

**REGULAR MEETING**  
**AGENDA**

Wednesday, January 19, 2011    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. Any information considered must be clearly provided and all hearing comments are recorded. Therefore 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. 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. You may also make inquiries to ZBA office staff at 203-656-7351.**

**PUBLIC HEARINGS**

**CALENDAR NO. 62-2010**

The application of Dwight Collins on behalf of Pear Partners filed on November 17, 2010 for variances of Section 923.1 of the Darien Zoning Regulations, to allow the installation of two wall signs for Jos. A. Bank and a ground sign for The Playhouse; Section 923.1: three

in lieu of one maximum wall sign, 28.34 in lieu of 14.33 maximum square feet, and reuse of existing marquee lighting for 2 of the Jos. A. Bank signs; and, one in lieu of zero allowed ground sign, 28.67 per side in lieu of 0.0 maximum square feet, and internal sign illumination where none is permitted for the Playhouse sign. The property is situated on the northwest side of Boston Post Road approximately 100 feet southwest of the intersection of Boston Post Road and Corbin Drive and is shown on Assessor's Map #73 as Lots #7 & 42, being 1077 Boston Post Road and located in the CBD (commercial) Zone.

#### **CALENDAR NO. 2-2011**

The application of Oliver and Patricia Nisenson filed on December 22, 2010 for an interpretation and if necessary variance of Section 362 of the Darien Zoning Regulations, to allow the installation of six foot fence; Section 362: an interpretation that the subject property is immediately adjacent to a commercial zone; or Section 362: 6 in lieu of 4 feet maximum allowable fence height in the required front yard space. The property is situated on the east side of Old Kings Highway South approximately 150 feet north of the intersection of Old Kings Highway South and Cross Street and is shown on Assessor's Map #49 as Lot #20, being 155 Old Kings Highway South and located in an R-1/2 (residential) Zone.

#### **CALENDAR NO. 4-2011**

The application of Ashley Pelletier and Glen Gate Company on behalf of Sheila & Thomas Daley filed on December 22, 2010 for an amendment to the approved plans of ZBA Calendar No. 61-1995 and a variance of Section 406 of the Darien Zoning Regulations, to allow the installation of pool equipment within an existing garage structure; Amendment: a reduction to less than 20' for the parking space within the garage established by ZBA variance approval; and Section 406: 7.3+ in lieu of 25.0 feet minimum required side yard setback. The property is situated on the east side of Long Neck Point Road approximately 800 feet south of the south intersection of Pear Tree Point Road and Long Neck Point Road and is shown on Assessor's Map #61 as Lot #7, being 181 Long Neck Point Road and located in an R-1 (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 six month extension, received December 17, 2010, to obtain all required permits and begin on-site construction for ZBA Calendar No. 36-2010, Greg Cowles & Antoinette Lefebvre, 5 Hillside Court. The Public Hearing of this matter was June 23, 2010. Initial ZBA approval would have expired on January 2, 2011.
3. Requested six month extension, received December 29, 2010, to obtain all required permits and begin on-site construction for ZBA Calendar No. 41-2010, Quirino Pinti, 72 Holmes Avenue. The Public Hearing of this matter was July 21, 2010. Initial ZBA approval expires on January 30, 2011.
4. Approval of Minutes of meeting on November 17, 2010. ZBA members attending this meeting were Gary Greene, Al Tibbetts, Chuck Deluca, Ruth Anne Ramsey, and John Ashburne.
5. Approval of Minutes of meeting on December 15, 2010. ZBA members attending this meeting were Vic Capellupo, Gary Greene, Al Tibbetts, Jeff Williams, and Ruth Anne Ramsey.
6. General discussion of Application Materials, hearing guidelines, hardship criteria, decision practices/ guidelines, project fit relative to neighbor properties, supervision/inspection of construction projects, and/or requested changes.
7. 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).