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TOWN OF NEWTOWN
ZONING BOARD OF APPEALS
MINUTES

Regular Meeting

Wednesday April 5, 2017 at 7:30 pm

Municipal Center – Meeting Room 3

These minutes are subject to approval by the Zoning Board of Appeals.

Present: Charles Annett III, Barbara O'Connor, Jane Sharpe, Ross Carley, Joseph Bojnowski, Stephen Singlak

The meeting was opened by Chairman Annett at 7:30pm, and Ms. O'Connor called the roll.

Mr. Annett asked the Commission to take a vote on the Minutes of March 1, 2016.

All members voted "AYE" and the Minutes of March 1, 2017 were approved.

Ms. O'Connor read the call for Docket # 17-02 Application by The Connecticut Department of Transportation for a property located at 133 South Main Street, Newtown, CT to apply for a variance of section 5.06.01 of the Newtown Zoning Regulations so as to permit the subject property as a legally non-conforming lot of record after the lot area is reduced due to a DOT construction project as shown on a map titled "Right of Way Survey, Town of Newtown, Map Showing Land Acquired from JLB Newtown, LLC, by the State of Connecticut Department of Transportation" dated January 2017

Dennis McDonald, of Connecticut Department of Transportation, Division of Rights of Way, introduced himself as the agent for the application. He submitted the mailers to the clerk. Mr. Annett asked the applicant to explain the extent of the hardship and proposal. Mr. McDonald stated that the project will be altering the entrance/exit to Pecks Lane from Route 25 to create safer sightlines for both Pecks Lane and Prospect Drive.

This roadwork will require the State to acquire property from the owner of 133 Mount Pleasant Road, which is a business in the M-5 zone. The property will be reduced in acreage from 2.13 to 1.97 acres, which is less than the minimum lot requirement of 2 acres. Mr. McDonald is asking for a variance to establish the lot as legally non-conforming, to allow the owner zoning compliance.

Commissioners discussed changes in sightlines, elevation and traffic. Fred Hurley, Director of Newtown Public Works was able to answer their questions. He explained this as a five year long planning process, and construction is expected to take one season. With no further questions, the hearing was closed at 7:46 pm.

Mr. Carley made a motion to accept the lot as legally non-conforming by necessitating public safety for the creation of this intersection. Ms. Sharpe seconded. All members were in favor and the variance was granted.

With no other business, Ms. Sharpe moved to adjourn, Mr. Singlak seconded. All members were in favor. The meeting of April 5, 2017 was adjourned at 7:52 pm.

*Respectfully Submitted,
Georgia Contois, Clerk*