

**Zoning Board of Appeals
December 13, 2024 - 11:00 a.m.
Emergency Services Building
1 Cedar Street,
East Hampton, NY 11937**

Those Present Were:

John L. McGuirk III, Chair
James H. McMullan, Vice-Chair
Joseph B. Rose, Member
Andrew Baris, Member
Joseph D'Arco, Alternate
Tim Hill, Esq., Village Attorney
Gabrielle McKay, Deputy Village Clerk
Bill Hajek, Village Planner
Tom Preiato, Village Principal Building Inspector
Andrew Goldstein, Esq., Representative for Ira and Heather Shapiro – 133 Egypt Lane
David Rhodes, Representative for Ira and Heather Shapiro – 133 Egypt Lane
James L. Walker, Representative for Ira and Heather Shapiro – 133 Egypt Lane
Jonathon Tarbet, Esq., Representative for Gregory L. Wilson and Lisa C. Wilson – 30 The Circle
Jacqueline Hubbard, Esq., Representative for 207 CHR, LLC – 207 Cove Hollow Road
Charles Sferrezza, Representative for 207 CHR, LLC – 207 Cove Hollow Road
Leonard Ackerman, Esq., Representative for 201 LPL, LLC – 201 Lily Pond Lane
Linda Margolin, Esq., Representative for 201 LPL, LLC – 201 Lily Pond Lane
Drew Bennett, Representative for 201 LPL, LLC – 201 Lily Pond Lane
Tom Lawrence, Representative for 201 LPL, LLC – 201 Lily Pond Lane

Those Absent Were:

Abigail FizSimons, Member
Shahab Karmely, Alternate

John L. McGuirk III: Good morning and welcome to the Village of East Hampton Zoning Board of Appeals meeting for Friday, December 13th, 2024. First, the Mayor and the Village Trustees and this Board wish everybody a happy holiday season and Happy New Year.

M I N U T E S
November 4, 2024

John L. McGuirk III: The first order of business is we have the minutes from November 8th, 2024. May I have a motion?

Joseph B. Rose: So moved.

John L. McGuirk III: Second?

James H. McMullan: Second.

John L. McGuirk III: All in favor?

Board in Unison: Aye.

DECISION ITEM

David Benjamin Harrison, Jr. – 45 Baiting Hollow Road – SCTM#301-13-2-4

John L. McGuirk III: First determination of the three today. In the application of David Benjamin Harrison, Jr., 45 Baiting Hollow Road, SCTM#301-13-2-4 for Area Variances to construct a detached garage and make alterations to a preexisting nonconforming pool house is granted. May I have a motion?

Andrew Baris: Motion.

John L. McGuirk III: Second?

Joseph B. Rose: Second.

John L. McGuirk III: Gabby, can you poll the Board, please?

Gabrielle McKay: Mr. McGuirk.

John L. McGuirk III: Yes.

Gabrielle McKay: Mr. Rose.

Joseph B. Rose: Yes.

Gabrielle McKay: Mr. Baris.

Andrew Baris: Yes.

Gabrielle McKay: Mr. D'Arco?

Joseph D'Arco: Yes.

John L. McGuirk III: And Mr. McMullan is going to read the next two.

DECISION ITEM

East Hampton Tennis Club – 19 Mill Hill Lane – SCTM#301-8-7-33.16

James H. McMullan: In the application of East Hampton Tennis Club, 178 Montauk Highway, SCTM#301-7-2-4.1 to modify a previously granted Variance and Special Permit to reflect a change in size of pickleball courts previously approved on property that operates as a membership club is granted such that the relief granted by this Board in its prior determination dated October 13, 2023 is continued and confirmed in all regards, with the exception that references to the August 4, 2023 survey contained therein are deemed replaced by the September 11, 2024 survey, inclusive of the dimensions of the pickleball courts as reflected thereon. May I have a motion.

John L. McGuirk III: Motion.

James H. McMullan: Second?

Andrew Baris: Second.

John L. McGuirk III: Gabby, please poll the Board.

Gabrielle McKay: Mr. McGuirk.

John L. McGuirk III: Yes.

Gabrielle McKay: Mr. McMullan.

James H. McMullan: Yes.

Gabrielle McKay: Mr. Baris.

