

**PLANNING AND ZONING COMMISSION  
DRAFT MINUTES  
PUBLIC HEARING / GENERAL MEETING  
January 23, 2024**

Place: Room 206, Darien Town Hall

TIME: 7:00 P.M.

PLANNING & ZONING COMMISSION MEMBERS ATTENDING:  
Olvany, Balgach, Reilly, Barsanti, Nedder

STAFF ATTENDING: Ginsberg, Doneit  
Recorder: Chris xxx  
Channel 79

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Chairman Olvany opened the meeting at 7:04 P.M. and read the first agenda item:

**PUBLIC HEARING**

**Continuation of Business Site Plan Application #104-B, Special Permit Application #333, Flood Damage Prevention Application #439, Land Filling & Regrading Application #558 (PL-23-145), 1852 Darien 1, LLC, Cloud 10 Smart Wash, 54 Boston Post Road.** Proposal to redevelop the property, formerly occupied by Bertucci's Restaurant, as a new car wash, including a 5,150+/- square foot building with wash bay, 34 exterior self-service "detailing" spaces and 5 employee parking spaces; and to perform related site development activities within a regulated area, including installation of stormwater management, on-site landscaping, and a new traffic signal at the intersection of Boston Post Road and West Norwalk Road. The 2.13+/- acre subject property is located on the south side of Boston Post Road at its intersection with West Norwalk Road, and is shown on Assessor's Map #32 as Lots #1 and #2 in the Service Business Zone (SB).

At the request of the applicant, the Commission immediately continued the public hearing on the matter to February 6, 2024 at 7 p.m. in Room 119 of Darien Town Hall.

At about 7:06 p.m. Chairman Olvany then read the following agenda item:

**Continuation of Public Hearing regarding Land Filling & Regrading Application #557 (PL-23-140), Ivan & Adelya Khmelevskoy, 10 Hoyt Court.** Proposal to construct additions to the west side of the existing single-family residence, construction of a new driveway with a covered parking area, construction of deck, patio, and terrace areas, as well as numerous landscape and retaining walls, and to perform related site development activities, including regrading of the property and installation of stormwater management. The 0.6+/- acre subject property is located on the south side of Hoyt Court approximately 240 feet west of its intersection with Hoyt Street, and is shown on Assessor's Map #30 as Lot #24 in the R-1/3 Residential Zone.

Professional Engineer Joseph Canas, of Tighe & Bond, the Commission's peer review engineer reviewed his letter of January 23, 2024 relative to the volume of earthwork, capacity of the Cultec units, and the separation of the Cultec units from the retaining walls. He said that based on his analysis, total fill on the site would be 797 cubic yards and the amount of cut is 400 cubic yards. 397 cubic yards of material would need to be imported to the site or about 25 truckloads. He said that the

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total earthwork in the applicant's application was 780 cubic yards versus his analysis showing 1,397 cubic yards of earthwork.

Mr. Canas said that the capacity of the Cultec units are providing eight percent more water storage than what was accounted for in the applicant's calculations. He said the storage is adequate for the property. He then noted that the separation of the Cultec units from the top of slope exceeded 20 feet, which is sufficient. He suggested that the Commission may want to require that a polybarrier be installed with the recharger units to minimize the horizontal movement of exfiltration and to help mitigate water flows to the southwest. He said that from an overall stormwater management perspective it may make sense to split the Cultec units up on the property, but there is no requirement to do so per the Regulations. Splitting units would require additional Cultec units on the site.

Professional Engineer Tessa Jucaite, the applicant's engineer acknowledged that Mr. Canas' calculations seemed correct. She said that a polybarrier could be installed with the recharger units.

There being no further comments from Commission members and no comments from the general public, Ms. Barsanti made a motion to close the public hearing. That motion was seconded by Mr. Balgach, and approved by a vote of 5-0.

At about 7:26 p.m. Chairman Olvany then read the following agenda item:

**Coastal Site Plan Review #146-D, Flood Damage Prevention Application #147-D (PL-23-172), DCC Revocable Family Trust, 29 Brush Island Road.** Proposal to construct and install a dock consisting of a fixed ramp, pier and platform, and to perform related site development activities within regulated areas. The 0.86+/- acre subject property is located on the north side of Brush Island Road at its terminus approximately 0.26 miles north of its intersection with Nearwater Lane, and is shown on Assessor's Map #56 as Lot #15 in the R-1 Zone.

