

**REGULAR MEETING**  
**AGENDA**

Wednesday, June 12, 2019    7:00 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.

**POSTPONEMENTS AND CONTINUATIONS**

Changes to the meeting agenda may occur after posting and would be announced at the beginning of the meeting.

## **PUBLIC HEARINGS**

### **CALENDAR NO. 9-2019**

The application of Stephen Shapiro on behalf of Miller River Financial LLC submitted on April 12, 2019 for a variance of Section 406 of the Darien Zoning Regulations, to allow the construction of a one story covered porch; Section 406: 23.0 in lieu of 25.0 feet minimum required front yard setback. The property is situated on the east side of Charles Street approximately 75 feet south of the intersection with Henry Street and is shown on Assessor's Map #23 as Lot #59, being 18 Charles Street and located in an R-1/5 (residential) Zone.

### **CALENDAR NO. 12-2019**

The application of Stephen Jones and Hatley Homes Design on behalf of Mary & Philip Hamilton submitted on May 15, 2019 for variances of Section 406 of the Darien Zoning Regulations, to allow an amendment of previously approved plans and the construction of second story dormers, a one story covered front entry, and a replacement chimney; Section 406: 11.4 in lieu of 15.0 feet minimum required side yard setback for the dormers; 25.4 in lieu of 40.0 feet minimum required front yard setback and 33.9 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Raymond Heights for the covered entry; and 25.8 in lieu of 40.0 feet minimum required front yard setback and 34.3 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Raymond Heights for the chimney. The property is situated on the west side of Raymond Heights approximately 550 feet northwest of the intersection with Raymond Street and is shown on Assessor's Map #36 as Lots #91 and #92, being 19 Raymond Heights and located in an R-1/2 (residential) Zone.

### **CALENDAR NO. 13-2019**

The application of Michael P. Murray, Esq. on behalf of Kevin M. & Jeanne-Noel T. Roche submitted on May 15, 2019 for variances of Sections 384 and 406 of the Darien Zoning Regulations, to allow the construction of second story additions; Section 384: the construction of additional building volume on a lot with 22.4 in lieu of 20.0% maximum allowable building coverage; and Section 406: 28.0 in lieu of 40.0 feet minimum required front yard setback, and 18.9 in lieu of 25.0 feet minimum required rear yard setback. The property is situated on the south side of Oak Crest approximately 200 feet east of the intersection of Mansfield Avenue and is shown on Assessor's Map #15 as Lot #110, being 4 Oak Crest and located in an R-1/2 (residential) Zone.

### **CALENDAR NO. 14-2019**

The application of Jim Kousidis and Kousidis Engineering, LLC on behalf of Christopher B. & Leticia M. Emme submitted on May 15, 2019 for variances of Section 406 of the Darien Zoning Regulations, to allow the construction of a replacement two and one-half story

residence with a covered front porch; Section 406: 25.1 in lieu of 40.0 feet minimum required front yard setback for the residence, and 20.3 in lieu of 40.0 feet minimum required front yard setback for the porch. The property is situated on the south side of Sunswyck Road approximately 500 feet east of the intersection of Goodwives River Road and is shown on Assessor's Map #62 as Lot #33, being 13 Sunswyck Road and located in an R-1 (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. Approval of Minutes of meeting on April 24, 2019. ZBA members attending this meeting were Mike Nedder, Chuck Deluca, Jeff Williams, Vic Capellupo, Gary Greene, Ruth Anne Ramsey, Barb Hazelton, and Dan Nalawade.
2. Approval of Minutes of meeting on May 21, 2019. ZBA members attending this meeting were Mike Nedder, Chuck Deluca, Jeff Williams, Vic Capellupo, and Gary Greene.
3. Possible policy regarding applicant contacts to ZBA members.
4. Possible policy regarding correction of violations, encroachments and unpermitted structures.
5. Possible issues for Bylaws and Policies subcommittee to consider.
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**

ZBA/06.12.2019agn