

**REGULAR MEETING**  
**AGENDA**

Wednesday, January 20, 2016 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. 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 HEARINGS**

Opened on November 18, 2015, continued to December 16, 2015, reopened on December 16, 2015, and recontinued without testimony to tonight January 20, 2016. The previously seated ZBA members for this request are Vic Capellupo, Mike Nedder, Jeff Williams, Rich Wood and Kevin Fullington. Gary Greene has also reviewed some of the application materials and submitted documents in order to be informed of this request and be

available to possibly sit on this application if the hearing gets continued further or the deliberation is continued to a later date. This hearing must be completed by tonight. However if the ZBA determines to continue this hearing further, the applicant may provide an additional extension allowing the ZBA to continue this hearing until no later than February 26, 2016 (up to 100 total days from its November 18<sup>th</sup> opening). The next scheduled regular ZBA meetings are January 27, 2016 and February 24, 2016.

**CALENDAR NO. 54-2015**

The application of Wilder G. Gleason, Esq. and Gleason & Associates LLC on behalf of Job & Ingebord Sandberg, owner, and Justin Scott, contract purchaser, submitted on October 21, 2015 for variances of Section 406 of the Darien Zoning Regulations; to allow the lifting of the existing residence, with additions, approximately 7’; and to allow the lifting of the existing shed approximately 8’ with conversion of the structure to a habitable home office and poolhouse; Section 406: 2.8 in lieu of 25.0 feet minimum required north side yard setback, 30.1 in lieu of 40.0 feet minimum required front yard setback, and 47.3 in lieu of 65.0 front yard setback as measured from the centerline of Pear Tree Point Road for the residence; and -3.1 in lieu of 25.0 feet minimum required north side yard setback for the shed/office/poolhouse. The property is situated on the west side of Pear Tree Point Road approximately 900 feet south of the northerly intersection with Long Neck Point Road and is shown on Assessor’s Map #60 as Lot #51, being 47 Pear Tree Point Road and located in an R-1 (residential) Zone.

**CALENDAR NO. 53-2015**

**TO BE RECONTINUED TO FEBRUARY 24, 2016**

The application of Jeffrey McDougal and William W. Seymour & Assoc. on behalf of ERI Building & Design, LLC, and Devin & Michael Conroy, owner, submitted on October 20, 2015 for variances of Section 406 of the Darien Zoning Regulations; to allow the installation of AC equipment and the construction of front steps, side steps, front porch, second story, two story, and garage/deck additions; Section 406: 16.4 in lieu of 30.0 feet minimum required front yard setback and 40.8 in lieu of 55.0 feet minimum required front yard setback as measured from the centerline of Wakemore Street; 2.5 in lieu of 10.0 feet minimum required west side yard setback; 15.8 in lieu of 22.5 feet minimum required east side yard setback; and 18.3 in lieu of 25.0 feet minimum required total of two side yards setback. The property is situated on the north side of Wakemore Street approximately 450 feet east of the intersection with 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.

**CALENDAR NO. 55-2015**

**TO BE REOPENED AND RECONTINUED TO  
JANUARY 27, 2016**

The application of Robert Brown submitted on November 18, 2015 for variances of Section 406 of the Darien Zoning Regulations; to allow the reconstruction of the kitchen roof, the

construction of a second story addition and a covered front porch; Section 406: 14.9 in lieu of 30.0 feet minimum required front yard setback and 39.9 in lieu of 55.0 feet minimum required front yard setback as measured from the centerline of Anthony Lane for the kitchen reconstruction; 19.3 in lieu of 30.0 feet minimum required front yard setback and 44.3 in lieu of 55.0 feet minimum required front yard setback as measured from the centerline of Anthony Lane for the second story addition; and 22.7 in lieu of 30.0 feet minimum required front yard setback and 47.7 in lieu of 55.0 feet minimum required front yard setback as measured from the centerline of Anthony Lane for the covered porch. The property is situated on the southwest corner of the intersection formed by Anthony Lane and Hillside Avenue and is shown on Assessor's Map #47 as Lot #45, being 39 Hillside Avenue and located in an R-1/3 (residential) Zone.

## **PUBLIC HEARINGS**

### **CALENDAR NO. 56-2015**

The application of Bruce Hill, Law Office of Bruce Hill, LLC and Jon Roos - Dodaro Architects on behalf of Marisa Perkins submitted on November 18, 2015 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of a covered front porch and the enclosure of a breezeway; Section 406: 59.2 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Conant Place for the front porch; 33.2 in lieu of 40.0 feet minimum required front yard setback and 48.2 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Conant Place for the breezeway. The property is situated on the east side of Conant Place at the four road intersection of Conant Place, Salem Straits, Peabody Lane and Candlewood Lane and is shown on Assessor's Map #62 as Lots #72 & 73, being 5 Conant Place and located in an R-1 (residential) Zone.