Mr. Doneit provided the Commission with an overview of the application.

Mr. John Hilts, the applicant's representative summarized the proposal. He said that the new dock would replace an existing dock in the same location. He said that the previous owners of the property received authorization to replace the existing dock; however, the new owner would like to extend the length of the dock by approximately 20 feet because of shallow waters close to the shoreline. Authorization from CT DEEP and the Army Corps of Engineers has been received.

There being no further comments from Commission members and no comments from the general public, Mr. Reilly made a motion to close the public hearing. That motion was seconded by Mr. Nedder, and approved by a vote of 5-0.

At about 7:35 p.m. Chairman Olvany then read the following agenda item:

**Site Plan Application #310-B, Special Permit Application #324-B, Flood Damage Prevention Application #425-B (PL-23-183), 7 Sedgewick Avenue, LLC, 7 Sedgewick Avenue.** Proposal to raze the existing bank building on the site, convert and redevelop the property as multi-family residential,

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and to perform related site development activities within a regulated area, including limited regrading of the property, installation of landscaping, lighting, and stormwater management. The applicant proposes to construct a three-story multi-family apartment building with a total of 18 one-bedroom apartments on the two floors above the parking level, establish 4,969+/- square feet of public plaza area and an off-street loading area. A total of 30 surface level parking spaces will be created under the building. The 0.49+/- acre subject property is located at the southwest corner formed by the intersection of Sedgwick Avenue and Old King's Highway North, and is shown on Assessor's Map #71 as Lots #15 and #16 in the Central Business District (CBD).

Mr. Doneit provided the Commission with an overview of the application. He said that a similar application was submitted to the Commission in 2023. The application was reviewed by the Architectural Review Board at that time and that the Planning & Zoning Commission application was subsequently denied by the Commission. He said that the application was reviewed by Joe Canas of Tighe & Bond, Greg Del Rio, of Hardesty & Hanover, the Darien Health Department, and CT DEEP.

Attorney Robert Maslan, the applicant's representative, introduced his team, and summarized the proposal. He reviewed the requested approvals. He said that the subject property is a former location of a Bank of America branch and that the current building is not compliant with flood zone regulations. The proposal is to raze the existing building on the site and to construct a three-story apartment building with 30 parking spaces on the surface level below finished floors. He said there are nine 1-bedroom units on each floor, with a rental office and fitness room on first level. 2.52 affordable units are required; however, he noted that the applicant desires to pay a fee-in-lieu or combination of restricted units and fee in lieu. The applicant has met with the Darien Sewer Commission regarding the development.

Attorney Maslan said that a total of 4,969 square feet of public plaza areas are proposed. The new structure has been designed to be flood compliant and includes a new stormwater management system. The property is located within the AE Flood Zone. He presented photographs of the site and surrounding areas, including of various other three-story buildings in Darien. He presented surveys for the property. Curb cuts are located on Sedgwick Avenue and Old King's Highway North, with vehicular circulation through the site proposed in a clockwise direction.

Professional Engineer Andy Soumelidis, of LANDTECH, the applicant's civil engineer, said that the site layout includes a new, one-way entrance driveway from Old King's Highway North. The northbound-approach stop-bar on Old King's Highway North at the intersection with Sedgwick Avenue will be shifted north and a new crosswalk will be provided, connecting the site with Goodwives Shopping Center. A new stop sign will also be added to the northeast side of the traffic circle in proximity to Sedgwick Village condominiums. The site layout reduces curb cuts on Sedgwick Avenue from two driveways to one, exit-only driveway. The existing site curb cut nearest to the intersection with Old King's Highway North will be closed. The parking garage will contain 30 parking spaces, including 2 handicap spaces. A loading area located along entrance driveway from Old Kings Highway North is provided.

Mr. Soumelidis said that the engineered stormwater management system was designed based on the fresh meadow approach and provides for a zero increase in the rate of runoff from the site for the 2 through 50-year storm events. Infiltration included in the stormwater management system provides for water quality and groundwater recharge.

