

REGULAR MEETING
AGENDA

Wednesday, May 17, 2006 7:45 P.M.
Public Meeting Room 206
Darien Town Hall, 2 Renshaw Road
Darien, Connecticut

GENERAL MEETING

1. Discussion, deliberation and possible authorization for Town Attorney Jim Murphy and Planning and Zoning Director Jeremy Ginsberg to settle specific pending litigation.

CONTINUATION OF PUBLIC HEARING

Opened on April 19, 2006 and immediately continued to tonight, May 17, 2006. Since no testimony, comment, or additional information was provided to the ZBA on April 19th, the seated ZBA members for this request are those present tonight.

This hearing must be completed by May 24, 2006 (within 35 days after its April 19th opening). Or the applicant may provide up to a 65 day extension allowing the ZBA to continue this hearing (up to 100 total days).

CALENDAR NO. 39-2006

The application of Neil Hauck, AIA on behalf of The Darien Historical Society filed on March 22, 2006 for variances of Sections 615 and 944 of the Darien Zoning Regulations, to allow the construction of two story additions. Section 615: 6,355 in lieu of 5,179 square feet maximum allowable floor area; and Section 944: 4.0 in lieu of 25.0 feet minimum required landscape buffer abutting the adjacent residential zone lot. The property is situated on the east side of Old Kings Highway North approximately 100 feet south of the intersection of Brookside Road and Old Kings Highway South and is shown on Assessor's Map #35 as Lot #43, being 45 Old Kings Highway South and located in a DB-1 (commercial) Zone.

PUBLIC HEARINGS

CALENDAR NO. 33-2006

The application of John J. Ryan on behalf of Frank & Donna Gauthier filed on March 22, 2006 for variations of Sections 382 and 406 of the Darien Zoning Regulations, to allow the expansion of attic dormers and the finishing of first floor covered porches into living space; Section 382: enlargement of a non-conforming, two residence use of the property; and Section 406: 7.9 in lieu of 25.0 feet minimum required front yard setback and 23.4 in lieu of 50.0 feet minimum required front yard setback as measured from the centerline of Park Lane for the porch living space; and 23.4 in lieu of 25.0 feet minimum required front yard setback and 38.9 in lieu of 50.0 feet minimum required front yard setback as measured from the centerline of Park Lane for the dormer expansion. The property is situated on the west side of Park Lane approximately 350 feet north of the intersection of Park Lane and West Avenue and is shown on Assessor's Map #25 as Lot #5, being 12/14 Park Lane and located in an R-1/5 (residential) Zone.

CALENDAR NO. 40-2006

The application of Kathryn L. Pasternak on behalf of Michael and Brantley King filed on April 19, 2006 for variances of Sections 384, 406, and 825d of the Darien Zoning Regulations, to allow the construction of additions and the installation of an oil tank; Section 384: to permit additions to a structure in a partially nonconforming location; Section 406: 35.1 in lieu of 40.0 feet minimum required rear yard setback; and Section 825d: maintenance of existing first floor living space at 12.2 in lieu of 13.0 feet minimum required floor elevation; construction of additional first floor living space at 12.2 in lieu of 13.0 feet minimum required floor elevation; and installation of an oil tank in the flood zone below the minimum required elevation. The property is situated on the east side of Tokeneke Trail approximately 450 feet south of the intersection of Old farm Road and Tokeneke Trail and is shown on Assessor's Map #65 as Lot #37, being 5 Tokeneke Trail and located in an R-1 (residential) Zone.

CALENDAR NO. 41-2006

The application of Paul Foley on behalf of John Beinecke filed on April 19, 2006 for a variance of Section 406 of the Darien Zoning Regulations, to allow the installation of a generator and propane tank; Section 406: 20.0 in lieu of 40.0 feet minimum required rear yard setback. The property is situated on the west side of Contentment Island Road approximately 1000 feet south of the intersection of Contentment Island Road and Tokeneke Beach Drive and is shown on Assessor's Map #67 as Lot #61, being 14 Contentment Island Road and located in an R-1 (residential) Zone.

GENERAL MEETING

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 legal 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.
2. General discussion of Application Materials.
3. Any other business (requires 2/3 vote of members present and voting).