

TOWN OF DARIEN  
ZONING BOARD OF APPEALS



RECEIVED

SEP 22 2022

TOWN CLERK'S OFFICE  
DARIEN CT.

REGULAR MEETING  
AGENDA

Wednesday, September 28, 2022 7:30 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

The following application was previously scheduled for a Public Hearing tonight. However, additional research of the property circumstances is necessary. Therefore, this

hearing has been postponed, tentatively to the November 16 meeting.

**CALENDAR NO. 14-2022** The application of Beatriz M. DeSantiz and BM Design LLC on behalf of Elvis Robles – Crypto Life LLC submitted on August 24, 2022 for variances of Sections 402 and 382 of the Darien Zoning Regulations, to allow the construction of one story, second story and attic story additions; Section 402a: two in lieu of one single family dwelling on its own lot; and Section 382: enlargement of a non-conforming, two residence use of the property. The property is situated on the west side of Herman Avenue at the intersection of Edgewood Road and is shown on Assessor’s Map #20 as Lot #111, being 35 Herman Avenue and located in an R-1/3 (residential) Zone.

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

### **PUBLIC HEARINGS**

**CALENDAR NO. 12-2022** The application of Mathew Albertelli submitted on August 15, 2022 for a variance of Section 406 of the Darien Zoning Regulations, to allow the construction of a replacement detached accessory garage structure with a storage shelf; Section 406f: 18.9’ in lieu of 15.0’ maximum allowable accessory structure ridge height. The property is situated on the west side of Chester Road approximately 400 feet south of Devon Road and is shown on Assessor’s Map #24 as Lot #54, being 20 Chester Road and located in an R-1/3 (residential) Zone.

**CALENDAR NO. 13-2022** The application of Amy Zabetakis on behalf of William & Claire Munger submitted on August 23, 2022 for a variance of Section 406 of the Darien Zoning Regulations, to allow the construction of a one story covered porch addition; Section 406: 27.5 in lieu of 40.0 feet minimum required front yard setback. The property is situated on the east side of Hillcrest Avenue at the intersection of Middlesex Road and is shown on Assessor’s Map #27 as Lot #51, being 29 Hillcrest Avenue and located in an R-1/2 (residential) Zone.

**CALENDAR NO. 16-2022** The application of Wilder G. Gleason and Gleason & Associates LLC on behalf of 8 Pratt LLC, William Hausberg, member submitted on August 25, 2022 for variances of Section 406 of the Darien Zoning Regulations, to allow the construction of a replacement two story residence with mechanical equipment; Section 406: 28.0 in lieu of 40.0 feet minimum required southeast rear yard setback for the residence; and 25.0 in lieu of 40.0 feet minimum required south rear yard setback for the equipment. The property is situated on the west side of Pratt Island approximately 1,100 feet southeast of the intersection of Baywater Drive and is shown on Assessor’s Map #55 as Lot #116 , being 8 Pratt Island 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 July 20, 2022. ZBA members attending this meeting were Jeff Williams, Kevin Fullington, Matt Lauria, Dan Nalawade, and Barb Hazelton.
2. Report of Committee researching possible policy regarding historic preservation considerations with the evaluation of variance requests.
3. Possible scheduling of meeting with Town Counsel Wayne Fox to consider recent case law and ZBA evaluation criteria.
4. 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**