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Mr. Soumelidis reviewed the proposal's compliance with FEMA regulations and the Town's Flood Damage Prevention regulations. The first flood of the building has been elevated 1-foot above the base flood elevation. The enclosed wall volume of the proposed building within the flood zone is less than the volume of the existing noncompliant building. Fill is not being placed on the site to raise the grades and the proposed site elevations are substantially the same as existing. The open garage allows unrestricted flow of flood waters. The development will not result in increase in the base flood elevation, as they are providing more flood storage than currently exists. The site utility plan was presented.

Mr. Marc Andre, of Marc G. Andre Architects, the applicant's architect, presented the architectural details and perspectives of the proposed building and parking areas, including details on floorplans, access points to the building and garage areas, and public plaza areas. He said that the application team met with the ARB several times and that a positive report for the proposal has been issued. He reviewed the location of the trash/recycling enclosures. Electric vehicle charging stations would be included within the parking area.

The landscape and lighting plans for the site were presented. Mr. Andre noted that no rooftop access would be provided for residents. Multiple bike racks have been provided for within the plaza areas and the parking garage.

Commission members raised multiple concerns and asked questions about landscaping and sight distances, staging of construction materials and equipment, stormwater management, flooding, compliance with Section 820 of the Regulations, parking for moving trucks and delivery vehicles, potential parking along the shoulders of Sedgwick Avenue, and height of the building, including provisions for a third level relative to the plaza space provided. Mr. Nedder opined that the proposed use is not a permitted use in the Central Business District, because there is no mixed-use or commercial space on the first level of the building.

Professional Engineer Joseph Canas, of Tighe & Bond, the Commission's peer review civil engineer, reviewed his January 17 letter to the Commission. He said that the applicant will need to contact Eversource to determine their requirements for accessing the transformer elevated at the side of the building. He said that the project would not result in additional flood or an increase in the base flood elevation. He recommended that the Commission defer to the Fire Marshal on questions related to safety and dry access in the event of a flood event. He said that he had some minor comments regarding stormwater management and utilities that should be easily addressed by the applicant.

The Commission's peer review Professional Engineer, Greg Del Rio, of Hardesty & Hanover, reviewed his review letter to the Commission, largely agreeing with the applicant's traffic engineer. He said that the proposal will generate less traffic than the previous drive-in bank and will reduce traffic impacts on the adjacent roadways and intersections. He said that the proposed exit driveway will be an improvement over the existing exit driveway in terms of sight lines and safety and that the recommended improvements by the applicant will improve safety and pedestrian activity in the area. It was noted that the Darien Legal Traffic Authority would need to approve any new stop signs and pavement markings on Old King's Highway North.

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Chairman Olvany then opened the hearing to public comment.

Mr. Edward Tobergte, of 20 Sedgwick Village Lane and a representative of the Sedgwick Homeowners Association, expressed concerns regarding traffic, flooding, and pedestrian circulation and safety in the vicinity of the project.

The Commission then continued the public hearing on the matter to February 27 at 7 p.m. in Room 206 of Darien Town Hall.

At about 9:44 p.m. Chairman Olvany then read the following agenda item:

**GENERAL MEETING**

**Deliberations and possible decision regarding the following:**

**Special Permit Application #334 (PL-23-162), Glass & Mirror Express Solutions, LLC, 1913 Boston Post Road.** Proposal to establish a new retail glass & mirror product showroom in the first-floor space formerly occupied by Flaherty Plumbing & Heating. *HEARING CLOSED: 1/16/2024.*

Commission members noted that they were generally in favor of the proposal.

