

REGULAR MEETING
AGENDA

Wednesday, September 21, 2011 7:45 P.M.
Public Meeting Room 206
Darien Town Hall, 2 Renshaw Road
Darien, Connecticut

OPENING

Due to a minimal 4 member ZBA panel available tonight, all of the hearings scheduled to be conducted will be postponed to a subsequent October meeting as indicated below. Therefore no testimony, comment, or additional information will be provided to the ZBA tonight.

CONTINUATION OF PUBLIC HEARING

Opened on July 20, 2011 and immediately continued to July 27, 2011 due to the lack of a full 5 member panel. Reopened on July 27, 2011 when some testimony was given and additional information was provided. After complications developed, the ZBA determined to Continue this hearing to the next meeting scheduled for tonight September 21, 2011. The ZBA members present for the July 27, 2011 segment of this hearing were Gary Greene, Chuck Deluca, Jeff Williams, John Ashburne, and Rich Wood. The ZBA may continue this hearing until no later than October 28, 2011 (up to 100 total days from its July 20th opening).

CALENDAR NO. 30-2011 TO BE REOPENED AND IMMEDIATELY RECONTINUED AT THE OWNER'S REQUEST TO OCTOBER 12th

The application of Brian Carney on behalf of Art Bellis filed on June 22, 2011 for an interpretation of Section 385 and variances of Sections 334, 331 and 402 of the Darien Zoning Regulations; to allow the construction of a replacement two and one half story residence; and to allow the existing residence to remain until the replacement residence is completed; Section 385: a determination that the subject lot is a legal nonconforming building lot with 52,650 in lieu of 87,120 square feet minimum required lot size and 140.0 in lieu of 200.0 feet minimum required lot width, and can be properly developed with adequate related site improvements; Section 334: construction on a building lot with

140.0 in lieu of 200.0 feet minimum required lot width; Section 331: two in lieu of one, maximum main building on one lot; and Section 402: two in lieu of one single-family dwelling on its own lot. The property is situated on the north side of Marianne Road at the intersection of Shady Acres Road and Marianne Road and is shown on Assessor's Map #1 as Lot #92, being 22 Marianne Road and located in an R-2 (residential) zone.

CONTINUATION OF PUBLIC HEARING

Opened on July 20, 2011 and immediately continued to July 27, 2011 due to the lack of a full 5 member panel. Reopened on July 27, 2011 and immediately recontinued to tonight September 21, 2011 at the applicant's request. Since no testimony, comment, or additional information was provided to the ZBA previously, the seated ZBA panel for this request will be those members present when the hearing is conducted. The ZBA may continue this hearing until no later than October 28, 2011 (up to 100 total days from its July 20th opening).

CALENDAR NO. 31-2011 TO BE REOPENED AND IMMEDIATELY RECONTINUED AT THE OWNER'S REQUEST TO OCTOBER 19th

The application of Gleason & Associates LLC on behalf of Stephen Irish filed on June 22, 2011 for a variance of Section 406 of the Darien Zoning Regulations, to allow the reconstructed and enlarged deck to remain; Section 406: 19.0 in lieu of 25.0 feet minimum required front yard setback and 37.0 in lieu of 50.0 feet minimum required front yard setback as measured from the centerline of Raymond Street. The property is situated on the east side of Raymond Street approximately 500 feet north of the intersection of Tokeneke Road and Raymond Street and is shown on Assessor's Map #36 as Lot #100, being 24 Raymond Street and located in an R-1/5 (residential) Zone.

PUBLIC HEARINGS

CALENDAR NO. 33-2011 TO BE OPENED AND IMMEDIATELY CONTINUED AT THE OWNER'S REQUEST TO OCTOBER 19th

The application of John & Tina Greifzu filed on August 24, 2011 for variances of Section 406 of the Darien Zoning Regulations, to allow the construction of second story additions; Section 406: 9.3 in lieu of 15.0 feet minimum required west side yard setback; 13.5 in lieu of 19.7 feet minimum required east side yard setback; and 22.8 in lieu of 25.0 feet minimum required total of two side yards setback for the new construction. The property is situated on the north side of Elm Street approximately 100 feet west of the intersection of Elm Street and Fairfield Avenue and is shown on Assessor's Map #21 as Lot #66, being 20 Elm Street and located in an R-1/3 (residential) Zone.

