

REGULAR MEETING
AGENDA

Wednesday, May 22, 2013 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. And 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.

This appears to be a heavy agenda which the ZBA will make every reasonable effort to complete. 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

Opened on May 15, 2013 and immediately continued to tonight, May 22, 2013 at the applicants' requests due to the lack of a full 5 member panel on May 15. Since no testimony, comment, or additional information was provided to the ZBA on May 15, the seated ZBA panel for these requests is those members present tonight. These hearings

must be completed by June 19, 2013 (within 35 days after their May 15 opening). The next scheduled regular ZBA meeting is June 19, 2013.

CALENDAR NO. 25-2013

The application of Richard & Karyn Conway filed on April 15, 2013 for variances of Sections 406, 904 and 906.3 of the Darien Zoning Regulations; to allow the construction of one and one half, and second story additions and alterations to parking; Section 406: 6.3 in lieu of 12.0 feet minimum required north side yard setback, 16.3 in lieu of 25.0 feet minimum required total side yards setback; and Sections 904 and 906.3: reduction to currently nonconforming parking area. The property is situated on the west side of Fitch Avenue approximately 300 feet south of the intersection of Dickinson Road and Fitch Avenue, found on Assessor's Map #42 as Lot #16, being 77 Fitch Avenue and located in the R-1/3 (residential) Zone.

CALENDAR NO. 27-2013

The application of Penny Glassmeyer and Baywater Properties on behalf of Baywater 745BPR, LLC filed on April 16, 2013 for variances of Section 924 of the Darien Zoning Regulations; to allow the installation of a monument sign; Section 924: installation of a monument sign where none is permitted, in lieu of a hanging sign, and 16.6 in lieu of 6.0 square feet maximum allowable sign area utilizing the hanging sign standards. The subject property is on the northwest corner formed by the intersection of Academy Street and Boston Post Road and is shown on Assessor's Map #16 as Lots #15 and #16, being 745 Boston Post Road and located in the DB-1 (commercial) and R-1/3 (residential) Zones with a DBR (Designed Business and Residential) Zoning Overlay.

PUBLIC HEARINGS

CALENDAR NO. 32-2013

The application of Penny Glassmeyer on behalf of Searles Road Properties LLC filed on April 24, 2013 for variances of Sections 334 and 406 of the Darien Zoning Regulations; to allow the installation of a replacement generator; Section 334: installation of equipment on a portion of the lot with 137.0 in lieu of 150.0 minimum feet required lot depth; and Section 406: 6.0 in lieu of 25.0 feet minimum required side yard setback, and 20.5% in lieu of 20.0% maximum allowable building coverage. The property is located on the west side of Searles Road approximately 400 feet south of the intersection of Cross Road and Searles Road and located opposite the north intersection of Edgehill Drive and Searles Road and is shown on Assessor's Map #67 as Lot #86, being 26 Searles Road and located in the R-1 (residential) Zone.

CALENDAR NO. 26-2013

The application of Edmund & Rosanne Fitzmaurice filed on April 16, 2013 for an amendment to the approved plans of Calendar No. 9-2011 and a variance of Section 406 of the Darien Zoning Regulations; to allow the previously constructed additions to remain; Section 406: 20.45% in lieu of 20.0% maximum allowable building coverage. The property is situated on the southwest corner formed by the intersection of Clock Avenue and Dickinson Road and is shown on Assessor's Map #42 as Lot #37, being 2 Clock Avenue and located in an R-1/3 (residential) Zone.

CALENDAR NO. 28-2013

The application of Wilder G. Gleason, Esq. and Gleason & Associates LLC on behalf of Carolyn Taylor filed on April 17, 2013 for a variance of Sections 380 and 382 of the Darien Zoning Regulations; to allow the installation of an in-ground pool, spa and related pool equipment; Section 382: extension of non-conforming, two family use to occupy an additional 4,500 +/- square feet on the lot. The property is situated on the west side of Rings End Road approximately 60 feet north of the northerly intersection formed by Rings End Road and Harbor Road and is shown on Assessor's Map #51 as Lot #29A, being 30 Rings End Road and located in an R-1/2 (residential) Zone.

CALENDAR NO. 29-2013

The application of Steven Keedle on behalf of Robert and Carolyn Komminsk filed on April 24, 2013 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of one story, two story and second additions; Section 406: 7.5 in lieu of 15.8 feet minimum required side yard setback and 16.7 in lieu of 25.0 minimum required total of two side yard setbacks. The property is situated on the east side of Noroton Avenue approximately 130 feet south of the intersection of Clock Avenue and Noroton Avenue and found on Assessor's Map #42 as Lot #155, being 26 Noroton Avenue and located in an R-1/3 (residential) Zone.

CALENDAR NO. 30-2013

The application of Jacek Bigosinski and PB Architects on behalf of Ruth & Ian Crowe filed on April 17, 2013 for an amendment to the approved plans of Calendar No. 53-2011 and a variance of Section 406 of the Darien Zoning Regulations; to allow the enclosure of the covered front porch and the addition of an entry roof cover; Section 406: 10.3 in lieu of 25.0 feet minimum required front yard setback and 27.9 in lieu of 50.0 feet minimum required front yard setback as measured from the centerline of Raymond Street. The property is situated on the east side of Raymond Street approximately 500 feet north of the intersection of Raymond Heights and Raymond Street and is shown on Assessor's

Map #36 as Lot #101, being 26 Raymond Street and located in an R-1/5 (residential) Zone.

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 decisions for Public Hearing request items listed above. 4 affirmative votes out of the 5 seated ZBA members are required to approve a proposal.
2. Requested amendment to the approved plans of Calendar No. 16-2009, Michael Ervin, 13 Edgerton Street.
3. Approval of Minutes of hearing on January 16, 2012 regarding the application of Lawrence J. Loustaunau and Architectural Woodworks on behalf of Louis Benedetto, to allow the construction of two residences, 000 Raymond Street. In order to allow the applicant an opportunity to provide answers to questions, the hearing was repeatedly continued to subsequent meetings. However the applicant was unable to answer the questions at that time and eventually withdrew the application. Therefore no additional hearing testimony was provided and no deliberation of the matter occurred. ZBA members attending this hearing were Gary Greene, Vic Capellupo, Jeff Williams, Stephen Olvany and Rich Wood. John Ashburne watched the DVD of the January 16, 2013 public hearing in order to be able to sit in for future hearings.
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).