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**TOWN OF NEWTOWN**  
**ZONING BOARD OF APPEALS**

**MINUTES**  
**REGULAR MEETING**  
Wednesday May 2, 2018 at 7:30 PM  
Meeting Room 3, 3 Primrose Street

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

**Present:** Alan Clavette, Barbara O'Connor, Jane Sharpe, Ross Carley, Joe Bojnowski

The meeting was opened at 7:32 PM

Mr. Clavette announced that Docket 18-06, by Bello Motor Sports LLC, 29 Philo Curtis Road was tabled until the next meeting of June 6, 2018 and was not discussed further.

Ms. O'Connor read a call for the following:

**Docket 18-07** to apply for a variance of Chart VII-I Area Yard Height Requirements of the Zoning Regulations of the Town of Newtown at a property located at 52 Great Quarter Road, so as to permit a gazebo and bathroom enclosure within the setback area as shown on a set of plans titled "Data Accumulation Plan, Prepared for Michael Bohnet, Lot 2, 52 Great Quarter Road, Newtown, Connecticut" dated 5-29-15.

Applicants Mike and Carol Bohnet, 91 Browns Bridge, Tolland, CT joined the Commissioners to present their application. They purchased the property in 2009 and have been working with Wetlands, First Light, and other agencies to receive approval to make their lake-front property more accessible. Mr. Bohnet explained that the terrain and topography of the path to the lake is not safe or easy to navigate. He added that his family members have various handicaps which further complicated access. The family asked the Board to grant them permission to construct a covered area to the patio, enclose a small bathroom, and build a pergola over part of the patio in order to have shelter and shade. This is the only area suitable for the structure because of the topography. Building the patio will allow for a level space.

The hearing was opened to the public.

Arielle Bohnet, Vernon CT, spoke in favor of the application to be able to better enjoy the lake and have a closer facility to utilize.

The clerk read a note from the neighbor, David Clark, which was entered into the record (see attached).

The hearing was closed at 7:51.

Commissioners discussed what type of hardship could be considered for the request. Mr. Clavette said clearly topography is an issue on the lot. Mr. Carley asked about safety for handicapped access. Ms. Paradis wondered if that could be restrictive due to ADA requirements. Mr. Clavette thought it would be a good addition regardless, and that the building department would be the point of code compliance.

Ms. Sharpe made a motion to accept the applications #18-07 due to the topography of the lot and safety concerns. Mr. Carley seconded. The commission took a vote:

Mr. Clavette AYE                      Ms. O'Connor AYE  
Mr. Carley AYE                        Ms. Sharpe AYE  
Mr. Bojnowski AYE  
The motion was approved.

Ms. O'Connor made a motion to accept the minutes of April 18, 2018. Ms. Sharpe seconded. All members were in favor.

With no other business, Mr. Carley made a motion to adjourn. Mr. Clavette seconded. The meeting was adjourned at 8:04 PM.

*Respectfully Submitted,  
Georgia Contois, Clerk*

Town of Newtown, Connecticut

Zoning Board of Appeals

RE: Docket 18-07 (Application of Mike and Carol Bohnet)

May 2, 2018

Dear Members of the Newtown ZBA,

Unfortunately, I will not be able to attend this evening's hearing regarding the above application for a variance at 52 Great Quarter Rd. As an adjoining property owner (54 Great Quarter Rd.), I wanted to let the Board know that I do not object to the application as submitted for a variance to the setback requirements for the proposed gazebo/pergola roof.

However, as I have discussed with the applicants, I would object to any improved pathway and/or driveway or excavation that would encroach on our shared property line. Similarly, I might object to the construction of any structures, excavations or other improvements within the 25' setback on the applicant's property, which would also require a variance from the Board. If any such activities are anticipated with the current project, I request that the Board provide me with an opportunity to review and respond to the proposed work before any variance is approved.

Sincerely,

A handwritten signature in black ink, appearing to read "David Clark". The signature is fluid and cursive, with the first name "David" and last name "Clark" clearly distinguishable.

David Clark

54 Great Quarter Rd.

Mailing Address:

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