

**REGULAR MEETING**  
**AGENDA**

Wednesday, May 24, 2006     7:45 P.M.  
Public Meeting Room 206  
Darien Town Hall, 2 Renshaw Road  
Darien, Connecticut

**PUBLIC HEARING**

Due to necessary scheduling of ZBA members, the following item will be heard and decided prior to the public hearings of the other requests.

**CALENDAR NO. 44-2006**

The application of William W. Seymour & Associates on behalf of Palmer & Julia Sparkman filed on April 19, 2006 for variances of Section 406 of the Darien Zoning Regulations, to allow the construction of a two story addition, first story dormers, a first floor pergola, a one story covered portico; and a cupola: Section 406: 23.0 in lieu of 40.0 feet minimum required front yard setback from Red Coat Pass for the two story addition; 24.7 in lieu of 40.0 feet minimum required front yard setback from Tory Hole Road for the dormers; 22.0 in lieu of 40.0 feet minimum required front yard setback from Tory Hole Road for the portico; 35.0 in lieu of 40.0 feet minimum required front yard setback from Tory Hole Road for the cupola. The property is situated on the northwest side of Tory Hole Road at the southwest corner formed by the intersection of Redcoat Pass, Delafield Island Road, and Tory Hole Road and is shown on Assessor's Map #70 as Lot #10, being 7 Tory Hole Road and located in an R-1 (residential) Zone.

**GENERAL MEETING**

1. Discussion, deliberation and possible decision for Public Hearing request item listed above.

**CONTINUATION OF PUBLIC HEARING**

Opened on April 26, 2006 and continued to tonight, May 24, 2006. Seated ZBA members for this request are Dick Sanford, Vic Capellupo, Al Tibbetts, Chuck Deluca, and Everett Drugge. This hearing must be completed by May 31, 2006 (within 35 days after its April 26<sup>th</sup> opening). However, the next scheduled

regular ZBA meeting is June 21, 2006. Therefore, if the ZBA determines to continue this hearing further, a special meeting must be scheduled by May 31<sup>st</sup> when all of you can attend. Or the applicant may provide up to a 65 day extension allowing the ZBA to continue this hearing later.

### **CALENDAR NO. 32-2006**

The application of Jacqueline Olschan of Sandak Hennessey & Greco LLP on behalf of The Nielsen Company (owner) and Stamford Hospital/Darien Imaging Center (lessee) filed on March 22, 2006 for variances of Sections 923, 925, 926, and 928 of the Darien Zoning Regulations, to allow the construction/installation of ground, directional, tenant listing, and awning signs; For the ground/directional sign proposed at the corner of Boston Post Road and Thorndal Circle: Section 926.1: to allow the sign to be internally illuminated; Section 926.3 referencing Section 925.1c: 9.0 in lieu of 4.0 inches maximum figure height; Section 928.18b: to allow location other than on the lot to which it refers; Section 928.1 referencing Section 665: less than 0.0 in lieu of 30.0 feet minimum required front yard setback; For the ground/tenant listing sign proposed at 3-6 Thorndal Circle: Section 925.1a: 30.0 in lieu of 20.0 maximum allowable square feet; Section 925.1b: 6.0 in lieu of 4.0 feet maximum allowable height; Section 925.1c: 6.0 in lieu of 4.0 inches maximum allowable figure height; Section 925.5 referencing Section 923.4: to allow the sign to be internally illuminated; Section 928.1 referencing Section 715: 0.0 in lieu of 30.0 feet minimum required front yard setback; For the directional signs; Section 925.4: to allow inclusion of the words “Stamford Hospital/Darien Imaging Center” and a logo/figure in lieu of being limited to indicating traffic pattern only; For the awning/wall sign: Section 925.2a: 60.0 in lieu of 12.0 inches maximum projection from the face of the building. The properties are situated on the northwest side of Boston Post Road at the southwest corner formed by the intersection of Boston Post Road and Thorndal Circle; and situated on the southwest side of Thorndal Circle approximately 150 feet northwest of the intersection of Boston Post Road and Thorndal Circle; and are shown on Assessor’s Map #39 as Lots #15, 16, 17, and 17A, being 1405 Boston Post Road and 3-6 Thorndal Circle and located in the SB and OB (commercial) Zones.

### **PUBLIC HEARINGS**

### **CALENDAR NO. 42-2006**

The application of Christopher Lopiano filed on April 19, 2006 for a variance of Section 406 of the Darien Zoning Regulations, to allow the previously installed pool to remain; Section 406: 3.7 in lieu of 5.0 feet minimum required side yard

setback. The property is situated on the west side of Waring Lane approximately 70 feet north of the intersection of Waring Lane and Old Kings Highway South and is shown on Assessor's Map #63 as Lot #36, being 3 Waring Lane and located in an R-1/3 (residential) Zone.

#### **CALENDAR NO. 43-2006**

The application of Steven & Jill Walker filed on April 19, 2006 for a variance of Section 406 of the Darien Zoning Regulations, to allow the construction of a second story addition; Section 406: 26.0 in lieu of 30.0 feet minimum required front yard setback. The property is situated on the east side of Stanley Road at the southeast corner formed by the intersection of Stanley Road and Devon Road and is shown on Assessor's Map #24 as Lot #110, being 12 Stanley Road and located in an R-1/3 (residential) Zone.

#### **CALENDAR NO. 45-2006**

The application of Gary Hutchinson filed on April 19, 2006 for variances of Section 406 of the Darien Zoning Regulations, to allow the reconstruction of a one story portion of the structure and the construction of second story and two story additions; Section 406: 2.1 in lieu of 25.0 feet minimum required rear yard setback from the west property line for the one story reconstruction; and 17.4 in lieu of 25.0 feet minimum required rear yard setback from the west property line for the additions. The property is situated on the east side of Turnabout Lane approximately 130 feet south of the intersection of Turnabout Lane and West Avenue and is shown on Assessor's Map #40 as Lot #22, being 2 Turnabout Lane and located in an R-1/5 (residential) Zone.

#### **CALENDAR NO. 46-2006**

The application of Chad Nehring, AIA on behalf of Russell & Shelly Smith filed on April 19, 2006 for variances of Section 406 of the Darien Zoning Regulations, to allow the construction of a second story addition and the installation of HVAC equipment; Section 406: 9.2 in lieu of 13.9 feet minimum required side yard setback for the addition; and 12.0 in lieu of 13.9 feet minimum required side yard setback for the HVAC equipment. The property is situated on the west side of Chester Road approximately 100 feet south of the intersection of Chester Road and Devon Road and is shown on Assessor's Map #24 as Lot #58, being 12 Chester Road and located in an R-1/3 (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. Requested amendment to the approved plans of Calendar No. 79-2002, Kai Young, 67 Mansfield Avenue, formerly property of Telford N. Fink, Jr.
3. Approval of Minutes of decisions from January 18, 2006. (seated ZBA members for these decisions were Dick Sanford, Vic Capellupo, Al Tibbetts, Gary Greene, and Chuck Deluca).
4. Approval of Minutes of decisions from January 25, 2006. (seated ZBA members for these decisions were Dick Sanford, Al Tibbetts, Chuck Deluca, Jeff Williams, and Peter Thoren).
5. Approval of Minutes of decisions from February 15, 2006. (seated ZBA members for these decisions were Dick Sanford, Vic Capellupo, Al Tibbetts, Gary Greene, and Chuck Deluca).
6. General discussion of Application Materials.
7. Election of 2006 - 2007 Officers (by regular members).
8. Any other business (a 2/3, i.e. 67% favorable, vote of members present and voting is required to add an item to the agenda).