

EAST HAMPTON ZONING BOARD OF APPEALS
Regular Meeting
August 9, 2021
Virtual Meeting

DRAFT MINUTES

1. Call to Order: Chairman Walton called the meeting to order at 7:02 pm.

2. Seating of Alternates:

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

Absent: Kevin Reed and John Tuttle

Mr. Pfaffenbach made a motion to seat Mr. Hines. The motion was seconded by Ms. Jacobson. **Vote: 4-0**

3. Legal Notice:

Staff read the August 9, 2021 Legal Notice into the record.

4. Approval of Minutes:

A. June 14, 2021 Regular Meeting – Ms. Jacobson made a motion to approve the June 14, 2021 meeting minutes as written. The motion was seconded by Mr. Pfaffenbach. **Vote: 5-0**

5. Applications:

A. Application ZBA-21-008, Helena Gatto-Supino, 6 Brook Trail, reduce side setback from 15' to 5' to expand existing deck to the width of the house Map 10A/Block 79/Lot 9. Ms. Gatto-Supino explained that she would like to extend the existing deck another 4' for a total of 16' (16' x 30').

Jesse Bracken, contractor, spoke on behalf of Ms. Gatto-Supino. He explained the need for the variance, the grade of the property and the ledge that exists behind the house (Laurel Trail side) which prevents a similar size deck from being built within the setbacks. He explained that the deck will be no wider or closer to the property lines than the existing house. Ms. Helena Gatto-Supino responded to questions regarding the hardship. It was determined that the presence of ledge at the rear of the property, along with the topography of the property prevents the property from being used to its fullest capacity within the setback area.

Mr. Spack questioned the Civil Summons that was entered into the record by a neighbor. Mr. Bracken explained that the neighbor on Brook Trail has sued due to the placement of stones within the road right-of-way which is owned by the Association. Mr. Bracken stated that the lawsuit claims that the stones prevent Mr. Blow from being able to use his driveway due to the narrowness of the ROW. Mr. Spack clarified that the lawsuit has nothing to do with the variance being discussed, Board members agreed.

Russell Blow, 5 Brook Trail, let the Board know that the lawsuit will be settled in the future. He stated that although Ms. Gatto-Supino stated that four neighbors were in support of the application, there are several neighbors that do not agree with the application. He also mentioned that the enclosed porch was not permitted and is living space.

Jessica Hubert, 4 Laurel Tr, she is across Laurel Trail and has no concerns regarding the variance for the deck.

Karen Bajek, 7 Brook Trail, is opposed to the variance. Also mentioned stones in the ROW and the

difficulty caused with turning movements.

Mr. Spack made a motion to approve the application based on the hardship discussed earlier and the topography of the property would cause a detrimental effect to the environment. Mr. Pfaffenbach Seconded the motion.

Vote: 5-0

6. New Business:

Mr. DeCarli informed the members that the Planning and Zoning Commission has approved new language which removes pools from the lot coverage calculation in residential zones.

Mr. Spack asked about a lot on Long Crossing which has two homes on one lot. Mr. DeCarli said there is no update currently.

Mrs. Jacobson asked about 7 Main Street. Mr. DeCarli stated there has been no update and not having a permanent Building Official has made some of these older issues difficult to remedy.

Mr. Walton discussed Section 3.1 – Lake Watershed and the fact that this property lies within it.

Mr. Pfaffenbach talked about 41 Meeks Point and stated a structure is being built. Mr. DeCarli does not recall a permit in that location.

Mr. Walton discussed the fact that owning a non-conforming lot is not a hardship. A general discussion about hardships took place.

7. Old Business:

None

8. Adjournment:

Mrs. Jacobson made a motion to adjourn the meeting at 7:51pm. Mr Pfaffenbach seconded.

Vote 5-0.

Jeremy DeCarli

Christine Castonguay
Recording Secretary