

REGULAR MEETING
AGENDA

Wednesday, June 21, 2023 7:30 P.M.
Public Meeting Room 206
Darien Town Hall, 2 Renshaw Road
Darien, Connecticut

OPENING

Requests to the ZBA involve important legal property rights. The proposal may expand one owner's limitations and reduce others' protections as defined within the Zoning Regulations. Therefore, any information considered must be clearly provided and all hearing comments are recorded. **Please speak only into the microphones near the podium. In order to avoid unnecessary distractions, please silence all electronic/communication devices and avoid side conversations** within the meeting room and hallway near the door.

The ZBA will make every reasonable effort to complete this agenda in a timely manner. However, complications may arise and it may be difficult to properly consider all of the requests tonight. You can be helpful by making your presentation efficiently. Due to necessary scheduling of ZBA members, and possible involvement with other Board/Commission review, the following items may be considered out of sequence. Application requests may be heard and then deliberated one by one rather than all the deliberations occurring at the end of the meeting. Please understand that one or more hearing items may need to be opened and continued to a subsequent meeting and some hearings may be completed tonight but ZBA deliberation of the requests may be postponed to a later date. After the hearing of the project you are interested in is concluded, you may choose to make subsequent inquiries about a possible decision to ZBA office staff at 203-656-7351 during regular business hours.

POSTPONEMENTS AND CONTINUATIONS

CALENDAR NO. 4-2023 TO BE REOPENED AND IMMEDIATELY RECONTINUED TO JULY 12, 2023 OR JULY 19, 2023 DUE TO UNAVAILABILITY OF ALL THE PARTIES INVOLVED

The application of Wilder G. Gleason, Esq. and Gleason & Associates LLC on behalf of David B. Massey and Meredith M. Timbers submitted on March 6, 2023 for an appeal of the issuance of a Certificate of Zoning Compliance by Zoning Enforcement Officer Herve Hamon in respect of Building Permit #B42405 for an inground pool and related site development at 3 Haskell Lane owned by Joseph and Danielle Paccione. The subject property is situated on the north side of Haskell Lane approximately 140 feet east of Hollow Tree Ridge Road and is shown on Assessor's Map #9 as Lot #165, being 3 Haskell Lane and located in an R-1 (residential) Zone.

CALENDAR NO. 13-2023 TO BE OPENED AND IMMEDIATELY CONTINUED TO JULY 12, 2023 OR JULY 19, 2023 DUE TO A CHANGE IN PROJECT PLANS

The application of Sara Zagrodzky submitted on May 17, 2023 for variances of Sections 334 and 406 of the Darien Zoning Regulations, to allow the construction of a second story addition with a raised chimney, a side entry covered porch and a garage cover arbor; Section 334: construction on a building lot with 50.0 in lieu of 80.0 feet minimum required lot width; and Section 406: 11.1 in lieu of 14.9 feet minimum required southwest side yard setback and 22.2 in lieu of 25.0 feet minimum required total of two side yards setback. The property is situated on the north west side of Crimmins Road approximately 500 feet east of the intersection of Fitch Avenue and is shown on Assessor's Map #41 as Lot #109, being 34 Crimmins Road and located in an R-1/3 (residential) Zone.

Additional changes to the meeting agenda may occur after posting and would be announced at the beginning of the meeting.

PUBLIC HEARING

CALENDAR NO. 12-2023 The application of Amy Zabetakis and Rucci Law Group LLC on behalf of Mark and Stasha Cohen submitted on May 16, 2023 for variances of Sections 334 and 406 and an interpretation of Sections 384 and 386 of the Darien Zoning Regulations, to allow the construction of a two story replacement house and the renovation/repair of a detached two story barn; Sections 334 and 406: replacement house construction on a portion of the lot with 89.0 in lieu of 100.0 feet minimum lot width; renovation of the barn 2.8 in lieu of 15.0 feet minimum side yard setback; Sections 384 and 386: repairs to the nonconforming barn which exceed 50% of the Town Assessor determined fair market value; or a determination that a variance is not required for the repairs. The property is situated on the west side of Five Mile River Road approximately 150 feet south of Davis Lane and is shown on Assessor's Map #67 as Lot #23 , being 114 Five Mile River Road and located in an R-1/2 (residential) Zone.

DELIBERATIONS AND DECISIONS

Discussion, deliberation and possible decisions for Public Hearing request items listed above. Four affirmative votes out of the five seated ZBA members are required to approve a proposal. Decisions are made after the ZBA members review the public hearing comments, submitted plans and other application materials, and carefully consider possible stipulations to ensure the best possible project fit among the neighboring properties. If complications arise ZBA deliberation of the requests may be postponed or continued to a later meeting date.

OTHER BUSINESS

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 regulatory 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. Election of Officers, among regular members.
2. Adoption of 2024 Meeting Schedule.
3. Report of ZBA Committee considering the requested release of a performance bond, authorization for issuance of a Certificate of Occupancy and acceptance of amended plans for the Giovannis at Water's Edge canopy and site improvements construction approved in Calendar No. 32-2014 and by Stipulated Agreement.
4. Report of Committee researching possible policy regarding historic preservation considerations with the evaluation of variance requests.
5. General discussion of Application Materials, applicant identity, application review procedures, hearing guidelines, hardship criteria, decision practices/guidelines/staff questions, project fit relative to neighbor properties, supervision/inspection of construction projects, and/or requested changes.
6. Any other business (a minimum 2/3, 67%, i.e. 3/4, 4/5, or 4/6, favorable vote of members present and voting is required to add an item to the agenda).

ADJOURNMENT