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TOWN OF NEWTOWN
ZONING BOARD OF APPEALS

MINUTES

Regular Meeting

Wednesday September 7, 2016 at 7:30 pm

Municipal Center – Meeting Room 3

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

Present: Charles Annett III, Alan Clavette, Barbara O’Connor, Ross Carley, Jane Sharpe, Joseph Bojnowski, Karen Martin
Also Present: Michael Lynch (Legal Counsel), George Benson (Director of Planning), Georgia Contois (Clerk)

The meeting was opened by Chairman Annett at 7:30pm, and Ms. O’Connor called the roll.

Mr. Clavette made a motion to reverse the order of the dockets to first hear application 16.07. Mr. Carley seconded. All were in favor.

Docket # 16-07 Application of Frank Tsai of 5 Vining Road, Sandy Hook, to apply for a variance of the Chart VII – Area, Height and Yard Requirements of the Zoning Regulations for the Town of Newtown in order to expand a garage within the front and side setback area.

Ms. O’Connor read the call for the hearing.

Mr. Tsai, 5 Vining Road, introduced himself and explained his proposal to the Board. Mr. Tsai explained that he purchased the house as a fixer-upper, and the garage needed to be torn down. Mr. Carley asked to submit a set of photos for the record (Exhibit A). He is asking to expand the previously existing garage foundation by appx. 4 feet, to allow for a proper two car garage. The previously existing garage was already non-conforming to the front and side setbacks. The Board felt comfortable with his proposal, as it was a practical increase of a few feet.

With no public comment, Mr. Clavette made a motion to approve the proposal for 5 Vining Road, expanding the non-conformity to allow a full two car garage, as outlined on plans titled “Zoning Location Survey of property located at 5 Vining Road, Newtown, CT”. Mr. Carley seconded. There was no further discussion, and the Board took a vote:

Voted to **APPROVE**

Annett..... AYE
Clavette.....AYE
O’Connor.....AYE

Carley.....AYE
Sharpe.....AYE

Docket # 16-06 Application of Daniel Amaral to appeal for Correction of Alleged Error of an order issued by the Zoning Officer on July 15, 2016 enforcing the ZBA decision of July 13, 2016, which resulted in a fine of \$100 dollars a day and penalties as permitted by law.

Mr. Lynch asked if the Board would allow the hearing for Docket #16-06 to be continued until the next meeting, as there was a document submitted by Attorney Robert Hall the morning of the hearing. He would like to review the document further and have time for the Board members to review also. Attorney Robert Hall did submit the mailers for the abutters' notices. Board members agreed that it made sense to allow everyone time. They mutually agreed to continue the hearing until the next meeting, October 5th, 2016.

Minutes of July 13, 2016- Mr. Clavette made a motion to accept the minutes as is. Mr. Carley seconded. All were in favor, and the minutes of July 13, 2016 were approved.

Executive Session-The Board moved to executive session at 7:50 P.M. They returned at 8:40 P.M. with no motions.

Mr. Clavette moved to adjourn, Mr. Carley seconded. All members were in favor. The regular meeting of September 7th, 2016 was adjourned at 8:42pm.

Zoning Board of Appeals of the Town of Newtown

*Respectfully Submitted,
Georgia Contois, Clerk*