Andrew Baris: Yes.

Gabrielle McKay: Mr. D'Arco.

Joseph D'Arco: Yes.

CONTINUED HEARING

Hook Pond LSJ, LLC – 16 Hook Pond Lane – SCTM# 301-8-14-12

John L. McGuirk III: We have a continuation of a hearing for Hook Pond Lane LSJ LLC, 16 Hook Pond Lane. So, a motion to close the hearing.

James H. McMullan: So moved.

John L. McGuirk III: A second, please.

Joseph B. Rose: Second.

John L. McGuirk III: All in favor?

Board in Unison: Aye.

DECISION ITEM

Hook Pond LSJ, LLC – 16 Hook Pond Lane – SCTM# 301-8-14-12

James H. McMullan: We have the determination prepared. In the application of Hook Pond LSJ LLC, 16 Hook Pond Lane, SCTM#301-8-14-12 for a Wetlands Permit to demolish the existing improvements consisting of retaining walls, patios and a residence, the nearest structure being 100 feet from wetlands and to re-grade land is granted. May I have a motion?

Joseph B. Rose: So moved.

James H. McMullan: Second?

John L. McGuirk III: Second.

James H. McMullan: Gabby, please poll the Board.

Gabrielle McKay: Mr. McMullan.

James H. McMullan: Yes.

Gabrielle McKay: Mr. McGuirk.

John L. McGuirk III: Yes.

Gabrielle McKay: Mr. Rose.

Joseph B. Rose: Yes.

Gabrielle McKay: Mr. Baris.

Andrew Baris: Yes.

ADJOURNMENTS

Guild Hall of East Hampton – 158 Main Street – SCTM# 301-8-5-3

John L. McGuirk III: We do have one adjournment today. Guild Hall of East Hampton, 158 Main Street, until January 10th, 2025.

APPLICATION WITHDRAWN

Beach House Realty, LLC – 19 Lee Avenue – SCTM#301-13-9-4

John L. McGuirk III: Now we're on to the new hearings of the day regarding Beach House Realty, LLC, 19 Lee Avenue. We've had several prior adjournments on this application, and it appears on the agenda today. As stated at the Board meeting November 8th, 2024, there will be no further adjournments according. Accordingly, the application is deemed withdrawn without prejudice to refile. I don't need a motion on that, do I?

Tim Hill, Esq.: No.

John L. McGuirk III: Okay, thank you.

ORIGINAL HEARING

Ira & Heather Shapiro – 133 Egypt Lane – SCTM#301-9-1-8

John L. McGuirk III: First hearing of the day. Gabby.

Gabrielle McKay: Application of Ira and Heather Shapiro, SCTM#301-9-1-8, for a Wetlands Permit and Variances in accordance with Chapter 278, Zoning, and Chapter 163, Freshwater Wetlands, to raze the existing improvements and construct a two-story residence, porches and patios, swimming pool, drainage structures and landscaping. Variances of 13.8 feet and 17.7 feet are requested from Section 278-3 A. (5) (a) to construct a residence 21.2 feet from the front yard lot line and to construct porches and stoops, the nearest being 17.3 feet from a front yard lot line, where the required front yard setbacks are 35 feet. A 24.7-foot variance is requested from Section 278-3 A. (5) (b) to construct a swimming pool 20.3 feet from the front yard lot line where the required front yard setback is 45 feet. A Freshwater Wetlands Permit in accordance with Section 163-5 and variances from Section 278-3 A. (8) in the amount of 68.2 feet, 59.3 feet, 53.4 feet, 39.7 feet, 20.2 feet and 127.8 feet are requested to construct drainage systems the nearest being 81.8 feet from wetlands, a terrace 90.7 feet from wetlands, a swimming pool 96.6 feet from wetlands, covered porches the nearest being 110.3 feet from wetlands, a two-story residence 129.8 feet from wetlands and fencing 22.2 feet from wetlands, where the required wetland setbacks are 150 feet. A Freshwater Wetlands Permit and variance from Section 278-3 A. (8) is required to permit native revegetation 22 feet from a wetland and lawn area 80 feet from a wetland where 125-foot setback is required. The subject

property is 25,464 square feet in size and is located at 133 Egypt Lane. The property is located in Residence District R-40 and FEMA Flood Zones AE Elevation 10. This project requires approval of the New York State Department of Environmental Conservation and is classified as a Type II Action in accordance with SEQR.

