

17324

**Zoning Board of Appeals
June 14, 2024 - 11:00 a.m.
LTV Studios
75 Industrial Road,
Wainscott, NY 11975**

Those Present Were:

John L. McGuirk, Chair
James H. McMullan, Vice-Chair
Joseph B. Rose, Member
Andrew Baris, Member
Tim Hill, Village Attorney
Bill Hajek, Village Planner
Tom Preiato, Village Building Inspector
Gabrielle McKay, Deputy Village Clerk
Jonathon Tarbet, Esq., Representative for Ethelyn Atha Chase and Daphne Rowe, 15 Jones Road
Michael Cromer, Representative for Dunemere Lane Trust, 43 Dunemere Lane
Tiffany Scarlato, Esq., Representative for JHMB Beach Realty, 12 Borden Lane
Jonathon Tarbet, Esq., Representative for 21 Spaeth Lane, LLC, 21 Spaeth Lane
Larry Kane, Representative for Nancy Kane Testamentary Trust, 29 Dayton Lane

Those Absent Were:

Philip O'Connell, Member
Abigail FitzSimons, Alternate
Shahab Karmely, Alternate

John McGuirk: Good morning and welcome to Friday, June 14th, 2024, Zoning Board of Appeals meeting. Again, I'd like to thank LTV Studios for hosting us. And I do believe as per Gabby, we will be back in August, not July, at the firehouse or the Emergency Service Building.

M I N U T E S

John McGuirk: We have the minutes from May 10th, 2024. May I have a motion?

James H. McMullan: So moved.

John McGuirk: Second?

Joseph B. Rose : Second.

John McGuirk: All in favor?

Board in Unison: Aye.

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DECISION ITEM

Lily Lane LP – 29 Lily Pond Lane – SCTM# 301-13-13-12

John McGuirk: We have two determinations today. We've just received the other four this morning, and I don't believe most of the Board members had time to review it. So, we're going to do 29 Lily Pond Lane.

John McGuirk: In the application of Lily Lane LP, 29 Lily Pond Lane, SCTM#301-13-13-12 for Area Variances and a Costal Erosion Hazard Area Permit and Variance to renovate and enlarge a single family residence and to renovate a legally preexisting cottage is granted with conditions. May I have a motion?

James H. McMullan: So moved.

John McGuirk: Second?

Joseph B. Rose : Second.

John McGuirk: Gabby, poll the Board, please.

Gabrielle McKay: Mr. McGuirk?

John McGuirk: Yes.

Gabrielle McKay: Mr. McMullan?

James H. McMullan: Yes.

Gabrielle McKay: Mr. Rose?

Joseph B. Rose : Having not been present at the actual hearing, but I have reviewed the minutes, I have watched the video of the hearing, and studied the application and visited the site. So, I am prepared and comfortable voting. I vote yes.

Gabrielle McKay: Mr. Baris?

Andrew Baris: I as well have watched the hearing and reviewed the minutes and was not present at the meeting, but I'll be voting. Yes.

John McGuirk: Okay. Thank you.

DECISION ITEM

David G. and Christina M. Siegel – 31 Church Street – SCTM# 301-2-6-28.1

John McGuirk: In the Application of David G. and Christina M. Siegel, 31 Church Street, SCTM#301-2-6-28.1 for Area Variances is granted. May I have a motion?

James H. McMullan: So moved.

John McGuirk: Second?

Joseph B. Rose : Second.

John McGuirk: Gabby poll the Board, please.

Gabrielle McKay: Mr. McGuirk?

John McGuirk: Yes.

Gabrielle McKay: Mr. McMullan?

James H. McMullan: Yes.

Gabrielle McKay: Mr. Rose.?

Joseph B. Rose : Again, having not been present at the hearing but having reviewed the minutes, watched the video of the hearing, studied the application, visited the site. I'm comfortable voting. Yes.

Gabrielle McKay: Mr. Baris?

Andrew Baris: Same scenario. I was not at the meeting, but I did review the YouTube video, I did review the minutes, I reviewed the application. So therefore, I'm going to be voting yes as well.

