

**REGULAR MEETING**  
**AGENDA**

Wednesday, May 26, 2010 7:45 P.M.  
Public Meeting Room 206  
Darien Town Hall, 2 Renshaw Road  
Darien, Connecticut

**Due to necessary scheduling of ZBA members, the following items may be considered out of sequence and application requests may be heard and then deliberated one by one rather than all the deliberations occurring at the end of the meeting.**

**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 decision of Calendar No. 15-2010, Robert F. Maslan, Jr., on behalf of C.B. Griffith, LLC and Post Road Eleven, LLC, 1292 Boston Post Road, previously heard by the ZBA on March 17, 2010 and April 21, 2010. Decision deadline is June 25, 2010 (within 65 days after completion of the hearing on April 21<sup>st</sup>). The next scheduled regular ZBA meetings are May 26, 2010 and June 16, 2010. Seated ZBA members for this request are Vic Capellupo, Gary Greene, Jeff Williams, John Ashburne, and Anthony Simari.

**PUBLIC HEARINGS**

**CALENDAR NO. 23-2010**

The application of Amy S. Zabetakis, Esq. and Rucci, Burnham, Carta, & Carello, LLP on behalf of Javier & Barabara Kulesz filed on April 21, 2010 for a variance of Section 825d of the Darien Zoning Regulations, to allow the construction of additions; Section

825d: construction of additional living space at 13.2 in lieu of 14.0 feet minimum required floor elevation for the two story additions. The property is situated on the west side of the Lighthouse Way cul de sac approximately 900 feet south of the intersection of Boston Post Road and Lighthouse Way and is shown on Assessor's Map #53 as Lot #33, being 19 Lighthouse Way and located in an R-1/2 (residential) Zone.

**CALENDAR NO. 25-2010**

The application of Mark S. Lebow, PLS and William W. Seymour & Assoc., PC on behalf of and David & Kelly Wheeler filed on March 24, 2010 for an interpretation of Section 385 and variances of Sections 334 and 406 of the Darien Zoning Regulations; to allow the construction of a replacement two story dwelling and the installation of mechanical equipment; Section 385: a determination that the subject lot is a legal nonconforming building lot with 22,292 in lieu of 43,560 square feet minimum required lot size; Section 334: construction on a building lot with 110.5 in lieu of 150.0 feet minimum required lot width; and Section 406: 37.5 in lieu of 40.0 feet minimum required east front yard setback, 46.0 in lieu of 65.0 feet minimum required east front yard setback as measured from the centerline of Davis Lane, 62.0 in lieu of 65.0 feet minimum required north front yard setback as measured from the centerline of Davis Lane, and 25.0 in lieu of 40.0 feet minimum required west rear yard setback for the dwelling; and 25.9 in lieu of 40.0 feet minimum required west rear yard setback for the equipment. The property is situated on the south side of Davis Lane approximately 570 feet west of the intersection of Five Mile River Road and Davis Lane and is shown on Assessor's Map #67 as Lot #29, being 8 Davis Lane and located in an R-1 (residential) Zone.

**CALENDAR NO. 31-2010**

**TO BE OPENED & CONTINUED TO JUNE 16**

The application of Roger Bartels and Bartels-Pagliario Architects on behalf of Craig & Sally Henrich filed on April 21, 2010 for variances of Section 406 of the Darien Zoning Regulations, to allow the construction of second story raised roof additions; Section 406: 34.6 in lieu of 50.0 feet minimum required Three Wells Lane front yard setback; and 20.3 in lieu of 35.0 feet minimum required side yard setback. The property is situated on the east side of Brookside Road at the southeast corner formed by the intersection of Three Wells Lane and Brookside Road and is shown on Assessor's Map #4 as Lot #31, being 234 Brookside Road and located in an R-2 (residential) Zone.

**CALENDAR NO. 32-2010**

The application of Jacek Bigosinski and PB Architects on behalf of Michelle Handy filed on April 21, 2010 for variances of Section 406 of the Darien Zoning Regulations, to allow

the construction of covered lower entry, breakfast nook, bay window, and attic story additions; Section 406: 10.0 in lieu of 30.0 feet minimum required front yard setback for the breakfast nook; 12.4 in lieu of 30.0 feet minimum required front yard setback for the covered entry; 15.9 in lieu of 30.0 feet minimum required front yard setback for the attic addition; and 24.1 in lieu of 30.0 feet minimum required front yard setback for the bay window. The property is situated on the north side of Middlesex Road at the northeast corner formed by the intersection of Glenvale Avenue and Middlesex Road and is shown on Assessor's Map #27 as Lot #6, being 55 Middlesex Road and located in an R-1/3 (residential) Zone.

### OTHER BUSINESS

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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. 10 -2010, Samuel & Anthia Nickerson, 19 Lakeside Avenue.
3. 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.
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).