Ms. Barsanti made a motion to adopt the resolution as amended by the Commission. That motion was seconded by Mr. Reilly, and was approved by a vote of 4-0, with Mr. Nedder abstaining. The Adopted Resolution reads as follows:

**PLANNING AND ZONING COMMISSION  
ADOPTED RESOLUTION  
January 23, 2024**

Application Number: Special Permit Application #334 (PL-23-162)

Street Address: 1913 Boston Post Road  
Assessor's Map #42 Lot #5

Name and Address of Applicant: Vanessa Chirino  
Glass & Mirror Express Solutions, LLC  
1913 Boston Post Road  
Darien, CT 06820

Name and Address of:  
Property Owner: Peter Ike  
1915 Post Road, LLC  
775 Den Road  
Stamford, CT 06903

Activity Being Applied For: Proposal to establish a new retail glass & mirror product showroom in the first-floor space formerly occupied by Flaherty Plumbing & Heating.

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Property Location: The 0.37+/- acre subject property is located on the north side of Boston Post Road approximately 150 feet west of its intersection with Dickinson Road.

Zone: Neighborhood Business (NB) and Residential R-1/3

Date of Public Hearing: Opened January 9, 2024 and immediately continued to January 16, 2024

Time and Place: 7:00 P.M. Room 206 (1/9) Auditorium (1/16) Darien Town Hall

Publication of Hearing Notices

Dates: December 28, 2023 & January 4, 2024 Newspaper: Darien Times

Date of Action: January 23, 2024 Action: GRANTED WITH STIPULATIONS

Scheduled Date of Publication of Action: February 1, 2024 Newspaper: Darien Times

The Commission has conducted its review and findings on the bases that:

- the proposed use and activities must comply with all provisions of Sections 406, 780, 905, and 1000 of the Darien Zoning Regulations for the Commission to approve this project.
- the size, nature, and intensity of the proposed use and activities are described in detail in the application, the submitted information, and the statements of the applicant whose testimony is contained in the record of the public hearing, all of which material is incorporated by reference.
- each member of the Commission voting on this matter is personally acquainted with the site and its immediate environs.

Following careful review of the submitted application materials and related analyses, the Commission finds:

1. The proposal is to establish a new retail glass & mirror product showroom in the first-floor space formerly occupied by Flaherty Plumbing & Heating. The use is a Principal Use requiring a Special Permit in the Neighborhood Business (NB) Zone under Section 783 of the Regulations. The property is served by public water and sewer and is shared with a two-story multi-family residence, detached garage, and ancillary parking.
2. At the public hearing, the applicant, Ms. Vanessa Chirino explained that the business specializes in the design and installation of custom frameless glass shower doors and enclosures, exterior/interior glass railing systems, safety glass, insulated glass, tempered glass, wine rooms, glass office partitions and doors, storefronts, and gym mirrors.
3. 12,300+/- square feet of floor area is being leased by the applicant. 300+/- square feet is to be utilized by an office and showroom and 12,000+/- square feet is to be utilized for storage of materials. As noted by the applicant, all materials and products are to be fabricated off-site.

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4. Hours of operation were noted in the submitted application materials to be 8am to 4pm Monday through Friday.
5. A total of seven parking spaces are to be dedicated to the use of the business, including for truck/van parking. The Commission finds that the proposed capacity of the on-site parking meets the intent of the Regulations in Section 905. Work vans may be parked overnight.

**SPECIAL PERMIT FINDINGS**

6. The location and size of the use, the nature and intensity of the proposed operations involved in or conducted in connection with it, the size of the site in relation thereto, and the location of the site with respect to streets giving access to it, are such that the application is in harmony with the orderly development of the district in which it is located.
7. The location and nature of the proposed use, the size and height of the existing building are such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings, or impair the value thereof.
8. The location and size of the use and the nature and intensity of the proposed operations conforms to the requirements of Section 1005 (a-g) and will not adversely affect public health, safety and welfare.
9. The design, location, and specific details of the proposed use and site development will not adversely affect safety in the streets nor increase traffic congestion in the area, nor will they interfere with the patterns of highway circulation in such a manner as to create or augment unsafe traffic conditions between adjoining developments and the district as a whole.

**NOW THEREFORE BE IT RESOLVED** that Special Permit #334 is hereby granted subject to the foregoing and following conditions, modifications and understandings:

- A. The Commission hereby grants the proposed use as described in the application materials and at the public hearing on the matter. Final details of any floor plans may be modified subject to final approval by the Fire Marshal, Planning & Zoning Director, and/or Building Official. Any final floor plans and use of the space must be consistent with representations made within the submitted application materials and at the public hearing by the applicant, and this resolution. Zoning/Building Permits shall be required for any interior renovation work.

