

SUMMARY MEETING MINUTES
DARIEN ZONING BOARD OF APPEALS (ZBA)
April 10, 2013

REGULAR MEETING

Darien Town Hall - Room 206 – 7:48 to 9:01 PM

ZBA members present: Gary Greene, Vic Capellupo, Jeff Williams,
John Ashburne, and Stephen Olvany

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

OPENING

ZBA Chair Gary Greene opened the meeting at 7:48 PM. He requested cooperation and explained several procedural steps that would be used to conduct the meeting following the posted Agenda.

POSTPONEMENTS, CONTINUATIONS, AND WITHDRAWALS

Mr. Greene announced that the Public Hearing of Calendar No. 21-2013, the application of Wilder G. Gleason, Esq. and Gleason Associates LLC on behalf of Robert H. Brocking and Joy L. Brocking and contract purchasers Loren Meyer and Paige Ridley, 164 Old Kings Highway South, is opened and immediately continued without testimony to May 15, 2013, at the applicant's request.

Mr. Greene announced that the Public Hearing of Calendar No. 56-2012, the application of Lawrence J. Loustaunau and Architectural Woodworks on behalf of Louis Benedetto, 000 Raymond Street, has been cancelled due to its withdrawal by the applicant.

CONTINUATION OF PUBLIC HEARING

The following hearing was continued from the March 20, 2013 meeting 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. 11-2013 - the application of Victoria Trepp filed on February 13, 2013 for a variance of Section 406 of the Darien Zoning Regulations, to allow the installation

of a generator; Section 406: 1.5 in lieu of 40.0 feet minimum required rear yard setback. The property is an interior lot situated on the west side of Driftway Lane approximately 750 feet north of the intersection of Driftway Lane and Old Farm Road and is shown on Assessor's Map #66 as Lot #125, being 28 Driftway Lane and located in the R-1 (residential) Zone.

Victoria Trepp 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 next ZBA meeting on May 15, 2013.

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. 12-2013 - the application of Wilder G. Gleason, Esq and Gleason & Associates LLC on behalf of ASL Partners LLC filed on February 13, 2013 for an interpretation of Section 371 or a variance of Section 406 of the Darien Zoning Regulations; to allow the construction of a 5'-7 1/8 " wide x 9'-9 3/8" high cupola; Section 371: a determination that the proposed cupola may be excused from the building height limitations; or Section 406: 34.5 in lieu of 30.0 feet maximum allowable building height. The property is situated on the east side of Long Neck Point Road approximately 1,000 feet south of the intersection of Pear Tree Point Road and Long Neck Point Road and is shown on Assessor's Map #61 as Lot #9, being 203 Long Neck Point Road and located in an R-1 (residential) Zone.

Attorney Wilder Gleason and Architect Arro Schultz answered various questions and explained the proposal depicted on the submitted plans and described in the application materials. The Public Hearing was then closed.

CALENDAR NO. 17-2013 - the application of Nicholas Macri and Macriture, LLC on behalf of Beth Gardella filed on March 13, 2013 for a variance of Section 406 of the Darien Zoning Regulations; to allow the construction of a one story covered porch; Section 406: 20.0 in lieu of 25.0 feet minimum required front yard setback. The property is situated on the southwest side of the 90 degree turn of Bailey Avenue approximately 270 feet south of the intersection of West Avenue and Bailey Avenue and is shown on Assessor's Map #39 as Lot #61-5, being 27 Bailey Avenue and located in the R-1/5 (residential) Zone.

Nicholas Macri 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. 12-2013 - The application of Wilder G. Gleason, Esq and Gleason & Associates LLC on behalf of ASL Partners LLC, 203 Long Neck Point Road. Upon a motion by Gary Greene, seconded by John Ashburne, the ZBA voted 5-0 to GRANT WITH STIPULATIONS the above delineated, requested interpretation of Section 371.

CALENDAR NO. 17-2013 - The application of Nicholas Macri and Macriture, LLC on behalf of Beth, 27 Bailey Avenue. Upon a motion by Stephen Olvany, seconded by Vic Capellupo, 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 January 23, 2013. ZBA members attending this meeting were Vic Capellupo, Gary Greene, Chuck Deluca, Jeff Williams, and John Ashburne.

Upon a motion by Gary Greene, seconded by Jeff Williams, the ZBA voted 4-0 to APPROVE the subject minutes. Vic Capellupo, Gary Greene, Jeff Williams, and John Ashburne voted in favor of the motion. Chuck Deluca previously indicated his approval.

Approval of Minutes of meeting on February 13, 2013. ZBA members attending this meeting were Vic Capellupo, Gary Greene, Stephen Olvany, Ruth Anne Ramsey, Rich Wood, and John Ashburne.

Upon a motion by Gary Greene, seconded by John Ashburne, the ZBA voted 4-0 to APPROVE the subject minutes. Vic Capellupo, Gary Greene, Stephen Olvany, and John Ashburne voted in favor of the motion. Ruth Anne Ramsey and Rich Wood previously indicated their approval.

Review of Final Resolution and stipulations preparation, and possible procedure adjustments.

After discussion the ZBA determined the current practice is acceptable. It was suggested that some additional care be taken during the public hearings to ensure all the application items are properly explained.

ADJOURNMENT

The meeting was adjourned at 9:01 PM.

These Meeting Minutes,
Respectfully submitted April 11, 2013,
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 Vic Capellupo, seconded by John Ashburne, approved by a vote of 3-0 at the ZBA meeting on May 15, 2013. Vic Capellupo, Jeff Williams and John Ashburne voted in favor of the motion.