

East Hampton Zoning Board of Appeals
Regular Meeting
April 13, 2009
Town Hall Meeting Room
7:00 P.M.

Unapproved Minutes

1. **Call to Order:** Chairman Nichols called the ZBA Meeting of April 13, 2009 to order at 7:00PM.

Members Present: Chairman Charles Nichols, Brendan Flannery, Willie Fuqua

Alternate Members Present: Brian Spack.

Absent: Kevin Reed, Vincent Jacobson, Linda Dart

Staff Present: James Carey, Planning, Zoning & Building, Administrator.

2. **Seating of the Alternates:** Brian Spack was seated for the meeting.

3. **Legal Notice:** Mr. Carey read the legal notice.

4. **Approval of Minutes.**

A. February 9, 2009 Regular Meeting:

Mr. Fuqua moved and Mr. Flannery seconded, to approve the minutes of February 9, 2009 regular meeting. The motion carried unanimously.

5. **Communications:**

- Mr. Carey reported on a checklist that the Conservation Commission is requesting the IWWA, Planning & Zoning & Zoning Board of Appeals attach to their application to become part of the permit process.

6. **Application of Mark Paulauskas, 197 Hog Hill Road, requesting a variance of the East Hampton Zoning Regulations, Section No. 20.1, location and size permitted of an accessory building – M 07/ B 21/ L 30B in a R2 zone.**

Mr. Paulauskas is requesting a variance to add a 26 x 24, 624sf garage to the front of the property which is larger than 1/3 the existing home. The height of the garage is going to be 17' – 18'. The location of the well and septic prohibits it being placed in any other location on the lot.

Dennis Bouler, 195 Hog Hill Road, abutter of the property stated he is very familiar with the yard and rock ledge. Mr. Bouler has reviewed the plans and supports his request for location.

Mr. Fuqua moved and Mr. Flannery seconded, to approve the application of Mark Paulauskas, 197 Hog Hill Road, requesting a variance of the East Hampton Zoning Regulations, Section No. 20.1, location and size permitted of an accessory building – M 07/ B 21/ L 30B in a R2 zone with the hardship being the location of the septic, well and ledge on the property. The motion carried unanimously.

7. **Application of Nicholas Mougey and Jane Bisantz , 73 Bay Road, requesting a variance of the East Hampton Zoning Regulations, Section No. 6.1, side yard from 15' to 1' to construct a garage– M 9A/ B70 / L43A in a R1S zone.**

Mr. Mougey and his architect Mr. Loos were present before the ZBA requesting a variance to place a garage on the property. The lot is narrow and the property owners are looking to place the garage in a location that would be minimal to disturbing the

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lot. There currently is an 1449sf asphalt paved driveway that comes down towards the home that they are going to remove and replace with a permeable paving system that allows water to go into and works almost as well as crushed stone. In addition, within the garage design, rain gardens are going to be in place. The hardship is the dimensions of the property with it being so long and narrow.

Mr. Flannery asked if there was going to be a 2nd floor. The architect stated there is not a second floor; however there is a roof line that turns into a studio area for the owner. The stairs to access this area is inside the garage. The Commissioners reviewed the plans for clarification.

Mr. Carey read into the record a letter received from Mr. & Mrs. Anderson, 75 Bay Road stating they did not have any objections for the proposed garage.

Mr. Carey read into the record a MEMO from the Chairman of the Lake Pocotopaug Commission dated march 25, 2009 witch has 2 recommendations. Mr. Flannery requested staff advise the Lake Pocotopaug commission that they are an advisory commission without approval authority, and all of their recommendations will be taken under advisement.

Mr. Flannery moved and Mr. Fuqua seconded, to approve the Application of Nicholas Mougey and Jane Bisantz , 73 Bay Road, requesting a variance of the East Hampton Zoning Regulations, Section No. 6.1, side yard from 15' to 1' to construct a garage- M 9A/ B70 / L43A in a RIS zone, with the hardship being imposed by the 50' lot and the current topography of the lot. The conditions to be added by the recommendations of the Lake Pocotopaug Commission that the area being disturbed should have proper erosion controls monitored closely by the applicant and the town staff and that calculation are worked out for impervious surface and the number computed are no more than 20%. The motion carried unanimously.

8. Application of Global Self Storage, LLC, 1 Sinco Place, requesting a variance of the East Hampton Zoning Regulations, Section No. 6.1, addition of 3866SF to the existing building- M6/ B14/ L7 in a I zone.

Mr. Rand was before the commission with the request to ad an addition to the existing building at 1 Sinco Place. The commissioners reviewed the plans that were before them.

Mr. Flannery moved and Mr. Spack seconded to approve the application of Global Self Storage, LLC, 1 Sinco Place, requesting a variance of the East Hampton Zoning Regulations, Section No. 6.1, addition of 3866SF to the existing building- M6/ B14/ L7 in a I zone with the hardship being in order to retain the existing 52.2% lot coverage of pavement adjacent to the wetlands and with the reduction of the front yard setback from 65' to 50', the addition could retain the existing architectural features of the building. The motion carried unanimously.

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6. New Business:

- A. Discussion:** Possible Revisions to Section 20 East Hampton Zoning Regulations (Accessory Buildings and Uses).

The agency discussed possible revisions to Section 20 of the East Hampton Zoning Regulations. Mr. Carey reported back in 1989 when the town was experiencing a lot of accessory buildings that were put to illegitimate uses such as business and illegal apartments, and certainly this is not the case any longer. Mr. Carey suggests discussing possible revisions to that section of the regulations.

Mr. Flannery reviewed with the agency what transpired at the most recent motherboard meeting which lead up to the discussion of the possibility's of changing this section of the regulation. The agency reviewed the current regulation.

Mr. Carey suggested putting a synopsis together of what other community's like East Hampton are doing in terms of percentage, bring that information to the next meeting for discussion.

7. Old Business: None:

8. Adjournment:

Mr. Fuqua moved to adjourn the Zoning Board of Appeals. The motion was seconded by Mr. Flannery. The meeting was adjourned at 7:50 P.M.

Respectfully Submitted
Kamey Peterson
Recording Secretary