John L. McGuirk III: Thank you. Mr. Goldstein, good morning.

Andrew Goldstein, Esq.: Andrew Goldstein, Ackerman Partners for Ira and Heather Shapiro. First, as an overview, I'd like you to consider that this application is far less complex than the reading of the public notice suggests. Ira and Heather have lived in this house at 133 Egypt Lane for almost 18 years. It's... Many of you know it. It's a rather unique house in the way it's the only house that looks like it does on Egypt Lane. It's a house. It's 2200ft². It has two bedrooms and a sleeping loft. The Shapiros have lived there for 18 years, as I said. They have three children, all of whom are adults and two of whom are married. The Shapiros themselves are contemplating retirement. So the house, as Ira once said to me, has been a challenge to live in because of the lack of space and they'd like to build another house, a new house on the same lot to basically accommodate what could be actually an increased use. 133 Egypt Lane is a very compromised lot. It's an unusual shape. 75% of the lots area is within 150ft of the wetlands. The actual building of the legal building envelope is only 1,300 square feet in area. It's impractical in the context of what the Shapiro's need because you really couldn't build any of a larger house than what exists now in the legal location. The existing house is pre-existing, non-conforming. As to the wetland setback, the swimming pool that we asked for, again, there's no legal building envelope for a swimming pool on this so far. So, the project is to build a house to , I guess, give you some idea of the scale. We've outlined from the survey the area in brown and the area of the house that's the existing house, which the area in green which overlaps, it is the area of the new house and as Billy Hajek mentioned in his memorandum, the new house is essentially in the footprint of the old house, with the exception of a porch here which exists and this yellow area, which is a new porch. These areas will not have any basements at all. So, the only principal disturbance is within the area of the old house, and we estimate that the additional disturbance within the 150 foot setback which is here is about 160ft². So, I'll deal with that. So, they'd like to build a house. We'd like to build a swimming pool. The swimming pool is 16 by 26. It's really not a very large swimming pool and they're going they need relief also because it's a new house. They have to put in a septic system. This septic system is going to replace a conventional septic system, which is located within the 150 foot setback...within the 200 foot setback, rather. And, um, is in the groundwater as it happens. The new system will require a small variance for the pump basin and treatment tank, which are sealed systems. The effluent is going to be more than 200ft away from the wetlands. So, that's essentially in a conforming location. Um, again, the swimming pool is going to use an ionization system. There will be a drastic reduction in the potential chemical use. I should note that swimming pools, um, the properties on either side of the applicant's property, as well as the property at 100 Egypt Lane, all have received variances for swimming pools that are actually closer to the wetlands than the one that we are requesting here. The I/A System, while technically not mitigation, is actually a benefit to the wetlands and the community as a whole, I would say and while it's not mitigation as one would ordinarily think of it, it should be deemed as mitigation because it's a

necessary concomitant to the approval of this application. Finally, right now there's a 6100 square foot plant buffer. The applicants are going to expand that by 1000ft to 7100ft² with native plantings. It will be irrigated for a year to just let the plants take and Billy mentioned that he would like to see more woody plants. The wildflowers that they have, I think, are not a major part of the traditional 1000ft². The bulk of what you see in the planting plan was approved by the Board in 2007 and has been installed and so there's 1000ft². That's primarily in the area of the existing lawn, which will have some wildflowers. These will not use any more water or require any more water than the woody plants and there's really just... I think they're proposed, really as Jim Walker and Inter-Science told me, to make the area more attractive so that the owners will be inclined to keep it as opposed to remove it and again, I don't think that the choice of plants should really be material to your determination. They are um... They're native. So, the house is going to be a traditional architecture. It's going to be more in keeping with the area. We require a front yard setback variance for both the swimming pool and the house because the house has two front yards, one of them along Pondview Lane. The house, as designed, is not going to loom over Pondview Lane. The swimming pool within the setback at Pondview Lane is not a noise issue. It is some distance away from the neighbor next door, Mrs. Kenner, who I spoke to and who denied any objection to the application. I think she told me she was going to say nothing, which should not be somehow assumed to be rejection. It's just saying nothing.

