

**PLANNING AND ZONING COMMISSION
AGENDA**

Tuesday, November 26, 2013

8:00 P.M.

**ROOM 206
Town Hall**

EXECUTIVE SESSION

Executive Session with Town Counsel to discuss pending litigation.

PUBLIC HEARING (to start at approximately 8:45 P.M.)

Continuation of Public Hearing regarding Coastal Site Plan Review #272-A, Land Filling & Regrading Application #273-A, Eric Richards/Estate of Beatrice Richards et. al., 121-123 Five Mile River Road. Proposing to raze the existing residence and garage, implement the “free cut”, and construct two single-family residences and in-ground pools with associated filling/excavation and regrading work, and perform related site development activities within a regulated area. The subject property is located on the south and east side of Five Mile River Road approximately 700 feet south of its intersection with Davis Lane, and is shown on Assessor’s Map #67 as Lot #2 in the R-1/2 Zone.
PUBLIC HEARING ORIGINALLY OPENED ON OCTOBER 1, 2013.

Subdivision Application #577-A, Coastal Site Plan Review #60-B, Land Filling & Regrading Application #318, DFK, LLC, 8 Cross Road. Proposing to raze the existing residence and garage, resubdivide the existing property into two lots, and construct two new single-family residences with associated septic systems and stormwater management, and perform related site activities in a regulated area. The subject property is located on the north side of Cross Road, approximately 250 feet east of its intersection with Tokeneke Trail, and is shown on Assessor’s Map #65 as Lot #8 in the R-1 Zone.

Coastal Site Plan Review #116-A, Flood Damage Prevention Application #104-A, Land Filling & Regrading Application #317, Joseph & Amy Gold, 17 Tokeneke Trail. Proposing to construct seat walls, a fire pit, and landscape areas, and perform related site activities in regulated areas. The subject property is located on the south side of Tokeneke Trail approximately 1600 feet south of its intersection with Homewood Lane, and is shown on Assessor’s Map #69 as Lot #36 in the R-1 Zone.

Coastal Site Plan Review #296, Flood Damage Prevention Application #336, James & Elizabeth Lee, 23 Contentment Island Road. Proposing to construct a two-story detached garage with associated septic system and stormwater management, and perform related site development activities within regulated areas. The subject property is located on the east side of Contentment Island Road, approximately 450 feet northeast of its intersection with Shennamere Road, and is shown on Assessor’s Map #67 as Lot #58 in the R-1 Zone.

GENERAL MEETING (to start at approximately 10:30 p.m.)

Mandatory Referral #6-2013, Darien Sewer Commission, Andrews Drive.

Request for report regarding acquisition of land off of Andrews Drive on which a sewage pump station now exists.

Modification of Special Permit Application #117-E/Site Plan, Land Filling & Regrading Application #314, Noroton Presbyterian Church, 2011 Boston Post Road and 2075 Boston Post Road and 25 Noroton Avenue. Request to modify plans approved on November 12, 2013.

Modification of Flood Damage Prevention Application #320, Tim Malay, 20 Plymouth Road
Request to pave driveway, which was previously approved by the Commission on November 12, 2013 to be gravel.

Discussion, deliberation and possible decisions on the following:

Proposed Amendments to the Zoning Regulations (COZR #3-2013) put forth by the Darien Planning & Zoning Commission as outlined in a June 17, 2013 memo from Jeremy Ginsberg. These proposed changes include: Amendments related to Personal Service Businesses: Modify Section 210—Definition of Commercial Sales and Service; Add subsections 604d, 614g, 634g, 654f, and 684j., to specifically call out Personal Service Business as a Special Permit use in certain zones.

Other proposed changes are amendments recommended by the Zoning Board of Appeals (ZBA):
1. Modify Section 210 (Definition of Building Coverage) by noting that the first six inches (6”) of building eave, and up to twenty (20) square feet for overhangs for stairs, stair landings, and stoops do not count toward Building Coverage. Delete subsection 416h. Modify subsection 351 (Porches) to better reflect current policy of acceptable size covered front porches which would be exempt from setbacks or subject to reduced setbacks. Modify subsection 354 (Stairs and Ramps) to better reflect current policy of acceptable size entry stairs which would be exempt from setbacks or subject to reduced setbacks. Modify subsection 1126b (General Rules of the Zoning Board of Appeals) regarding submitted application materials. Modify subsection 1126e (General Rules of the Zoning Board of Appeals) regarding reapplications to the ZBA. Modify subsection 1127 (Notification-ZBA) to have proof of mailing submitted one week prior to the public hearing.

Other proposed changes are amendments recommended by the Architectural Review Board (ARB):
Modify subsections 923.1b, c, and d, regarding wall signs in the CBD, DC, and NB Zones; Modify subsection 923.2b regarding hanging signs in the CBD, DC, and NB Zones; Modify subsection 923.5 Prohibited Signs in the in the CBD, DC, and NB Zones; Modify subsection 925.2b, regarding wall signs in the OB, DOR-1 and DOR-5 Zones; Modify subsection 926.1, regarding wall signs in the SB and SB-E Zones.

Approval of Minutes

October 8, 2013 Public Hearing/General Meeting
October 22, 2013 Public Hearing/General Meeting

Any Other Business (Requires two-thirds vote of Commission)

ADJOURN.