

SUMMARY MEETING MINUTES
DARIEN ZONING BOARD OF APPEALS (ZBA)
October 16, 2013

REGULAR MEETING

Darien Town Hall - Room 206 – 7:50 to 9:10 PM

ZBA members present: Chuck Deluca, Vic Capellupo, Rich Wood, Ruth Anne Ramsey and Gary Greene (arrived at 8:00 PM).

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

OPENING

ZBA Chair Chuck Deluca opened the meeting at 7:50 PM. He requested cooperation and explained several procedural steps that would be used to conduct the meeting following the posted Agenda.

PUBLIC HEARINGS

The following hearing as 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. 61-2013 - the application of David A. Dever and Darien Boat Club, on behalf of Town of Darien submitted on September 18, 2013 for variances of Sections 386 and 820 of the Darien Zoning Regulations, to allow the reconstruction and/or replacement of the one story building and deck with related equipment; Section 386: restoration of damaged structures and/or equipment that exceeds 50% of their fair market value without being made to conform with all the regulation standards; and Section 820: reconstruction/replacement and substantial improvement of features located as low as elevation 5.9 in lieu of elevation 17.0 feet minimum required elevation in the VE 15 flood zone. The property is situated on the west side of Pear Tree Point Road adjacent to the Pear Tree Point Beach property 800 feet south of the intersection of Pear Tree Point Road and Crane Road and is shown on Assessor's Map #60 as Lots #43, 44 and 45, being 135 Pear Tree Point Road and located in an R-1 (residential) Zone.

Chuck Deluca confirmed that 4 seated members would hear and deliberate on the application. He also explained that all 4 members would need to vote in favor to approve the application.

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

Gary Greene joined the meeting at 8:00 PM.

CONTINUATION OF PUBLIC HEARING

The following hearing was continued from the September 18, 2013 meeting when no testimony, comment, or additional information was provided to the ZBA.

CALENDAR NO. 55-2013 - the application of Wilder G. Gleason Esq. and Gleason & Associates LLC on behalf of Michael & Elizabeth DeSanctis submitted on August 14, 2013 for a variances of Section 416 of the Darien Zoning Regulations; to allow the raising of the existing residence with modification entry staircases, terrace and deck features, and the construction of second story, attic and deck features; Section 416: 11.0 in lieu of 18.5 feet minimum required north side yard setback; 11.3 in lieu of 18.8 feet minimum required south side yard setback; 22.3 in lieu of 30.0 total of two side yard setbacks; on a lot with 22.5 in lieu of 20.0% maximum allowable coverage. The property is located on the east side of Plymouth Road approximately 300 feet south of the northern intersection of Plymouth Road and Baywater Drive and is shown on Assessor's Map #55 as Lot #76, being 9 Plymouth Road and located in the R-NBD (Noroton Bay District - Residential) Zone.

Attorney Wilder Gleason, Architect Lance Zimmerman and Elizabeth DeSanctis answered various questions and explained the proposal depicted on the submitted plans and described in the application materials. The Public Hearing was then closed.

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. 50-2013 - the application of Scott Church submitted on September 11, 2013 for an interpretation of Section 385 and a variance of Section 334 of the Darien Zoning Regulations; to allow the construction of a replacement two and one-half story dwelling; Section 385: a determination that the subject lot is a legal nonconforming building lot with 59,491 in lieu of 87,120 square feet minimum required lot size and 180.0 in lieu of 200.0 feet minimum required lot width, and can be properly developed with adequate related site improvements; and Section 334: construction on a portion of

the lot with 180.0 in lieu of 200.0 feet minimum required lot width. The property is situated on the south side of Blueberry Lane approximately 1,200 feet southwest of the east intersection with Ox Ridge Lane and is shown on Assessor's Map #7 as Lot #28, being 27 Blueberry Lane and located in an R-2 (residential) Zone.

Scott Church 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. 57-2013 - the application of Cristian Lanza and Max Parangi Architects on behalf of Joseph Syku submitted on September 16, 2013 for variances of Section 406 of the Darien Zoning Regulations, to allow the construction of a second story addition; Section 406: 15.6 in lieu of 21.2 feet minimum required northwest side yard setback, 4.8 in lieu of 15.2 feet minimum required southeast side yard setback, and 20.4 in lieu of 25.0 feet minimum total of two side yards setback. The property is situated on the southwest side of Crimmins Road approximately 500 feet south of the intersection of Crimmins Road and Park Place and is shown on Assessor's Map #41 as Lot #121, being 15 Crimmins Road and located in an R-1/3 (residential) Zone.

Alma Syku, and Architect Max Parangi 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. 58-2013 - the application of Mark S. Lebow and William W. Seymour on behalf of Julia Elicks Davis submitted on September 18, 2013 for a variance of Section 406 of the Darien Zoning Regulations, to allow the construction of a front door cover, the widening of the landing stoop, and modification of the entry stairs; Section 406: 4.2 in lieu of 30.0 feet minimum required front yard setback and 28.7 in lieu of 55.0 feet minimum required front yard setback as measured from the centerline of Wakemore Street. The property is situated on the south side of Wakemore Street approximately 750 feet east of the intersection of Hoyt Street and Wakemore Street and is shown on Assessor's Map #8 as Lot #238, being 31 Wakemore Street and located in an R-1/3 (residential) Zone.

Surveyor Mark Lebow 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. 61-2013 - The application of David A. Dever and Darien Boat Club, on behalf of Town of Darien, 135 Pear Tree Point Road. Upon a motion by Ruth Anne Ramsey, seconded by Rich Wood, the ZBA voted 4-0 to GRANT the above delineated, requested variances.

CALENDAR NO. 55-2013 - The application of Wilder G. Gleason Esq. and Gleason & Associates LLC on behalf of Michael & Elizabeth DeSanctis, 9 Plymouth Road. Upon a motion by Gary Greene, seconded by Vic Capellupo, the ZBA voted 5-0 to GRANT the above delineated, requested variances.

CALENDAR NO. 50-2013 - The application of Scott Church, 27 Blueberry Lane. Upon a motion by Vic Capellupo, seconded by Gary Greene, the ZBA voted 5-0 to GRANT the above delineated, requested interpretation and variance.

CALENDAR NO. 57-2013 - The application of Cristian Lanza and Max Parangi Architects on behalf of Joseph Syku, 15 Crimmins Road. Upon a motion by Ruth Anne Ramsey, seconded by Rich Wood, the ZBA voted 5-0 to GRANT WITH STIPULATIONS the above delineated, requested variances.

CALENDAR NO. 58-2013 - The application of Mark S. Lebow and William W. Seymour on behalf of Julia Elicks Davis, 31 Wakemore Street. Upon a motion by Gary Greene, seconded by Ruth Anne Ramsey, the ZBA voted 5-0 to GRANT 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 September 11, 2013. ZBA members attending this meeting were Chuck Deluca, Jeff Williams, Ruth Anne Ramsey, John Ashburne, Rich Wood, and Vic Capellupo.

This matter was postponed until the next scheduled meeting on October 23, 2013.

ADJOURNMENT

The meeting was adjourned at 9:10 PM.

These Meeting Minutes,
Respectfully submitted October 17, 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 Rich Wood, seconded by Vic Capellupo, approved by a vote of 4-0 at the ZBA meeting on November 13, 2013. Rich Wood, Vic Capellupo, Chuck Deluca and Ruth Anne Ramsey voted in favor of the motion.