

**REGULAR MEETING**  
**AGENDA**

Wednesday, May 19, 2010 7:45 P.M.  
Public Meeting Room 206  
Darien Town Hall, 2 Renshaw Road  
Darien, Connecticut

**Due to necessary scheduling of ZBA members, 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.**

**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 decision of Calendar No. 15-2010, Robert F. Maslan, Jr., on behalf of C.B. Griffith, LLC and Post Road Eleven, LLC, 1292 Boston Post Road, previously heard by the ZBA on March 17, 2010 and April 21, 2010. Decision deadline is June 25, 2010 (within 65 days after completion of the hearing on April 21<sup>st</sup>). The next scheduled regular ZBA meetings are May 26, 2010 and June 16, 2010. Seated ZBA members for this request are Vic Capellupo, Gary Greene, Jeff Williams, John Ashburne, and Anthony Simari.

**CONTINUATION OF PUBLIC HEARINGS**

Opened on April 21, 2010 and immediately continued to tonight, May 19, 2010 at the applicants' requests. Since no testimony, comment, or additional information was provided to the ZBA on April 21<sup>st</sup>, the seated ZBA panel for this request is those

members present tonight. These hearings must be completed by May 26, 2010 (within 35 days after their April 21<sup>st</sup> opening). The next scheduled regular ZBA meeting is May 26, 2010. Or the applicants may provide up to a 65 day extension allowing the ZBA to continue these hearings to a later date.

### **CALENDAR NO. 18-2010**

The application of Donald Agnoli on behalf of Stop & Shop and Thomas E. Golden Realty Co. filed on March 24, 2010 for variances of Section 923 of the Darien Zoning Regulations, to allow the installation of a replacement internally illuminated wall sign and a replacement internally illuminated ground sign; Section 923: 24 in lieu of 10" maximum allowable letter height; 32 in lieu of 10" maximum allowable figure height; internal illumination where none is permitted; and ground sign installation where none is permitted. The property is situated on the east side of Edgerton Street at the southeast corner formed by the intersection of West Avenue and Edgerton Street and is also accessed from a Heights Road driveway and is shown on Assessor's Map #74 as Lots #8 and 13, being 138 Heights Road and located in a DC (commercial) Zone.

### **CALENDAR NO. 22-2010**

The application of Donald Agnoli on behalf of Stop & Shop and Urstadt Biddle Prop. Inc. filed on March 24, 2010 for variances of Section 923 of the Darien Zoning Regulations, to allow the installation of a replacement internally illuminated wall sign; Section 923: 36 in lieu of 10" maximum allowable letter height; 36 in lieu of 10" maximum allowable figure height; and internal illumination where none is permitted. The property is situated on the east side of Old Kings Highway North and is part of the Goodwives Shopping Center at the southeast corner formed by the intersection of Old Kings Highway North and Sedgwick Avenue and is shown on Assessor's Map #71 as Lot #19, being 25 Old Kings Highway North and located in a DC (commercial) Zone.

### **PUBLIC HEARINGS**

### **CALENDAR NO. 28-2010**

The application of Ivo J. Granata and Granata Sign Co on behalf of Gina Zangrillo, Stephen F. Zangrillo, and Darien Sport Shop filed on March 24, 2010 for variances of Section 923 of the Darien Zoning Regulations, to allow the installation of four replacement wall signs, two of which with internal "halo" illumination; Section 923: 27 in lieu of 10 inches maximum allowable letter height; internal "halo" illumination where none is permitted; and 4 in lieu of 2 maximum allowable wall signs. The

property is situated on the northwest side of Boston Post Road at the north corner formed by the intersection of Leroy Avenue and Boston Post Road and is shown on Assessor's Map #73 as Lots #1,2,3, and 4, being 1127 Boston Post Road and located in the CBD (commercial) Zone.

### CALENDAR NO. 29-2010

The application of Ivo J. Granata and Granata Sign Co on behalf of Joseph Sandolo, Dinos Ristorante Pizzeria and Harper's Restaurant-Bar filed on March 24, 2010 for variances of Sections 926 and 923 of the Darien Zoning Regulations, to allow the installation of a wall sign and a hanging sign; Section 923: 18 in lieu of 10 inches maximum allowable letter height for the wall sign; 4.0 in lieu of 30.0 feet minimum front yard setback for the hanging sign consistent with an allowable pole sign location; and Section 926: installation of a hanging sign where none is permitted. The property is situated on the northwest side of Boston Post Road at the northeast corner formed by the intersection of Boston Post Road and Birch Road and is shown on Assessor's Map #13 as Lots #1 and 2, being 319 Boston Post Road and located in an SB-E (commercial) Zone.

### CALENDAR NO. 30-2010

The application of Landon Reesor filed on April 21, 2010 for variances of Sections 406 and 906.3 of the Darien Zoning Regulations, to allow the construction of covered front porch, two story and deck additions with front yard parking; Section 406: 21.5 in lieu of 25.0 feet minimum required front yard setback for the covered porch; 15.0 in lieu of 25.0 feet minimum required rear yard setback for the two story addition; 18.5 in lieu of 25.0 feet minimum required rear yard setback for the deck; and Section 906.3: removal of a garage and development of required parking in the front yard space where none is permitted. The property is situated on the south side of Warner Drive approximately 400 feet north of the intersection of Hecker Avenue and Warner Drive and is shown on Assessor's Map #40 as Lot #59, being 10 Warner Drive and located in an R-1/5 (residential) Zone.

### OTHER BUSINESS

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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, received May 4, 2010, to obtain all required permits and begin on-site construction for ZBA Calendar No. 44 -2009, Daniel & Margaret Smith, 147 Long Neck Point Road. The Public Hearing of this matter was October 21, 2009. Initial ZBA approval would have expired on May 5, 2010.
3. Requested two year extension, received May 4, 2010, to obtain all required permits and begin on-site construction for ZBA Calendar No. 6-2008, Town of Darien Park and Recreation Commission, 155 Nearwater Lane, Weed Beach Park. The Public Hearing of this matter was February 13, 2008. Initial ZBA approval would have expired on August 28, 2008. Following a February 25, 2008 request, on March 10, 2008 the ZBA granted a two year extension to August 28, 2010.
4. Requested six month extension, received May 13, 2010, to obtain all required permits and begin on-site construction for ZBA Calendar No. 39-2009, Rucci, Burnham, Carta & Carello, LLP on behalf of J. Wilson Ropp & Adrienne Dreiss, 364 Hollow Tree Ridge Road. The Public Hearing of this matter was November 18, 2009. Initial ZBA approval expires on June 3, 2010.
5. Approval of Minutes of decisions made at the meeting on March 17, 2010. ZBA members attending this meeting were Vic Capellupo, Gary Greene, Jeff Williams, John Ashburne, and Anthony Simari.
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).