ADJOURNMENT

Hunting Hospitality LLC – 94 Main Street – SCTM#301-301-3-8-1

John McGuirk: Thank you. We do have one adjournment for today, Hunting Hospitality LLC to July 12th, 2024. And we're moving into today's hearings, please. Gabby.

ORIGINAL HEARING

Ethelyn Atha Chase and Daphne Rowe – 15 Jones Road – SCTM# 301-12-7-3

Gabrielle McKay: Application of Ethelyn A. Chase and Daphne Rowe, SCTM#301-12-7-3, for a Variance from Chapter 278, Zoning, and a Wetlands Permit in accordance with Chapter 163, Freshwater Wetlands, to construct a swimming pool, drywell, fencing and pool equipment. A Wetlands Permit is required in accordance with Sections 163-3 and 163-7 and variances of 67.5 feet, 65.3 feet, 78.5 feet and 50 feet are required from Section 278-3 A. (8) to construct a swimming pool, pool equipment, fencing and drywell located 82.5 feet, 84.7 feet, 71.5 feet and 100 feet, respectively, from wetlands where the required wetland setbacks are 150 feet. The subject property is 93,532 square feet in area and is located at 15 Jones Road in Residence District R-160. This project is classified as a Type II Action in accordance with SEQR.

John McGuirk: Is the applicant present?

Jonathan Tarbet, Esq.: Jon Tarbert for the applicant. So, this property is on Jones Road, the Chase property. You may remember it burned down probably 25 years ago, was rebuilt and for some reason never had a pool. We are trying to get a permit for a pool, so we tried to locate it the best possible location, which is just off the side of the house. We met all side yard setbacks, front yard setbacks, every dimensional requirement that you could possibly meet. But we are unable to meet the wetland setback. It's a pretty small pool. It's only six feet deep at the deepest point. And we are looking for relief of 15ft where 125ft is required. It's over an existing lawn. So, there's no known environmental detriment. It's probably arguably better than what a lawn would do to the wetland. I don't think there's any opposition.

John McGuirk: Will the pool be raised out of the ground?

Jonathan Tarbet, Esq.: We did do a pool profile and submitted it. It's slightly raised out of the ground. And there is on our pool profile, we showed the area we would require to grade it down to the lawn. It's the area shown in orange around the... It says proposed pool. And the orange area is where we would be required to regrade the existing lawn.

John McGuirk: What concerns me, if it's out of the ground, I mean, we have any kind of landscaping plan with this?

Jonathan Tarbet, Esq.: Well, it's... Right now, it's all lawn. So, um, we were just going to put back lawn. If I... I'm not sure if that answers your question.

James H. McMullan: Go ahead.

Joseph B. Rose : So, yeah, having visited the site, it looked to me in reviewing the siting for the pool that the two trees, there are two large mature trees, probably the only two large mature trees on the site that would have to come down for this location of the pool. Uh, why these two?

Jonathan Tarbet, Esq.: Yeah, they're London plane trees. They're beautiful, but they're also up too close to the house, as, I mean, they, uh, they're completely growing into the house and providing a lot of shade to the house, too. I really would have loved to avoid... I mean, the reality is those trees probably have to come down anyway just because of how close they are to the house. Um, but I still wanted to avoid having to locate a pool where those trees are. There just isn't a better... The wetland goes around the house.

Joseph B. Rose : So, understanding that a pool is a desired benefit for the property and that there are wetlands constraints, but there is other... I mean, I think what you're saying in the application is any pool location is going to bump into some version of a variance request. That's true pursuant to the wetlands. But so, the issue then becomes about why the applicant is choosing to locate it in this site vis a vis any other portion that would also require a variance. It's not clear to me exactly what the benefit is of this particular location vis a vis any of the other potential locations, recognizing that anything would likely require some version of a variance, I understand.

