

Borough of Newtown Zoning Board of Appeals Newtown, Connecticut

Minutes of Meeting of February 1, 2012

Minutes of the meeting of the Borough of Newtown Zoning Board of Appeals on February 1, 2012, at Borough Room, Edmond Town Hall, 45 Main Street, Newtown. Vice Chairman Janet Woycik called the meeting to order at 7:00 p.m.

Commission Members Present: Janet Woycik, Bea Gellert, Robert Taylor and Kathy Geckle.

Commission Members Absent: John Madzula.

Staff Present: Maureen Crick Owen, Clerk, Jean St. Jean, Borough Zoning Enforcement Officer.

Also present were five people from the public.

Docket B12-01: Application of Academy Design & Construction LLC on behalf of the owner, Betsy Kenyon, for a variance to Section 5.01 of the Borough zoning regulations so as to permit a 4.8' and 5.5' setbacks on the southerly side of the property to allow the construction of an addition to the rear of the home. The property is located at 62 Main Street in a R-1zone in the Borough of Newtown.

Vice Chairman opened the public hearing at 7:00 p.m. Mrs. Gellert read the legal notice.

Ben Pilchard of Academy Design & Construction, LLC, 2 Saw Mill Road, Newtown, representing the owner, Betsy Kenyon, presented the application. He stated that the two setbacks read in the legal notice were not the correct setbacks. He said they were requesting a variance for an addition on property at 62 Main Street. Mr. Pilchard said that this is a pre-existing non-conforming property and the home is pushed up to the southern corner of the property. He stated that the addition is in harmony with Main Street and with the fabric of Main Street and its immediate surroundings. Mr. Pilchard showed a GIS type map showing other properties on Main Street where other structures are close to the property lines.

Mr. Taylor asked why make the property more non-conforming. There was then discussion regarding the actual setbacks. The information submitted at the hearing was accurate and not the A-2 survey that was submitted with the application. Mr. Pilchard said that the addition will be a bedroom. Mr. Taylor asked why not put the addition on the other side of the home. Mr. Pilchard stated that if it was put on the other side of the

house, it would place the addition in the front yard of the property and was not put on the back because of the views. Mrs. Geckle commented about the deck that was recently redone which is at the back of the house.

The owner, Betsy Kenyon, stated that the addition will be a master bedroom with adjoining bath. She said if the addition were put on the other side of the house it could be seen from the sidewalk and the driveway and privacy would be an issue.

Mrs. Geckle asked what the hardship was and Mr. Pilchard replied that it is a pre-existing non-conforming property.

Mrs. Kenyon stated that she has lived in Newtown since 1984, loves Newtown and wants to retire in this home.

Mr. Pilchard stated that the addition would be a single story addition.

Alexander Schonleben, 37 Harrison Street, Danbury, stated he owns property at 49A Main Street and is in agreement with the project.

George Miller, 50 Main Street, stated he was in favor of the project.

Tina Wessel, 11 Wendover Road, asked who the owner was and commented about the beautiful gardens. She asked if it was in keeping with the style of the home and Mr. Pilchard replied that it would be the same trim and shingles.

Mr. Taylor asked how close the proposed addition is to the house next door and Mr. Pilchard did not know.

Mr. Taylor asked about the addition being put on the other side of the property. Mr. Pilchard said that there was an outbuilding/shed on the adjacent property and that no one lived in that outbuilding.

Mrs. Owen stated that there were only four members present at the meeting to vote and that the 5th member was absent. She informed the applicant that they could ask the Commission to vote this evening or ask that the 5th member vote on the application. Mrs. St. Jean stated that to approve the variance there needed to be a 4-0 vote. Mr. Pilchard asked for a recess so that he could discuss this with his client. The

There was a recess.

After the recess, Mr. Pilchard stated that they wanted five members to vote on the application. There was discussion about continuing the public hearing.

There was another recess.

After the recess, the Commission agreed to continue the public hearing so that there would be five members present to vote on the application. The public hearing was continued to February 15, 2012 at 7:00 p.m. at the Borough Office, Edmond Town Hall, 45 Main Street, Newtown. It was asked that the applicant submit a corrected A-2 survey at the continuation of the public hearing.

New Business:

Mrs. Gellert made a motion to approve the 2012 meeting schedule, seconded by Mrs. Geckle and unanimous approved.

Mrs. Woycik made a motion to approve the 06.07.2010 minutes, seconded by Mrs. Geckle and unanimously approved (voting on this only was Woycik, Geckle and Taylor).

The minutes from 05.19.10 were tabled.

There was no old business to discuss.

There being no other business to transact the meeting was adjourned. The next meeting is scheduled for February 15, 2012.

Maureen Crick Owen
Clerk