

**REGULAR MEETING**  
**AGENDA**

Wednesday, June 19, 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.

**The ZBA will make every reasonable effort to complete this agenda. 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. 33-2013**      **TO BE OPENED AND CONTINUED TO JUNE 26**

The application of Carol Matton filed on May 8, 2013 for a variance of Section 406 of the Darien Zoning Regulations; to allow the construction of a replacement two-story

addition; Section 406: 19.8 in lieu of 25.0 feet minimum required west rear yard setback. The subject property is an interior lot accessed from a common driveway approximately 200 feet west of the intersection of Old Farm Road and Searles Road and is shown on Assessor's Map #66 as Lot #96, being 47 Old Farm Road and located in the R-1/2 (residential) Zone.

**CALENDAR NO. 34-2013**

The application of McKee Patterson and Austin Patterson Disston on behalf of Richard and Wendy Hokin filed on May 14, 2013 for variances of Sections 331 and 402 of the Darien Zoning Regulations; to allow a portion of the existing residence to remain until the proposed replacement residence is completed; Section 331: two in lieu of one, maximum main building on one lot; and Section 402: two in lieu of one single-family dwelling on its own lot. The subject property is located on the south side of Shipway Road, approximately 300 feet east of the intersection with Plymouth Road and Shipway Road, and is shown on Assessor's Map #55 as Lot #126, being 25 Shipway Road and located in the R-1 (residential) Zone.

**CALENDAR NO. 36-2013**

**TO BE OPENED AND CONTINUED TO JUNE 26**

The application of Mark Lebow and William W. Seymour & Associates on behalf of Thomas & Patricia Darling filed on May 22, 2013 for an interpretation under Section 337 and variances of Sections 406 and 334 of the Darien Zoning Regulations; to allow the construction of a one story addition and a roofed front entry; Section 337: a determination of the property line definitions and the applicable setbacks; Section 406: 26.5 in lieu of 30.0 feet minimum required front yard setback and 51.5 in lieu of 55.0 feet minimum required as measured from the center line of Glenwood Drive; if necessary 13.3 in lieu of 15.0 feet minimum required south side yard setback, 23.3 in lieu of 25.0 feet minimum required total of two side yards setback; and Section 334: construction on a portion of the lot with 90.4 in lieu of 100.0 feet minimum required lot depth. The property is situated on the southwest corner formed by the intersection of Devonshire Road and Glenwood Drive, and is shown on Assessor's Map #47 as Lot #80, being 12 Glenwood Drive, and located in the R-1/3 (residential) Zone.

**CALENDAR NO. 37-2013**

The application of Chad Nehring, AIA and Nehring + Associates Architects on behalf of Melanie Branca filed on May 22, 2013 for amendments to the approved plans in Calendar No. 58-2012 and variances of Sections 416 and 350 of the Darien Zoning Regulations; to allow the raising of the existing residence, the construction of additions and entry stairs; Section 416: 12.0 in lieu of 15.0 feet minimum required north side yard

setback, 13.5 in lieu of 15.0 feet minimum required south side yard setback, and 26.0 in lieu of 30.0 feet minimum required front yard setback for the residence and additions; construction of additional building volume on a lot with 21.85 in lieu of 20.0% maximum allowable building coverage; and Section 350: 20.0 in lieu of 27.0 feet minimum required front yard setback for the entry stairs. The property is situated on the west side of Mayflower Road approximately 385 feet south of the intersection of Mayflower Road and Shipway Road and is shown on Assessor's Map #55 as Lot #45, being 16 Mayflower Road and located in the R-NBD (Noroton Bay District – Residential) Zone.

### CALENDAR NO. 39-2013

The application of Alan Kirk Gray and Darien Library on behalf of Darien Library Inc. filed on May 22, 2013 for variances of Section 424a of the Darien Zoning Regulations; to allow the installation of a generator; Section 424a: 1.0 in lieu of 8.0 feet minimum required rear yard setback and 1.0 in lieu of 8.0 feet minimum required side yard setback. The property is situated on the northwest corner of the intersection of Hecker Avenue and Boston Post Road and shown on Assessor's Map #39 as Lot #13, being 1441 Boston Post Road, and located in the SB and DOR-1 (Commercial) Zones with a MU (Municipal Use) zoning overlay.

### 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 4 seated ZBA members are required to approve a proposal.
2. Status of compliance with the approved plans of Calendar No. 55-2008, Tov and Kate Haueisen, 103 West Avenue.
3. Status of compliance with the approved plans of Calendar No. 26-2012, Paul F. & Amy J. Darrah, 11 Peabody Lane.
4. Requested six month extension, received June 13, 2013, to obtain all required permits and begin on-site construction for ZBA Calendar No. 33-2012, Anton Tinaj, 114 Hecker Avenue. The Public Hearing of this matter was July 25, 2012. Initial ZBA approval would have expired on February 3, 2013. Following a

January 28, 2013 request, on February 13, 2013 the ZBA granted a six month extension to August 3, 2013.

5. Review and approval of 2014 Meeting Schedule.
6. Election of Officers.
7. Approval of Minutes of meeting on April 24, 2013. ZBA members attending this meeting were Vic Capellupo, Gary Greene, Stephen Olvany, and Ruth Anne Ramsey.
8. Approval of Minutes of meeting on May 15, 2013. ZBA members attending this meeting were Vic Capellupo, Jeff Williams, John Ashburne and Rich Wood.
9. 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.
10. 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).