

SUMMARY MEETING MINUTES (Subject to ZBA review and approval)
DARIEN ZONING BOARD OF APPEALS (ZBA)
MARCH 16, 2011

REGULAR MEETING

Darien Town Hall - Room 206 - 7:50 to 9:30 PM

ZBA members present: Gary Greene, Chuck Deluca, Vic Capellupo, Jeff
Williams, and John Ashburne

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

OPENING

ZBA Chair Gary Greene opened the meeting at 7:50 PM. He requested cooperation and explained several procedural steps that would be used to conduct the meeting following the posted Agenda.

POSTPONEMENTS

Mr. Greene announced that the Public Hearing of Calendar No. 7-2011, the application of Anthony DeChellis, 320 Brookside Road, is postponed to April 13, 2011, due to a lack of neighbor notification.

Mr. Capellupo announced that the Public Hearing of Calendar No. 9-2011, the application of James D. Jespersen, 7 Edgerton Street, Juniper Road, is postponed to April 13, 2011, due to a lack of an updated survey to complete the application.

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. 5-2011 - the application of Diane Boston on behalf of Siesel and Mary Canaday filed on February 16, 2011 for variances of Section 406 of the Darien Zoning Regulations, to allow the construction of a one story addition and the installation of HVAC equipment; Section 406: 17.1 in lieu of 25.0 feet minimum required side yard setback and 35.0 in lieu of 40.0 feet minimum required rear yard setback. The property is situated on the northeast side of Sunset Road approximately 1,400 feet east of the intersection of Sunset Road and Mansfield Avenue Street and is shown on Assessor's Map #15 as Lot #72, being

36 Sunset Road and located in an R-1 (residential) Zone. Diane Boston on behalf of Siesel and Mary Canaday filed on February 16, 2011 for variances of Section 406 of the Darien Zoning Regulations, to allow the construction of a one story addition and the installation of HVAC equipment; Section 406: 17.1 in lieu of 25.0 feet minimum required side yard setback and 35.0 in lieu of 40.0 feet minimum required rear yard setback. The property is situated on the northeast side of Sunset Road approximately 1,400 feet east of the intersection of Sunset Road and Mansfield Avenue Street and is shown on Assessor's Map #15 as Lot #72, being 36 Sunset Road and located in an R-1 (residential) Zone.

Diane Boston and Mary Canaday 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. 6-2011 - the application of Beth Harrington-Howes on behalf of Maureen Meehan filed on February 16, 2011 for variances of Section 406 of the Darien Zoning Regulations to allow the construction of a one story covered porch with steps and a second story addition. Section 406: 25.0 in lieu of 30.0 feet minimum required front yard setback for the covered porch; 22.0 in lieu of 30.0 feet minimum required front yard setback for the porch steps; 8.8 in lieu of 21.2 feet minimum required side yard setback relative to the north property line for the covered porch; 3.8 in lieu of 16.2 feet minimum required side yard setback relative to the south property line for the second story addition; 27.5 in lieu of 30.0 feet minimum required front yard setback for the second story addition; and 12.6 in lieu of 25.0 feet minimum required total of two side yards setback for the new construction. The property is situated on the west side of Oak Park Avenue approximately 150 feet north of the intersection of Oak Park Avenue and West Avenue and is shown on Tax Assessor's Map #23 as Lot #11, being 3 Oak Park Avenue and located in an R-1/3 (residential) Zone.

Beth Harrington-Howes and Maureen Meehan answered various questions and explained the proposal depicted on the submitted plans and described in the application materials. Dan Babbidge objected to and questioned various aspects of the application. Sharon Kratochvil, Ellen Cornelius Zuckerman, and LuAnn Stuart supported the application. The Public Hearing was then closed.

CALENDAR NO. 8-2011 - the application of Jacek Bigosinski on behalf of Susan & Peter Markham filed on February 16, 2011 for a variance of Section 406 of the Darien Zoning Regulations, to allow the raising of a one story segment of the existing house; Section 406: 13.2 in lieu of 25.0 feet minimum required rear yard setback. The property is situated on the north side of Shipway Road at the northwest corner formed by the intersection of Shipway Road and Waverly Road and is shown on Assessor's Map #57 as Lot #29, being 4 Shipway Road and located in the R-NBD (residential) Zone.

Jacek Bigosinski answered various questions and explained the proposal depicted on the submitted plans and described in the application materials. 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. 5-2011 - The application of Diane Boston on behalf of Siesel and Mary Canaday, 36 Sunset Road. Upon a motion by Gary Greene, seconded by Vic Capellupo, the ZBA voted 5-0 to DENY the above delineated, requested variances. Vic Capellupo, Gary Greene, Jeff Williams, Chuck Deluca, and John Ashburne voted in favor of the motion.

CALENDAR NO. 6-2011 - The application of Maureen Meehan, 3 Oak Park Avenue. Upon a motion by Chuck Deluca, seconded by John Ashburne, the ZBA voted 5-0 to GRANT WITH STIPULATIONS the above delineated, requested variances. Gary Greene, Vic Capellupo, Jeff Williams, Chuck Deluca, and John Ashburne voted in favor of the motion.

CALENDAR NO. 8-2011 - The application of Jacek Bigosinski on behalf of Susan & Peter Markham, 4 Shipway Road. Upon a motion by Chuck Deluca, seconded by Jeff Williams, the ZBA voted 5-0 to GRANT WITH STIPULATIONS the above delineated, requested variance. Gary Greene, Vic Capellupo, Jeff Williams, Chuck Deluca, and John Ashburne voted in favor of the motion.

OTHER BUSINESS

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

Requested extension, received March 15, 2011, to obtain all required permits and begin on-site construction for ZBA Calendar No. 34-2009, Wai Ping Wong & Shuk-Han K. Wong, 31 Relihan Road. Upon a motion by Gary Greene, seconded by Vic Capellupo, the ZBA voted 5-0 to GRANT a two month extension with conditions. Gary Greene, Vic Capellupo, Jeff Williams, Chuck Deluca, and John Ashburne voted in favor of the motion.

Approval of Minutes of meeting on February 16, 2011. ZBA members attending this meeting were Gary Greene, Vic Capellupo, Al Tibbetts, Jeff Williams, Ruth Anne Ramsey, and John Ashburne. Gary Greene requested an edit. Upon a motion by Vic Capellupo, seconded by John Ashburne, the ZBA voted 4-0 to APPROVE the subject minutes. Vic Capellupo, Gary Greene, Jeff Williams, and John Ashburne voted in favor of the motion. Al Tibbetts and Ruth Anne Ramsey also previously indicated their approval.

ADJOURNMENT

The meeting was adjourned at 9:30 PM.

These Meeting Minutes,
Respectfully submitted March 24, 2011,
by Robert Woodside,
Code Compliance Officer
ZBA Staff