

East Hampton Zoning Board of Appeals
Regular Meeting
May 11, 2009
Town Hall Meeting Room
7:00 P.M.

Approved Minutes

- I. 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, Vincent Jacobson, and Willie Fuqua
Alternate Members Present: Brian Spack, Kevin Reed
Absent: Linda Dart
Staff Present: James Carey, Planning, Zoning & Building, Administrator.
- II. Seating of the Alternates:** Kevin Reed was seated for the meeting.
- III. Legal Notice:** Mr. Carey read the legal notice.
- IV. Approval of Minutes.**
A. April 13, 2009 Regular Meeting:
Mr. Fuqua moved and Mr. Flannery seconded, to approve the minutes of April 13, 2009 regular meeting. The motion carried unanimously.
- V. Communications:** None

Mr. Flannery was recused from application 6.
Mr. Spack was now seated for the meeting.

6. Application of Laura Engel & Eric Peterson, 210 Tartia Road, requesting a variance of the East Hampton Zoning Regulations, Section No. 20.1, to allow an accessory building in excess of 1/3 of the total square footage of the principal residence. – M 28/ B 54/ L 5-2 in a R4 zone.

Mr. Peterson was before the agency to request the above variance for the use of some livestock, tractors, and storage.

The agency discussed the discrepancy of the applicant's failure to request a variance of the barn being located 12' in front of the existing home. There was discussion on moving the barn back to be in compliance with this regulation, however it would then be moved closer to the wetlands which would create further concern.

The IWWA has reviewed this application since it is being placed within 100feet of the wetland. The agent offered an agent review and it was approved.

Mr. Nichols asked if anyone was present to speak in favor or against the application. There were no comments from the public.

Mr. Spack moved and Mr. Jacobson seconded, to approve the application of Laura Engel & Eric Peterson, 210 Tartia Road, requesting a variance of the East Hampton Zoning Regulations, Section No. 20.1, to allow an accessory building in excess of 1/3 of the total square footage of the principal residence, in addition grant a variance of section 20.1 to allow placement of the building to be located 12' in front of the existing primary home, – M 28/ B 54/ L 5-2 in a R4 zone. The hardship

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being stated the location of the wetlands and the topography of the land. The motion carried unanimously.

Brendan Flannery returned and was seated.
Brian Spack was no longer seated.

- 7. Application of Lawrence Willey, 36 Tarragon Drive, requesting a variance of the East Hampton Zoning Regulations, Section No. 6.1, to reduce the rear setback from 6' to 0' to place a shed – M 12/ B 39/ L 21-137 in a R3-S zone**

Mr. Willey was before the agency requesting a variance to place a shed on his property line in the back yard. The immediate abutter of the property belongs to Spice Hill's Open Space Association. Mr. Willey stated his hardship is the slope of the land which drops off in result would end in less preparation for the shed.

Mr. Fugua moved and Mr. Jacobson seconded, to approve the Application of Lawrence Willey, 36 Tarragon Drive, requesting a variance of the East Hampton Zoning Regulations, Section No. 6.1, to reduce the rear setback from 6' to 0' to place a shed – M 12/ B 39/ L 21-137 in a R3-S zone with the hardship being the slop of the land. The motion carried unanimously.

- 8. Application of Patty Livingston, 7 Navajo Trail, requesting a variance of the East Hampton Zoning Regulations, Section No. 6.1, to reduce the side setback from 15' to 12" for an addition. M 09A/ B 74/ L 171 in a R1-S zone**

Ms. Livingston was before the agency requesting a variance to make the rear of her home the same size as the front of the home. The rear of the property is currently falling apart and has forms of mold growing.

Mr. Flannery moved and Mr. Fuqua seconded the application of Patty Livingston, 7 Navajo Trail, requesting a variance of the East Hampton Zoning Regulations, Section No. 6.1, to reduce the side setback from 15' to 12" for an addition. M 09A/ B 74/ L 171 in a R1-S zone, with the hardship as stated on the application. The motion carried unanimously.

- 9. John Ciriello- Lake Pocotopaug Commission presentation**
Mr. Ciriello requested to be rescheduled until the next regular ZBA meeting.

10. New Business: None

11. Old Business: None:

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

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Mr. Carey reported from the last meeting the discussion of possible changes to the existing zoning regulations of section 20. Mr. Carey put together a proposal of changes for the agency's recommendations. *ATTACHMENT*

Mr. Flannery made a motion that the ZBA put forth a recommendation that Mr. Carey proceed with the accessory building and use regulation change. The motion was seconded by Mr. Fuqua. The motion carried unanimously.

12. Adjournment:

Mr. Flannery moved to adjourn the Zoning Board of Appeals. The motion was seconded by Mr. Fuqua. The meeting was adjourned at 7:46 P.M.

Respectfully Submitted

**Kamey Peterson
Recording Secretary**