

**REGULAR MEETING  
AGENDA**

Wednesday, March 23, 2005 7:45 P.M.  
Public Meeting Room 206  
Darien Town Hall, 2 Renshaw Road  
Darien, Connecticut

**APPROVAL OF MINUTES**

1. **Minutes of decisions from October 27, 2004** (seated ZBA members for these decisions were Dick Sanford, Vic Capellupo, Al Tibbetts, Gary Greene, and Jeff Williams).
  
2. **Minutes of decisions from February 16, 2005** (seated ZBA members for these decisions were Dick Sanford, Vic Capellupo, Al Tibbetts, Wayne Becker, and Everett Drugge).

**CONTINUATION OF PUBLIC HEARINGS**

**CALENDAR NO. 3-2005**

Opened on February 3, 2005 and continued (with verbal authorization of the applicant). The applicant has provided written authorization allowing the ZBA to continue this hearing to tonight March 23, 2005. The seated ZBA members for this request are Dick Sanford, Gary Greene, and Wayne Becker. Vic Capellupo and Al Tibbetts have reviewed the application materials, the tape recording of the February 3<sup>rd</sup> segment of the hearing, and the submitted documents in order to be fully informed of this request. If the ZBA determines to continue this hearing further the applicant would have to provide an additional extension (up to 100 total days) allowing the ZBA to continue this hearing until April 20, 2005 (the next scheduled meeting).

The application of Gleason, Hill & Ambrette, LLC on behalf of Dolman Properties LLP and First County Bank filed on December 22, 2004 for variations of Sections 226, 655, 904 and 923 of the Darien Zoning Regulations to allow the construction of a one-story bank with parking and wall signs. Section 226: 18.0 in lieu of 20.0 feet minimum required parking space depth; Section 655: 10.0 in lieu

of 25.0 minimum side yard setbacks for parking access; Section 904: 20 in lieu of 30 minimum required parking spaces; and Section 923: 2 in lieu of 1 maximum wall sign; and 44.5 in lieu of 10 inches maximum figure height for the bank logo on the wall sign. The property is situated on the east side of Boston Post Road at the intersection of Grove Street and Boston Post Road and is shown on Tax Assessor's Map #72 as Lot #10, being 1006, 1010, and 1012 Boston Post Road and located in the CBD (commercial) Zone.

**CALENDAR NO. 6-2005 TO BE CONTINUED TO APRIL 20, 2005**

Opened on February 16, 2005 and continued to tonight, March 23, 2005. Due to outstanding questions, the applicant has provided written authorization allowing the ZBA to continue this hearing April 20, 2005. The seated ZBA members for this request are Dick Sanford, Vic Capellupo, Al Tibbetts, Wayne Becker, and Everett Drugge.

The application of William W. Seymour & Assoc. P.C. on behalf of Pamela A. Makszin filed on January 19, 2005 for an interpretation of Section 385 and variations of Sections 334, 406, and 906.3a of the Darien Zoning Regulations to allow the construction of a replacement two story dwelling with front steps and parking area; and to allow the existing shed to remain. Section 385: a determination that the subject lot is a legal nonconforming building lot with 7,891 in lieu of 43,560 square feet minimum required lot size; Section 334: construction on a building lot with 75.4 in lieu of 150.0 feet minimum required lot width, and 108.0 in lieu of 150.0 feet minimum required lot depth; Section 406: 56.0 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Pear Tree Point Road, and 18.0 in lieu of 40.0 feet minimum required rear yard setback for the dwelling; 52.0 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Pear Tree Point Road for the front steps; 4.8 in lieu of 25.0 feet minimum required side yard setback, and 7.1 in lieu of 40.0 feet minimum required rear yard setback for the shed; and Section 906.3a: the development of required off-street parking 2.0 in lieu of 25.0 feet minimum required side yard setback. The property is situated on the west side of Pear Tree Point Road approximately 500 feet south of the north intersection of Pear Tree Point Road and Long Neck Point Road and is shown on Tax Assessor's Map #60 as Lot #55, being 35 Pear Tree Point Road and located in an R-1 (residential) Zone.

