

**EAST HAMPTON ZONING BOARD OF APPEALS**  
**Regular Meeting**  
**June 14, 2021**  
**Virtual Meeting**

<b>MINUTES</b>
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**1. Call to Order:** Chairman Walton called the meeting to order at 7:00 pm.

**2. Seating of Alternates:**

Present: Chairman Matthew Walton, Vice-Chairman Spack, Regular Members: George Pfaffenbach, and Margaret Jacobson as well as Alternate Kevin Reed.

Absent: Robert Hines and John Tuttle

Mr. Pfaffenbach made a motion to seat Mr. Reed. The motion was seconded by Ms. Jacobson. *Vote: 5-0*

**3. Legal Notice:**

Staff read the June 14, 2021 Legal Notice into the record.

**4. Approval of Minutes:**

**A. May 10, 2021 Regular Meeting** – Mr. Spack made a motion to approve the May 10, 2021 meeting minutes as written. The motion was seconded by Mr. Pfaffenbach. *Vote: 5-0*

**5. Applications:**

**A. Application ZBA-21-006, Michael Epright, Esq., 145 Main St.,** to reduce the side setback from 25' to 10' and to increase the lot coverage from 10% to 12.64% to construct a 24' x 36' accessory building with detached garage Map 6A/Block 56/Lot 27.

Attorney Michael Epright with offices at 98 Bridge Road in Haddam, applicant spoke for his clients, Jolene and Kevin Geysen, who own the property. Mr. Spack asked if it was acceptable to hear the application since the property owners were not the applicants. Staff reported that yes, the Attorney could be applicant as the homeowner signed the application and hired the attorney to apply on their behalf.

**B.** Attorney Epright explained the application which proposes a reduced setback and an increase in lot coverage. He explained that due to the non-conforming size of the lot (width and lot size) the question then moves to the configuration of the lot. He stated that due to the topography and the presence of a stone retaining wall running about half way across the lot, the proposed barn would need to move to the south in order to accommodate access to the existing pool which is to the rear of the property. He indicated that the proposed setback of 10 feet is not unusual for the area, and in fact the barn on the neighboring property encroaches on his clients property somewhat. Mr. Walton stated that in his view, the hardship was not so much the width of the lot, but more the configuration of the lot with the placement of the house, pool, and retaining wall. Mr. Pfaffenbach asked if there was an existing garage. Atty. Epright stated no, there is not. Mr. Reed presented an alternative location for the placement of the structures so that it would fit within the setbacks and would not require a variance. Atty. Epright stated that yes, the structures could be placed in a location within the setbacks but that the property is at a disadvantage and they would be forced to comply with the zoning regulations at a disadvantage which would be unfair. There were no public comments. Ms. Jacobson made a motion to approve Application ZBA-21-006, Michael Epright, Esq., 145 Main St., to reduce the side setback from 25' to 10' and to increase the lot coverage from 10% to 12.64% to construct a 24' x 36' accessory building with detached garage Map 6A/Block 56/Lot 27. The motion was seconded by Mr.

Pfaffenbach. *Vote: 5-Yes; 0-No*

**C. Application ZBA-21-007, Philip Healey, 63 Skyline Drive,** to increase the lot coverage from 10% to 12% for a 420 SF pool and 592 SF deck Map 18/Block 44/Lot 48. Mr. Healey presented. He would like to install a 420 sq. ft. fiberglass pool with a 592 sq. ft. stamped concrete patio which would increase his lot coverage from 10% to 11.7%. He feels that his hardship is that guidelines were put into place preventing this from being done at his property. Chairman Walton stated that he has a clear backyard and that the land is not at a disadvantage and that legally they need a specific hardship to move forward with the application. Mr. Healey stated that it is a corner lot with a larger driveway than usual and that the property includes a conservation easement that cannot be built on. Vice-Chairman Spack stated for the record that the hardship is that the house is positioned further back from Skyline Drive thereby adding additional square footage to the driveway which increases his lot coverage. There were no public comments. Vice-Chairman Spack made a motion to approve Application ZBA-21-007, Philip Healey, 63 Skyline Drive, to increase the lot coverage from 10% to 12% for a 420 SF pool and 592 SF deck Map 18/Block 44/Lot 48 with the noted hardship. Mr. Reed seconded the motion. *Vote: 5-Yes; 0-No.*

**6. New Business:** None.

**7. Old Business:** Mr. DeCarli informed the members that there is no update from the Planning and Zoning Commission regarding the topic of pools and coverage but it will be discussed at their next meeting on July 7.

**8. Adjournment:** Mr. Pfaffenbach made a motion to adjourn at 7:59 p.m., seconded by Ms. Jacobson.  
*Vote: 5-0*

Respectfully Submitted,

Jeremy DeCarli,  
Recording Secretary