Jonathan Tarbet, Esq.: Yeah, well, we did try to minimize the requested variances. So, the first thing we did is try to not request any side yard or front yard variances. The other issue is everywhere to the north of the house is closed. Previously, that had not been a designated wetland to the north of the house. It clearly is... I don't know why it wasn't shown as wetlands on previous wetland flags, where it shows as a stone driveway. So, anywhere on that side was going to be closer to the wetland. And this is a relatively flat portion of the property, as if you've been there, you notice that it drops. There's a pretty good slope down to the wetland. So, we didn't want to, uh, to me, and I'm completely willing to listen to any suggestions, this was the most logical place. We also are not opposed to replanting trees. Um, they wouldn't be as big, of course, but the property does have a lot of lawn, and there is room to plant trees that would eventually grow and not the trees that are there. As beautiful as they are, it's a real shame, but they are growing 10 or 15ft from the house and their branches are completely blocking the windows. And, um, it's, you know... Unfortunately, they were planted in the wrong spot originally, probably.

John McGuirk: I'd like to see a landscaping plan because it's going to be raised out of the... It's going to be kind of sitting up a little higher than most of the lawn.

Jonathan Tarbet, Esq.: Landscaping plan for around the pool area?

John McGuirk: The pool area.

Jonathan Tarbet, Esq.: We were proposing to make that lawn. Um, it's lawn now. I'm asking if you want something different.

John McGuirk: I don't think I'd, if I was the neighbors, I'd want to see the pool raised out of the ground.

Jonathan Tarbet, Esq.: Yeah, I don't think they can see it, but...

Joseph B. Rose : What kind of septic system does the property have?

Jonathan Tarbet, Esq.: It's got a 1980s non-IA system. The property is aged. It probably will be back before you at some point. You see that there's that large, um, garage that actually has a bathroom in it sitting down there. Um, and the house itself needs some work, and it's all... The entire property is on the jurisdiction. So, I think it's going to probably come back before you, not with the current applicant or me. But, um, I think at that point when it's redeveloped, it'll probably be a good time to maybe eliminate some lawn and put a new septic system in, but we're not opposed to... We're not opposed to the reason why I'm asking about around the pool is I... John, were you asking maybe, um, across the bridge near the...

John McGuirk: Front of the property where the gate is.

Jonathan Tarbet, Esq.: Oh, okay. So you're looking for privacy reasons?

James H. McMullan: That's fine. We're not opposed that either.

John McGuirk: Would you put a new IA system in? You want to think about that?

Jonathan Tarbet, Esq.: Well, I can think about it now. I mean, I... If I could just first address, we'd be more than happy to plant along the street side, I think is what your first question was. Um, I think there's a privet hedge there now, and we'd supplement that with any sort of evergreens, or we could easily block any view from the street. And it does meet front yard setbacks. You know, there's not a... A septic system is a tough ask just because the pool itself, it's over an existing lawn. And I prefer not to do the septic system at this point, knowing that it's probably coming back before you. Um, there'll be, uh, and maybe it won't. I guess you can't guarantee it will come back before you, but, um, there's just not a huge nexus between the pool ask and the septic. There's no known detriment from the septic system and no opposition from any neighbors.

John McGuirk: So, I mean, Jimmy, you have any questions?

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James H. McMullan: Uh, no, I don't have any questions. I would like to see some screening from the road if it is going to be raised, just to make sure that it is...

Jonathan Tarbet, Esq.: So, the side of the pool, and we'll give a great, you know, whatever you want as far as screening goes, uh, just keep in mind that that side of the pool, the property drops off as you go towards the wetlands. So, that side of the pool is actually not really raised very much. It is raised as you go towards the other side of the pool. So, if you're looking at it from the road, it won't necessarily look raised up. But it's easy enough to block it from the road.

James H. McMullan: Maybe you could provide us, just for the record, maybe a photograph from the street so you can show that it's not going to be seen.

Jonathan Tarbet, Esq.: Yeah, but I'm also willing to, uh, supplement whatever's there with, um, uh, whatever the Board would desire as far as vegetation goes.

Joseph B. Rose : Just for the record, I want to be clear that interventions recognizing this is a site that is going to, in all likelihood, as the applicant said, require some version of variances in locating and doing work on this, uh, on this site, the issue of the septic system and the protected wetlands area is very real, and I think is an important part of any action within the context of the wetlands. So, I just want to be clear that that's an important and perhaps a dominant criterion as we, among in addition to the others, that's relevant in terms of our determination.

Jonathan Tarbet, Esq.: I understand.

Andrew Baris: It might be a nice trade off.