John L. McGuirk III: And the height of the current house? Mr. Goldstein, I'm sorry. The height of the current house?

Andrew Goldstein, Esq.: The height of the current house. I honestly... I don't know. Maybe... (Asked the homeowner) So it's 27ft as opposed to 30ft. Again, the old house, as you know, has a triangular roof and the new house will be three feet higher. I don't think any of us will notice that. As you look at these variances, I think they're not substantial really at all but to the extent that the size might give you some concern. I think the circumstances of the entire violation....the entire application should give you some comfort. There's no change in the character of the neighborhood by anything they're doing. The wetlands... It should be deemed to be a plus for the wetlands to the extent that the wetlands are an important part of neighborhood character. They are... There's no detriment to any neighboring property. The house is not going to loom, a swimming pool is not going to make noise, and I think the physical and environmental aspects of the property are going to be enhanced by the application and certainly not denigrated. While this is a self-created difficulty in the sense that the applicant bought the property, applicants bought the property with the legislation, in effect, it's not going to be... Shouldn't be dispositive here in light of the weight or the other factors. So, I wanted to ask if anyone has any concerns that I might address or questions?

John L. McGuirk III: Board members?

James H. McMullan: I have one question. The area where the septic system is going, is that going to require additional grade to lift it up?

Andrew Goldstein, Esq.: I don't... I shouldn't think so.

John L. McGuirk III: Can you can you please come to the podium and state your name, please?
Thank you.

Gabrielle McKay: I'm just going to swear you in. Please raise your right hand and state your name and address for the record.

David Rhodes: David Rhodes. 17 Main Street, Sag Harbor, New York.

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

David Rhodes: I do, thank you. Yes. The septic system is being proposed in order to maintain the two feet of separation to the bottom of it. It does have to come up one foot in order to... And that's evident. In the detail six on sheet C1, you can see that the existing ground is dashed, and you'll see that the proposed grade comes up just slightly to accommodate the separation.

John L. McGuirk III: Thank you. Any other questions on that for any Board member? Yes, Mr. Rose.

Joseph B. Rose: A question relating to the grounds being sought for the variance. You said that the owners have had the property for 17 years, almost 18 years, and they are retiring. So, what's the time frame for the construction, demolition and construction?

Andrew Goldstein, Esq.: I assume it'll be, uh, probably a year and a half to be.

Joseph B. Rose: And what... The rationale for the variance is what?

Andrew Goldstein, Esq.: The rationale for the variance is that there's no way they can have these improvements without the variance. I mean, the property is oddly shaped. It's 75% of the area of the property is within the wetland's setback. Um, there's no legal building envelope for the swimming pool, so the benefits to be achieved cannot be achieved without.

Joseph B. Rose: What is the... But you mentioned, I think at the start the, the constraints of the existing house for their, for their use. Well that's, that's what are the constraints. You just specify what those constraints are.

Andrew Goldstein, Esq.: Well they've always had they've had three children and two bedrooms and a sleeping loft. So um, on the on the surface the math doesn't work so well. So now the kids are two of the kids are married. Everybody wants to have their children out there going to be grandchildren. So they just looking for a sort of normal sized house. That's a that's a sort of a personal benefit. But

the, the to achieve those benefits, they, they, they need a variance because the property is so non-conforming. The property is also non-conforming as to the building line width. Uh, it gets to use the relief setbacks, and that's one reason why everything gets squeezed in so much. Understood.

John L. McGuirk III: Uh, anybody in the audience have anything you'd like to talk? Billy, can I just. Andy, can we just have Billy talk about his memo?

Andrew Goldstein, Esq.: Yeah.

John L. McGuirk III: That'd be great. Thank you.

