

REGULAR MEETING
AGENDA

Wednesday, January 23, 2013 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. And 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.

The ZBA will make every reasonable effort to complete this agenda in a timely manner. However complications may arise and it may be difficult to properly consider all of the requests tonight. You can be helpful by making your presentation efficiently. Due to necessary scheduling of ZBA members, and possible involvement with other Board/Commission review, the following items may be considered out of sequence. Application requests may be heard and then deliberated one by one rather than all the deliberations occurring at the end of the meeting. Please understand that one or more hearing items may need to be opened and continued to a subsequent meeting. And some hearings may be completed tonight but ZBA deliberation of the requests may be postponed to a later date. After the hearing of the project you are interested in is concluded, you may choose to make subsequent inquiries about a possible decision to ZBA office staff at 203-656-7351 during regular business hours.

PUBLIC HEARINGS

CALENDAR NO. 60-2012

The application of Robert A. Cardello, AIA and Robert A. Cardello Architects LLC on behalf of Craig and Cassandra Jones filed on January 16, 2013 for variances of Sections

416 and 354 of the Darien Zoning Regulations; to allow the raising of the existing house and the construction of one story, two story and second story additions with entry stairs/deck; Section 416: 26.0 in lieu of 30.0 feet Mayflower Road front yard setback for the house and additions; and Section 354: 21.0 in lieu of 27.0 feet minimum required Mayflower Road front yard setback for the entry stairs. The property is situated on the south side of Shipway Road at the southeast corner formed by the intersection of Shipway Road and Mayflower Road and is shown on Assessor's Map #55 as Lots #51 and #52, being 9 Shipway Road and located in the R-NBD (Noroton Bay District - Residential) Zone.

CALENDAR NO. 61-2012

The application of Robert A. Cardello, AIA and Robert A. Cardello Architects LLC on behalf of Frank and Carrie Maturo filed on January 16, 2013 for variances of Sections 416, 334, 354, 904 and 906.3 and an interpretation of Sections 210 and 361 of the Darien Zoning Regulations; to allow the construction of a two and one half story replacement house with entry stairs, terraces and parking; Section 416: 29.7 in lieu of 30.0 feet minimum required front yard setback, 14.6 in lieu of 15.0 feet minimum required south side yard setback, 32' - 6" in lieu of 30' maximum allowable building height, 22.0 in lieu of 20.0% maximum allowable building coverage for the house; Section 334: construction on a lot with 67.0 in lieu of 100 feet minimum required lot depth, and 50.0 in lieu of 80.0 feet minimum required lot width; Section 354: 15.0 in lieu of 27.0 feet minimum required front yard setback for the entry stairs; Sections 904 and 906.3: 1 of the required 2 parking spaces developed within the front or side yard spaces; and Sections 210 and 361: a determination that terraces retained by walls 6'+ above grade level are not deemed to be structures. The property is situated on the southwest side of Baywater Drive approximately 100 feet east of the north intersection of Plymouth Road and Baywater Drive and is shown on Assessor's Map #55 as Lot #87, being 40 Baywater Drive and located in the R-NBD (Noroton Bay District - Residential) Zone.

CALENDAR NO. 64-2012

The application of Wilder G. Gleason, Esq. and Gleason & Associates LLC on behalf of Michael Bret Pastor and Devon Field Pastor filed on January 16, 2013 for an amendment to the approved plans of Calendar No. 19-2012 and ZBA consideration of the terms and conditions of that approval. The property is situated on the west side of Five Mile Road approximately 800 feet north of the intersection of Davis Lane and Five Mile River Road and is shown on Assessor's Map #66 as Lot #41, being 90 Five Mile River Road and located in an R-1/2 (residential) Zone.

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. Discussion, deliberation and possible decisions for Public Hearing request items listed above. 4 affirmative votes out of the 5 seated ZBA members are required to approve a proposal.
2. Approval of Summary Minutes of meeting on December 12, 2012. ZBA members attending this meeting were Vic Capellupo, Ruth Anne Ramsey, Rich Wood and John Ashburne.
3. Discussion and possible recommendations for Zoning Regulation changes to the Planning & Zoning Commission.
4. 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.
5. 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).