Jonathan Tarbet, Esq.: Which.... Uh, the septic system or the or the...? Well, so there's, um, there is no dimensional variances. So, while the screening is an easy ask and an easy give on our part to screen it from the road, it is a wetland variance, as you point out. Um, which is the criteria, the environment. Uh, there is really no known detriment from the pool to the environment, even though it doesn't meet setbacks because there's existing lawn there and it's better than the existing lawn, arguably at least. Um, but I don't think it would be inappropriate to ask for some give back of lawn area. Like, is that something the Board would find to be offsetting any detriment that the pool could provide, like we could, in other words, give up some lawn and create some sort of buffer between the wetland and the lawn that's there now.

John McGuirk: I think we'll let you come back with a landscape plan and something that you think is reasonable. Okay. That's fair?

Jonathan Tarbet, Esq.: Yeah.

John McGuirk: All right. So, we'll keep the hearing open, okay.

Jonathan Tarbet, Esq.: Thank you.

ORIGINAL HEARING
The Dunemere Lane Trust – 43 Dunemere Lane – SCTM# 301-9-4-5

Gabrielle McKay: Application of The Dunemere Lane Trust, SCTM#301-9-4-5, for Area Variances from Chapter 278, Zoning, to legalize the construction of a generator and an A/C condenser unit. Two 2-foot variances are requested from Section 278-3 A. (5) (a) to legalize the construction of a generator and an A/C condenser unit, both located approximately 43 feet from the front yard lot line where the required front yard setbacks are 45 feet. A 1,287 square foot variance is required from Section 278-3 A. (9) (a) to legalize 6,162 square feet of coverage where the maximum permitted coverage is 4,875 square feet. The subject property is 21,877 square feet in area and is located at 43 Dunemere Lane in Residence District R-40. This project is classified as a Type II Action in accordance with SEQR.

John McGuirk: So, is the applicant present. How are you doing? Can you please state your name?

Michael Cromer: Michael Cromer, East Hampton Energy Solutions.

Gabrielle McKay: Thank you. Do you swear to tell the truth, the whole truth and nothing but the truth?

Michael Cromer: Yes.

Gabrielle McKay: Thank you.

John McGuirk: Go ahead. Michael, how are you doing?

Michael Cromer: Good. Um, so we installed the generator there. The previous survey, I think, was from 1980 with no coverage calculations or clearing calculations. The survey from then to current looks almost identical. Everything that was on there is existing. So originally, we had offset the coverage of the generator by removing slate walkway that was in the back corner to offset any additional coverage.

John McGuirk: Billy, do you have any comments on this? I know this has been in this gentleman's family for a long time, so go ahead.

Bill Hajek: Good morning, chairman, members of the Board. That was described correctly. The last C of O issued for the property is from the early 80s. It did not recognize the extent of coverage or contain a coverage calculation. So, the building department flagged that as a requirement for any increase in coverage would trigger a variance. They did attempt to offset the increase by removing some slate walkways. So, I think there's sort of a no net increase in coverage, but it's still... As a proforma requirement, the Board would have to grant relief for the amount of coverage that presently exists.

John McGuirk: Okay. Thank you. Any Board members have any issues?

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James H. McMullan: I don't have any issues with this. I mean, it's screened from the road because there's already a fence and pool equipment there. And this being to legalize the overage of coverage, um, I'm sure the calculation back in the 80s was different than it is today. So, I don't have a problem with that.

John McGuirk: Anybody in the audience like to speak? Okay. Motion to close the hearing.

James H. McMullan: So moved.

John McGuirk: Second?

Andrew Baris: Second.

John McGuirk: All in favor?

Board in Unison: Aye.

John McGuirk: Thank you. Please, Gabby.

ORIGINAL HEARING
JHMB Beach Realty – 12 Borden Lane – SCTM# 301-8-15-6

Gabrielle McKay: Application of JHMB Beach Realty, LLC, SCTM#301-8-15-6, for an Area Variance from Chapter 278, Zoning, to construct an addition to a residence exceeding the allowable gross floor area. A 138 square foot variance is requested from Section 278-3 A. (13) (a) to construct an addition resulting in a residence containing 4,138 square feet of gross floor area where the maximum permitted gross floor area is 4,000 square feet. The subject property is 30,000 square feet in area and is located at 12 Borden Lane in Residence District R-40. This project is classified as a Type II Action in accordance with SEQR.

