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

**Regular Meeting**

**Wednesday December 6, 2017 at 7:30 pm**

**Municipal Center – Meeting Room 3**

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

**Present:** Alan Clavette, Barbara O'Connor, Ross Carley, Jane Sharpe, Prerna Rao, Robin Buchanan, Joe Bojnowski, Christina Paradis

The meeting was opened by Alan Clavette at 7:32 pm.

My. Carley made a motion to accept the minutes of October 4, 2017. Ms. O'Connor seconded. The minutes were unanimously approved.

Mr. Clavette noted that there should be an election of officers after the November 2017 Election. Mr. Carley made a motion to nominate Mr. Clavette for Chairman. Ms. O'Connor seconded. Unanimously approved. Mr. Carley made a motion to nominate Ms. O'Connor for Secretary. Ms. Rao seconded. Unanimously approved.

Ms. O'Connor read the call for the hearing: Docket # 17-10 Application by Patrick Walker for a variance at 84 Nearbrook Drive of Chart VII-1 of the Town of Newtown Zoning Regulations so as to permit construction of a 12' x 16' shed within the setbacks as shown on a map titled "Proposed Zoning Location Survey prepared for PM Home Source LC, #84 Nearbrook Drive, Newtown, Connecticut" dated 10/25/2017.

Mr. Clavette asked to hear from the applicant. Lauren Auresto, 19 Mountain Manor Road, Patrick Walker, 35 Buttonshop Road, and Todd Keeping, 84 Nearbrook Drive came forward as the applicants. The mailers were submitted to the file. Ms. Auresto explained that the lot is small and required a variance to place a shed on the property. She said that the home has a small crawl space that was unsuitable for storage of things like a lawn mower. There was a garage on the property that was removed years ago. The position of the shed is to comply with the setback for the septic. Ms. Rao asked why the shed was not placed more in the rear of the house. Ms. Auresto explained that there is only a small part of the property that is usable yard and they would like to have that space remain as a play area for kids. There were no members of the public that wished to speak on the application. Hearing no further discussion, Mr. Clavette closed the hearing.

Ms. O'Connor read the call for the next hearing: - Docket # 17-11 Application by Elizabeth Connor for a variance at 6 Pond Brook Road of Chart VII-1 of the Town of Newtown Zoning Regulations so as to permit construction of a covered porch in the front yard setback at a distance closest to the property line at 41.5' as shown on a map titled "Data Accumulation Plan Depicting Proposed Porch, Assessors Map 21, Block 2, Lot 9, #6 Pond Brook Road, Newtown, Connecticut, Prepared for Connor Landscaping" dated 01/13/2012.

Applicants Rob and Elizabeth Connor, 6 Pond Brook Road, and agent John Mack, Stuart Somers Company came forward. Mr. Mack presented some pictures showing the house, topography and proximity to the brook. The mailers were submitted for the file. Mr. Mack explained that the house was built forwards to leave more of a buffer to the brook. This caused the front corner of the house to be just at the 50' setback. The Connors are asking for a covered front porch that the kids can use to wait for the bus and the family can enjoy. Mr. Connor said that the existing concrete steps need to be replaced, and though it would be more visually appealing to do the porch than another set of concrete steps. It will not be screened or closed in outside of necessary railings. Ms. Connor also added that it will help with accessibility for her grandmother. Mr. Carley asked for clarification of hardship. Mr. Clavette said it is the shape of the lot, and asked the applicant if they would remove the dilapidated garage structure. Mr. Connor agreed to do so. With no members of the public wishing to speak and no further discussion, Mr. Clavette closed the hearing.

Ms. O'Connor offered a motion to approve Application #17.10 given the septic location and the small size of the lot. Ms. Sharpe seconded. The motion was approved unanimously.

Mr. Carley made a motion to approve Application #17.11 on the grounds of the narrow lot and covered stairs solving a safety issue, and its consistency with the neighborhood, including the condition to remove the dilapidated garage structure. Ms. Sharpe seconded. The motion was approved unanimously.

Mr. Sibley told Commission members that he will be distributing some information via email regarding recent court cases that helped narrow the ZBA purview. He also updated the Commissioners on the status of the Amaral case. Mr. Amaral has applied at the Appellate Court level.

With no other business, Mr. Carley made a motion to adjourn. Ms. Rao seconded. The meeting of December 6, 2017 was adjourned at 8:06PM.

*Respectfully Submitted,  
Georgia Contois, Clerk*