**CALENDAR NO. 34-2011 TO BE OPENED AND IMMEDIATELY
CONTINUED AT THE OWNER’S REQUEST TO OCTOBER 12th**

The application of Attorney Benjamin Proto on behalf of Aquarion Water Company of Conn filed on August 24, 2011 for a variance of Section 334 of the Darien Zoning Regulations, to allow the construction of a two and one half story residence with HVAC equipment, and a detached two story garage; Section 334: building construction and adequate related site improvements on a building lot with 50.0 in lieu of 80.0 feet minimum required lot width. The property is situated on the south side of Chestnut Street approximately 230 feet east of the intersection of Chestnut Street and Noroton Avenue and is shown on Assessor’s Map #21 as Lot #55, to be known as 23 Chestnut Street and located in an R-1/3 (residential) Zone.

**CALENDAR NO. 35-2011 TO BE OPENED AND IMMEDIATELY
CONTINUED AT THE OWNER’S REQUEST TO OCTOBER 12th**

The application of Attorney Benjamin Proto on behalf of Aquarion Water Company of Conn filed on August 24, 2011 for variances of Sections 334 And 406 of the Darien Zoning Regulations, to allow the construction of a two story residence with HVAC equipment, and a detached two story garage; Section 334: building construction and adequate related site improvements on a building lot with 60.0 in lieu of 80.0 feet minimum required lot width; and Section 406: 25.0 in lieu of 30.0 feet minimum required front yard setback, and 45.0 in lieu of 55.0 feet minimum required front yard setback as measured from the centerline of Chestnut Street. The property is situated at the southeast corner formed by the intersection of Chestnut Street and Noroton Avenue and is shown on Assessor’s Map #21 as Lot #56, to be known as 27 Chestnut Street and located in an R-1/3 (residential) Zone.

**CALENDAR NO. 36-2011 TO BE OPENED AND IMMEDIATELY
CONTINUED AT THE OWNER’S REQUEST TO OCTOBER 19th**

The application of Peter & Jocelyn Graseck filed on August 24, 2011 for variances of Section 406 of the Darien Zoning Regulations, to allow the construction of a covered front porch, side door cover, and one and two story additions with HVAC equipment; Section 406: 23.8 in lieu of 30.0 feet minimum required front yard setback; 6.0 in lieu of 10.0 feet minimum required west side yard setback; 16.0 in lieu of 20.3 feet minimum required east side yard setback; and 22.0 in lieu of 25.0 feet minimum required total of two side yards setback for the new construction. The property is situated on the south side of Phillips Lane approximately 500 feet west of the intersection of Phillips Lane and Hoyt Street and is shown on Assessor’s Map #25 as Lot #108, being 14 Phillips Lane and located in an R-1/3 (residential) Zone.

**CALENDAR NO. 37-2011 TO BE OPENED AND IMMEDIATELY CONTINUED
AT THE OWNER’S REQUEST TO OCTOBER 19th**

The application of Warrington Homes and Jeffrey McDougal on behalf of Nancy Dauk filed on August 24, 2011 for an interpretation under Section 813, and an interpretation under and a variance of Section 383 of the Darien Zoning Regulations, to allow the construction of one story, two story and second story additions to the main residence; Section 813: a determination that the proposed activities will have no potential adverse impacts on coastal resources; and Section 383: a determination that the property contains two legal dwellings on the same building lot; and enlargement of the main residence building on a nonconforming use property. The property is situated on the east side of Contentment Island Road approximately 1,275 feet south of the intersection of Contentment Island Road and Shennemere Road and is shown on Assessor’s Map #68 as Lot #14 being 39 Contentment Island Road and located in an R-1 (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. General discussion of Application Materials, hearing guidelines, hardship criteria, decision practices/guidelines, project fit relative to neighbor properties, supervision/inspection of construction projects, and/or requested changes.
2. 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).