

SUMMARY MEETING MINUTES (Subject to ZBA review and approval)  
DARIEN ZONING BOARD OF APPEALS (ZBA)  
MARCH 2, 2011

SPECIAL MEETING

Darien Town Hall - Room 206 - 7:51 to 11:30 PM

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

Staff Present: Zoning Enforcement Officer David Keating, Code Compliance Officer Robert Woodside and Recorder Judy Fazekas

OPENING

ZBA Chair Gary Greene opened the meeting at 7:51 PM. He requested cooperation and explained several procedural steps that would be used to conduct the meeting following the posted Agenda. He said that since the February 16<sup>th</sup> ZBA meeting, disqualification challenges were presented by Mr. Kaufman to ZBA members Al Tibbetts and Gary Greene. Mr. Tibbetts chose to recuse himself due to his firm's prior involvement in a Kaufman family matter. Therefore Ruth Anne Ramsey was seated for Mr. Tibbetts. Mr. Greene explained his circumstances involving the several challenged areas of concern and he chose not to recuse himself on this matter.

CONTINUATION OF PUBLIC HEARING

The following hearing was continued from the February 16, 2011 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:

CONTINUATION OF CALENDAR NO. 1-2011 - the application of Alan H. Kaufman on behalf of Scott/Rosemarie Reardon regarding property of James/Janeen Eckert filed on November 17, 2010; for an appeal under Section 1122, of the Darien Zoning Regulations, of the order, requirement, decision, and/or determination of the Zoning Enforcement Officer and Building Department to exempt the construction of house additions from Article VIII of the provisions of the Darien Zoning Regulations and to issue a Zoning Permit for the construction of house additions; the refusal of the Zoning Enforcement Officer, the Planning & Zoning Department and the Building Department to conduct a Coastal Site Plan Review; to require that a Coastal Site Plan application be made regarding the construction of additions and related site work at the Eckert property; and that pursuant to the provisions of Section 1101-1102 of the Darien Zoning Regulations, to declare that any permits issued for such construction

are null and void. The subject property is an interior lot situated on the east side of Long Neck Point Road approximately 450 feet south of the south intersection of Pear Tree point Road and Long Neck Point Road and is shown on Assessor's Map #61 as Lot #3, being 165 Long Neck Point Road and located in an R-1 (residential) Zone.

Gary Greene stated that this continuation of the Public Hearing would first focus on the jurisdictional questions which have been raised. David Keating and Robert Woodside answered various questions from Wilder Gleason and Alan Kaufman. Mr. Kaufman continued to explain aspects of the appeal described in the application materials and he answered various questions. Mr. Gleason explained various aspects of the Eckert project and objected to the jurisdictional claims made by Mr. Kaufman. The Public Hearing was then suspended to allow the ZBA members to deliberate on the jurisdictional issue.

### **DELIBERATION AND DECISION**

The following decision was made after the ZBA members reviewed the public hearing comments, the submitted plans and other application materials:

CALENDAR NO. 1-2011 - The application of Alan H. Kaufman on behalf of Scott/Rosemarie Reardon regarding property of James/Janeen Eckert, 165 Long Neck Point Road. Upon a motion by Gary Greene, seconded by Vic Capellupo, the ZBA voted 4-0-1 to DENY the above delineated, requested appeal. Vic Capellupo, Gary Greene, Jeff Williams, and John Ashburne voted in favor of the motion. Ruth Anne Ramsey abstained.

Robert Woodside then stated that this decision concludes the appeal application and Gary Greene announced that the Public Hearing of the matter is therefore closed.

### **ADJOURNMENT**

The meeting was adjourned at 11:30 PM.

These Meeting Minutes,  
Respectfully submitted March 8, 2011,  
by Robert Woodside,  
Code Compliance Officer  
ZBA Staff