**LIMITS ON HOURS AND OUTDOOR ACTIVITY**

- B. Because of the nature of the use and the adjacent residential zone, the Commission restricts the maximum hours of operation to 8am to 4pm Monday through Friday. Those were the hours put forth by the applicant. Any proposed expansion of those hours requires further review and action by the Planning & Zoning Commission. No outdoor storage or activity associated with the business is being approved by the Commission.
- C. There is no new impervious surface created as part of this application, and thus, the Commission waives the requirement for stormwater management under Section 880 of the Zoning Regulations.

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- D. In evaluating this application, the Planning and Zoning Commission has relied on information provided by the applicant. If such information subsequently proves to be false, deceptive, incomplete and/or inaccurate, the Commission reserves the right, after notice and hearing, to modify, suspend, or revoke the permit as it deems appropriate.
- E. The granting of this approval does not relieve the applicant of responsibility of complying with all other applicable rules, regulations and codes of the Town, State, or other regulating agency. A Zoning and Building Permit may be needed for interior tenant fit-out of the space. Any desired façade changes and/or signage shall require review and a report by the Architectural Review Board (ARB) prior to that work being completed or installed.
- F. This permit shall be subject to the provisions of Section 1009 of the Darien Zoning Regulations, including but not limited to, implementation of the approved interior plan within one (1) year of this action (January 23, 2025). This may be extended as per Section 1009.

All provisions and details of the plan shall be binding conditions of this action and such approval shall become final upon compliance with these stipulations and the signing of the final approved plans by the Chairman, or this approval shall become null and void. A Special Permit form shall be filed in the Darien Land Records within the next 60 days of this approval.

At about 9:45 p.m. Chairman Olvany then read the following agenda item:

**Land Filling & Regrading Application #241-A (PL-23-187), Michael & Tracey Riccardi, 158 Long Neck Point Road.** Proposal to fill and regrade in association with the construct a new single-family dwelling, a detached barn/garage, new driveways, retaining walls, and pool and patio areas; and to perform related site development activities, installation of stormwater management. *HEARING CLOSED: 1/16/2024.*

Commission members noted that they were generally in favor of the proposal.

Ms. Barsanti made a motion to adopt the resolution as amended by the Commission. That motion was seconded by Mr. Balgach, and was approved by a vote of 4-0, with Mr. Nedder abstaining. The Adopted Resolution reads as follows:

**PLANNING AND ZONING COMMISSION  
ADOPTED RESOLUTION  
January 23, 2024**

Application Number: Land Filling & Regrading Application #241-A (PL-23-187)

Street Address: 158 Long Neck Point Road  
Assessor's Map #61 Lot #23-A

Name and Address of Property

Michael & Tracey Riccardi



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Owners: 158 Long Neck Point Road  
Darien, CT 06820

Name and Address of Applicant Andy Soumelidis, P.E.  
& Applicant's Representative: LANDTECH  
518 Riverside Avenue  
Westport, CT 06880

Activity Being Applied For: Proposal to fill and regrade in association with the construction of a new single-family dwelling, a detached barn/garage, new driveways, retaining walls, and pool and patio areas; and to perform related site development activities, including installation of stormwater management.

Property Location: The 1.57+/- acre subject property is located on the west side of Long Neck Point Road, at the southwest corner formed by its southernmost intersection with Pear Tree Point Road.

Zone: Residential R-1

Date of Public Hearing: Opened January 9, 2024 and immediately continued to January 16, 2024

Time and Place: 7:00 P.M. Room 206 (1/9) Auditorium (1/16) Darien Town Hall

Publication of Hearing Notices

Dates: December 28, 2023 & January 4, 2024 Newspaper: Darien Times

Date of Action: January 23, 2024

Action: APPROVED WITH CONDITIONS

Scheduled Date of Publication of Action: February 1, 2024

Newspaper: Darien Times

The Commission has conducted its review and findings on the bases that:

- the proposed use and activities must comply with all provisions of Sections 406, 850 and 1000 of the Darien Zoning Regulations for the Commission to approve this project.
- the size, nature, and intensity of the proposed use and activities are described in detail in the application, the submitted application materials, and the statements of the property owners' representative / engineer whose testimony is contained in the record of the public hearing, all of which material is incorporated by reference.
- each member of the Commission voting on this matter is personally acquainted with the site and its immediate environs.

