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

**MINUTES**

**Regular Meeting**

Wednesday October 4, 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, Joe Bojnowski, Steve Singlak, Charles Gardner, Robin Buchanan

**Absent:** Ross Carley, Jane Sharpe

The meeting was opened by Alan Clavette at 7:30 pm.

Ms. O'Connor read the call for the hearing: Docket # 17-09 Application by Ken and Desiree Vaiuso for a variance at 90-92 Waterview Drive of section 3.01.211 of the Town of Newtown Zoning Regulations so as to permit a prefabricated shed/garage and carport on a non-buildable lot, as shown on plans titled "Data Accumulation Plan, Assessor's Map 43, Block 12, Lot 183, Lots 183, 184 and 185 'Riverside, Block A', 90 Waterview Drive, Newtown, Connecticut, Prepared for Barbara Taylor" dated 8/14/2017.

Mr. Clavette asked to hear from the applicant. Desiree Vaiuso came forward as the applicant and resident of 92 Waterview Drive, which is owned by her mother. The subject property, 90 Waterview Drive is directly across the street and is also owned by her mother. Ms. Vaiuso explained that there is no safe space to park a car at the lot at # 92 due to its narrow shape and small size. She said that her family began parking their vehicles on # 90. They had installed a carport to house a classic car years ago, not knowing that it required a permit. She submitted two pictures for the record. She said that Cathy Monckton, ZEO, spoke with them due to a complaint unrelated to the car storage. Ms. Monckton submitted a letter to ZBA showing her support for the application, noting their "good-faith effort" to clean up the property and desire to create a safe parking area. Mr. Clavette mentioned the definition of hardship, stating that insurance requirements for a classic car does not fall under their provision. He did note that safety is. He explained that a property needs a primary use in order to have a garage, which is considered a secondary use. Because the two lots are separated by the road, and #90 is vacant, there would be no secondary structure approved. He said the garage is also within the setbacks. Mr. Singlak asked if the mailers were submitted. He asked about neighbor input. Ms. Vaiuso submitted the mailers for the file. She had not heard anything but positive comments and submitted a text screenshot noting the appeal of the garage.

Mr. Clavette asked to hear from any members of the public wishing to speak in favor.

Mike Procaccini, 104 Waterview Drive, said it looks nice and the Vaiuso's cleaned up debris. He didn't think it had any negative affect on the neighborhood. There were no other members of the public wishing to speak for or against the application.

The hearing was closed at 7:43pm.

Ms. O'Connor said that there are many sheds and garages in the neighborhood and there is no safe way to have a garage by the house. She made a motion to approve application #17-09 for a garage and carport due to the safety concerns of the vacant lot being the only suitable space and conformity to the neighborhood. Ms. Buchanan seconded. She agreed with Ms. O'Connors reasoning, including that they spruced up the lot and decorated it nicely. Mr. Gardner said that the garage is further back than many, and seems to be more fitting to the regulations than others in the neighborhood. Mr. Singlak asked if the car port was enclosed. Mr. Clavette noted that it should be a roof with support posts. Mr. Bojnowski had no objection to the application. Mr. Clavette said that he was weary to allow such a variance but saw the need for a safe parking area. The Commission took a vote. All members were in favor and the application was unanimously approved.

Ms. O'Connor made a motion to approve the minutes of September 6, 2017. Mr. Bojnowski seconded. The minutes were approved.

Mr. Bojnowski moved to adjourn. Mr. Singlak seconded. All members were in favor. The meeting adjourned at 7:51 pm.

*Respectfully Submitted,  
Georgia Contois, Clerk*