

**East Hampton Zoning Board of Appeals
Regular Meeting
June 8, 2015
Town Hall Meeting Room**

Unapproved Minutes

1. **Call to Order:** Chairman Nichols called the meeting to order at 7:00 P.M.

Chairman Nichols held a moment of silence in honor of Brendan Flannery who passed away on May 18, 2015. Mr. Flannery was a dedicated member of the Zoning Board of Appeals and the Planning and Zoning Commission for more than 17 years, as well as his numerous other contributions to the community.

2. **Seating of the Alternates:**

Present: Chairman Charles Nichols, Members Vincent Jacobson, Dennis Wall, Alternate Members Robert Hines, Margaret Jacobson, Sal Nucifora (7:04), and Interim Zoning Enforcement Officer Daphne Schaub were present.

Absent: Member Melinda Powell was not present.

The Chairman seated Alternate Members Robert Hines and Margaret Jacobson at this time.

3. **Legal Notice:** Staff read the legal notice into the record.

4. **Approval of Minutes:**

A. **May 11, 2015 Regular Meeting:**

Mr. Nichols moved, and Ms. Jacobson seconded, to approve the Minutes of the May 11, 2015 meeting. The motion carried unanimously.

5. **Application:**

A. Application of Leland E. Farkas for 12 Glenwood Drive for relief from 30' height limitation to build a 55' crank-up/down amateur radio tower – Map 24/Block 65/Lot C-64:

Leland E. Farkas, applicant, 12 Glenwood Drive, was present and explained to the Agency that he is an amateur radio and emergency communications operator and would like to install a 55' crank-up tower. His home is below the grade of the road and a 30' tower as is allowed by the Town's Regulations would not be sufficient for the beam and directional antenna.

Staff reported that no one has contacted the office regarding this application. Mr. Farkas has been in contact with Town Staff about this project for several years. The tower would be extended while in use and would be lowered when not in use. Mr. Farkas has provided the Agency with a map indicating his preferences for location of the tower. Proof of notification of abutters has been received by the office.

Mr. Farkas explained the amateur operators have always provided emergency communications in times of crisis with the Red Cross, other municipalities, and the amateur radio emergency service. They also participate with the Emergency Operations

Center and the State of Connecticut for simulated hurricane drills. The tower will be grounded and anchored. It will not interfere with any other type of communication. When the tower is not extended it is 21' tall about the height of the residence. It is manually cranked up and down.

The Chairman opened the hearing to the public.

John Geysen, 169 White Birch Road, was present to discuss his questions. He lives behind Mr. Farkas' home and is concerned by the location and appearance of the tower.

Mr. Farkas explained that it is a lattice tower constructed with three legs. The tower will be extended daily. Noise is minimal and similar to an analog television antenna. From the street it will be hard to see because of the grade. It will weigh approximately 700 lbs. Mr. Farkas agreed to use his first choice as indicated on the map. If the ledge becomes too difficult to work with he will place the tower on the north side of the house. Option No. 2 will not be used.

As there was no one else present to speak in favor of or against the tower, the Chairman closed the public hearing.

Mr. Wall moved, and Mr. Jacobsen seconded, to grant the height variance as requested in the application of Leland E. Farkas for 12 Glenwood Drive for relief from 30' height limitation to build a 55' crank-up/down amateur radio tower, Map 24/Block 65/Lot C-64, with the condition that the tower be located at Choice No. 1 or at a location north of the residence to be determined by the applicant. Choice No. 2 should no longer be considered. The vote was unanimous.

- B.** Application of 27 Allen Place LLC, Marc Gottesdiener, for 2 Old Middletown Road, to reduce the front yard setback from 50' to 34.2' to remedy a non-conforming foundation – Map 01C/Block 5A/Lot 5-3B:

Erica Myers, an employee of Marc Gottesdiener, 27 Allen Place LLC, was present to discuss the application.

Staff reported to the Agency that several years ago Mr. Gottesdiener and his partners obtained a building permit to build a log cabin on this site. At the time of the construction the foundation was installed in the wrong location. Construction halted and the house was never completed. Subsequent ceasing construction the partners became entrenched in a lawsuit for a protracted period of time. Recently, one of the partners passed away and the lawsuit has been resolved. The owner has obtained a demolition permit and removed the log cabin. The foundation is the only thing remaining. The applicant has requested that the Agency consider granting a variance to reduce the front yard setback from 50' to 34.2' to remedy the illegal location of the foundation and allow him to proceed with development of the lot. Staff further explained that the original building permit was voided and the owner will be required to apply and receive a new building permit which will be subject to all the current zoning regulations.

The Chairman opened the public hearing at this time. There was no one present to speak to the Agency regarding this application.

Mr. Jacobson moved, and Mr. Hines seconded, to grant the application of 27 Allen Place LLC, Marc Gottesdiener, for 2 Old Middletown Road, to reduce the front yard setback from 50' to 34.2' to remedy a non-conforming foundation, Map 01C/Block 5A/Lot 5-3B. The motion carried unanimously.

6. New Business:

Staff distributed a revised Member Contact sheet. Terms will be added at a later date after a few changes have been clarified. Staff also suggested that the Agency consider electing a new Vice Chairman. The Agency will await an appointment from the Democratic Town Committee and elect a new Vice Chairman in September when all members will next be present.

7. Old Business: None.

8. Adjournment: *Mr. Wall moved to adjourn the meeting. The motion was seconded by Mr. Hines. The motion carried unanimously. The meeting adjourned at 7:23 P.M.*

Respectfully Submitted,

Daphne C. Schaub
Recording Secretary