John McGuirk: Good morning.

Tiffany Scarlato, Esq.: Good morning, Tiffany Scarlato, 36 West Water Street, Sag Harbor, for the applicant. We are here for 12 Board and Lane, which is a 30,000 square foot lot, as you know, and it's two. We're proposing to enclose a part. The property is under construction right now and has received approval. What we're proposing to enclose is an already constructed, covered porch on the second-floor rear of the property. Um, which would serve as a home office to the primary bedroom that's located on the second floor. I believe you do have a letter from the neighbor to the west that didn't have any objections to enclosing that. It is a de minimis request. We don't see any environmental impact, nor will there be any impact to the neighbors. As a matter of fact, the neighbor to the East who I don't think wrote a letter but didn't write anything in opposition, said that it should be two windows on that side. So, the impact of a second story deck would actually be reduced for the neighbor on that side, because the decking on that side is just not really usable. Um, and we don't think it will disrupt the neighbors. It is the minimum variance necessary. It's about 3.545% over the 4000 square foot that's currently permitted. And as I said, it's 138ft².

James H. McMullan: Thank you. Board members?

Andrew Baris: I didn't see the letter. Was that submitted, the letter?

Tiffany Scarlato, Esq.: Um, I think it came by email.

Tiffany Scarlato, Esq.: I have to apologize. I didn't check the file to make sure it was there. A client said that the neighbor had sent it. You do have it? Okay.

John McGuirk: We did, we did.

James H. McMullan: I don't have any issue with this. I don't think it impacts the neighbors in any way. And we do have a letter of support.

Andrew Baris: I agree.

John McGuirk: Mr. Rose, any objections?

Joseph B. Rose : Just ongoing concern about staying within the permitted envelopes. But this isn't a huge ask.

John McGuirk: Okay. Anybody in the audience like to speak on this? Okay. Motion to close the hearing.

James H. McMullan: So moved.

John McGuirk: Second?

Joseph B. Rose : Second.

John McGuirk: All in favor?

Board in Unison: Aye.

ORIGINAL HEARING

21 Spaeth Lane, LLC – 21 Spaeth Lane – SCTM# 301-10-1-26

Gabrielle McKay: Application of 21 Spaeth Lane, LLC, SCTM#301-10-1-26, for an Area Variance from Chapter 278, Zoning, to legalize a sculpture on a concrete base constructed within the front yard setbacks. A 5.7-foot variance is requested from Section 278-3 A. (5) (a) to legalize a sculpture constructed on a concrete base located 69.3 feet from the front yard lot line where the required front yard setback is 75 feet. The subject property is 113,372 square feet in area and is located at 21 Spaeth Lane in Residence District R-160. This project is classified as a Type II Action in accordance with SEQR.

Jonathan Tarbet, Esq.: Hey, Jon Tarbet for the applicant. This is an R-160 property, so it's four acres. Zoning setbacks are pretty large. In this case, 75ft. My client mistakenly thought that a sculpture would not require a building permit or need to meet setbacks. So, we located one on the property. 69ft, where 75ft is required. Um, the initial thought was okay, when he found out that it did require a building permit, well, you know, what would it cost to move it? This particular sculpture would cost a lot of money to move, a significant amount of money. It's insured. Um, and only certain people can move it. So, we are here asking for a six-foot variance. There is no opposition, and it's not really visible from Spaeth Lane, which is not part of the Village highway system. It's a pretty quiet street, as you all know. And, uh, you know, maybe you can see it through the privet hedge, but barely.

John McGuirk: Thank you, Board members?

Joseph B. Rose : I have no problem with approving this. I just have a... It's a question. So, in approving this, this is for this particular sculpture, this particular concrete for this sculpture. This is not so if someone wanted to come subsequently with different... I'm not implying that there is any other agenda to put a generator all of a sudden that would not be covered, that would not be included under this approval. This is just for the deck for the concrete block and this location of the sculpture.

Jonathan Tarbet, Esq.: And the sculpture itself, I think as well. It doesn't produce any noise.