### **CALENDAR NO. 01-2016**

The application of Robert Sanders, AIA and Rob Sanders Arch on behalf of Nancy W. Heitz submitted on December 10, 2015 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of a detached, one-story, two car garage; Section 406: 4.0 in lieu of 15.0 feet minimum required side yard setback in the R-1/2 Zone and 4.0 in lieu of 25.0 feet minimum required side yard setback in the R-1 Zone. The property is situated on the south side of Woodland Drive approximately 120 feet east of the intersection with Outlook Drive and is shown on Assessor's Map #52 as Lot #31, being 4 Woodland Drive and located in an R-1/2 and R-1 (residential) Zone.

**CALENDAR NO. 03-2016**

**POSTPONED TO JANUARY 27, 2016**

The application of Philip Hubbard, AIA, PH Architects, LLC and Beacon Development, LLC on behalf of Secure Residential, LLC submitted on December 21, 2015 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of a new covered front entry and stairs, attic story dormers, roof reconstruction, a two story rear addition, and the installation of AC equipment; Section 406: 19.8 in lieu of 30.0 feet minimum required front yard setback and 44.8 in lieu of 55.0 feet minimum required front yard setback as measured from the centerline of Park Place for the covered entry and stairs; 28.7 in lieu of 30.0 feet minimum required front yard setback, 13.2 in lieu of 14.7 feet minimum required west side yard setback and 17.3 in lieu of 18.7 feet minimum required east side yard setback for the attic story dormers; 6.3 in lieu of 14.7 feet minimum required west side yard setback, 10.3 in lieu of 18.7 feet minimum required east side yard setback, and 16.6 in lieu of 25.0 feet minimum required total of two side yard setbacks for the roof reconstruction; 10.5 in lieu of 14.7 feet minimum required west side yard setback and 15.5 in lieu of 18.7 feet minimum required east side yard setback for the two story rear addition; and 13.2 in lieu of 14.7 feet minimum required west side yard setback for the AC equipment. The property is situated on the south side of Park Place approximately 430 feet east of the intersection with Noroton Avenue and is shown on Assessor's Map #42 as Lot #78, being 18 Park Place and located in an R-1/3 (residential) Zone.

**CALENDAR NO. 07-2016**

**POSTPONED TO JANUARY 27, 2016**

The application of Douglas DiVesta, PE and DiVesta Civil Engineering Associates, Inc. on behalf of Everett Schenk submitted on December 23, 2015 for a determination under Section 385 and a variance of Section 334 of the Darien Zoning Regulations; to allow the construction of a replacement two story house; Section 385: a determination that the subject lot is a legal nonconforming building lot with 61,896 square feet (1.42 acres) in lieu of 87,120 square feet (2.0 acres) minimum required lot size and with a variable lot width, and can be properly developed with adequate related site improvements; and Section 334: construction on a portion of the lot with 161.72 in lieu of 200.0 feet minimum required lot width. The property is situated on the east side of Salisbury Road approximately 450 feet southeast of the intersection with Pembroke Road and is shown on Assessor's Map #1 as Lot #101, being 19 Salisbury Road and located in an R-2 (residential) Zone.

**DELIBERATIONS AND DECISIONS**

Discussion, deliberation and possible decisions for Public Hearing request items listed above. Four affirmative votes out of the five seated ZBA members are required to approve a proposal. Decisions are made after the ZBA members review the public hearing comments, submitted plans and other application materials, and carefully consider possible stipulations to ensure the best possible project fit among the neighboring

properties. If complications arise ZBA deliberation of the requests may be postponed or continued to a later meeting date.

## **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. Requested three month extension, received November 25, 2015 to obtain all required permits and begin on-site construction for ZBA Calendar No. 26-2015, Tucker & Meredith Martin, 89 Leroy Avenue. The Public Hearing of this matter was May 20, 2015. Initial ZBA approval would have expired on November 29, 2015.
2. Requested amendment to the approved plans of Calendar No. 38-2015, Paul Harris and Cole Harris Associates on behalf of 14 Clocks Lane LLC, 14 Clocks Lane.
3. Requested extension, received November 19, 2015 to obtain all required permits and begin on-site construction, and requested amendment, to the approved plans received December 14, 2015, for ZBA Calendar No. 24-2015, Timothy & Lauren Stisser, 334 Hollow Tree Ridge Road. The Public Hearing of this matter was May 13, 2015. Initial ZBA approval would have expired on November 22, 2015.
4. Approval of Minutes of meeting on October 14, 2015. ZBA members attending this meeting were Chuck Deluca, Gary Greene, Vic Capellupo, Mike Nedder, and Kevin Fullington.
5. Approval of Minutes of meeting on November 18, 2015. ZBA members attending this meeting were Vic Capellupo, Rich Wood, Jeff Williams, Mike Nedder and Kevin Fullington.
6. 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.
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).

## **ADJOURNMENT**