

**REGULAR MEETING**  
**AGENDA**

Wednesday, September 16, 2015    7:45 P.M.  
Public Meeting Room 206  
Darien Town Hall, 2 Renshaw Road  
Darien, Connecticut

**OPENING**

Requests to the ZBA involve important legal property rights. The proposal may expand one owner's limitations and reduce another's protections as defined within the Zoning Regulations. Therefore, any information considered must be clearly provided and all hearing comments are recorded. **Please speak only into the microphones near the podium. In order to avoid unnecessary distractions, please silence all electronic/communication devices and avoid side conversations** within the meeting room and hallway near the door.

**CONTINUATION OF PUBLIC HEARING**

Opened on July 15, 2015 and continued to September 9, 2015. Reopened on September 9, 2015 and recontinued to tonight September 16, 2015. The previously seated ZBA members for this request are Mike Nedder, Gary Greene, Rich Wood, and Ruth Anne Ramsey. Vic Capellupo has reviewed the application materials, the tape recording of the July 15<sup>th</sup> segment of the hearing, and the submitted documents in order to be fully informed of this request and to be prepared to also sit on this application.

**CALENDAR NO. 41-2015**

The application of William I. Haslun II, Esq. and Johnson, Haslun & Hogeman LLC on behalf of Giovanni's at Water's Edge and PR Partnership LLC submitted on June 19, 2015 for variances of Sections 381-387, 406, and 904 of the Darien

Zoning Regulations; to allow the construction of a one story entry canopy addition; and modification of the front dropoff, parking, and landscape areas; Sections 381-387: enlargement of a non-conforming building and intensification of a non-conforming use; Section 406: 0.5 in lieu of 30.0 feet minimum required front yard setback; and Section 904: expansion of gross floor area with a possible reduction from the approximately 33 valid parking spaces on a property with deficient existing parking quantity. The property is situated on the south side of the Boston Post Road opposite the intersection of Brookside Drive and is shown on Assessor's Map #54 as Lot #35, being 2748 Boston Post Road and located in an R-1/3 (residential) Zone.

### DELIBERATION AND DECISION

Discussion, deliberation and possible decision for the Public Hearing request item listed above. Four affirmative votes out of the five seated ZBA members are required to approve a proposal. Decisions are made after the ZBA members review the public hearing comments, submitted plans and other application materials, and carefully consider possible stipulations to ensure the best possible project fit among the neighboring properties. If complications arise ZBA deliberation of the requests may be postponed or continued to a later meeting date.

### OTHER BUSINESS

**This portion of the meeting is not a Public Hearing. Applicants and other interested parties are welcome to quietly observe the ZBA and staff fulfilling their regulatory responsibilities for the overall benefit of the community. Any expression from the audience is inappropriate and constitutes grounds for tabling the matter referred to or denying it without prejudice.**

1. Approval of Minutes of meeting on July 15, 2015. ZBA members attending this meeting were Gary Greene, Jeff Williams, Mike Nedder, Ruth Anne Ramsey, and Rich Wood.
2. Approval of Minutes of meeting on July 22, 2015. ZBA members attending this meeting were Mike Nedder, Jeff Williams, Vic Capellupo, Chuck Deluca, and Rich Wood.

3. Discussion of September 29, 2015 Planning and Zoning Commission public hearing of recommended Zoning Regulation changes.
4. Discussion of Verrillo v. Branford ZBA Appellate Court decision and Variance Checklist provide by Town Counsel.
5. General discussion of Application Materials, applicant identity, application review procedures, hearing guidelines, hardship criteria, decision practices/guidelines/staff questions, project fit relative to neighbor properties, supervision/inspection of construction projects, and/or requested changes.
6. Any other business (a minimum 2/3, 67%, i.e. 3/4, 4/5, or 4/6, favorable vote of members present and voting is required to add an item to the agenda).

## ADJOURNMENT