

East Hampton Zoning Board of Appeals
Regular Meeting
November 14, 2011
Town Hall Meeting Room
7:00 P.M.
Unapproved Minutes

1. **Call to Order:** Vice Chairman Flannery called the ZBA Meeting of November 14, 2011 to order at 7:00PM.
Members Present: Vice Chairman Brendan Flannery, Vincent Jacobson, and Robert Hines
Alternate Members Present: Lori Wilcox
Absent: Chairman Charles Nichols, Tom Keegan and Don Martin
Staff Present: James P Carey
2. **Seating of the Alternates:** Lori Wilcox was seated
3. **Legal Notice:** Mr. Carey read the legal in for the record.

Vice Chairman Flannery wanted to make the applicants aware that due to the fact of their only being 4 members present to vote at this meeting, any vote in favor of an application needs to be unanimous. Applicants have the choice to carry over their application to when there is a full commission if they like. Both applicants chose to proceed.

Vice Chairman Flannery also welcomed Mr. Wall to the Zoning Board of Appeals'. Although Mr. Wall was sworn in on November 14, 2011, his actual term does not begin until November 22, 2011. Mr. Wall will be a seat regular member at the December 12, 2011 meeting.

4. **Approval of Minutes.**

a. **July 11, 2011 Regular Meeting:**

Mr. Jacobson moved, and Mr. Hines seconded to approve the minutes of the April 11, 2011. The motion carried unanimously.

5. **Application of Robert Bradway, 18 Laurel Trail, for a Variance of Section 6.1 of the East Hampton Zoning Regulations to reduce the front yard setback from 25' to 20' to construct an indoor pool and mechanical room addition – Map 01A/Block 79A/Lot 1-**

Mr. Scott Harmon was before the agency on behalf of the applicant. Due to the odd configuration of these lots the front line seems to act as a side setback line. The reason for this variance is to build a mechanical room. In addition, Mr. Bradway is interested in putting in an indoor pool for the pleasure of an autistic child that he is in the care of.

Lots 89, 90, and 91 have already been combined together as one lot.

Mr. Flannery asked about section 6.8 for the narrow road concerns and the front setback. Property lines and paving of the road discussion took place in addition to there not being a road in place, it is actually a deeded right of way.

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Vice Chairman Flanner asked if Mr. Carey had any communications regarding this application. Mr. Carey stated nothing has been received to date.

Vice Chairman Flannery asked if there was anyone present from the public that would like to speak regarding this application.

Mr. Anderson, 20 Brook Trail, expressed his concern regarding an egress and ingress through the property belonging to Mr. Bradword and would like to be assured that the deeded right of way on that parcel is not going to be blocked with this new building.

Mr. Bradway has built a 10' access with gravel and landscaped out for the association to use.

Mr. Carey suggested the board consider asking for the map to be amended to clearly show that easement and who it is in favor of so we can be assured there will be no confusion on the land record.

Mr. Jacobson moved to close the public portion of the hearing. Motion was seconded by Ms. Wilcox. The motion carried unanimously.

Ms. Wilcox moved and Mr. Hines seconded to approve the application of Robert Bradway, 18 Laurel Trail, for a Variance of Section 6.1 of the East Hampton Zoning Regulations to reduce the front yard setback from 25' to 20' to construct an indoor pool and mechanical room addition – Map 01A/Block 79A/Lot 1, with the following conditions.

- *Applicant must submit a map that delineates and clearly defines the right of way as described in the deed for lot 59 and 60, depicting access from Laurel Ridge to the Lake- Refer to Lot 59/60 Deed.*

The motion carried unanimously.

6. Application of Mildred Gustine Trust, 9 Lake Drive, for a Variance of Section 6.1 of the East Hampton Zoning Regulations, lot line adjustment to correct existing lot lines – Map 03A/Block 44/Lot 64

Mr. Gustine was before the board to explain their intent with this application is to clarify existing lines in a way that makes more conformable. Currently there are 4 deeds and this would consolidate into 2 deeds. The front lot will become slightly smaller; however the rear lot will then become more compliant with the current regulations.

Vice Chairman Flannery asked if there was anyone present from the public that would like to speak regarding this application

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Mr. Hines moved and Ms. Wilcox seconded to close the public portion of this hearing.

Ms. Wilcox moved and Mr. Jacobson seconded to approve the application of Mildred Gustine Trust, 9 Lake Drive, for a Variance of Section 6.1 of the East Hampton Zoning Regulations, lot line adjustment to correct existing lot lines – Map 03A/Block 44/Lot 64, stating the hardship was satisfied by correcting a pre-existing non-conforming lot. The motion carried unanimously.

6. Old Business: None

7. Communications: None

8. New Business: Vice Chairman Flannery advised the board of some regulation changes over the past year or so therefore a new copy of the Zoning Regulations have been presented to you this evening.

Mr. Carey advised the members of the ZBA of a workshop on Wednesday, December 7, 2011 and anyone is welcome to attend to have a preliminary discussion regarding mixed use development.

9. Adjournment

Mr. Jacobson moved to adjourn the ZBA meeting. The motion was seconded by Mr. Hines. The motion carried unanimously. Meeting Adjourned: 7:37PM

Respectfully Submitted

**Kamey Peterson
Recording Secretary**
