

East Hampton Zoning Board of Appeals
Regular Meeting
November 5, 2012
Town Hall Meeting Room
7:00 P.M.
Approved Minutes

- 1. Call to Order:** Chairman Nichols called the ZBA Meeting of November 5, 2012 to order at 7:00PM.
Members Present: Charles Nichols, Don Martin, Vincent Jacobson, Dennis Wall,
Alternate Members Present: Tom Keegan, Robert Hines and Lori Wilcox
Absent: Vice Chairman Brendan Flannery Vincent Jacobson, Dennis Wall, Robert Hines and Lori Wilcox
Staff Present: James P. Carey, Administrator Planning, Zoning & Building, Michael Maniscalco, Town Manager.
- 2. Seating of the Alternates:** Chairman Nichols seated alternate member Robert Hines
- 3. Legal Notice:** Mr. Carey read the legal into the record.
Mr. Wall moved to approve the posted legal notice. Motion was seconded by Mr. Martin.

The motion carried unanimously.
- 4. Approval of Minutes.**
a. August 13, 2012 Regular Meeting:
Mr. Wall moved, and Mr. Martin seconded, to approve the minutes of the August 13, 2012 meeting.

The motion carried unanimously.
- 5. Application of Custom Auto LLC, 1 Sinco Place, Unit 9A, for location approval as Required by Regulation– Map 6/Block 14/Lot7, in an Industrial Zone;** Robert MaChackerin, 1 Sinco Place stated their business works on motorcycles and off road vehicles and in order to continue this type of business the DMV requires a general repair license.
Chairman Nichols asked if there was anyone present to speak in favor or against this application. Hearing none-

Mr. Martin moved to approve the application of Custom Auto LLC, 1 Sinco Place, Unit 9A, for location approval as Required by Regulation– Map 6/Block 14/Lot7, in an Industrial Zone; Motion was seconded by Mr. Wall.

The motion carried unanimously.
- 6. Application of Robert Berloni, 21 Middletown Avenue, for a variance to reduce the sideyard setback from 25’ to 10’ and the rear yard setback from 50’ to 10’ to construct a shed – Map 20/Block 51/Lot S-2;** Robert Berloni was before the ZBA requesting permission to place a shed in the right corner of his property as this is the most level area in the yard. The property is only 160’ deep.
Chairman Nichols asked if there was anyone present to speak in favor or against this application. Hearing none-

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Mr. Martin moved to approve the application of Robert Berloni, 21 Middletown Avenue, for a variance to reduce the sideyard setback from 25' to 10' and the rear yard setback from 50' to 10' to construct a shed – Map 20/Block 51/Lot S-2. Motion was seconded by Mr. Wall.

The motion carried unanimously.

- 7. Application of Ferdinando Spallone, 39 Lake Drive, for a variance to increase the maximum lot coverage from 20% to 21.5% to construct an addition to a 4' x 24' addition to an existing porch – Map 03A/Block 44C/Lot 13;** Mr. Spallone was before the agency and explained there currently is an existing porch roof that has been damaged. Mr. Spallone would like to extend the slab by 4', increase the pitch of the roof to prevent future water damage.

Chairman Nichols asked if there was anyone present to speak in favor or against this application. Hearing none-

Mr. Carey read into the record a letter received from the Lake Conservation Commission suggesting the owner of the property install rain gardens.

Mr. Martin moved to approve application of Ferdinando Spallone, 39 Lake Drive, for a variance to increase the maximum lot coverage from 20% to 21.5% to construct an addition to a 4' x 24' addition to an existing porch – Map 03A/Block 44C/Lot 13. Motion was seconded by Mr. Hines.

The motion carried unanimously.

- 8. Application of Jennifer Mikulski, 199 Hog Hill Road to Reduce the Side-Yard Variance from 25' to 20' to Construct a Garage & Breeze-Way – Map 7/Block 21/Lot 30.** Ms. Mikulski was before the agency requesting a variance to construct a garage with an attached breezeway.

Chairman Nichols asked if there was anyone present to speak in favor or against this application. Hearing none-

Mr. Martin moved to approve the application of Jennifer Mikulski, 199 Hog Hill Road to Reduce the Side-Yard Variance from 25' to 20' to construct a Garage & Breeze-Way – Map 7/Block 21/Lot 30. Motion was seconded by Mr. Wall.

The motion carried unanimously.

- 9. Application of Arthur Rodgers, 1 Byron Road, for a variance to reduce the front yard setback from 25' to 20' from the roadway pavement to construct a garage. M10A/B80/L240.** Mr. Rodgers was before the agency requesting a variance in order to construct a garage.

Chairman Nichols asked if there was anyone present to speak in favor or against this application. Hearing none-

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*Mr. Martin moved to approve the applicant of Arthur Rodgers, 1 Byron Road, for a variance to reduce the front yard setback from 25' to 20' from the roadway pavement to construct a garage. M10A/B80/L240. Motion was seconded by Mr. Hines.
The motion carried unanimously.*

Mr. Jacobson recused himself from this next application. Chairman Nichols seated Lori Wilcox.

10. Application of Cynthia Pond, 28 Haddam Neck Road, for a variance to reduce the front yard setback from 50' to 25' to construct a shed. M8/B28/L6. Cynthia Pond was before the agency requesting a variance to construct a shed. In one area of the lot there is an existing town drain and the septic is in another area therefore leaving this location the only place for a shed.

Chairman Nichols asked if there was anyone present to speak in favor or against this application. Hearing none-

*Mr. Martin moved to approve the application of Cynthia Pond, 28 Haddam Neck Road, for a variance to reduce the front yard setback from 50' to 25' to construct a shed. M8/B28/L6, due to the topography of the lot. Motion was seconded by Ms. Wilcox.
The motion carried unanimously.*

11. Application of Gregory Voelker, 18 Michael Drive, for a variance to reduce the rear yard setback from 50' to 10' to construct a garage. M7/B23/L11 Mr. Voelker was before the agency requesting a variance in order to construct a garage; Due to the layout of the land this is the only option for this.

Chairman Nichols asked if there was anyone present to speak in favor or against this application.

Paul Ciesinski, 14 Michael Drive, a direct neighbor to this property stated that he has no issues with Mr. Voelker constructing this garage.

*Mr. Martin moved to approve the application of Gregory Voelker, 18 Michael Drive, for a variance to reduce the rear yard setback from 50' to 10' to construct a garage. M7/B23/L11, stating the hardship being the topography of the lot. Motion was seconded by Mr. Wall.
The motion carried unanimously.*

12. Old Business: None

13. Communications: None

14. New Business: None

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15. Adjournment

Mr. Martin moved to adjourn the ZBA meeting. The motion was seconded by Mr. Wall. The motion carried unanimously. Meeting Adjourned: 7:17PM.

Respectfully Submitted

**Kamey Peterson
Recording Secretary**