

**SUMMARY MEETING MINUTES**  
**DARIEN ZONING BOARD OF APPEALS (ZBA)**  
**April 24, 2013**

**REGULAR MEETING**

Darien Town Hall - Room 206 – 8:13 to 9:18 PM

ZBA members present: Gary Greene, Chuck Deluca, Vic Capellupo, Ruth Anne Ramsey  
and Stephen Olvany

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

**OPENING**

ZBA Chair Gary Greene opened the meeting at 8:13 PM. He requested cooperation and explained several procedural steps that would be used to conduct the meeting following the posted Agenda.

**POSTPONEMENTS AND CONTINUATIONS**

Mr. Greene announced that the Public Hearing of Calendar No. 23-2013, the application of Gabriel Stefania and Essential Design on behalf of Darien Station Assoc. LLC, 18 West Avenue, also known as 20 West Avenue, is postponed to May 15, 2013, at the applicant's request.

**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. 18-2013** - the application of Don Federle and American Dimensions on behalf of Peter & Alisa Kuhn filed on March 13, 2013 for variances of Sections 334, 406, and 906.3 of the Darien Zoning Regulations; to allow the construction of one story, two story and second story additions with modified parking; Section 334: construction on a building lot with 104.3 in lieu of 150.0 feet minimum required lot depth; Section 406: 54.2 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Cedar Gate Road for the one story covered entry addition, 30.9 in lieu of

65.0 feet minimum required front yard setback as measured from the centerline of Cedar Gate Road for the two story addition, and 20.1 in lieu of 25.0 feet minimum required south side yard setback for the second story additions; and Section 906.3: development of required off-street parking spaces within the required 65.0 feet minimum required front yard setback as measured from the centerline of Cedar Gate Road. The property is situated on the southeast corner of the intersection of Rebel Lane and Cedar Gate Road and is shown on Assessor's Map #64 as Lot #80, being 11 Cedar Gate Road and located in the R-1 and R-1/2 (residential) Zones.

Peter Kuhn and Builder Don Federle 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. 19-2013** - the application of Carl Goodnow and Goodnow Builders, Inc. filed on March 13, 2013 for a variance of Section 406 of the Darien Zoning Regulations; to allow the construction of a one-half story addition to the existing garage; Section 406: 11.5 in lieu of 12.3 minimum required southwest side yard setback. The property is situated on the east side of Hazel Street approximately 260 feet north of the intersection of West Avenue and Hazel Street and is shown on Assessor's Map # 24 as Lot #18, being 35 Hazel Street and located in the R-1/3 (residential) Zone.

Jacek Bigosinski and Builder Carl Goodnow 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. 20-2013** - the application of Denise Bloodgood on behalf of Sarah Canelli filed on March 13, 2013 for a variance of Section 406 of the Darien Zoning Regulations; to allow the construction a replacement one and one-half story garage; Section 406: 24.4 in lieu of 30 minimum required front yard setback. The property is situated on the northwest corner of the intersection of Red Cedar Drive and Hollow Tree Ridge Road and is shown on Assessor's Map #47 as Lot #140, being 95 Hollow Tree Ridge Road and located in the R-1/3 (residential) Zone.

Architect Denise Bloodgood 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. 22-2013** - the application of Jacek Bigosinski and PB Architects on behalf of Gabriela Mocanu and Hassan Shakir filed on April 10, 2013 for variances of

Sections 334 and 406 of the Darien Zoning Regulations; to allow the construction of a two story residence with HVAC equipment; Section 334: building construction and adequate related site improvements on a building lot with 60.0 in lieu of 80.0 feet minimum required lot width; and Section 406: 18.0 in lieu of 30.0 feet minimum required front yard setback, and 38.0 in lieu of 55.0 feet minimum required front yard setback as measured from the centerline of Chestnut Street. The property is situated at the southeast corner formed by the intersection of Chestnut Street and Noroton Avenue and is shown on Assessor's Map #21 as Lot #56, being 27 Chestnut Street and located in an R-1/3 (residential) Zone.

Architect Jacek Bigosinski, Hassan Shakir and Gabriela Mocanu answered various questions and explained the proposal depicted on the submitted plans and described in the application materials. Andy Gale supported the modified project plans. 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. 18-2013** - The application of Don Federle and American Dimensions on behalf of Peter & Alisa Kuhn, 11 Cedar Gate Road. Upon a motion by Chuck Deluca, seconded by Gary Greene, the ZBA voted 5-0 to GRANT WITH STIPULATIONS the above delineated, requested variances.

**CALENDAR NO. 19-2013** - The application of Carl Goodnow and Goodnow Builders, Inc., 35 Hazel Street. Upon a motion by Gary Greene, seconded by Vic Capellupo, the ZBA voted 5-0 to GRANT the above delineated, requested variance.

**CALENDAR NO. 20-2013** - The application of Denise Bloodgood on behalf of Sarah Canelli, 95 Hollow Tree Ridge Road. Upon a motion by Chuck Deluca, seconded by Gary Greene, the ZBA voted 4-1 to DENY the above delineated, requested variance. Those voting in favor of the motion were Chuck Deluca, Gary Greene, Vic Capellupo and Ruth Anne Ramsey. Stephen Olvany was opposed to the motion. State of Connecticut Statutes require 4 affirmative votes out of the 5 voting ZBA members to approve a variance of the Zoning Regulations. Therefore this request is denied.

**CALENDAR NO. 22-2013** - The application of Jacek Bigosinski and PB Architects on behalf of Gabriela Mocanu and Hassan Shakir, 27 Chestnut Street. Upon a motion by

Ruth Anne Ramsey, seconded by Stephen Olvany, the ZBA voted 5-0 to GRANT WITH STIPULATIONS the above delineated, requested variances.

### **OTHER BUSINESS**

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

Requested two month extension, received April 16, 2013, to obtain all required permits and begin on-site construction for ZBA Calendar No. 17-2012, Corrine and Dwight Collins, 114 Nearwater Lane. The Public Hearing of this matter was April 25, 2012. Initial ZBA approval would have expired on November 4, 2012. Following a November 2, 2012 request, on November 14, 2012 the ZBA granted a six month extension to May 4, 2012. ZBA staff also noted a few current construction permit plan revisions to the previously approved ZBA plans.

Upon a motion by Gary Greene, seconded by Stephen Olvany, the ZBA voted 5-0 to GRANT a three month extension. The ZBA did not approve amended project plans and recommended they be clarified for consideration under Other Business at the May 15, 2015 meeting with the understanding that a new hearing may be necessary.

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

Upon a motion by Ruth Anne Ramsey, seconded by Vic Capellupo, the ZBA voted 4-0 to APPROVE the subject minutes. Vic Capellupo, Chuck Deluca, Steve Olvany and Ruth Anne Ramsey voted in favor of the motion.

### **ADDITIONAL OTHER BUSINESS**

Upon a motion by Vic Capellupo, seconded by Gary Greene, the ZBA voted 5-0 to add to the agenda the following plan amendment request from Jan & Charles Raymond:

Requested amendment to the approved plans of Calendar No. 7-2013, Jan & Charles Raymond, 11 Waverly Road, received on April 23, 2013, to allow the raising of the existing residence to elevation 15.0.

Upon a motion by Vic Capellupo, seconded by Chuck Deluca, the ZBA voted 5-0 to GRANT the request.

**ADJOURNMENT**

The meeting was adjourned at 9:18 PM.

These Meeting Minutes,  
Respectfully submitted April 26, 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 Chuck Deluca, approved by a vote of 2-0 at the ZBA meeting on June 19, 2013.