Following careful review of the submitted application materials and related analyses, the Commission finds:

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1. The proposal is to fill and regrade in association with the construction of a new single-family dwelling, a detached barn/garage, new driveways, retaining walls, and pool and patio areas; and to perform related site development activities, including installation of stormwater management. The project will establish new connections to public water and sewer.
2. Under existing conditions, the site terraces down from east to west from about elevation 50' down to approximately elevation 26' with a series of retaining walls. An original proposal was granted zoning approval for a new house, barn, pool, patio areas, and associated grading. Upon construction of the barn, groundwater was encountered, which resulted in elevating the barn slab elevation by about 4'. This resulted in less grading (cutting) in the northwest corner of the site, but requires elevating the walls and grades on the southwestern portion of the site by 3+/- feet. The pool is also proposed to be relocated parallel with the rear of the house versus the previous location which was parallel with the barn.

#### STORMWATER MANAGEMENT

3. A Stormwater Management Report by LANDTECH, dated September 28, 2022, last revised January 8, 2023 was submitted for the record as part of the application. An Operations and Maintenance Plan for stormwater structures and features has been provided.
4. Professional Engineer Joseph Canas of Tighe & Bond submitted comments for the record dated January 6, 2023. Those comments were responded to by LANDTECH on January 8, 2024.
5. The proposed on-site stormwater management system has been designed based on the required water quality volume and runoff control for the 50-year and smaller storm events for the site. The underground detention system will filter pollutants and retain runoff generated from the residence, barn, patios/terraces, pool, and portions of lawn area. There are not currently any on-site drainage facilities on the property. Drainage patterns will not be altered in the post development condition.
6. The Commission finds that if implemented properly, the proposed site development activities will have no adverse impacts to adjoining property owners or any downstream drainage systems.

#### LAND FILLING & REGRADING SPECIAL PERMIT FINDINGS

7. During construction, there is the potential for adverse impacts related to erosion and sedimentation. To mitigate this, sediment & erosion controls are proposed on the site throughout the construction period. These controls include installation of silt fencing down gradient of all construction activities, inlet protection for all existing and proposed area drains, and a stone construction entrance.
8. With proper implementation of the site development plan and temporary and permanent sediment and erosion control measures, it is anticipated that the proposed development will not have adverse impacts on neighboring properties or downstream drainage systems.
9. The application has been reviewed by the Commission and is in general compliance with the intent and purposes of Sections 850 and 1000.
10. The proposal conforms to the standards for approval as specified in Section 1005 (a) through (g) of the Darien Zoning Regulations.

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**NOW THEREFORE BE IT RESOLVED** that Land Filling & Regrading Application #241-A is hereby modified and approved subject to the foregoing and following stipulations, modifications and understandings:

- A. Construction and other site development activity shall be in accordance with the following plans submitted to and reviewed by the Commission:

**CIVIL ENGINEERING PLANS & PLANTING PLAN**

Plans generally entitled '158 Long Neck Point Road, Darien', Prepared for Ryan Fletcher by LANDTECH, dated September 28, 2022, last revised January 8, 2024.

- Sheet C-1, Site Plan;
- Sheet C-2, Notes and Details.

**SEDIMENT & EROSION CONTROLS**

- B. During construction, the applicant shall install the proposed erosion controls as shown on the plans noted in Condition 'A', above, and also utilize any sediment and erosion control measures as may be necessary due to site conditions, including tree protection. These sediment and erosion controls shall be installed and maintained to minimize any adverse impacts during construction and until the area has been revegetated or restabilized. Temporary stabilization may include seeding, sodding, mulching, erosion control blankets, etc. The Planning and Zoning Department shall be notified prior to the commencement of work and immediately after the sedimentation and erosion controls are in place. The staff will inspect the erosion controls to make sure that they are sufficient and are as per the approved plans. All erosion control measures must be maintained until the disturbed areas are stabilized.
- C. No rock crushing or similar processing of earth materials has been requested and no such activity is authorized, approved, or permitted. If such activity is desired, prior review and action by the Planning & Zoning Commission shall be required. No ledge removal is shown on the plans and none is approved herein.

