

SUMMARY MEETING MINUTES
DARIEN ZONING BOARD OF APPEALS (ZBA)
JULY 18, 2012

REGULAR MEETING

Darien Town Hall - Room 206 - 7:50 to 10:35 PM

ZBA members present: Gary Greene, Vic Capellupo, Al Tibbetts, Jeff Williams,
Ruth Anne Ramsey and John Ashburne

Staff Present: Code Compliance Officer Robert Woodside and Recorder Bonnie
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OPENING

ZBA Chair Gary Greene opened the meeting at 7:35 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. 27-2012, the application of Dinyar Wadia, Wadia Associates on behalf of Estate of Mary K. Ewing and contract purchaser Alex Magaro, is re-opened and re-continued without testimony to July 25, 2012, 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. 29-2012 - the application of Gleason & Associates LLC on behalf of Shawn P. Burke and Vivianne F. Burke, William J. Nelson and Gillian Nelson, and David M. Sinclair, regarding property of Estate of Beatrice Richards, filed on May 23, 2012 for an appeal under Section 1122, of the Darien Zoning Regulations, of the order, requirement, decision, and/or determination of the Director of Planning to approve/authorize the filing of a free cut map creating 2 building lots out of the 123 Five Mile River Road property. The subject property is situated on the east side of Five Mile River Road approximately 500 feet south of the intersection of Five Mile River Road and Davis Lane and is shown on

Assessor's Map #67 as Lot #2, being 123 Five Mile River Road and located in an R-1/2 (residential) Zone.

Jeremy Ginsberg, Director of Planning & Zoning, and Attorney Wilder Gleason answered various questions and explained the appeal as described in the application materials. Attorney John Harness objected to various aspects of the application. Eric Richards provided background history about the subject property. The ZBA determined that additional clarification of the appeal issues was necessary. The Public Hearing was then continued to the next ZBA meeting on July 25, 2012.

CALENDAR NO. 31-2012 - the application of Eric and Barbara Simonson, regarding property of J. Willson Ropp and Adrienne Dreiss, filed on June 20, 2012 for an appeal under Section 1122, of the Darien Zoning Regulations, of the order, requirement, decision, and/or determination of the Zoning Enforcement Officer regarding possible damages to the 362 Hollow Tree Ridge Road property relative to a ZBA stipulation in Calendar No. 39-2009. The subject property is an interior lot situated east of Hollow Tree Ridge Road and accessed from a common driveway (which also serves 362 and 366 Hollow Tree Ridge properties) located on the east side of Hollow Tree Ridge Road approximately 500 feet north of the intersection of Nutmeg Lane and Hollow Tree Ridge Road and is shown on Assessor's Map #9 as Lots #111A-1 and 114, being 364 Hollow Tree Ridge Road and located in an R-2 (residential) Zone.

Dave Keating, Zoning Enforcement Officer, and Eric Simonson answered various questions and explained the appeal as described in the application materials. Attorney Amy Zabetakis objected to various aspects of the application. The ZBA determined that additional clarification of the appeal issues was necessary. The Public Hearing was then continued to the next ZBA meeting on September 12, 2012.

ADJOURNMENT

Upon a motion by Jeff Williams, seconded by Al Tibbetts, and a ZBA vote of 6-0, the meeting was adjourned at 10:35 PM.

These Meeting Minutes,
Respectfully submitted July 20, 2012,
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 Ruth Anne Ramsey, approved by a vote of 3-0 at the ZBA meeting on December 12, 2012. Vic Capellupo, John Ashburne and Ruth Anne Ramsey voted in favor of the motion. Gary Greene, Al Tibbetts and Jeff Williams previously indicated their approval.

ZBA/07.18.2012MtgMin