

SUMMARY MEETING MINUTES
DARIEN ZONING BOARD OF APPEALS (ZBA)
May 24, 2023

REGULAR MEETING

Darien Town Hall - Room 206 – 7:30 to 10:08 PM

ZBA members present: Jeff Williams, Barb Hazelton, Kevin Fullington, Matt Lauria, and John McGrath

Staff Present: Code Compliance Officer Robert Woodside and Recorder Karen Manz

Recorded by TV79

OPENING

ZBA Chair Jeff Williams opened the meeting at 7:30 PM. He requested cooperation and explained several procedural steps that would be used to conduct the meeting following the posted Agenda.

POSTPONEMENTS AND CONTINUATIONS

Jeff Williams announced that the Public Hearing of Calendar No. 4-2023, the application of Wilder G. Gleason, Esq. and Gleason & Associates LLC on behalf of David B. Massey and Meredith M. Timbers regarding property of Joseph and Danielle Paccione, 3 Haskell Lane, is Reopened and Recontinued to June 14, 2023, at the applicant's request.

PUBLIC HEARING

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. 7-2023 The application of Wilder G. Gleason, Esq. and Gleason & Associates LLC on behalf of Daniel and Lindsey Zevnik submitted on June 16, 2021 for variances of Section 406 of the Darien Zoning Regulations and for an appeal, under Sections 1122, 339f and 210 of the Darien Zoning Regulations, of the order, requirement, decision, and/or determination of the Zoning Enforcement Officer; to allow the construction of second story and one and one-half story additions, and to reduce the applicable east property line setback; Section 406: 11.1 in lieu of 25.0 feet minimum

required north rear yard setback; and if necessary 50.2 in lieu of 90.0 feet minimum required east front yard setback; and Sections 1122, 339f and 210: a determination that the subject lot was created before March 4, 1960 and the east property line has a 25' rear setback rather than a 90' front setback. The property is situated on the west side of Five Mile River Road accessed by a common driveway approximately 380 feet north of Davis Lane and is shown on Assessor's Map #66 as Lot #35, being 102 Five Mile River Road and located in an R-1/2 and R-1 (residential) Zone.

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

CONTINUATION OF PUBLIC HEARING

CALENDAR NO. 5-2023 The application of Jackie Kaufman and Carmody Torrance Sandak & Hennessey, LLP on behalf of Leslie Gold submitted on March 10, 2023 for an appeal of a decision of the Zoning Enforcement Officer, Herve Hamon, to Nicholas Ackerman (Agent) and John & Charlotte Suhler (Owners) granted in connection with the issuance of Building Permit Application and Building Permit #B-22-708 for an inground pool and spa and associated improvements. The property is situated on the west side of Long Neck Point Road approximately 1,400 feet south of the intersection of Pear Tree Point Road and is shown on Assessor's Map #61 as Lot #18C, being 200 Long Neck Point Road and located in an R-1 (residential) Zone.

Jackie Kaufman and Leslie Gold answered various questions and explained the appeal. Herve Hamon explained aspects of the application. Wilder Gleason objected to the application. The Public Hearing was then closed.

PUBLIC HEARINGS

CALENDAR NO. 8-2023 The application of Mark S. Lebow and Seymour Surveying on behalf of Sarah Whitman & Ryan Baxley submitted on April 19, 2023 for variances of Sections 406 and 906 of the Darien Zoning Regulations, to allow the construction of a second story addition, the installation of AC equipment, and a reduction of required parking; Section 406: 14.8 in lieu of 25.0 feet minimum required front yard setback and 27.8 in lieu of 50.0 feet minimum required front yard setback as measured from the centerline of Raymond Street; 17.7 in lieu of 25.0 feet minimum required front yard setback and 27.7 in lieu of 50.0 feet minimum required front yard setback as measured from the centerline of Raymond Heights; 5.7 in lieu of 8.0 feet minimum required side yard setback; on a lot with 20.5 in lieu of 20.0% maximum building coverage, for the

addition; and 3.3 in lieu of 8.0 feet minimum required side yard setback; 39.8 in lieu of 50.0 feet minimum required front yard setback as measured from the centerline of Raymond Street for the AC equipment; and Section 906: removal from the garage of one of the two required parking spaces and parking located within the front yard setback. The property is situated on the west side of Raymond Street and the north side of Raymond Heights at the north corner formed by the intersection of Raymond Street and Raymond Heights and is shown on Assessor's Map #36 as Lot #128, being 11 Raymond Street and located in an R-1/5 (residential) Zone.

