

**SUMMARY MEETING MINUTES**  
**DARIEN ZONING BOARD OF APPEALS (ZBA)**  
**January 15, 2014**

**REGULAR MEETING**

Darien Town Hall - Room 206 – 7:49 to 9:17 PM

ZBA members present: Jeff Williams, Gary Greene, Vic Capellupo, Rich Wood, and  
Ruth Anne Ramsey

Staff Present: Code Compliance Officer Robert Woodside and Recorder Judy Fazekas

**OPENING**

ZBA Vice-Chair Jeff Williams opened the meeting at 7:49 PM. He requested cooperation and explained several procedural steps that would be used to conduct the meeting following the posted Agenda.

**CONTINUATION OF PUBLIC HEARING**

The following hearing was continued from the November 13, 2013 and December 11, 2013 meetings with various plans and submitted application materials reviewed, possible correspondence and public comment considered, questions asked, and comments made by the ZBA members and Staff:

**CALENDAR NO. 56-2013** - The application of William I. Haslun, II, Esq., and Ivey, Barnum & O'Mara, LLC on behalf of PR Partnership, LLC doing business as Giovanni's - Water's Edge submitted on August 14, 2013 for variances of Sections 381-387, 406, 904 and 927 of the Darien Zoning Regulations; to allow the construction of a one and one half story entry canopy addition, modification of the front dropoff, parking, and landscape areas, and the installation of signage; Sections 381-387: enlargement of a non-conforming building and intensification of a non-conforming use; Section 406: 8.9 in lieu of 30.0 feet minimum required front yard setback and 21.2 in lieu of 20.0% maximum allowable coverage; Section 904: expansion of gross floor area with a possible reduction from the approximately 33 valid parking spaces on a property with deficient existing parking quantity; and Section 927: installation of commercial use ground signage in a residential zone. The property is situated on the south side of the Boston Post Road opposite the intersection of Brookside Drive and is shown on Assessor's Map #54 as Lot #35, being 2748 Boston Post Road and located in an R-1/3 (residential) Zone.

Attorney Chip Haslun and Architect Josef Soltaj answered various questions and explained the proposal and modifications depicted on the submitted supplemental

plans and described the application materials. State Department of Transportation bridge design representative Joe Scalise spoke regarding various aspects of the application. Traffic Consultant Michael Galante spoke regarding various aspects of the application.

The ZBA determined that additional clarification of the project circumstances was necessary. The Public Hearing was then continued to the next ZBA meeting on February 12, 2104 in the Auditorium.

## **PUBLIC HEARINGS**

The following hearings were held with various plans and submitted application materials reviewed, possible correspondence and public comment considered, questions asked, and comments made by the ZBA members and Staff:

**CALENDAR NO. 1-2014** - The application of Louann M. Heft and Arbonies King Vlokk PC on behalf of Atwood & Cynthia Collins submitted on December 16, 2013 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of a covered front entry, the construction of a bay window, and the installation of a generator; Section 406: 51.8 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Edgehill Drive for the covered front entry; 22.9 in lieu of 40.0 feet minimum required front yard setback and 33.0 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Edgehill Drive for the bay window; 12.6 in lieu of 40.0 feet minimum required front yard setback, 22.6 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Edgehill Drive, and 10.0 in lieu of 40.0 feet minimum required rear yard setback for the generator; and 26.2 in lieu of 20.0% maximum allowable buildable coverage. The property is situated on the north side of Edgehill Drive approximately 250 east of the intersection with Searles Road and is shown on Assessor's Map #67 as Lot #43, being 12 Edgehill Drive and located in an R-1 (residential) Zone.

ZBA Staff noted that the neighbor notification mailings were improperly done too early. Therefore Jeff Williams announced that the hearing of this matter will be postponed to the February 12, 2014 meeting.

**CALENDAR NO. 2-2014** - The application of Amy Zabetakis, Esq. and Rucci Law Group, LLC on behalf of Julio and Amy Serrano submitted on December 16, 2013 for a variance of Section 406 of the Darien Zoning Regulations; to allow the construction of an enlarged garage and a second story addition; Section 406: 13.0 in lieu of 30.0 minimum feet required Concord Lane front yard setback. The property is situated on the northeast corner of the intersection of Hampton Road and Concord Lane and is shown on Assessor's Map #46 as Lot #22, being 8 Hampton Road and located in an R-1/3 (residential) Zone.

Attorney Amy Zabetakis, Julio Serrano and Architect Michael Lobuglio answered various questions and explained the proposal depicted on the submitted plans and described in the application materials. The ZBA determined that additional clarification of the project circumstances was necessary. The Public Hearing was then continued to the ZBA meeting on February 12, 2014.

**CALENDAR NO. 3-2014** – The application of Michael Haverland, AIA and Michael Haverland Architect, PC on behalf of Scott and Kristin Fine submitted on December 18, 2013 for a variance of Sections 339 and 406 of the Darien Zoning Regulations; to allow the construction of an arbor; Sections 339f and 406: 72.0 in lieu of 90.0 feet minimum required front yard setback. The property is situated on the south side of Pear Tree Point Road approximately 500 feet west of the southerly intersection with Long Neck Point Road and is shown on Assessor’s Map #61 as Lots #25 and 25B, being 163 Pear Tree Point Road and located in an R-1 (residential) Zone.

Architect Michael Haverland answered various questions and explained the proposal depicted on the submitted plans and described in the application materials. The Public Hearing was then closed.

### **DELIBERATIONS AND DECISIONS**

The following decisions were made after the ZBA members reviewed the public hearing comments, the submitted plans and other application materials, and carefully considered possible stipulations to ensure the best possible project fit among the neighboring properties:

**CALENDAR NO. 3-2014** – The application of Michael Haverland, AIA and Michael Haverland Architect, PC on behalf of Scott and Kristin Fine, 163 Pear Tree Point Road. Upon a motion by Jeff Williams, seconded by Gary Greene, the ZBA voted 5-0 to GRANT WITH STIPULATIONS the above delineated, requested variance.

### **OTHER BUSINESS**

The following additional decisions were made after the ZBA members reviewed the submitted documents, correspondence and/or project plans:

Approval of Minutes of meeting on November 13, 2013. ZBA members attending this meeting were Chuck Deluca, Jeff Williams, Vic Capellupo, Ruth Anne Ramsey, and Rich Wood.

Upon a motion by Jeff Williams, seconded by Ruth Anne Ramsey, the ZBA voted 4-0 to APPROVE the subject minutes.

### **ADDITIONAL OTHER BUSINESS**

Upon a motion by Jeff Williams, seconded by Gary Greene, the ZBA voted 5-0 to add to the agenda the following extension request from builder Rich Cannale:

Requested extension, to obtain all required permits and begin on-site construction for ZBA Calendar No. 33-2013, Carol Matton, 47 Old Farm Road. Upon a motion by Jeff Williams, seconded by Gary Greene, the ZBA voted 5-0 to GRANT a six month extension.

### **ADJOURNMENT**

The meeting was adjourned at 9:17 PM.

These Meeting Minutes,  
Respectfully submitted January 22, 2014,  
by Robert Woodside,  
Code Compliance Officer  
ZBA Staff

*These Minutes were reviewed by the attending ZBA members, modified as necessary, and upon a motion by Gary Greene, seconded by Vic Capellupo, approved by a vote of 3-0 at the ZBA meeting on April 9, 2014.*