

EAST HAMPTON ZONING BOARD OF APPEALS
Regular Meeting
September 10, 2018
Town Hall Meeting Room

MINUTES

1. Call to Order: Mr. Walton called the meeting to order at 7:00 pm.

2. Seating of Alternates

Present: Chairman Matthew Walton, Regular Members: Vice Chairman Brian Spack, Vincent Jacobson, George Pfaffenbach, and Melinda Powell and Alternate Robert Hines. Mr. Hines was not seated as the full Board was present.

3. Legal Notice

Staff read the September 10, 2018 Legal Notice into the record.

4. Approval of Minutes:

A. August 13, 2018 Regular Meeting – Mr. Spack made a motion to approve the August 13, 2018 minutes as written. The motion was seconded by Mr. Pfaffenbach. *Vote: 5 Yes; 0 No.*

6. Applications:

A. Application ZBA-18-007, Brian Riley, 5 Sears Lane, for a variance to reduce the rear yard setback from 25' to 1' and the north side yard setback from 15' to 4' to install a gazebo.

Mr. Riley spoke of the need to provide shade on the lake side of the home and expressed an interest in setting a gazebo on top of an existing patio. Storm water would be captured by a gutter system and delivered to a rain barrel and used for watering gardens and plantings on property, reducing runoff currently created by the patio. The hardship claimed is that the infiltration galleries that were required to be installed at the time of house construction on the lake side, impede the ability to plant any trees that would provide shade to the property and required the removal of all former large growth trees.

There was discussion about this hardship being man made as the house size was increased at the time of reconstruction beyond the size of the original house. Had the house size stayed the same, the infiltration galleries would not have been required. There were questions as to whether or not trees could be planted on the side of the yard where the galleries do not extend. There was also discussion of the possibility of installing an awning or roof structure on the lake side of the house to provide shade outside of the required setback. The applicant discussed the grade of the lot as an additional challenge. Since the topography slopes toward the lake, that side of the house was the only location for the infiltration galleries. The Board determined that a Site Walk was necessary to provide clarity of the topography of the land and any alternative locations that might exist for the applicant to consider placing the gazebo or another shade providing structure. A Site Walk will be scheduled at a mutually convenient time and an agenda posted.

At this time, Mr. Walton opened the Public Hearing. There were not comments from the public.

Mr. Phaffenbach made a motion to continue to the Public Hearing and the Application to the next regularly scheduled meeting on October 15, 2018. Mr. Spack seconded the motion. **Vote: 5 Yes; 0 No.**

Staff will coordinate with the Board members and applicant to schedule a Site Walk.

7. **New Business:** Review of Revised Application Form.
This item was tabled by Mr. Walton as the wrong form was included in the packet.
8. **Old Business:** None.
9. **Adjournment:** Mr. Pfaffenbach made a motion to adjourn at 7:34 p.m. The motion was seconded by Vice-Chairman Spack. The vote was unanimous in favor.

Respectfully Submitted,

Jeremy DeCarli
Recording Secretary