Billy Hajek: Good morning, Chairman, members of the Board. Billy Hajek for the Village of East Hampton. I prepared a report dated December 10th to the Board. I'll briefly summarize it for you, won't read the whole thing. As was discussed, it's a 25,000 square foot lot, roughly slightly larger than that. It's in the R-40 Zoning District, so, it's non-conforming with respect to lot area and also, as Mr. Goldstein indicated, the lot with, it's on the corner of Egypt Lane and Pondview Lane and it's an unusual shape. It's very long, over 300 linear feet long, but it's only 75ft wide along Egypt Lane. Roughly a third of the property contains wetlands and standing water associated with Hook Pond, and the wetlands are regulated by the New York State Department of Environmental Conservation. It's a relatively low lying parcel; elevations are very low. It about sits between 7 and 8ft above sea level, and groundwater sits very high above sea level in this particular location, given its proximity to Hook Pond. The Board did grant relief on this property once before. Back in 2007, Mr. Shapiro obtained a wetlands permit to do a wetland restoration. They removed some invasive plants and revegetated a portion of the property, and this project as described, proposes to raze the existing improvements and construct a new house. In terms of wetland setbacks, the proposed improvements will be in compliance with the front yard setbacks from Egypt, the front yard setback relief. All the relief that's needed is from Pondview Lane, and from the wetlands. So, all the improvements comply with the setbacks from Egypt, but it's the Pondview Lane side that requires the relief and obviously the wetland setbacks. I won't read through the relief that's needed, but just one thing to keep in mind is the existing house has a first floor elevation of 88 feet. The proposed residence in order to become FEMA compliant. It's in an AE zone elevation ten, meaning that the first floor has to be at 12ft. They're proposing a first floor at 13ft. So, under the first floor there could be no, you know, they could use it for storage, but they won't have any habitable space or, you know, there can be no materials or anything down there. It's pretty much void space except for storage. They will have, I guess, one foot below the joists for utilities below, just below the joists.

John L. McGuirk III: So just... It's eight feet now, it's going to be 13 because of FEMA compliance.

Billy Hajek: Yes.

Joseph B. Rose: But FEMA compliance, you're saying is 12?

Billy Hajek: Yes. In addition to the residence, there's a series of porches, patios and covered porches that are proposed. There's two covered porches off the back side, the wetland side of the house. There's a covered porch on the first floor, and then there's some patios. Similarly, with the residence, the swimming pool is slightly elevated out of grade. It's about three feet out of grade. When you look at the top of the coping, the septic system is being located the furthest possible distance from wetlands, I think it is. Mr. Goldstein indicated it's an environmental improvement over the existing system, which is likely non-conforming and sitting in groundwater. The curb cut is also being shifted slightly to the north. I think that's also an improvement with the redevelopment. It gets it further away from Pondview. It's not much greater, but it's an improvement for site distance purposes because of the shallow depth of groundwater and the elaborate drainage design. The application was referred to the Village's Consulting Engineer for review, then provided comments requesting some additional information. The applicant has responded with a revised set of plans, and they've been referred to them. We haven't received any comments back from Vin yet, so I would suggest the Board keep the record open until we receive a second round of comments. In terms of revegetation, I just made a note, they used... The plan proposes like 25 varieties of plant species, which if this is revegetation, plants don't generally grow like that in a natural environment. You know, I understand they want to make it pretty, which is fine, but, you know, sometimes simple is best. That's all. I perform a lot of inspections for as built conditions and plants never really get installed the way they're designed, and I just think keeping it simple might be a...just a suggestion, that's all. I outlined the variance standards for the Board. If you have any questions about that or my report, I'd be happy to try to answer them.

John L. McGuirk III: Board members?

Joseph B. Rose: I just have a comment. I'm glad the record is being held open because I've gone by the site a few times. I haven't gone on the site. I'd like to take a look at it, because it's clearly a constrained site. It's also one that's, uh, you know, was purchased and has been inhabited subsequent to all the regulations that constrain the site, and I think how this impacts Pondview lane frontage is something that requires some examination and thought, but I'd like to... I'm glad the record is being held open so we can visit and see if we can arrange. If the applicant can give some time over the next couple of weeks that are available to come take a look, that would be helpful.

Andrew Goldstein, Esq.: You can go whenever you want on this. I don't...

Joseph B. Rose: Don't want to get bitten by any dogs or shot by...

Andrew Goldstein, Esq.: They only have an AK 47. So, um.

John L. McGuirk III: So.

