

3 PRIMROSE STREET  
NEWTOWN, CT 06470  
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**TOWN OF NEWTOWN  
ZONING BOARD OF APPEALS**

**MINUTES**

Wednesday, June 7, 2021 – 7:30 PM

**REGULAR MEETING**

Wednesday, July 7, 2021 – 7:30 PM

Newtown Community Center, the Meeting Room  
8 Simpson Street, Newtown CT 06470

**Present:** Alan Clavette, Ross Carley, Prerna Rao, Rachel Rowan, Barbara O'Connor, Joseph Bojnowski, Christina Paradis

**Absent:** Jane Sharpe

**Also Present:** Rob Sibley, Deputy Director of Land Use, Helen Fahey, Clerk

Mr. Clavette called the meeting to order at 7:31 p.m.

**Public Hearings**

**ZBA Application #21-05 by Thomas Stickles, for a property located at 65, 67 & 73 Mount Pleasant Road, for a Variance of the Zoning Regulations of the Town of Newtown §7.04.950, so as to permit the creation of one rear lot with only one front lot in a subdivision, as shown on a set of plans titled “Data Accumulation and Lot Line Revision Survey, Prepared for Thomas Stickles & Sheila Stickles, 65, 67 & 73 Mount Pleasant Road, Newtown, CT”, dated 6/8/21.**

Applicant Thomas Stickles of 67 Mt. Pleasant Rd explained that in addition to his house on 67 Mt. Pleasant Rd, he owns a vacant lot next door at 65 Mt. Pleasant Rd. He is asking to give up this lakefront building lot and make his house 63 Mt. Pleasant Rd. so he can purchase the 10 acres in front to put a house on the back as well as a lot. When the subdivision was created prior to Mr. Stickles, the houses were built close to the property lines, so to build on the lakefront lot would encroach on his neighbors and himself.

Mr. Clavette asked if the access to “revised lot 5” on the map would be a shared driveway. He also made sure that the 73 Mt. Pleasant Rd. property would have its own access from Mt. Pleasant Rd. Both were confirmed by Mr. Stickles.

Ms. Rao questioned the addresses as Mr. Stickles was explaining existing lot 4 on the map as 63 Mt. Pleasant road which was causing confusion.

Mr. Stickles stated he meant 65 and 67 Mt. Pleasant Road.

*These minutes are subject to the approval of the Board.  
Copies of Applications and Documents are on file at the Land Use Agency.*

Mr. Carley wondered where the access to 67 would be.

Mr. Stickles explained 65 and 67 would have a combined access way. There is also the possibility to add access to 73 from Mt. Pleasant Rd.

Mr. Carley requested the town's point of view from Mr. Sibley.

Mr. Sibley stated while zoning officers approve lot line revisions all the time, this request is tricky because of how the subdivision was created prior to Mr. Stickles' ownership. Mr. Sibley stated that conservation officers would endorse this lot line revision because it would remove disturbance from the water source and environmentally sensitive areas.

Mr. Carley questioned what the hardship would be.

Mr. Sibley said there would be no new lots and it would eliminate the environmental disturbance.

Mr. Carley questioned if this would be a qualifying hardship.

Ms. Rowan thought topography could be the hardship.

Mr. Clavette said the configuration of the subdivision itself is the hardship.

Mr. Carley reviewed the site plans and Mr. Clavette explained that this revision would create 2 buildable lots in the front away from the water for 1 unbuildable rear lot along the water.

Ms. Rowan wanted to be sure that the hardship would be irregular lot shape.

Mr. Sibley read the Zoning Board of Appeals Powers and Duties regulation §12.01.200 that makes sure nothing goes against any regulations put in place to protect public health, safety and welfare and this application accomplishes that.

Mr. Clavette invited public comment.

Dawn Palmieri, speaking for Irene Radun of 69 Mt. Pleasant Rd. had concerns because their abutter letters stated they were within 500 yards.

Mr. Clavette stated that these mailers were sent to everyone living within 500 yards as a regulation. There would be no affect to their property.

Ms. Palmieri had no further issues with the application.

With no further questions, Mr. Clavette declared the hearing closed at 7:50pm.

