

REGULAR MEETING
AGENDA

Wednesday, September 18, 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. 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. 52-2013

The application of Patrick J. + Cynthia J. Rogers submitted on August 14, 2013 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of a

one-story addition with deck and to allow the existing garage to remain; Section 406: 8.5 in lieu of 21.7 feet minimum required north side yard setback for the addition, 4.3 in lieu of 16.5 feet minimum required south side yard setback for the garage, and 12.8 in lieu of 25.0 feet minimum required total of two side yard setbacks. The property is situated on the east side of Fairfield Avenue approximately 50 feet north of its intersection with Elm Street and shown on Assessor's Map #20 as Lot #118, being 40 Fairfield Avenue and in the R-1/3 (residential) Zone.

CALENDAR NO. 51-2013

The application of James Sackett and CPG Architects on behalf of Pieter & Yvette Eenkema Van Dijk submitted on August 13, 2013 for a variance of Section 406 of the Darien Zoning Regulations; to allow the construction of a one-story addition; Section 406: 19.6 in lieu of 25.0 feet minimum required side yard setback. The property is situated on the west side of Nickerson Lane approximately 900 feet northwest of its intersection with Nearwater Lane and shown on Assessor's Map #52 as Lot #10, being 19 Nickerson Lane and in the R-1 (residential) Zone.

CALENDAR NO. 55-2013 TO BE OPENED AND CONTINUED TO OCTOBER 16

The application of Wilder G. Gleason Esq. and Gleason & Associates LLC on behalf of Michael & Elizabeth DeSanctis submitted on August 14, 2013 for a variances of Section 416 of the Darien Zoning Regulations; to allow the raising of the existing residence with modification entry staircases, terrace and deck features, and the construction of second story, attic and deck features; Section 416: 11.2 in lieu of 18.5 feet minimum required north side yard setback; 11.5 in lieu of 18.8 feet minimum required south side yard setback; 22.7 in lieu of 30.0 total of two side yard setbacks; 22.0 in lieu of 25.0 minimum feet required rear yard setback; on a lot with 26.2 in lieu of 20.0% maximum allowable coverage. The property is located on the east side of Plymouth Road approximately 300 feet south of the northern intersection of Plymouth Road and Baywater Drive and is shown on Assessor's Map #55 as Lot #76, being 9 Plymouth Road and located in the R-NBD (Noroton Bay District – 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 and Resolution of Calendar No. 41-2013, Darien Community Association, 274 Middlesex Road.
2. Approval of Minutes of meeting on July 17, 2013. ZBA members attending this meeting were Vic Capellupo, Gary Greene, Chuck Deluca, Ruth Anne Ramsey, John Ashburne, and Rich Wood.
3. 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.
4. 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).