

SUMMARY MEETING MINUTES
DARIEN ZONING BOARD OF APPEALS (ZBA)
June 22, 2016

REGULAR MEETING

Darien Town Hall - Room 206 – 7:46 to 8:50 PM

ZBA members present: Mike Nedder, Chuck Deluca, Vic Capellupo, Ruth Anne Ramsey 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.

PUBLIC HEARING

The following hearing was 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. 21-2016 - the application of Mark Lebow and William W. Seymour & Assoc. on behalf of J. Scott & Casey Barrett submitted on May 18, 2016 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of one story additions; Section 406: 4.0 in lieu of 10.0 feet minimum required north side yard setback, 14.8 in lieu of 15.0 feet minimum required south side yard setback, and 26.7 in lieu of 20.0 percent maximum allowable building coverage. The property is situated on the west side of Fairview Avenue approximately 150 feet north of the intersection with Highland Avenue and is shown on Assessor's Map #16 as Lot #26, being 5 Fairview Avenue and located in an R-1/3 (residential) Zone.

Vice-Chair Mike Nedder explained that this proposal was previously scheduled for hearing on June 15, 2016. Due to the lack of a 5 member panel on June 15, 2016, the hearing was postponed to June 22, 2016.

Surveyor Mark Lebow answered various questions and explained the proposal depicted on the submitted plans and described in the application materials. The Public Hearing was then closed.

DELIBERATION AND DECISION

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. 21-2016 - The application of Mark Lebow and William W. Seymour & Assoc. on behalf of J. Scott & Casey Barrett, 5 Fairview Avenue. Upon a motion by Kevin Fullington, seconded by Chuck Deluca, the ZBA voted 4-1 to GRANT WITH STIPULATIONS the above delineated, requested variances. Those voting in favor of the motion were Kevin Fullington, Chuck Deluca, Ruth Anne Ramsey and Mike Nedder. Vic Capellupo was opposed. State of Connecticut Statutes require 4 affirmative votes out of the 5 voting ZBA members to approve a variance of the Zoning Regulations. Therefore this request is granted with stipulations.

OTHER BUSINESS

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

Possible requested amendment to the approved plans of Calendar No. 38-2015, Paul Harris and Cole Harris Associates on behalf of 14 Clocks Lane LLC, 14 Clocks Lane.

The ZBA authorized members Vic Capellupo and Rich Wood to review the proposal with staff to make a determination whether a new Public Hearing of the proposed change is necessary.

Review of possible Resolution regarding timetable of ARB and ZBA projects review.

After discussion, the ZBA decided to continue discussion on this topic at the next scheduled meeting on July 13, 2016.

Review of possible Resolution regarding staff meeting with applicants prior to application submittal.

After discussion, the ZBA decided to continue discussion on this topic at the next scheduled meeting on July 13, 2016.

Review of proposed application form Item K clarifications.

After discussion, the ZBA decided that further discussion on this topic with Town Counsel is needed at a future meeting.

ADJOURNMENT

Upon a motion by Chuck Deluca, seconded by Ruth Anne Ramsey, and a ZBA vote of 5-0, the meeting was adjourned at 8:50 PM.

These Meeting Minutes,
Respectfully submitted June 28, 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 Ruth Anne Ramsey, seconded by Mike Nedder, approved by a vote of 3-0 at the ZBA meeting on October 19, 2016. Ruth Anne Ramsey, Mike Nedder and Jeff Williams voted in favor of the motion. Chuck Deluca previously indicated his approval.