## **PUBLIC HEARINGS**

### **CALENDAR NO. 94-2004**

The application of Robert F. Maslan, Jr. Esq. on behalf of Denis Manelski and Jennifer Manelski filed on November 17, 2004 for interpretations of Sections 210, and 385; and variations of Sections 334, 406, and 906.3a of the Darien Zoning Regulations to allow the construction of a two and one-half story replacement residence with, one story porches, a side entry landing and steps, mechanical equipment, and an attached one story garage. Section 210: an interpretation that the east and west property lines are side lot lines; Section 385: a determination that the subject lot is a legal nonconforming building lot with 39,640 in lieu of 43,560 square feet minimum required lot size; Section 334: construction on a portion of the lot with 114.9 in lieu of 150.0 feet minimum required lot width; Section 406: 28.8 in lieu of 40.0 feet minimum required west rear yard setback for the replacement residence; 27.1 in lieu of 40.0 feet minimum required east rear yard setback for the replacement residence; 28.8 in lieu of 40.0 feet minimum required west rear yard setback and 25.0 in lieu of 40.0 feet minimum required east rear yard setback for the porches; 25.5 in lieu of 40.0 feet minimum required west rear yard setback for the side entry landing and steps; 26.6 in lieu of 40.0 feet minimum required west rear yard setback for the mechanical equipment; 25.1 in lieu of 40.0 feet minimum required west rear yard setback for the replacement garage; and Section 906.3a: the development of required off-street parking within required yard spaces. The property is situated on the south side of Pratt Island approximately 1,150 feet southeast of the intersection of Nearwater Lane and Baywater Drive and is shown on Tax Assessor's Map #55 as Lots #121 and 122, being 11 Pratt Island and located in an R-1 (residential) Zone.

### **CALENDAR NO. 10-2005**

The application of Robert F. Maslan, Jr. on behalf of John W. Faucett filed on January 19, 2005 for an interpretation of ZBA Calendar No. 6-1948 to allow the existing two family residence to remain. The property is situated on the north side of Camp Avenue approximately 160 feet west of the intersection of Greenwood Avenue and Camp Avenue and is shown on Tax Assessor's Map #8 as Lot #138, being 6 Camp Avenue and located in an R-1/3 (residential) Zone.

### **CALENDAR NO. 13-2005**

**WITHDRAWN MARCH 21, 2005**

The application of Peter L. Anker filed on February 16, 2005 for a variation of Section 406 of the Darien Zoning Regulations to allow the construction of a one story conservatory addition. Section 406: 33.3 in lieu of 50.0 feet minimum required rear yard setback. The property is situated on the north side of the Tower Drive cul-de-sac approximately 1000 feet east of the intersection of Tower Drive and Mansfield Avenue and is shown on Tax Assessor's Map #1 as Lot #128, being 37 Tower Drive and located in an R-2 (residential) Zone.

**CALENDAR NO. 14-2005**                      **POSTPONED TO APRIL 20, 2005**

The application of Brian Osgood filed on February 16, 2005 for a variation of Section 406 of the Darien Zoning Regulations to allow the construction of a one story covered porch addition. Section 406: 45.0 in lieu of 50.0 feet minimum required front yard setback and 65.0 in lieu of 75.0 feet minimum required front yard setback as measured from the centerline of Hanson Road. The property is situated on the south side of Hanson Road at the southwest corner formed by the intersection of Hanson Road and Linda Lane and is shown on Tax Assessor's Map #9 as Lot #104, being 100 Hanson Road and located in an R-2 (residential) Zone.

**CALENDAR NO. 15-2005**

The application of Mary & Phillip Hamilton filed on February 16, 2005 for variations of Section 406 of the Darien Zoning Regulations to allow the construction of a one story addition. Section 406: 26.8 in lieu of 40.0 feet minimum required front yard setback and 35.3 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Raymond Heights. The property is situated on the west side of Raymond Heights approximately 500 feet northwest of the intersection of Raymond Heights and Raymond Street and is shown on Tax Assessor's Map #36 as Lots #91 and 92, being 19 Raymond Heights and located in an R-1/2 (residential) Zone.

**CALENDAR NO. 16-2005**

The application of Daniel Dolcetti on behalf of Dolman Properties LLP filed on February 16, 2005 for variations of Sections 655 and 904 of the Darien Zoning Regulations to allow the construction of a handicap ramp, and use of existing

parking to support a proposed office. Section 655: 1.5 in lieu of 20.0 feet minimum required rear yard setback; and Section 904: 1 in lieu of 7 minimum required parking spaces. The property is situated on the northwest side of Grove Street approximately 100 feet southwest of the intersection of Grove Street and Brook Street and is shown on Tax Assessor's Map #73 as Lot #20, being 22 Grove Street and located in the CBD (commercial) Zone.

## **GENERAL MEETING**

**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 legal 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.
2. General discussion of Application Materials.
3. Any other business (requires 2/3 vote of members present and voting).