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CRSE · Concerned Residents of Southeast

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From: "Lynne Eckardt" <midfarm@bestweb.net>

Date: Tue Jul 20, 2004 3:37 pm

Subject: Southeast ZBA Recap 7/19/04

Hello All,

Below please find my recap of last night's ZBA meeting. A real 'barn burner' of shed and addition variances... But sandwiched in between the minutia, which the Board dealt with politely and efficiently, was that insidious little variance regarding the Resource Protection Plan. So I stayed...

As always official minutes will be available within two weeks and the comments that follow are my own observations.

The meeting ended around 11:00. It was semi-long and semi-tedious so I'm semi-cranky.

REGULAR MEETING:

1. CARMEL AUTO SALES: d/b/a Brewster Honda.

The applicant did not appear so this was deferred until next month's meeting. Variance sought for outside storage of vehicles.

4. ROSS ALAN, Welfare Road

Applicant seeking variance from section 139-21 to build 4 lot subdivision where only 3.51 is allowed.

The same background was covered. The Town Engineer calculates that with the Resource Protection Plan in place the applicant has 3.51 lots. The applicant says that by their calculations they have 3.9 lots. When asked by Board member Costello if there would be any environmental difference between 3 or 4 lots the applicant stated that: no, it would mean that the subdivision would go from 3 to 4 houses so that there'd be no environmental difference.

Two letters opposed to granting the variance were read into the record. One from a neighbor on Elizabeth Court, the other from CRSE.

Much talk revolved around how the applicant came to be in front in front of the ZBA as they were not, as is customary, forwarded by the Planning

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Board. In fact, Planning Board secretary Laurie Fricchione, had faxed a letter (from the Building Dept?) that the applicant could appear in front of the ZBA. Town Counsel, Willis Stephens, felt that the Planning Board should have first denied this project before their ZBA appearance.

8. STEVEN HEWITT: 211 Joe's Hill Road Applicant seeking to subdivide 14.9 acre lot into two residential lots.

This application was referred by the Planning Board (with 'No Position taken'). Using the Resource Protection Plan this piece will support 2.77 lots. Four variances (setback) will be needed due to the pool, cabana and spring house location.

The applicant's attorney referred to hardship that would be faced by the applicant if the variance wasn't granted. 'Health issues' were also referred to as was the fact that the pool would have to be removed..

Neighbor, Willis Stephen's Sr., objected to the proposal as he felt that it would change the character of the neighborhood.

COMMENTS:

1.CARMEL AUTO SALES:

a.A no-show applicant.

b.Zoning violations must be corrected before the ZBA hears the case.

Hmmmm, think that there's still any 'vehicle storage' on the property in question?

4. ROSS ALAN: Welfare Road

Talk about 'dragging out the hindquarters...' I'm not sure what's so hard to figure here. Except the mystery of why this application is in front of the ZBA. And what IS up with that?

I particularly enjoyed the applicant taking issue with the neighbor's letter as 'she had never appeared at any Planning Board meetings.'

Guys, although this project has been in front of the Planning Board ad nauseum (almost 2 years) there's still never been a Public Hearing. So I'm not clear when this neighbor could have 'spoken up'. The applicant also implied that there had been no opposition to this project. Guess they're not on the CRSE/PlanPutnam e-mail list.

Sadly, the only ones getting rich on this project are the attorneys and engineers with constant 'cameos' at the PB meetings. The ZBA board members are going out to take a look at this property. NB Bring your waders.

HEWITT SUBDIVISION: 211 Joes Hill Road

I guess my favorite here was Mr. Hewitt's attorney's comment on 'hardship'. That is: if the ZBA didn't grant this variance the pool would have to be removed which would clearly be a hardship. No, check this out: if the applicant didn't subdivide his property he could leave the pool right where it is! While it is, indeed, a hardship to take the pool out it's what's known as a 'self-created hardship'. While this subdivision certainly is not a major thorn in CRSE's side the 'steep slopes' do concern.

Well, that's it. As always please feel to e-mail me with any comments or questions that you may have.

With Best Regards,

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