

**East Hampton Zoning Board of Appeals**  
**Regular Meeting**  
**June 10, 2013**  
**Town Hall Meeting Room**  
**7:00 P.M.**  
**Approved Minutes**

1. **Call to Order:** Chairman Nichols called the ZBA Meeting of June 10, 2013 to order at 7:00PM.

**Members Present:** Charles Nichols, Dennis Wall, Don Martin and Vincent Jacobson

**Alternate Members Present:** Robert Hines and Lori Wilcox

**Absent:** Vice Chairman Brendan Flannery

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

2. **Seating of the Alternates:** Lori Wilcox was seated for this application.

3. **Legal Notice:** Mr. Carey read the legal into the record.

*Mr. Wall moved to approve the posted legal notice. Motion was seconded by Ms. Wilcox.*

*The motion carried unanimously.*

4. **Approval of Minutes.**

**a. February 11, 2013 Regular Meeting:**

*Ms. Wilcox moved, and Mr. Martin seconded, to approve the minutes of the February 11, 2013 meeting.*

*The motion carried unanimously.*

5. **Application of Victoria Minor, 11 -13 North Maple Street to allow for the establishment of a 3-Family in the R-1 Zone - Map 19/Block 39/Lot 8;**

Victoria Minor was before the agency requesting a variance to allow a 3 family on this property. When the property was purchased the Minors were advised that it was an existing 3 family home and the field card reflects this in addition to paying sewer use fees for a 3 family. Mr. Carey reported the home was originally a single family home and the owner previous to the Minors had taken a portion of the home and used it as a home daycare facility. After the daycare moved out that 3<sup>rd</sup> unit was converted to an apartment, which was not permitted by the Building Department. Neither the assessor nor WPCA had advised the building department of this change. Mr. Carey stated as far as the use as a 3 family and what is inconsistent with the code is the property only has 2 meters and the 3<sup>rd</sup> unit is sharing power with one of the other units. There are a number of 3 family homes in town so this would not be unprecedented use; however this is an unusual way to go about it.

James Sennett liaison from the Planning and Zoning Commission asked the members of the Zoning Board of Appeals, when making a motion to include the hardship for the record.

Chairman Nichols asked if anyone was present to speak in favor of this application.

Chairman Nichols asked if anyone was present to speak against this application.

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Kathy Finn, 18 Summit Street, stated as a previous tenant of this property, the electricity situation was very confusing and hard to decipher. Ms. Finn also expressed her concern for the flooding problem at this property as she had water issues in the garage apartment.

Alan Gale, 18 Summit Street, stated the conversion of the garage that was done without a permit expressed concerns with no inspections. Mr. Carey stated if the Zoning Board of Appeals moves in favor of this request, inspections would need to be made.

Holly Stackowitz, Melburn Avenue, stated that she has known previous occupants that have lived in this garage/ 3<sup>rd</sup> apartment, and asked if there were any consequences of fines the Minors face as this property is only zoned for 2 family. Mr. Carey stated he does not anticipate any fines.

*Mr. Martin moved to accept the application of Victoria Minor, 11 -13 North Maple Street to allow a 3-Family in the R-1 Zone - Map 19/Block 39/Lot 8, hardship of the owner purchasing the home with the understanding it is as it stands a 3-family home. Conditions of this approval are to contact Northeast Utilities to obtain the 3<sup>rd</sup> meter that is required prior to a Certificate of Occupancy is issued and completed within 60 days from this meeting. Motion was seconded by Mr. Jacobson.*

*The motion carried unanimously*

- 6. Application of East Hampton Auto Works LLC, 1 Sinco Place Units A5 & A6, for location approval as Required by Regulation – Map 06/Block 14/Lot 7**  
Terry Janette, 207 West High Street was before the Zoning Board of Appeals for an approval for an auto repair facility for dealers and repairs. There will be no outside storage at this facility.

*Mr. Martin moved to accept the application of East Hampton Auto Works LLC, 1 Sinco Place Units A5 & A6- Map 06/Block 14/ Lot 7. Motion was seconded by Mr. Wall.*

*The motion carried unanimously*

- 7. Old Business: None**
- 8. Communications: None**
- 9. New Business: None**
- 10. Adjournment**

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*Ms. Wilcox moved to adjourn the ZBA meeting. The motion was seconded by Mr. Jacobson. The motion carried unanimously. Meeting Adjourned: 7:39PM.*

**Respectfully Submitted**

**Kamey Peterson, Recording Secretary**