

TOWN OF DARIEN  
ZONING BOARD OF APPEALS

RECEIVED

JUL 13 2022

TOWN CLERK'S OFFICE  
DARIEN CT.



REGULAR MEETING  
AGENDA

Wednesday, July 20, 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

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

**The Public Hearing of the following application has been postponed to September 21, 2022.**

**CALENDAR NO. 7-2022** The application of Christian LaVigna on behalf of Geddes & Julia Johnson submitted on June 14, 2022 for variances of Section 406 of the Darien Zoning Regulations, to allow the construction of second story and two story additions and garage doors roof cover; Section 406: 28.2 in lieu of 40.0 feet minimum required rear yard setback for the additions; and 26.1 in lieu of 40.0 feet minimum required rear yard setback for the garage roof cover. The property is situated on the south side of Canoe Trail at the intersection of Tokeneke Trail and is shown on Assessor's Map #70 as Lot #51, being 3 Canoe Trail and located in an R-1 (residential) Zone.

**PUBLIC HEARINGS**

**CALENDAR NO. 6-2022** The application of Mark Maidique on behalf of Janet Resino submitted on June 13, 2022 for variances of Sections 402 and 382 of the Darien Zoning Regulations, to allow the construction of one and two 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 north side of West Avenue approximately 600 feet west of the intersection of Leroy Avenue and is shown on Assessor's Map #18 as Lot #5, being 80 West Avenue and located in an R-1/2 (residential) Zone.

**CALENDAR NO. 8-2022** The application of Gleason & Associates on behalf of Damian Ridealgh and Erin Moennich submitted on June 16, 2022 for a variance of Section 406 of the Darien Zoning Regulations, to allow the construction of a two story addition; Section 406: 36.9 in lieu of 30.0 feet maximum allowable height. The property is situated on the south side of Tokeneke Trail approximately 1300 feet southwest of Runkenhage Road and is shown on Assessor's Map #69 as Lot #39, being 25 Tokeneke Trail and located in an R-1 (residential) Zone.

**CALENDAR NO. 9-2022** The application of Gleason & Associates on behalf of Charles & Kristin Collier submitted on June 16, 2022 for variances of Section 406 of the Darien Zoning Regulations, to allow the installation of mechanical equipment and the construction of an attic dormer deck addition; Section 406: 55.9 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Pear Tree Point Road for the equipment; and 4.5 in lieu of 40.0 feet minimum required rear yard setback for the addition. The property is situated on the west side of Pear Tree Point Road approximately 1000 feet south of the intersection of Long Neck Point Road and is shown on Assessor's Map #60 as Lot #50, being 65 Pear Tree Point 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 March 16, 2022. ZBA members attending this meeting were Mike Nedder, Jeff Williams, Kevin Fullington, Gary Greene, and Barb Hazelton.
2. Approval of Minutes of meeting on May 18, 2022. ZBA members attending this meeting were Mike Nedder, Kevin Fullington, Matt Lauria, Dan Nalawade and Barb Hazelton.
3. Election of Officers.
4. Approval of 2023 Meeting Schedule.
5. Report of Committee researching possible policy regarding historic preservation considerations with the evaluation of variance requests.
6. Possible scheduling of meeting with Town Counsel Wayne Fox to consider recent case law and ZBA evaluation criteria.
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**