

## **Minutes of the Westhampton Zoning Board of Appeals**

Westhampton Town Hall-- in person and via zoom

12 April 2022—7 pm

**Present:** Bill Tracy, John Kelsey, Peter Ignatovich, Dave Loven, Laurie Sanders

**Guests:** John Zimmerman, Chris LaPlante, Carl Woodruff, Shirl Morrigan

Bill Tracy opened the meeting at 7:02 and before conducting any business, it was decided to address the questions of the two of the guests—Chris LaPlante and Carl Woodruff. The questions were informational.

LaPlante, 224 Reservoir Road, is interested in adding a portico to the front of his house. He measured from what he believes to be the lot line and although the existing house meets the 50' setback, the proposed portico would not. The members told him it would require a variance application and that he would have to submit copies of the full application before the next meeting, at which time a public hearing date would be set if the application was satisfactorily complete.

Carl Woodruff is a contractor for the owners of 85 Easthampton Road, which is a pre-existing, non-conforming lot. The owners would like to add an addition on the rear of the home. The future addition would meet all setback requirements. Because the lot is non-conforming, the members told him that it would require a Special Permit application and to submit a complete application prior to the next ZBA meeting, at which time, if the application is complete, the board will set a date for the public hearing.

A this time (7:26 pm), the ZBA realized that the Zoom link had not been opened. The Secretary (Sanders) started the zoom link and Shirl Morrigan joined the meeting via zoom.

No decisions or motions had been made prior to this time, and the content of the informational conversations with LaPlante and Woodruff were summarized to inform Morrigan of what had transpired prior to the opening of the Zoom recording.

Following the summary, Bill Tracy made a motion to approve the draft minutes from February. (Due to a lack of quorum, no meeting was held in March). Ignatovich made a motion to accept the minutes of the regular February meeting as written; Dave Loven seconded. A voice vote was conducted, with each member stating his/her name and vote. All members (Loven, Kelsey, Ignatovich, Sanders, Tracy) unanimously approved the minutes.

Bill Tracy then referred to the minutes related to the public hearing for the Special Permit for 25 Pine Island Lake, which had been held in February. Tracy read the conditions listed in the permit approval. A

motion to accept the minutes of the public hearing was made by Ignatovich; seconded by Loven. A voice vote (name/vote) was conducted, with all members in favor.

Following the vote, Shirl Morrigan asked the board if it was legal to include a condition that the use of a Pine Island Lake property was seasonal. Tracy said it was a routine condition. Kelsey said the applicant could challenge the condition and file an appeal. Morrigan contended it was outside the legal boundaries. Bill explained the rationale for its inclusion. Kelsey suggested that Town Counsel could look into its legality. Morrigan asked that the item be placed on a future agenda. Tracy said that the item had previously been discussed and that it would not be included in next month's agenda. Morrigan contended that the condition lessened the value of a Pine Island Lake house. Ignatovich said the condition had no impact on abutters, and that the applicant had the opportunity to appeal the decision and its conditions.

At 7:45, all members of the public left the meeting and premises, and the ZBA went into Executive Session regarding 1 Main Road.

At 8:04, Kelsey made a motion to close the Executive Session. Loven seconded. A voice vote was held and all were in favor.

Kelsey made a motion to close the regular meeting, Ignatovich seconded. A voice vote was held. All were in favor.

The meeting closed at 8:06 pm.

Submitted by Laurie Sanders