Joseph B. Rose : I understand, I just want to make sure hypothetically, it's not a camel's nose situation in future kind of situations.

John McGuirk: Billy, could you just go ahead and answer that? Or Tim?

Joseph B. Rose : Historically the Board... Yeah, when you grant a variance for a specific structure, the variance covers that particular structure. You can't swap out a generator for a sculpture or something like that for this specific property.

Jonathan Tarbet, Esq.: Yes, understood.

Joseph B. Rose : And this was it, right? Yeah.

Jonathan Tarbet, Esq.: Understood. Yeah.

Joseph B. Rose : So, no objection.

John McGuirk: Okay. Anybody in the audience like to speak on this? Okay. Uh, motion to close the hearing?

Joseph B. Rose : So moved.

John McGuirk: Second?

James H. McMullan: Second.

John McGuirk: All in favor?

Board in Unison: Aye.

ORIGINAL HEARING

Nancy Kane Testamentary Trust – 29 Dayton Lane – SCTM# 301-8-3-15

Gabrielle McKay: Application of Nancy Kane Testamentary Trust, SCTM#301-8-3-15, for an Area Variance from Chapter 278, Zoning, for excessive coverage to construct a patio and pool equipment. A 487 square foot variance is requested from Section 278-3 A. (9) (a) to permit 3,039 square feet of coverage where the maximum permitted coverage is 2,552 square feet. The subject property is 10,264 square feet in area and is located at 29 Dayton Lane in Residence District R-40. This project is classified as a Type II Action in accordance with SEQR.

James H. McMullan: Good morning.

Gabrielle McKay: Please raise your right hand and state your name and address for the record.

Larry Kane: Larry Kane, 54 Oyster Shore Road, East Hampton.

Gabrielle McKay: Thank you. Do you swear to tell the truth, the whole truth and nothing but the truth?

James H. McMullan: Yes, I do.

Gabrielle McKay: Thank you.

John McGuirk: Morning.

Larry Kane: Good morning. Larry Kane, representing my father, George Kane, who lives at 29 Dayton Lane. This is for a coverage variance. I believe there's been no opposition from any neighbors. The patio would be built flush to the existing grade. It cannot be seen from any neighbor's house. The other request is to move the pool equipment out of the garage and build a structure around that. And that still needs setbacks. Everything meets rear and side yard setbacks for both the pool and patio. Um, the variance is to make the garage more workable and also to give my father the ability to walk on the blue stone patio as opposed to the lawn.

John McGuirk: Board members?

James H. McMullan: My question is, do you need this much patio? Is there a version that maybe does not have as much patio?

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Larry Kane: What do we have... We have three feet, I believe, outside the coping on two sides, correct. And then there's nine feet on one side.

James H. McMullan: It's not dimensioned. But, um, I'll take that as what the dimensions are.

Larry Kane: Yeah, I mean, it's to get access to the pool, so I guess I would still work with on the one back side there where there is nine feet of patio is reducing that to basically three feet of patio and plus the coping, which would then be just a walkway as opposed to a patio?

James H. McMullan: Right.

James H. McMullan: Um, so how much would that...

Larry Kane: So, that would take off six feet by probably 25ft probably, or 22ft, I believe.

James H. McMullan: I would feel more comfortable with that. I don't know about the rest of the Board members.

John McGuirk: I think I can work with that also.

Andrew Baris: Makes sense.

John McGuirk: Joe?

Joseph B. Rose : Yeah, I have no problem with that.

John McGuirk: All right. So, we'll need an updated survey for that.

Larry Kane: Okay.

John McGuirk: Um, should we keep the record open? We keep the hearing open until we get the updated survey and then we'll close the record, and then we'll get it approved.

Larry Kane: Okay, great.

John McGuirk: Okay. Thank you.

Larry Kane: Thank you so much.

John McGuirk: So, I don't think we have any... I don't think we have any legal pending matters we have to speak of in an executive session. So, a motion to close the hearing.

Joseph B. Rose : I think you have people appearing regarding 94 Hunting Lane application. Just restate what's going on so they can hear it. They came in after your initial announcement.

John McGuirk: So, we are at an adjournment until July 12th. So just sorry about that. Um, so motion to close the hearing.

Joseph B. Rose : So moved.

