

DRAFT

SUMMARY MEETING MINUTES

DARIEN ZONING BOARD OF APPEALS (ZBA)

July 13, 2016

SPECIAL MEETING

Darien Town Hall - Room 213 – 7:03 to 7:41 PM

ZBA members present: Chuck Deluca, Vic Capellupo, Gary Greene, Ruth Anne Ramsey and Mike Nedder

Staff Present: Code Compliance Officer Robert Woodside and Town Counsel John Louizos

Upon a motion by Gary Greene, seconded by Ruth Anne Ramsey, the ZBA voted 5-0 to go into a Special Meeting Executive Session in order to discuss pending litigation with Town Counsel John Louizos.

The proposed terms of a settlement of the appeal of ZBA denial of application No. 41-2015 were reviewed.

Upon a motion by Gary Greene, seconded by Chuck Deluca, the ZBA voted 5-0 to go out of Executive Session.

REGULAR MEETING

Darien Town Hall - Room 206 – 7:48 to 8:45 PM

ZBA members present: Gary Greene, Chuck Deluca, Vic Capellupo, Rich Wood and Mike Nedder

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.

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. 22-2016 - the application of Anna Trepanier and Bar Nala LLC, dba The Bar Method Darien on behalf of Hawthorne Realty and Darien Fire Dept. Inc. submitted on June 15, 2016 for a variance of Section 923.1 of the Darien Zoning Regulations; to allow the installation of wall and awning signs; Section 923.1: 4 in lieu of 2 maximum allowable signs; installation of a sign which does not abut a street; and installation of signs which project more than 12 inches from the face of the building. The property is situated on the southeast corner of the intersection formed by Boston Post Road and Sedgewick Avenue and is shown on Assessor's Map #71 as Lot #1, 2 & 17, being 800 Boston Post Road and located in the CBD (commercial) Zone.

Laura Mehan and Anna Trepanier, business owners, 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. 23-2016 - the application of Carolyn J. Cavolo and Shipman & Goodwin LLP on behalf of Dolman Properties LLP submitted on June 15, 2016 for a variance of Section 904 of the Darien Zoning Regulations; to allow modified real estate business use; Section 904: 2 in lieu of 7 minimum required parking spaces. The property is situated on the northwest side of Grove Street approximately 90 feet southwest of the intersection with Brook Street and is shown on Assessor's Map #73 as Lot #20, being 22 Grove Street and located in the CBD (commercial) Zone.

Attorney Carolyn Cavolo 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. 22-2016 - The application of Anna Trepanier and Bar Nala LLC, dba The Bar Method Darien on behalf of Hawthorne Realty and Darien Fire Dept. Inc., 800 Boston Post Road. Upon a motion by Chuck Deluca, seconded by Mike Nedder, the ZBA voted 5-0 to GRANT the above delineated, requested variances.

CALENDAR NO. 23-2016 - The application of Dolman Properties LLP, 22 Grove Street. Upon a motion by Gary Greene, seconded by Chuck Deluca, 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 May 18, 2016. ZBA members attending this meeting were Chuck Deluca, Vic Capellupo, Mike Nedder, Ruth Anne Ramsey, and Rich Wood.

Upon a motion by Chuck Deluca, seconded by Mike Nedder, the ZBA voted 4-0 to APPROVE the subject minutes. Those voting in favor were Chuck Deluca, Mike Nedder, Vic Capellupo and Rich Wood.

Approval of Minutes of meeting on June 1, 2016. ZBA members attending this meeting were Chuck Deluca, Jeff Williams, Vic Capellupo, Gary Greene, Mike Nedder, Ruth Anne Ramsey, Rich Wood, and Kevin Fullington.

Upon a motion by Gary Greene, seconded by Chuck Deluca, the ZBA voted 5-0 to APPROVE the subject minutes.

Election of Officers, by regular members only.

Upon a motion by Gary Greene, seconded by Chuck Deluca, the regular ZBA members voted 3-0 to elect Mike Nedder as Chair for a term extending to June 30, 2017. Those voting in favor of the motion were Vic Capellupo, Gary Greene and Chuck Deluca.

Upon a motion by Gary Greene, seconded by Chuck Deluca, the regular ZBA members voted 4-0 to elect Jeff Williams as Vice Chair for a term extending to June 30, 2017. Those voting in favor of the motion were Gary Greene, Chuck Deluca, Vic Capellupo and Mike Nedder.

Adoption of 2017 Meeting Schedule.

Upon a motion by Gary Greene, seconded by Vic Capellupo, the ZBA voted 5-0 to APPROVE the meeting schedule.

Review of possible Resolution regarding timetable of ARB and ZBA applications review.

The ZBA determined that there should be a meeting between the Chairs of the ARB, ZBA and PZC to discuss this matter further.

Review of possible Resolution regarding staff meeting with applicants prior to application submittal.

Upon a motion by Gary Greene, seconded by Chuck Deluca, the ZBA voted 5-0 to APPROVE the resolution.

Review of proposed application form Item K clarifications.

The ZBA determined that this matter requires further discussion with Town Counsel.

Review of a possible moratorium on acceptance of sign applications.

The ZBA determined that this matter requires further discussion with Town Counsel.

Review of the Hescock case and its determinations.

The ZBA determined that this matter requires further discussion with Town Counsel.

Possible appointment of a committee to consider possible Bylaws and Policies.

It was determined that Staff will research other Towns for possible examples of written bylaws and policies.

ADJOURNMENT

Upon a motion by Gary Greene, seconded by Vic Capellupo, and a ZBA vote of 5-0, the meeting was adjourned at 8:45 PM.

These Meeting Minutes,
Respectfully submitted July 14, 2016,
by Robert Woodside,
Code Compliance Officer
ZBA Staff