances of Sections 406 and 334 of the Darien Zoning Regulations; to allow the construction of additions; Section 406: 34.4 in lieu of 50.0 feet minimum required rear yard setback; and Section 334: construction on a portion of the lot with 180.0 in lieu of 200.0 feet minimum required lot depth. The property is situated on the west side of Shady Acres Road approximately 170 feet south of the intersection with Marianne Road and is shown on Assessor's Map #4 as Lot #10, being 5 Shady Acres Road and located in an R-2 (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 six month extension, received March 20, 2014, to obtain all required permits and begin on-site construction for ZBA Calendar No. 51-2013, Pieter &

Yvete Eenkema Van Dijk, 19 Nickerson Lane. The Public Hearing of this matter was September 18, 2013. Initial ZBA approval would have expired on March 27, 2014.

2. Requested amendment to the approved plans of Calendar No. 11-2014, Rohit Parwal & Priti Parwal, 288 Noroton Avenue.
3. Requested amendment to the approved plans of Calendar No. 47-2013, TJP Capital LLC, 29 Edgewood Road.
4. Approval of Minutes of meeting on January 15, 2014. ZBA members attending this meeting were Vic Capellupo, Gary Greene, Jeff Williams, Ruth Anne Ramsey, and Rich Wood.
5. Approval of Minutes of meeting on February 12, 2014. ZBA members attending this meeting were Vic Capellupo, Gary Greene, Chuck Deluca, Jeff Williams, and Ruth Anne Ramsey.
6. Approval of Minutes of meeting on March 12, 2014. ZBA members attending this meeting were Vic Capellupo, Gary Greene, Chuck Deluca, Ruth Anne Ramsey, and Rich Wood.
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).