**ZBA Application #21-06 by Nancy and Brian Cronin, for a property located at 34 Oak Ridge Drive, for a Variance of the Zoning Regulations of the Town of Newtown §8.03.222, so as to permit the driveway grade of a single family dwelling to exceed five percent, as shown on a set of plans titled “Final As-Built Zoning Location Survey, Prepared for Brian Cronin, 34 Oak Ridge Drive, Newtown, CT”, revised 5/25/21**

Mr. Cronin of 34 Oak Ridge Drive explained that original subdivision plan had a ledge on the left side of the property that needed to be blasted to put in the homes foundation. They wanted to push the location of driveway as far north as possible to make it safe and approachable at a 90° angle from either direction of the road and from the garage. The lot is nowhere near the 2 acres it is zoned for because of wetlands and a ridge. Due to the setbacks this was the only opportunity to locate a safe driveway.

Mr. Clavette stated that when he visited the property it didn't seem steep at all. Ms. O'Connor agreed.

Ms. O'Connor read letter from Ron Bolmer, town engineer into record (see attached).

Ms. O'Connor had questions about the drainage, located about 10 ft. up the driveway. She wanted to know how it handled the recent heavy rains

Mr. Cronin stated it is pitched in 2 spots to catch any runoff, and there were no issues with drainage during the recent rain storms.

Mr. Clavette said the regulation is in place for safety issues and he sees no issue being that the emergency vehicles could make it up the driveway during Mr. Bolmer's visit.

Mr. Carley asked Mr. Sibley for comment.

Mr. Sibley recognized the wetlands and steep ridges of the community, he trusts Mr. Bolmer's judgement and feels there are no safety issues.

Mr. Bojnowski stated the hardship would be topography.

With no further comments, Mr. Clavette declared the hearing closed at 8:03pm.

### **Discussion and Action**

It was decided that Mr. Bojnowski would vote in place of Ms. Sharpe for application 21-06.

Mr. Clavette doesn't see an issue and stated the driveway was planned as best as it could be.

*Mr. Carley moved to approve Application #21-06 stating that the variance would be on the topography of the property. Mr. Bojnowski seconded. The Board voted as follows:*

*Alan Clavette - AYE*

*Ross Carley - AYE*

*Joe Bojnowski - AYE*

*Barbara O'Connor - AYE*

*Prerna Rao - AYE*

*The motion to approve Application 21-06 carried 5-0.*

It was decided that Ms. Paradis would vote in place of Ms. Sharpe for application 21-05  
Mr. Clavette stated while hardship is a little tricky it improves the general area by giving up waterfront lot.

Ms. Rao said it would be a logical solution and fulfill our purpose.

*Mr. Clavette moved to approve Application #21-05 stating that the variance would be improving the general neighborhood by reducing impact on the cherished watershed in our town. The tradeoff of the lots would be in the best interest of the town and land owner. Ms. O'Connor seconded. The Board voted as follows:*

*Alan Clavette - AYE*

*Ross Carley – AYE*

*Christina Paradis - AYE*

*Barbara O'Connor – AYE*

*Prerna Rao - AYE*

### **Minutes**

Ms. O'Connor moved to approve the amended minutes from the meeting of June 2, 2021. Ms. Rao seconded. All were in favor and the minutes from the meeting of June 2, 2021 were approved.

### **Adjournment**

Ms. O'Connor announced she will be handing in her resignation before the next meeting. She recommends Rachel Rowan to move up and take her place.

Mr. Sibley asked Ms. O'Connor to please attend August's meeting for a recognition.

Mr. Clavette moved to adjourn the meeting. Ms. Rao seconded. All were in favor and the meeting was adjourned at 8:16 p.m.

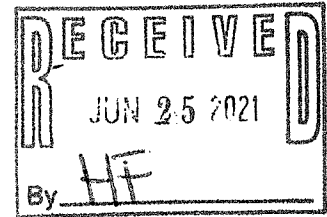
*Respectfully submitted,  
Helen Fahey, clerk*

ENGINEERING DEPARTMENT  
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**TOWN OF NEWTOWN**  
OFFICE OF THE TOWN ENGINEER

RONALD E. BOLMER, P.E.  
Town Engineer  
ron.bolmer @newtown-ct.gov



DATE: June 25, 2021

TO: Steve Maguire, Senior Land Use Officer  
Stephen Hnatuk, Land Use Officer

FROM: Ronald E. Bolmer, P.E., Town Engineer 

RE: Driveway, Nancy and Brian Cronin, 34 Oak Ridge Drive

As the Chief Engineer for the Dodgingtown Fire Department, I tested the above subject driveway with regards for access by emergency fire apparatus. Using both of our major pieces of fire apparatus, (our pumper and tanker), I was able to enter and exit this driveway with no issues.