**STORMWATER MANAGEMENT**

- D. The applicant must make sure that at all times during the redevelopment of the site, the stormwater runoff is properly managed to avoid impacts to the neighbors, Pear Tree Point Road and Long Neck Point Road. This shall include, but not be limited to sedimentation prevention and control, temporary artificial and/or vegetative cover to minimize erosion of exposed soils, and result in the speedy restabilization of all disturbed areas.
- E. An Operations and Maintenance Plan, dated September 28, 2022 was submitted to the Planning and Zoning Office. The Drainage Maintenance Program requires the property owner and all subsequent property owners of 158 Long Neck Point Road to maintain the on-site drainage facilities and will alert future property owners of the existing on-site drainage facilities and the requirement to maintain said facilities to minimize any potential downstream impacts. A Notice of Drainage Maintenance Plan shall be filed in the Darien Land Records within 60 days of this approval, and prior to the start of the grading work approved herein.

**REQUIRED AS-BUILTS AND CERTIFICATIONS**

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- F. Prior to the request for the Certificate of Occupancy (CO) for the new residence, the applicant shall submit the following:
1. Verification in writing and/or photographs from the professional designer of the drainage system that certifies that all aspects of the stormwater management system have been completed in compliance with the approved plans referred to in Condition 'A'.
  2. A final "as-built" survey shall be prepared by a licensed land surveyor demonstrating that all work has been properly completed in accordance with the approved plans, and complies with zoning setback, building height, and building coverage requirements. The as-built survey shall show all utilities or buried infrastructure installed as part of this application including, but not limited to the location and elevation of all HVAC units, generators, pool equipment, and propane tank(s). The as-built survey shall include measurements from known, permanent, and visible surface features so that buried infrastructure can be located in the field in the future.
- G. In evaluating this application, the Planning and Zoning Commission has relied on information provided by the applicant. If such information subsequently proves to be false, deceptive, incomplete and/or inaccurate, the Commission reserves the right, after notice and hearing, to modify, suspend, or revoke the permit as it deems appropriate.
- H. This permit shall be subject to the provisions of Sections 406, 850, and 1000 of the Darien Zoning Regulations, including but not limited to, implementation of the approved plan within one (1) year of this action (January 23, 2025). This may be extended as per Sections 858 and 1009.

All provisions and details of the plan, as granted herein, shall be binding conditions of this action and such approval shall become final upon compliance with these conditions and the signing of the final documents by the Chairman. A Special Permit form and Notice of Drainage Maintenance Plan form shall be filed in the Darien Land Records within 60 days of this approval.

Chairman Olvany then read the following agenda item:

**Coastal Site Plan Review #376-A (PL-23-189), RRE Holdings, LLC, 244 Long Neck Point Road.** Proposal to construct additions and alterations to the existing residence on the property; and to perform related site development activities within a regulated area, including limited regrading of the property within 25-feet of the residence. *HEARING CLOSED: 1/16/2024.*

The Commission postponed the vote on the matter to a future meeting.

**Deliberations only on the following:**

**Coastal Site Plan Review #146-D, Flood Damage Prevention Application #147-D (PL-23-172), DCC Revocable Family Trust, 29 Brush Island Road.** Proposal to construct and install a dock consisting of a fixed ramp, pier and platform, and to perform related site development activities within regulated areas.

Commission members noted that they were generally in favor of the proposal and directed staff to draft

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an approval for consideration at an upcoming meeting.

**Chairman's Report**

It was noted that the next meetings are scheduled for January 30 and February 6.

There being no other business, Mr. Nedder made a motion to adjourn the meeting. That motion was seconded by Mr. Reilly, and approved by a vote of 5-0. The meeting was adjourned at 9:52 p.m.

Respectfully submitted,

Fred W. Doneit, AICP, GISP  
Assistant Director

*1.23.2024min*

DRAFT