

SPECIAL MEETING
AGENDA

Wednesday, July 26, 2006 7:15 P.M.
Meeting Room 213
Darien Town Hall, 2 Renshaw Road
Darien, Connecticut

EXECUTIVE SESSION

1. Discussion of pending litigation with Town Attorney John Louizos.

**REGULAR MEETING
AGENDA**

Wednesday, July 26, 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 John Louizos and Planning and Zoning Director Jeremy Ginsberg to settle specific pending litigation.

PUBLIC HEARINGS

CALENDAR NO. 59-2006

The application of Jeffrey McDougal and William W. Seymour & Associates on behalf of James & Margaret Batson filed on June 21, 2006 for a variances of Section 406 of the Darien Zoning Regulations, to allow the construction of a replacement two and one-half story residence with a one story covered front entry; Section 406: 29.9 in lieu of 40.0 feet minimum required front yard setback for the residence; and 30.9 in lieu of 40.0 feet minimum required front yard setback for the entry. The property is situated on the south side of Old Oak Road approximately 380 feet northwest of the intersection of Leeuwarden Road and Old Oak Road and is shown on Assessor's Map #29 as Lot #129, being 26 Old Oak Road and located in an R-1/2 (residential) Zone.

CALENDAR NO. 60-2006

The application of Courtney and Tadd Chessen filed on June 21, 2006 for a variance of Section 406 of the Darien Zoning Regulations, to allow the construction of a basement bilco door; Section 406: 19.9 in lieu of 25.0 feet minimum required rear yard setback. The property is situated on the south of McLaren Road at the southeast corner formed by the intersection of McLaren Road and Leroy Avenue and is shown on Assessor's Map #17 as Lots #45 and 46, being 1 McLaren Road and located in an R-1/2 (residential) Zone.

CALENDAR NO. 61-2006

The application of Stephanie Mark on behalf of Rock Shtufaj and Fairmead Real Estate Assoc., LLC filed on June 21, 2006 for a variances of Section 406 of the Darien Zoning Regulations, to allow the construction of a replacement one and one-half story detached garage; Section 406: 5.5 in lieu of 25.0 feet minimum required side yard setback; and 5.5 in lieu of 40.0 feet minimum required rear yard. The property is situated on the west side of Fairmead Road approximately 600 feet south of the intersection of Fairmead Road and Old Kings Highway South and is shown on Tax Assessor's Map #35 as Lot #23, being 19 Fairmead Road and located in an R-1 (residential) Zone.

CALENDAR NO. 62-2006

The application of Craig Danna filed on June 21, 2006 for an amendment of ZBA Calendar No. 41-1959 and a variance of Section 904 to allow portions of the existing 22 Heights Road structure to be used for a gelato/pastry shop and commercial retail space; Section 904: 26 in lieu of 83 minimum required parking spaces. The property is situated on the north side of Heights Road approximately 200 feet west of the intersection of Heights Road and Noroton Avenue and is shown on Tax Assessor's Map #74 as Lots #19 and #20, being 22 and 26 Heights Road and located in a Designed Commercial (DC) commercial Zone.

CALENDAR NO. 63-2006

The application of Daniel C. Morgan on behalf of St. Pauls Episcopal Church filed on June 21, 2006 for variances of Section 406 of the Darien Zoning Regulations, to allow the construction of a one story deck and trellis; Section 406: 35.0 in lieu of 50.0 feet minimum required front yard setback; and 53.0 in lieu of

75.0 feet minimum required front yard setback as measured from the centerline of Mansfield Avenue. The property is situated on the west side of Mansfield Avenue approximately 500 feet south of the intersection of Stephen Mather Road and Mansfield Avenue and is shown on Assessor's Map #2 as Lot #35, being 489 Mansfield Avenue and located in an R-2 (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 decision of Calendar No. 55-2006, Marek Kaminski, 14 Fairfield Avenue, previously heard by the ZBA on June 28, 2006. **Decision deadline is September 1, 2006** (65 days from the hearing's close on June 28th). Seated ZBA members for this request are Vic Capellupo, Al Tibbetts, Gary Greene, Chuck Deluca, and Jeff Williams. Gary Greene and Chuck Deluca are unavailable tonight. There is no scheduled August meeting and the next scheduled ZBA meeting is September 20, 2006. Therefore we will have to arrange a Special Meeting before September 1st when all of you can attend to deliberate this request.
2. Discussion, deliberation, and possible decision of Calendar No. 47-2006 and Calendar No. 48-2006, Douglas C. Curtis, Jr., 10 Clocks Lane, previously heard by the ZBA on June 21, June 28, and July 19, 2006. **Decision deadline is September 22, 2006** (65 days from the hearing's close on July 19th). Seated ZBA members for this request are Vic Capellupo, Al Tibbetts, Gary Greene, Chuck Deluca, and Jeff Williams. Gary Greene and Chuck Deluca are unavailable tonight. There is no scheduled August meeting and the next scheduled ZBA meeting is September 20, 2006. We may arrange a Special Meeting before September 1st when all of you can attend to deliberate these requests and the Kaminski request above.
3. Discussion, deliberation and possible decisions for Public Hearing request items listed above.
4. Requested extension to obtain all required permits and begin on-site construction for ZBA Calendar No. 1-2006, Noroton Fire Department, 1873

Boston Post Road. The Public Hearing of this matter was January 18, 2006.
Initial ZBA approval expires on August 2, 2006.

5. Requested amendment to the approved plans of Calendar No. 18-2006,
Douglas & Rebecca Munro, 102 Rings End Road.
6. General discussion of Application Materials.
7. 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).

ZBA/07262006.agn