

TOWN OF DARIEN  
ZONING BOARD OF APPEALS



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MAY 27 2016  
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TOWN CLERK'S OFFICE  
DARIEN CT.

SPECIAL MEETING  
AGENDA

Wednesday, June 1, 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.

CONTINUATION OF PUBLIC HEARING

CALENDAR NO. 18-2016

Opened on May 18, 2016 and continued to tonight, June 1, 2016. The previously seated ZBA members for this request are Vic Capellupo, Mike Nedder, Chuck Deluca, Ruth

Anne Ramsey, and Rich Wood. This hearing must be concluded by June 22<sup>nd</sup> (within 35 days after its May 18<sup>th</sup> opening). The next scheduled ZBA meeting is June 15, 2016.

The application of Patrick & Lucille Ventker submitted on April 20, 2016 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of a second story addition; Section 406: 19.8 in lieu of 40.0 feet minimum required front yard setback and 39.8 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Locust Hill Road. The property is situated on the north side of Locust Hill Road approximately 300 feet west of the intersection with Settler's Trail and shown on Assessor's Map #38 as Lot #22, being 33 Locust Hill Road and located in an R-1/2 (residential) Zone.

## PUBLIC HEARING

### CALENDAR NO. 15-2016

The application of Robert F. Maslan, Jr., Esq. and Maslan Associates PC on behalf of Baywater 1340 BPR, LLC for Shake Shack submitted on April 15, 2016 for variances of Sections 926 and 923 of the Darien Zoning Regulations; to allow the installation of signs; Section 926: two in lieu of one maximum "wall" sign; 50.01 in lieu of 16.67 square feet maximum wall sign area; internal LED illumination of two burger logos/symbols with exposed side and front light strips which is not permitted; and Section 923: installation of one sign on the side of the building which does not abutt a street where none are permitted; installation of one sign on a trellis structure in lieu of a wall and projecting 10'-6" in lieu of 12" maximum from the wall; installation of a front wall sign with 22" in lieu of 10" maximum letters and logo/symbol height; installation of a southwest right side sign on a trellis structure with 15" in lieu of 10" maximum letters and logo/symbol height. The property is situated on the east side of the Boston Post Road approximately 225 feet north of the intersection with Thorndal Circle and is shown on Assessor's Map #63 as Lot #s 7, 8, 9, 24, 25 & 26, being 1340 Boston Post Road and located in the SB (Service Business - commercial) and R-1/3 (residential) Zones.

## 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. Approval of Minutes of meeting on March 23, 2016. ZBA members attending this meeting were Jeff Williams, Vic Capellupo, Gary Greene, Mike Nedder, and Rich Wood.
2. Approval of Minutes of meeting on April 20, 2016. ZBA members attending this meeting were Vic Capellupo, Gary Greene, Mike Nedder, Chuck Deluca, and Rich Wood.
3. Review of possible Resolution regarding timetable of ARB and ZBA projects review.
4. Review of possible Resolution regarding staff meeting with applicants prior to application submittal.
5. Possible special meeting with Assistant Town Attorney John Louizos regarding ZBA procedures and policies.
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.

**No additional business can be added to a Special Meeting agenda.**

## ADJOURN