

**REGULAR MEETING
AGENDA**

Wednesday, March 16, 2011 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. Any information considered must be clearly provided and all hearing comments are recorded. Therefore **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. 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. You may also make inquiries to ZBA office staff at 203-656-7351.

POSTPONEMENTS

PUBLIC HEARINGS

CALENDAR NO. 5-2011

The application of Diane Boston on behalf of Siesel and Mary Canaday filed on February 16, 2011 for variances of Section 406 of the Darien Zoning Regulations, to allow the construction of a one story addition and the installation of HVAC equipment;

Section 406: 17.1 in lieu of 25.0 feet minimum required side yard setback and 35.0 in lieu of 40.0 feet minimum required rear yard setback. The property is situated on the northeast side of Sunset Road approximately 1,400 feet east of the intersection of Sunset Road and Mansfield Avenue Street and is shown on Assessor's Map #15 as Lot #72, being 36 Sunset Road and located in an R-1 (residential) Zone.

CALENDAR NO. 6-2011

The application of Beth Harrington-Howes on behalf of Maureen Mehan filed on February 16, 2011 for variances of Section 406 of the Darien Zoning Regulations to allow the construction of a one story covered porch with steps and a second story addition. Section 406: 25.0 in lieu of 30.0 feet minimum required front yard setback for the covered porch; 22.0 in lieu of 30.0 feet minimum required front yard setback for the porch steps; 8.8 in lieu of 21.2 feet minimum required side yard setback relative to the north property line for the covered porch; 3.8 in lieu of 16.2 feet minimum required side yard setback relative to the south property line for the second story addition; 27.5 in lieu of 30.0 feet minimum required front yard setback for the second story addition; and 12.6 in lieu of 25.0 feet minimum required total of two side yards setback for the new construction. The property is situated on the west side of Oak Park Avenue approximately 150 feet north of the intersection of Oak Park Avenue and West Avenue and is shown on Tax Assessor's Map #23 as Lot #11, being 3 Oak Park Avenue and located in an R-1/3 (residential) Zone.

CALENDAR NO. 7-2011

POSTPONED TO APRIL 13th

The application of Anthony DeChellis filed on February 16, 2011 for a variance of Section 406 of the Darien Zoning Regulations, to allow an existing spa to remain; Section 406: 31.8 in lieu of 35.0 feet minimum required side yard setback. The property is situated on the east side of Brookside Road at the northeast corner formed by the intersection of Marianne Road and Brookside Road and is shown on Assessor's Map #1 as Lot #87, being 320 Brookside Road and located in an R-2 (residential) Zone.

CALENDAR NO. 8-2011

The application of Jacek Bigosinski on behalf of Susan & Peter Markham filed on February 16, 2011 for a variance of Section 406 of the Darien Zoning Regulations, to allow the raising of a one story segment of the existing house; Section 406: 13.2 in lieu of 25.0 feet minimum required rear yard setback. The property is situated on the north side of Shipway Road at the northwest corner formed by the intersection of Shipway Road and Waverly Road and is shown on Assessor's Map #57 as Lot #29, being 4 Shipway Road and located in the R-NBD (residential) Zone.

CALENDAR NO. 9-2011

POSTPONED TO APRIL 13th

The application of James D. Jespersen filed on February 16, 2011 for a variance of Section 406 of the Darien Zoning Regulations, to allow the construction of a one story addition and deck; Section 406: 10.0 in lieu of 15.0 feet minimum required north side yard setback and 20.0 in lieu of 25.0 feet minimum required total of two side yards setback. The property is situated on the east side of Edgerton Street approximately 150 feet south of the intersection of Middlesex Road and Edgerton Street and is shown on Assessor's Map #21 as Lot #142, being 7 Edgerton Street and located in an R-1/3 (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. Requested extension, to obtain all required permits and begin on-site construction for ZBA Calendar No. 34-2009, Wai Ping Wong & Shuk-Han K. Wong, 31 Relihan Road. The Public Hearing of this matter was September 23, 2009. Initial ZBA approval would have expired on April 8, 2010. Following a March 26, 2010 request, on April 21, 2010 the ZBA granted a six month extension to October 8, 2010. Then following an August 6, 2010 request, on September 15, 2010 the ZBA granted another six month extension to April 8, 2011.
3. Update on site circumstances at H&L Chevrolet property, 1416 Boston Post Road.
4. Approval of Minutes and Resolutions of the decisions made on February 16, 2011. Seated ZBA members for these decisions were Gary Greene, Vic Capellupo, Al Tibbetts, Jeff Williams, Ruth Anne Ramsey, and John Ashburne.
5. Approval of Minutes and Resolution of the decision made on March 2, 2011. Seated ZBA members for this decision were Gary Greene, Vic Capellupo, Jeff Williams, Ruth Anne Ramsey, and John Ashburne.

6. 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.
7. 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).