

REGULAR MEETING
AGENDA

Wednesday, March 17, 2010 7:45 P.M.
Public Meeting Room 206
Darien Town Hall, 2 Renshaw Road
Darien, Connecticut

Due to necessary scheduling of ZBA members, and at the discretion of the Chair, the following items may be considered out of sequence and application requests may be heard and then deliberated one by one rather than all the deliberations occurring at the end of the meeting.

PUBLIC HEARINGS

CALENDAR NO. 9-2010

The application of Lorence Signworks on behalf of Grade A. Market, Inc. and CVS filed on January 27, 2010 for variances of Sections 923.1d and 923.5 of the Darien Zoning Regulations, to allow the installation of 3 replacement wall signs with internal illumination; Section 923.1d: 24 in lieu of 10 inches maximum letter height; and Section 923.5: internal sign illumination where that is prohibited. The property is situated on the east side of Boston Post Road at the southeast corner formed by the intersection of Boston Post Road and Center Street and is shown on Assessor's Map #72 as Lot #4, being 964 Boston Post Road and located in the CBD (commercial) Zone.

CALENDAR NO. 13-2010

The application of Gleason & Associates LLC on behalf of Athos Real Estate, Inc. and Chipotle Mexican Grill of Colorado, LLC filed on January 27, 2010 for variances of Section 926.1, 923.1b, and 926.2 of the Darien Zoning Regulations, to allow the installation of wall signs and a pole sign; Section 923.1b: 31.32 square

feet in lieu of 27 maximum allowable square feet, 12.125 in lieu of 10 inches maximum allowable letter height, and 17 in lieu of 10 inches maximum allowable figure height for the wall sign facing the Post Road; 31.32 square feet in lieu of 9 maximum allowable square feet, 12.125 in lieu of 10 inches maximum allowable letter height, and 17 in lieu of 10 inches maximum allowable figure height for the wall sign facing West Norwalk Road; and 11.67 in lieu of 30.0 feet minimum required front yard setback for the pole sign. The property is situated at the northwest corner formed by the intersection of West Norwalk Road and Boston Post Road and is shown on Assessor's Map #12 as Lot #40, being 71 Boston Post Road and located in an SB-E (commercial) Zone.

CALENDAR NO. 14-2010

The application of Charles E. Coates on behalf of Giovanni Gabriele filed on January 27, 2010 for a variance of Section 381-387 of the Darien Zoning Regulations, to allow the previously installed parking area and curbs to remain along the east property line; Sections 381-387: changes in and expansion of a legally nonconforming use. The property is situated opposite the intersection of Brookside Drive and Boston Post Road 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.

CALENDAR NO. 15-2010

The application of Robert F. Maslan, Jr., on behalf of C.B. Griffith, LLC and Post Road Eleven, LLC filed on January 27, 2010 for variances of Sections 334, 373, 666, 667, 906, 943, 854, 904, and 226 of the Darien Zoning Regulations, to allow the construction of a replacement two story commercial building and related site improvements; Section 334: construction on a lot with 80.0 in lieu of 100 feet minimum lot depth; Section 373: display of materials in the front yard where that is prohibited; Section 666: 21.6 in lieu of 30.0 feet minimum required front yard setback, 1.5 in lieu of 0.0 or 4.0 minimum required side yard setback, and 5.5 in lieu of 25.0 feet minimum required rear yard setback for the building; Section 666: 34.0 in lieu of 20.0 maximum allowable building coverage, and 84.1 in lieu of 80.0% maximum allowable developed site area; Sections 666a, 667, 906.6 and 944: 5.5 in lieu of 25.0 feet minimum required rear landscape buffer; placement of a transformer, garbage area, and a portion of the parking within the required landscape buffer; to allow a portion of the landscape buffer to be located on the abutting property; Sections 666, 906.6, and 943b: 0.0 in lieu of 6.0 feet (Section 666) minimum required front landscape depth and 0.0 in lieu of 10.0 feet (Section 943b) minimum required front landscape depth; 0.0 in lieu of 6.0 feet minimum required front parking setback; 21.5 in lieu of 25.0 feet minimum required rear

parking setback; Section 854 if necessary: grading and filling within 15 feet of the rear property line; Section 904 if necessary: 7 in lieu of 23 minimum required parking spaces; and Section 226 if necessary: 22.7 in lieu of 24.0 minimum required parking aisle width. The property is situated on the southeast side of Boston Post Road at the intersection of the I-95 interchange 11 entry ramp and Boston Post Road and is shown on Assessor's Map #63 as Lot #1, being 1292 Boston Post Road and located in an SB (commercial) Zone.

CALENDAR NO. 16-2010

The application of Charles F. Hartigan on behalf of Michael Coppola filed on February 17, 2010 for a variance of Section 406 of the Darien Zoning Regulations, to allow the construction of a second story addition; Section 406: 5.7 in lieu of 10.2 feet minimum required side yard setback. The property is situated on the east side of Miles Road approximately 150 feet south of the intersection of Hollow Tree Ridge Road and Miles Road and is shown on Assessor's Map #46 as Lot #145, being 32 Miles Road and located in an R-1/3 (residential) Zone.

CALENDAR NO. 17-2010

The application of Dwight Collins on behalf of Pear Partners filed on February 17, 2010 for variances of Section 923 of the Darien Zoning Regulations, to allow the installation of a hanging sign for multiple tenants; and enlarged awning signs and two additional wall signs for the Red Door Spa; Section 923: 1.5 in lieu of 4.0 feet minimum required side yard setback for the hanging sign; awning wall signs more than 15' maximum above the ground level; 24 in lieu of 10" maximum figure and/or letter height on the awnings; projection of the awning signs more than 12" from the face of the building; two additional wall signs at the side facing entry of the Red Door Spa; and an increase in the total number and square feet area of the wall signs identifying the Red Door Spa. The property is situated on the northwest side of Boston Post Road approximately 100 feet southwest of the intersection of Boston Post Road and Corbin Drive and is shown on Assessor's Map #73 as Lots #7 & 42, being 1077 Boston Post Road and located in the CBD (commercial) 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. Review of April 15, 2009 Joint Meeting discussions with the Architectural Review Board and possible recommendations for sign regulation changes or procedural adjustments.
3. Approval of Minutes of meeting on February 24, 2010. ZBA members attending this meeting were Vic Capellupo, Chuck Deluca, Jeff Williams, Ruth Anne Ramsey, and John Ashburne.
4. Approval of Minutes of meeting on March 11, 2010. ZBA members attending this meeting were Vic Capellupo, Chuck Deluca, Jeff Williams, Ruth Anne Ramsey, and John Ashburne.
5. 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.
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).