

**SUMMARY MEETING MINUTES**  
**DARIEN ZONING BOARD OF APPEALS (ZBA)**  
**January 14, 2015**

**REGULAR MEETING**

Darien Town Hall - Room 206 – 7:47 to 9:37 PM

ZBA members present: Chuck Deluca, Vic Capellupo, Gary Greene, Jeff Williams and Mike Nedder

Staff Present: Code Compliance Officer Robert Woodside and Recorder Judy Fazekas

**OPENING**

ZBA Chair Chuck Deluca opened the meeting at 7:47 PM. He requested cooperation and explained several procedural steps that would be used to conduct the meeting following the posted Agenda.

**POSTPONEMENTS, CONTINUATIONS AND WITHDRAWALS**

Mr. Deluca announced that the Public Hearing of Calendar No. 38-2014, the application of Eileen & John Raleigh regarding the property of Douglas & Cameron Sokolik, 10 Hillcrest Avenue, has been cancelled due to its withdrawal by the applicant.

Mr. Deluca announced that the Public Hearing of Calendar No. 01-2015, the application of Kathleen Willcox, 117 West Avenue, is opened and immediately continued without testimony to February 11, 2105, at the applicant's request.

Mr. Deluca announced that the Public Hearing of Calendar No. 05-2015, the application of Douglas McKay on behalf of 537 Post Road LLC, 537 Boston Post Road, has been postponed to February 11, 2015.

**PUBLIC HEARINGS**

The following hearings were held with various plans and submitted application materials reviewed, possible correspondence and public comment considered, questions asked, and comments made by the ZBA members and Staff:

**CALENDAR NO. 02-2015** - the application of Beth Harrington-Howes and Beth Harrington-Howes LLC on behalf of Dana McBride, owner, and William & Susannah

Lewis, contract purchaser, submitted on December 16, 2014 for a variance of Section 406 of the Darien Zoning Regulations; to allow the construction of porch and second story additions; Section 406: 31.4 in lieu of 40.0 feet minimum required Great Hill Road front yard setback. The property is located on northeast corner of the intersection formed by Great Hill Road and Tokeneke Road and is shown on Assessor's Map #36 as Lot #15, being 1 Great Hill Road and located in an R-1/2 (residential) Zone.

Architect Designer Beth Harrington-Howes explained that William & Susannah Lewis are now the owners of the subject property. Mrs. Harrington-Howes answered various questions and explained the proposal depicted on the submitted plans and described in the application materials. The Public Hearing was then closed.

**CALENDAR NO. 03-2015** - the application of David Lasnick on behalf of Ashish & Neha Shah submitted on December 16, 2014 for a variance of Section 383 of the Darien Zoning Regulations; to allow the construction of additional living space in the basement of a non-conforming two-family house; Section 383a: to allow a non-conforming use to be enlarged and/or extended. The property is located on the north side of West Avenue opposite the intersection with Patton Drive and is shown on Assessor's Map #23 as Lot #72, being 322 West Avenue and located in an R-1/5 (residential) Zone.

Attorney David Lasnick and Ashish Shah answered various questions and explained the proposal depicted on the submitted plans and described in the application materials. Neighbor Ruth Sweyte voiced concerns on various aspects of the application. The Public Hearing was then closed.

**CALENDAR NO. 04-2015** - the application of Shaikh & Kishwar Maqsood submitted on December 17, 2014 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of second story and two-story additions; Section 406: 13.1 in lieu of 18.9 feet minimum required north side yard setback; and 14.2 in lieu of 20.0 feet minimum required total of two side yards setback. The property is situated on the east side of Brookside Drive approximately 300 feet north of the Interstate 95 overpass and is shown on Assessor's Map #47 as Lot #9, being 51 Brookside Drive and located in the R-1/5 (residential) Zone.

Attorney Wilder Gleason, representing the applicant, and Shaikh Maqsood answered various questions and explained the proposal depicted on the submitted plans and described in the application materials. Attorney Margaret Conboy, representing neighbor Kass Bruno, and Kass Bruno objected to various aspects of the application. The Public Hearing was then closed.

## DELIBERATIONS AND DECISIONS

The following decisions were made after the ZBA members reviewed the public hearing comments, the submitted plans and other application materials, and carefully considered possible stipulations to ensure the best possible project fit among the neighboring properties:

**CALENDAR NO. 02-2015** - The application of Beth Harrington-Howes and Beth Harrington-Howes LLC on behalf of William & Susannah Lewis, 1 Great Hill Road. Upon a motion by Gary Greene, seconded by Mike Nedder, the ZBA voted 5-0 to DENY the above delineated, requested variance.

**CALENDAR NO. 03-2015** - The application of David Lasnick on behalf of Ashish & Neha Shah, 322 West Avenue. Upon a motion by Chuck Deluca, seconded by Vic Capellupo, the ZBA voted 5-0 to GRANT WITH STIPULATIONS the above delineated, requested variance.

**CALENDAR NO. 04-2015** - The application of Shaikh & Kishwar Maqsood, 51 Brookside Drive. Upon a motion by Gary Greene, seconded by Jeff Williams, the ZBA voted 5-0 to GRANT WITH STIPULATIONS the above delineated, requested variances.

## OTHER BUSINESS

The following additional decisions were made after the ZBA members reviewed the submitted documents, correspondence and/or project plans:

Requested two month extension, received December 26, 2014, to obtain all required permits and begin on-site construction for ZBA Calendar No. 30-2014, David & Albertine Madon, 15 Shennamere Road. The Public Hearing of this matter was July 16, 2014. Initial ZBA approval expires on January 25, 2015.

Upon a motion by Gary Greene, seconded by Vic Capellupo, the ZBA voted 5-0 to GRANT a six month extension.

Approval of Minutes of meeting on November 12, 2014. ZBA members attending this meeting were Vic Capellupo, Jeff Williams, Mike Nedder, Rich Wood, and Kevin Fullington.

Upon a motion by Vic Capellupo, seconded by Mike Nedder, the ZBA voted 3-0 to APPROVE the subject minutes. Vic Capellupo, Mike Nedder and Jeff Williams voted in favor of the motion. Rich Wood previously indicated his approval.

Discussion and possible appointment of a subcommittee to work with a Planning and Zoning Commission subcommittee on recommended Zoning Regulation changes.

The Board discussed the benefit of a subcommittee effort. Gary Greene and Vic Capellupo were then appointed as the subcommittee members.

## ADJOURNMENT

Upon a motion by Chuck Deluca, seconded by Jeff Williams, and a ZBA vote of 5-0, the meeting was adjourned at 9:37 PM.

These Meeting Minutes,  
Respectfully submitted January 21, 2015  
by Robert Woodside,  
Code Compliance Officer  
ZBA Staff

*These Minutes were reviewed by the attending ZBA members, modified as necessary, and upon a motion by Chuck Deluca, seconded by Gary Greene, approved by a vote of 4-0 at the ZBA meeting on February 11, 2015. Chuck Deluca, Gary Greene, Vic Capellupo and Mike Nedder voted in favor of the motion.*