Andrew Goldstein, Esq.: I'm sorry.

square foot variance is requested from Section 278-3 A. (9) (a) to construct a pool house and legalize the construction of patios resulting in 4,937 square feet of coverage where 4,169 square feet of coverage is permitted by way of a prior variance. The maximum permitted coverage by zoning is 4,124 square feet. A 20.9-foot variance is requested from Section 278-3 A. (5) (a) to construct a pool house 14.1 feet from a front yard lot line where the required front yard setback is 35 feet. The subject property is 18,121 square feet in area and is located at 30 The Circle in Residence District R-20. This project is classified as a Type II Action in accordance with SEQR.

John L. McGuirk III: Good morning.

Jonathon Tarbet, Esq.: Good morning. Hi. Jon Tarbet for the applicant. This is a new house, a relatively new house, built in 2016 on The Circle and it has a traditional septic system. It's a house and a pool. The applicant, since the C/O was issued in 2016, installed a patio without a permit, which, because the house is one story, essentially uses up all the available coverage on the property. The house and the pool use up all the available coverage on the property. They actually do use up all the available coverage. So, the addition of the patio, which meets all setbacks, actually goes over coverage and he would now like to add a small pool house. Total with a pool house in the patio that was already constructed, we'd be about 750ft² over the allowable coverage. When it came to me the first thing, I said to the applicant was that we needed to make sure it wouldn't offend any neighbors. So, we reached out to all the neighbors and received positive feedback from all of the neighbors. There are no objections to adding a, well, the existing patio, which has been there for a number of years, and the proposed pool house. Neither of these would be visible from the street if you've been to the property, it's heavily vegetated and while the one story house had the disadvantage of adding a lot of coverage, whereas a two story house would be half the coverage, it does fit the neighborhood real nicely, the existing house and development of the property. The Circle is unique in that there is no separation between the road and the property line, so, two story houses would tend to loom over The Circle just because there's...you don't have that typical roadbed separation. So, ideally, you would encourage one story houses on The Circle because they would be more in keeping with the character neighborhood, that low view of low visibility and not be aesthetically unpleasing. So, we did reach out to all the neighbors, and there is no objections. We also need a setback variance for the pool house, which if you think of The Circle, it's a half circle, but it does have a small tail off the back of The Circle, which goes down to the pond, which is essentially a driveway with a couple houses on it. That's considered, even though it's really a driveway, that is considered a front yard as well, and the pool house needs a front yard setback variance. Again, it wouldn't be visible from anybody driving around The Circle. The neighbors have no objections. The only... Since it's not visible and there's no objections, the only other possible thing would be you look for environmental detriment. Theoretically, coverage has an effect on the environment, and we are willing to propose an upgraded septic system if you were to grant the variance. So, with that being said, I think it's a pretty good argument that an upgraded septic system.

John L. McGuirk III: Can you hold on one second?

Jonathon Tarbet, Esq.: Sure.

John L. McGuirk III: Mr. Ackerman, can you guys... Mr. Ackerman, can you guys take your conversation out to the hallway? Thank you.

Jonathon Tarbet, Esq.: They might want to hear me.

John L. McGuirk III: Jon, can you start from the beginning, please?

Jonathon Tarbet, Esq.: Yeah. I didn't like the way I started. Let me try that again.

John L. McGuirk III: Go ahead, Jon. Sorry, guys.

Jonathon Tarbet, Esq.: Yeah. So, I'm almost to the end. Anyway, so, um, the... Again, we got all the neighbors on board. You won't be able to see either the patio or the pool house from the street and again, the street is not really a street. It's a driveway, essentially a driveway, but it technically is a street. And, um, so, okay. So, it's a coverage variance, 700ft². It would enable the applicant, who just built the house, it would enable him to have relatively normal use of his property, which most properties in the Village would have a house, a pool and a pool house, but realizing that it is a 15% coverage variance, we did try to come up with a way to appease or to alleviate any concerns regarding the environment and that would be where we were offering an upgraded septic system. The existing septic system was just built in 2016. It's a new house. It's unlikely to be replaced anytime in the near future. So, this would be an opportunity to get this house on a septic system and it is very close to the nature preserve. So, it would definitely benefit the environment.

John L. McGuirk III: You're going to put a new one... It has a new I/A system or are you going to put a new one in?