John McGuirk: Second?

Andrew Baris: Second.

John McGuirk: All in favor?

Board in Unison: Aye.

John McGuirk: Thank you all. Enjoy the weekend.

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Zoning Board of Appeals of the Incorporated Village of East Hampton will hold a public meeting at the LTV Studios, 75 Industrial Road, Wainscott, New York, on Friday, June 14, 2024, at 11:00 a.m. on the following applications and to conduct such other business as may come before the Board. The applications can be viewed on the Village's website easthamptonvillage.org by clicking on the "Public Board Meetings" tab.

Application of Ethelyn A. Chase and Daphne Rowe, SCTM#301-12-7-3, for a Variance from Chapter 278, Zoning, and a Wetlands Permit in accordance with Chapter 163, Freshwater Wetlands, to construct a swimming pool, drywell, fencing and pool equipment. A Wetlands Permit is required in accordance with Sections 163-3 and 163-7 and variances of 67.5 feet, 65.3 feet, 78.5 feet and 50 feet are required from Section 278-3 A. (8) to construct a swimming pool, pool equipment, fencing and drywell located 82.5 feet, 84.7 feet, 71.5 feet and 100 feet, respectively, from wetlands where the required wetland setbacks are 150 feet. The subject property is 93,532 square feet in area and is located at 15 Jones Road in Residence District R-160. This project is classified as a Type II Action in accordance with SEQR.

Application of The Dunemere Lane Trust, SCTM#301-9-4-5, for Area Variances from Chapter 278, Zoning, to legalize the construction of a generator and an A/C condenser unit. Two 2-foot variances are requested from Section 278-3 A. (5) (a) to legalize the construction of a generator and an A/C condenser unit, both located approximately 43 feet from the front yard lot line where the required

front yard setbacks are 45 feet. A 1,287 square foot variance is required from Section 278-3 A. (9) (a) to legalize 6,162 square feet of coverage where the maximum permitted coverage is 4,875 square feet. The subject property is 21,877 square feet in area and is located at 43 Dunemere Lane in Residence District R-40. This project

is classified as a Type II Action in accordance with SEQR.

Application of JHMB Beach Realty, LLC, SCTM#301-8-15-6, for an Area Variance from Chapter 278, Zoning, to construct an addition to a residence exceeding the allowable gross floor area. A 138 square foot variance is requested from Section 278-3 A. (13) (a) to construct an addition resulting in a residence containing 4,138 square feet of gross floor area where the maximum permitted gross floor area is 4,000 square feet. The subject property is 30,000 square feet in area and is located at 12 Borden Lane in Residence District R-40. This project is classified as a Type II Action in accordance with SEQR.

Application of 21 Spaeth Lane, LLC, SCTM#301-10-1-26, for an Area Variance from Chapter 278, Zoning, to legalize a sculpture on a concrete base constructed within the front yard setbacks. A 5.7-foot variance is requested from Section 278-3 A. (5) (a) to legalize a sculpture constructed on a concrete base located 69.3 feet from the front yard lot line where the required front yard setback is 75 feet. The subject property is 113,372 square feet in area and is located at 21 Spaeth Lane in Res-

idence District R-160. This project is classified as a Type II Action in accordance with SEQR.

Application of Nancy Kane Testamentary Trust, SCTM#301-8-3-15, for an Area Variance from Chapter 278, Zoning, for excessive coverage to construct a patio and pool equipment. A 487 square foot variance is requested from Section 278-3 A. (9) (a) to permit 3,039 square feet of coverage where the maximum permitted coverage is 2,552 square feet. The subject property is 10,264 square feet in area and is located at 29 Dayton Lane in Residence District R-40. This project is classified as a Type II Action in accordance with SEQR.

Said Zoning Board of Appeals will at said time and place hear all persons who wish to be heard in connection with the applications. Interested parties may be heard in person, by agent, or by attorney.

Dated: May 17, 2024
By Order of John L. McGuirk III, Chairman, Zoning Board of Appeals, Inc.
Village of East Hampton
46-2/173

FILED
VILLAGE OF EAST HAMPTON, NY
DATE: 7/12/2024
TIME: 3:13 PM

Gabrielle McKay