

TOWN OF DARIEN  
ZONING BOARD OF APPEALS



REGULAR MEETING  
AGENDA

Wednesday, July 18, 2012 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 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 HEARING  
TO BE REOPENED & RECONTINUED TO JULY 25

Opened on June 20, 2012 and continued to tonight, July 18, 2012. The previously seated ZBA members for this request are Gary Greene, Vic Capellupo, Al Tibbetts, Jeff Williams,

and Ruth Anne Ramsey. A representative of the owner has requested that this hearing be recontinued to July 25, 2012.

### CALENDAR NO. 27-2012

The application of Dinyar Wadia, Wadia Associates on behalf of Estate of Mary K. Ewing and contract purchaser Alex Magaro filed on May 23, 2012 for a variance of Section 406 of the Darien Zoning Regulations, to allow the construction of a two and one-half story residence with ridge, cupola, dormer, tower and upper eave features; Section 406: 38.5 in lieu of 30.0 feet maximum allowable building height. The property is situated on the east side of Long Neck Point Road approximately 1000 feet south of the intersection of Pear Tree Point Road and Long Neck Point Road and is shown on Assessor's Map #61 as Lot #9, being 203 Long Neck Point Road and located in an R-1 (residential) Zone.

### PUBLIC HEARINGS

### CALENDAR NO. 29-2012

The application of Gleason & Associates LLC on behalf of Shawn P. Burke and Vivianne F. Burke, William J. Nelson and Gillian Nelson, and David M. Sinclair, regarding property of Estate of Beatrice Richards, filed on May 23, 2012 for an appeal under Section 1122, of the Darien Zoning Regulations, of the order, requirement, decision, and/or determination of the Director of Planning to approve/authorize the filing of a free cut map creating 2 building lots out of the 123 Five Mile River Road property. The subject property is situated on the east side of Five Mile River Road approximately 500 feet south of the intersection of Five Mile River Road and Davis Lane and is shown on Assessor's Map #67 as Lot #2, being 123 Five Mile River Road and located in an R-1/2 (residential) Zone.

### CALENDAR NO. 31-2012

The application of Eric and Barbara Simonson, regarding property of J. Willson Ropp and Adrienne Dreiss, filed on June 20, 2012 for an appeal under Section 1122, of the Darien Zoning Regulations, of the order, requirement, decision, and/or determination of the Zoning Enforcement Officer regarding possible damages to the 362 Hollow Tree Ridge Road property relative to a ZBA stipulation in Calendar No. 39-2009. The subject property is an interior lot situated east of Hollow Tree Ridge Road and accessed from a common driveway (which also serves 362 and 366 Hollow Tree Ridge properties) located on the east side of Hollow Tree Ridge Road approximately 500 feet north of the intersection of Nutmeg Lane and Hollow Tree Ridge Road and is shown on Assessor's Map #9 as Lots #111A-1 and 114, being 364 Hollow Tree Ridge Road and located in an R-2 (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. Election of Officers by regular members.
3. Adoption of 2013 Meeting Schedule.
4. Approval of Minutes of meeting on June 20, 2012. ZBA members attending this meeting were Vic Capellupo, Gary Greene, Al Tibbetts, Jeff Williams, and Ruth Anne Ramsey.
5. 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.
6. 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).