

Giants Neck Beach Association Special Zoning Commission Meeting
December 16, 2020

Present: Gerard van Noordennen
Jim Lafond
Jim Horton

Also Present: Page Heslin
Trip Hartigan

1. **Call to Order.** Chairman van Noordennen called the Giants Neck Beach Association Special Zoning Commission Meeting of December 16, 2020 to order at 6:08 p.m.
2. **Seat alternates, if needed.** A quorum was established.
3. **Approval of previous minutes.**

MOTION (1): Mr. Lafond moved to approve the December 7, 2020 Giants Neck Beach Association Zoning Meeting Minutes, as presented. Seconded by Mr. Horton. (3-0) Unanimous.

4. **Review, discuss and take action on the following application:**

a) Heslin/ Hartigan Residence – 3 Point Road – Add an accessory building

Ms. Heslin would like to add an accessory building for a Wellness and Meditation Center on her property for personal use. The accessory building would be located in the front southern corner of the property. The lot size is 14,165 square feet. There is 2,914 square feet of existing lot coverage of the property which is 20.7% of the 30% limit. The new structure will be placed opposite the garage and twenty feet off the front yard setback. The lot is 75' wide. Ms. Heslin added it is shown on the Site Plan and the proposed building will be inside of the 15% side yard setback. Mr. van Noordennen noted it meets the front and side yard setbacks and lot coverage requirements.

Mr. Lafond asked do you have a separate garage? Ms. Heslin replied she does. Mr. Horton asked if the building overhangs were included in the building setback measurement. Mr. Hartigan said there were overhangs of approximately 1 foot on the front and back of the proposed building. Assuming that the overhang is 1', the building needs to be set back at least 1 more foot from the front property line. This also increases lot coverage. It looks like there are overhangs on the two 14' sides of the building. Therefore, the coverage increases by 28'. That should be reflected in the lot coverage calculation. Mr. Horton asked them to submit an updated map showing the new setback(s).

A discussion Section 1305 and Section 2002 of the zoning regulations ensued. Sec. 1305 of the Zoning Regulations defines an Accessory Building as "A subordinate building customarily incident to a principal dwelling on the same lot." Section 2002 states in part accessory buildings and uses customarily incident to the foregoing single family dwellings, include but are not limited to the following:

1. Private garage not exceeding 550 sq ft
2. Private greenhouse not exceeding 250 sq ft
3. Tool house, shed, or children's playhouse not exceeding 120 sq ft

4. Bathing or swimming pools which are only allowed in the rear yard.

The regulation does not have dimension limits for other accessory buildings. After much discussion it was decided that the proposed accessory building was incident to the principal dwelling and there being no other accessory buildings on the lot besides a detached garage, that the proposed use was acceptable. As to size, since the proposed building was less area than the area allowed for a greenhouse, it was determined to be acceptable.

Therefore, the applicants need to submit 2 updated docs:

- 1) Site plan showing the building overhangs meet the side and front yard setback requirements; and
- 2) Calculation reflecting the increased lot coverage.

MOTION (2): Mr. Lafond moved to approve the application with the provision that the building overhang be outside the required front and side yard setback distances and shown on a revised site plan along with the revised lot coverage calculation. Seconded by Mr. Horton. (3-0) Unanimous.

5. Report from Zoning Enforcement Officer.

- a.) Current construction activities. Mr. van Noordennen informed the Commission work is being done on various projects in the association.
- b.) Complaints. - None

6. **Report of any correspondence.** Mr. van Noordennen agreed to send a letter regarding this Commission's 2021 meeting dates. It was agreed they will be held on the first Friday of each month at 6:45 p.m. There was a general consensus to meet on those dates at that time.
7. **Other items which may come before the Commission.** None.
8. **Adjournment.**

MOTION (3): Mr. Horton moved to adjourn the Giants Neck Beach Association Zoning Commission Meeting of December 16, 2020 at 6:40 p.m. Seconded by Mr. Lafond. (3-0) Unanimous

Gerard van Noordennen, Chairman
Giants Neck Beach Association Zoning Commission