Jonathon Tarbet, Esq.: Well, we're going to propose a new A/I system. It's a traditional septic system that was put in just before the law changed. So, um, it's hopefully a fair mitigation for the request, which is 750ft² of additional coverage. Well, the pool house itself would be a little over 200ft² of coverage.

John L. McGuirk III: Okay. Thank you. Um, Billy, would you like to comment on your memo? Can we have Billy and then we'll go to the Board. Thank you, Jonathan.

Billy Hajek: Good morning, Chairman, members of the Board. I'm Billy Hajek for the Village. I don't have a whole lot to offer other than, you know, Jon's comment that this is a small pool house. It's 248ft². The maximum size pool house is 250ft². So, it's a small building, but it's the maximum sized pool house that you can build. I mean, in terms of the mitigation, you know, offering a septic upgrade, an I/A system, that's something the Board wouldn't normally get for a project such as this and I think the fact that it's a relatively new house, they probably won't be touching the septic system

for another 20 years or more. So, that... I guess that could be considered fairly impressive mitigation. You know, other than that, I don't have a whole lot to offer.

John L. McGuirk III: Thank you.

Billy Hajek: Unless you have any questions for me.

John L. McGuirk III: Sure. Go ahead.

Joseph B. Rose: In walking around The Circle, which I hadn't done on foot for a few years, I was stunned by the transformation of the of The Circle. There's a lot of obviously new development in the last several years. How many of those properties have had coverage or GFA variances?

Billy Hajek: Offhand, I don't know. I'd be shooting from the hip. Directly across the street is the most recent. That was a gross floor area variance. I don't recall if it was coverage, but I know it was gross floor area.

Joseph B. Rose: Do you know the extent to which?

Billy Hajek: What the gross floor area variance was? no, I don't remember offhand.

Joseph B. Rose: There's some more information that would be useful to have in terms of just looking back over the... Just what the degree of variances that have been.

Billy Hajek: The only other variance that I'm familiar with is the... It's a unique lot because it fronts on Hunting and it backs up to The Circle and that was a pool house technically in the front yard, but that was two lots that had been merged and so, it was a little unique, but that was a pool house that was reconstructed.

Joseph B. Rose: I'd just make the point to the Board again, since we're going to hold the hearing open, that there's a 15% variance on a small lot in a highly dense residential part of the Village. It's a lot being asked for a newly built property that could have addressed, you know, I don't know that there's a compelling need for a pool house, but again, it involves looking at the site, understanding just what the degree of variance is because this scale of percentage of variance that is being requested for is significant, especially in this small lot constrained area.

Billy Hajek: Are you asking me to provide that information? Would you like me to provide that?

Joseph B. Rose: Ask the applicant to provide it, but it would be worth just checking when we get it in, if that's okay.

Billy Hajek: Sure, thanks.

Joseph B. Rose: The goal is not to try to impose more work on the Village Planner.

Billy Hajek: I appreciate that.

James H. McMullan: I do have a question for the applicant.

Jonathon Tarbet, Esq.: Before I forget, can I just respond?

James H. McMullan: Absolutely.

Jonathon Tarbet, Esq.: I don't want to make you forget your question, but, uh, so. Yeah, so I was struck as well when I walked around The Circle when I took this application on and the important thing to remember is, and I did look at all the properties on The Circle to see who had gotten which relief, hoping for comparable. There has not been a lot of relief offered on The Circle. So, what you're seeing when you walk around there is actually two story homes that meet zoning. The reason why it seems so different is because, again, The Circle is essentially a driveway with no roadbed. So, property lines... So, if you have a 25 foot setback or a 30 foot setback, normally you have that 20 foot gap between the property line and the road. In this case, you don't have that. So, when a two story home is built, it appears to be looming because even though it meets all the zoning, zoning didn't take into consideration that in a situation like The Circle, the road is very close to the house. So, it kind of makes everything feel pushed in on you when you drive around The Circle.

Joseph B. Rose: Can I request to find some time to allow for a visit. Actual significant fence there, gates. Again, not trying to climb gates or be attacked by dogs or anything, so.