Mark Lebow, Kent Eppley and Sarah Whitman answered various questions and explained the proposal depicted on the submitted plans and described in the application materials. Diane Mack commented on an aspect of the application. The Public Hearing was then closed.

CALENDAR NO. 9-2023 The application of Thomas Stalzer on behalf of Dana Massey & Todd Pekala submitted on April 19, 2023 for a variance of Section 406 of the Darien Zoning Regulations, to allow the existing deck and staircase to remain; Section 406: 32.4 in lieu of 40.0 feet minimum required rear yard setback. The property is situated on the west side of Andrews Drive approximately 400' south the north intersection of Brushy Hill Road and is shown on Assessor's Map #63 as Lot #45, being 55 Andrews Drive and located in an R-1 (residential) Zone.

Tom Stalzer 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. 9-2023 - The application of Thomas Stalzer on behalf of Dana Massey & Todd Pekala, 55 Andrews Drive. Upon a motion by Barb Hazelton, seconded by John McGrath, the ZBA voted 5-0 to **GRANT** the above delineated variance. Jeff Williams, Barb Hazelton, Kevin Fullington, Matt Lauria, and John McGrath voted in favor of the motion.

CALENDAR NO. 8-2023 - The application of Mark S. Lebow and Seymour Surveying on behalf of Sarah Whitman & Ryan Baxley, 11 Raymond Street. Upon a motion by Matt Lauria, seconded by Barb Hazelton, the ZBA voted 5-0 to **GRANT WITH**

STIPULATIONS the above delineated variances. **Jeff Williams, Barb Hazelton, Kevin Fullington, Matt Lauria, and John McGrath** voted in favor of the motion.

CALENDAR NO. 7-2023 - The application of **Wilder G. Gleason, Esq. and Gleason & Associates LLC** on behalf of **Daniel and Lindsey Zevnik, 102 Five Mile River Road**. Upon a motion by **Matt Lauria, seconded by John McGrath**, the ZBA voted 5-0 to **GRANT** the above delineated variances and determination. **Jeff Williams, Barb Hazelton, Kevin Fullington, Matt Lauria, and John McGrath** voted in favor of the motion.

CALENDAR NO. 5-2023 - The application of **Jackie Kaufman and Carmody Torrance Sandak & Hennessey, LLP** on behalf of **Leslie Gold, regarding property of John & Charlotte Suhler, 200 Long Neck Point Road**. Upon a motion by **Kevin Fullington, seconded by Barb Hazelton**, the ZBA voted 5-0 to **DENY** the above delineated appeal. **Jeff Williams, Barb Hazelton, Kevin Fullington, Matt Lauria, and John McGrath** 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:

Approval of Minutes of meeting on March 15, 2023. ZBA members attending this meeting were Jeff Williams, Matt Lauria, Gary Greene, Barb Hazelton, and John McGrath. Upon a motion by **Barb Hazelton, seconded by Matt Lauria**, the ZBA voted 4-0 to **APPROVE** the subject Minutes. **Jeff Williams, Barb Hazelton, Matt Lauria, and John McGrath** voted in favor of the motion.

ADJOURNMENT

Upon a motion by **Matt Lauria**, seconded by **John McGrath**, and a ZBA vote of 5-0, the meeting was adjourned at 10:08 PM.

These Meeting Minutes,
Respectfully submitted **August 10, 2023**,
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 xxx, seconded by xxx, approved by a vote of #-0 at the ZBA meeting on date. xxxxxxxx voted in favor of the motion. xxxxxxxx also or previously indicated his/her/their approval. A TV 79 vimeo of the hearing and deliberation may also be available.

ZBA/05.24.2023MtgMin

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