

REGULAR MEETING
AGENDA

Wednesday, July 21, 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.

CONTINUATION OF PUBLIC HEARING

Opened on June 16, 2010 and immediately continued to tonight, July 21, 2010 at the applicants' requests due to reconsideration of the proposal. Since no testimony, comment, or additional information was provided to the ZBA on June 16th, the seated ZBA panel for this request is those members present tonight. This hearing must be completed by tonight July 21, 2010 (within 35 days after its June 16th opening). Therefore, if the ZBA determines to continue this hearing further, the applicant may provide up to a 65 day extension allowing the ZBA to continue this hearing until no later than September 24, 2010 (up to 100 total days). The next ZBA meeting is scheduled for September 15, 2010. Or the ZBA may provide an advisory of the deficient information available to properly evaluate the proposal and Deny the application Without Prejudice.

CALENDAR NO. 33-2010

The application of Rich Cannale on behalf of Steve & Sue Pettit filed on May 19, 2010 for a variance of Section 406 of the Darien Zoning Regulations, to allow the construction of one story, two car garage addition; Section 406: 50.0 in lieu of 55.0 feet minimum required front yard setback as measured from the centerline of Belleval Street. The property is situated on the southeast corner formed by the

intersection of Belleval Street and Robinson Street and is shown on Assessor's Map #24 as Lot #32, being 2 Belleval Street and located in an R-1/3 (residential) Zone.

PUBLIC HEARINGS

CALENDAR NO. 41-2010

The application of Quirino Pinti filed on June 23, 2010 for a variance of Section 406 of the Darien Zoning Regulations, to allow the construction of a one story front porch addition; Section 406: 26.8 in lieu of 30.0 feet minimum required front yard setback. The property is situated on the south side of Holmes Avenue approximately 300 feet north south of the eastern intersection of Holmes Avenue and West Avenue and is shown on Assessor's Map #48 as Lot #111, being 72 Holmes Avenue and located in an R-1/3 (residential) Zone.

CALENDAR NO. 42-2010

The application of Chris Lionetti filed on June 23, 2010 for variances of Section 406 of the Darien Zoning Regulations, to allow the construction of second and two story additions; Section 406: 7.5 in lieu of 15.7 feet minimum required east side yard setback; 8.2 in lieu of 17.5 feet minimum required west side yard setback; 15.7 in lieu of 34.3 feet minimum required total of two side yards setback; and construction of additional building volume on a lot with 21.89 in lieu of 20.0% maximum allowable building coverage. The property is situated on the north side of Fairview Avenue at the intersection of Fairview Avenue and Academy Street and is shown on Assessor's Map #16 as Lot #38, being 31 Fairview Avenue and located in an R-1/3 (residential) Zone.

CALENDAR NO. 43-2010

The application of Oscar Guidoli on behalf of Jeff & Cathryn Nelson filed on June 23, 2010 for a variance of Section 825d6 of the Darien Zoning Regulations, to allow the existing basement to remain with substantial improvements to the residence structure; Section 825d6: maintenance of existing basement space at 11.25 in lieu of 15.0 feet minimum required floor elevation. The property is situated on the south side of Renshaw Road approximately 300 feet west of the intersection of Renshaw Road and Boston Post Road and is shown on Assessor's Map #41 as Lots #87 and 88, being 23 Renshaw Road and located in an R-1/3 (residential) Zone.

CALENDAR NO. 44-2010

The application of Lance E. Zimmerman, A.I.A. on behalf of Victoria Trepp filed on June 23, 2010 for a variance of Section 406 of the Darien Zoning Regulations, to allow the construction of first floor alterations and a second story addition; Section 406: 35.7 in lieu of 40.0 feet minimum required rear yard setback. The property is situated on the east side of Driftway Lane approximately 700 feet north of the intersection of Driftway Lane and Old Farm Road and is shown on Assessor's Map #66 as Lot #125, being 28 Driftway Lane and located in an R-1 (residential) Zone.

CALENDAR NO. 45-2010

POSTPONED TO SEPTEMBER 15th

The application of Bruce Vetti filed on June 23, 2010 for variances of Sections 406, 226 and 906.3 of the Darien Zoning Regulations, to allow the construction of second story and two story additions with the installation of a Bilco style door, HVAC equipment, and side facing garage parking spaces; Section 406: 23.3 in lieu of 30.0 feet minimum required front yard setback, 47.7 in lieu of 55.0 feet minimum required front yard setback as measured from the centerline of Wakemore Street, 3.1 in lieu of 10.6 feet minimum required west side yard setback, 14.4 in lieu of 21.9 feet minimum required east side yard setback, and 17.5 in lieu of 25.0 feet minimum required total of two side yards setback, for the additions; 7.1 in lieu of 10.6 feet minimum required west side yard setback for the Bilco Door; 19.0 in lieu of 21.9 feet minimum required east side yard setback for the HVAC equipment; and Sections 906.3 and 226: garage parking partially located within the side yard setback space with 14.4 in lieu of 24.0 feet minimum required on site backup for the parking spaces. The property is situated on the north side of Wakemore Street approximately 500 feet east of the intersection of Wakemore Street and Hoyt Street and is shown on Assessor's Map #8 as Lot #219, being 20 Wakemore Street and located in an R-1/3 (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 June 24, 2010, to obtain all required permits and begin on-site construction for ZBA Calendar No. 2-2010, John & Catherine Josef, 115 West Avenue. The Public Hearing of this matter was January 20, 2010. Initial ZBA approval expires on August 4, 2010.
3. Requested amendment to the approved plans of Calendar No. 4 -2010, Richard Sanislo, 29 Hazel Street.
4. Requested amendment to the approved plans and a stipulation of Calendar No. 25-2010, Robert Maslan and Maslan Associates on behalf of David & Kelly Wheeler, 8 Davis Lane. Discussion, deliberation and possible authorization for Town Attorney John Louizos and Planning and Zoning Director Jeremy Ginsberg to settle the pending litigation of the appeal of the ZBA decision of Calendar No. 25-2010 regarding 8 Davis Lane.
5. Staff request to clarify details of the approved plans of Calendar No. 10 - 2010 and Calendar No. 40-2010, Sam & Anthia Nickerson, 19 Lakeside Avenue.
6. Requested six month extension, received July 16, 2010, to obtain all required permits and begin on-site construction for ZBA Calendar No. 30-2009, Christian Zawacki & Ann Marie Paturno, 7 Mansfield Place. The Public Hearing of this matter was July 15, 2009. Initial ZBA approval would have expired on January 30, 2010. Following a November 10, 2009 request, on November 18, 2009 the ZBA granted a six month extension to July 30, 2010.
7. Approval of Minutes of meeting on April 21, 2010. ZBA members attending this meeting were Vic Capellupo, Al Tibbetts, Jeff Williams, John Ashburne, and Ruth Anne Ramsey.
8. Approval of Minutes of meeting on April 28, 2010. ZBA members attending this meeting were Vic Capellupo, Al Tibbetts, Jeff Williams, Gary Greene, John Ashburne, and Anthony Simari.

9. Approval of Minutes of meeting on May 19, 2010. ZBA members attending this meeting were Vic Capellupo, Gary Greene, Jeff Williams, John Ashburne, and Chuck Deluca.
10. Approval of Minutes of meeting on May 26, 2010. ZBA members attending this meeting were Vic Capellupo, Gary Greene, Jeff Williams, John Ashburne, and Anthony Simari.
11. 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.
12. 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).