

SUMMARY MEETING MINUTES
DARIEN ZONING BOARD OF APPEALS (ZBA)
January 20, 2016

REGULAR MEETING

Darien Town Hall - Room 206 – 7:46 to 9:25 PM

ZBA members present: Gary Greene, Vic Capellupo, Rich Wood, Jeff Williams, Mike Nedder and Kevin Fullington

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

OPENING

ZBA Vice-Chair Mike Nedder opened the meeting at 7:46 PM. He requested cooperation and explained several procedural steps that would be used to conduct the meeting following the posted Agenda.

POSTPONEMENTS AND CONTINUATIONS

Mr. Nedder announced that the Public Hearing of Calendar No. 55-2015, the application of Robert Brown, 39 Hillside Avenue, is reopened and immediately reconvened without testimony to January 27, 2016, at the applicant's request.

Mr. Nedder announced that the Public Hearing of Calendar No. 03-2016, the application of Philip Hubbard, AIA, PH Architects, LLC and Beacon Development, LLC on behalf of Secure Residential, LLC, 18 Park Place, is postponed to January 27, 2016, due to a neighbor notification difficulty.

Mr. Nedder announced that the Public Hearing of Calendar No. 07-2016, the application of Douglas DiVesta, PE and DiVesta Civil Engineering Associates, Inc. on behalf of Everett Schenk, 19 Salisbury Road, is postponed to January 27, 2016, due to a neighbor notification difficulty.

CONTINUATION OF PUBLIC HEARING

The following hearing was continued from the November 18, 2015 and December 16, 2015 meetings 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. 54-2015 - the application of Wilder G. Gleason, Esq. and Gleason & Associates LLC on behalf of Job & Ingebord Sandberg, owner, and Justin Scott, contract purchaser, submitted on October 21, 2015 for variances of Section 406 of the Darien Zoning Regulations; to allow the lifting of the existing residence, with additions, approximately 7'; and to allow the lifting of the existing shed approximately 8' with conversion of the structure to a habitable home office and poolhouse; Section 406: 2.8 in lieu of 25.0 feet minimum required north side yard setback, 30.1 in lieu of 40.0 feet minimum required front yard setback, and 47.3 in lieu of 65.0 front yard setback as measured from the centerline of Pear Tree Point Road for the residence; and 3.1 in lieu of 25.0 feet minimum required north side yard setback for the shed/office/poolhouse. The property is situated on the west side of Pear Tree Point Road approximately 900 feet south of the northerly intersection with Long Neck Point Road and is shown on Assessor's Map #60 as Lot #51, being 47 Pear Tree Point Road and located in an R-1 (residential) Zone.

Attorney Wilder Gleason, Architect Mac Patterson and contract purchaser Justin Scott answered various questions and explained the proposal depicted on the submitted plans and described in the application materials. Realtor Carolyn Brook spoke about potential buyers questions regarding the property. The Public Hearing was then closed.

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. 56-2015 - the application of Bruce Hill, Law Office of Bruce Hill, LLC and Jon Roos - Dodaro Architects on behalf of Marisa Perkins submitted on November 18, 2015 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of a covered front porch and the enclosure of a breezeway; Section 406: 59.2 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Conant Place for the front porch; 33.2 in lieu of 40.0 minimum required front yard setback and 48.2 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Conant Place for the breezeway. The property is situated on the east side of Conant Place at the four road intersection of Conant Place, Salem Straits, Peabody Lane and Candlewood Lane and is shown on Assessor's Map #62 as Lots #72 & 73, being 5 Conant Place and located in an R-1 (residential) Zone.

Attorney Bruce Hill and Architect Chris Dodaro 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. 01-2016 - the application of Robert Sanders, AIA and Rob Sanders Arch on behalf of Nancy W. Heitz submitted on December 10, 2015 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of a detached, one-story, two car garage; Section 406: 4.0 in lieu of 15.0 feet minimum required side yard setback in the R-1/2 Zone and 4.0 in lieu of 25.0 feet minimum required side yard setback in the R-1 Zone. The property is situated on the south side of Woodland Drive approximately 120 feet east of the intersection with Outlook Drive and is shown on Assessor's Map #52 as Lot #31, being 4 Woodland Drive and located in an R-1/2 and R-1 (residential) Zone

Architect Rob Sanders and Nancy Heitz 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. 54-2015 - The application of Wilder G. Gleason, Esq. and Gleason & Associates LLC on behalf of Job & Ingebord Sandberg, owner, and Justin Scott, contract purchaser, 47 Pear Tree Point Road. Upon a motion by Jeff Williams, seconded by Vic Capellupo, the ZBA voted 5-0 to DENY IN PART AND GRANT IN PART the above delineated, requested variances.

CALENDAR NO. 56-2015 - The application of Bruce Hill, Law Office of Bruce Hill, LLC and Jon Roos - Dodaro Architects on behalf of Marisa Perkins, 5 Conant Place. Upon a motion by Mike Nedder, seconded by Gary Greene, the ZBA voted 5-0 to GRANT the above delineated, requested variances.

CALENDAR NO. 01-2016 - The application of Robert Sanders, AIA and Rob Sanders Arch on behalf of Nancy W. Heitz, 4 Woodland Drive. Upon a motion by Gary Greene,

seconded by Jeff Williams, the ZBA voted 5-0 to DENY 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 three month extension, received November 25, 2015 to obtain all required permits and begin on-site construction for ZBA Calendar No. 26-2015, Tucker & Meredith Martin, 89 Leroy Avenue. The Public Hearing of this matter was May 20, 2015. Initial ZBA approval would have expired on November 29, 2015.

Upon a motion by Mike Nedder, seconded by Gary Greene, the ZBA voted 5-0 to GRANT the requested three month extension.

Requested amendment to the approved plans and requested three month extension to obtain all required permits and begin onsite construction for ZBA Calendar No. 38-2015, Paul Harris and Cole Harris Associates on behalf of 14 Clocks Lane LLC, 14 Clocks Lane.

Upon a motion by Gary Greene, seconded by Jeff Williams, the ZBA voted 5-0 to GRANT the requested amendment and to GRANT a three month extension.

Requested extension, received November 19, 2015 to obtain all required permits and begin on-site construction for ZBA Calendar No. 24-2015, Timothy & Lauren Stisser, 334 Hollow Tree Ridge Road. The Public Hearing of this matter was May 13, 2015. Initial ZBA approval would have expired on November 22, 2015.

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

Approval of Minutes of meeting on October 14, 2015. ZBA members attending this meeting were Chuck Deluca, Gary Greene, Vic Capellupo, Mike Nedder, and Kevin Fullington.

Upon a motion by Mike Nedder, seconded by Gary Greene, the ZBA voted 4-0 to APPROVE the minutes. Those voting in favor of the motion were Mike Nedder, Gary Greene, Vic Capellupo and Kevin Fullington. Chuck Deluca previously indicated his approval.

Approval of Minutes of meeting on November 18, 2015. ZBA members attending this meeting were Vic Capellupo, Rich Wood, Jeff Williams, Mike Nedder and Kevin Fullington.

This matter was postponed to the next schedule meeting on February 24, 2016.

ADJOURNMENT

The meeting was adjourned at 9:25 PM.

These Meeting Minutes,
Respectfully submitted January 25, 2016,
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 Gary Greene, seconded by Mike Nedder, approved by a vote of 5-0 at the ZBA meeting on March 23, 2016. Gary Greene, Mike Nedder, Jeff Williams, Vic Capellupo and Rich Wood voted in favor of the motion.