Jonathon Tarbet, Esq.: Yeah, I can get you those. Um, if you... I'll reach out to you or reach out to me. My point though, was going to be that ironically, had the applicant built a two story home here, he would have the coverage he needs for a pool house. The two story house would be very in your face. So, it was actually his decision to build a one story house and if you walk around The Circle, you see, this house is gorgeous with the landscaping and the fact that it's low and doesn't loom, unlike other houses on The Circle, it doesn't loom over. So, based on the fact that numerically 15% may seem large, but again, you cannot see the patio or the pool house from The Circle and the first rule of zoning is do no harm. We reached out to all the neighbors to see if anybody would have... There was no chance I was going to come to this Board if any of the neighbors had any objection. So, we reached out to them before you made the application, all of whom loved the property, loved the house, and said they had no issue with the pool house. Sorry, Jim.

John L. McGuirk III: There is a conforming location for the pool house, so, I know you're going to be over coverage, but there is a conforming location. Just putting that out on the table here and you already have an outside shower, and you want an outside shower over on the pool house, too?

Jonathon Tarbet, Esq.: We'd be happy to remove the outside shower from the pool house, if that's...

Joseph B. Rose: The other point I would just make is that the reason for coverage regulations are not just visual impact from the street, but the degree of permeability and open space on properties and throughout the Village and a variance of this scale, both on the individual property and on precedential throughout small lots throughout the Village could be quite significant. So, it's not a small action, even though it's a small property, hence the gross numbers aren't that large but taken the implications of it, are actually not insignificant.

Jonathon Tarbet, Esq.: No, I recognize that and, um, it was something we spent a lot of time on trying to figure out how to... So, coverage would essentially be an environmental issue and that was why we were proposing the upgraded septic system, thinking that that might be a nice offset as far as precedent goes. Maybe that's a good precedent. It's up to the Board, obviously, but maybe trading 700ft² of coverage to get a new septic system is a net positive. That's the Board's decision, just throwing it out there as mitigation.

John L. McGuirk III: So, we're going to leave it... Go ahead, Jim.

James H. McMullan: One question I have. I know it's kind of an odd time of year. Um, so you don't... You can't really see how the property is used in the summer months. I've noticed on this property there is a lot of area that is graveled. Is that area also used as patios? Is it their dining tables? Are there chaise lounges? Are there any type of stuff? Because, I mean, looking at this thing, you have probably about 20% of the property covered in gravel and not grass. I just want to make sure that if we're looking at this as a whole, how is the property being used?

Jonathon Tarbet, Esq.: I've been there twice when the trees had leaves on them, and there was nothing under those trees. The gravel is a landscape feature, drainage and probably better than lawn, which under the trees would need a ton of fertilizer and probably not grow. Well, anyway. I've seen that used frequently on projects under trees. So, I think that's the idea.

James H. McMullan: Okay.

Jonathon Tarbet, Esq.: I've never seen any sort of tables or chairs.

James H. McMullan: Okay. Thank you.

John L. McGuirk III: Thank you.

Jonathon Tarbet, Esq.: One other thing I'll just point out is in looking at the survey, there's not a whole lot of outdoor living space on the property. The patio that he added would be a small area. It's not... It's, you know, you think about someone coming in asking for a 15% coverage variance, you think, well, maybe they're overusing the property. The pool has no patio around it, no decking around it. So, it's just a quirk of the code. We all do know that the Village's coverage ratios are tight. We all design projects and work within those, but frequently the Board is asked for relief from coverage,

and this is one of those properties. Again, I think it's a quirk of having designed a one story house. If they had done a two story house, ironically, they would have the room to add a pool house.

John L. McGuirk III: Okay. Thank you. Anybody in the audience have anything to say? All right, we're going to leave this hearing open. I mean, the I?A system is something new that you've just proposed, and Mr. Rose would like to go with you to the property or not with you, but he'd like to get on the property without any issues. So, we'll keep it open to, I think it's January 8th. Is that our next meeting?

Gabrielle McKay: Yes.

Jonathon Tarbet, Esq.: Thank you.

John L. McGuirk III: Thanks, Jonathan. The next hearing, please.

ORIGINAL HEARING
207 CHR, LLC – 207 Cove Hollow Road – SCTM#301-7-6-6.7

Gabrielle McKay: Application of 207 CHR, LLC, SCTM#301-7-6-6.7, for Area Variances from Chapter 278, Zoning, to convert a detached garage to an Accessory Dwelling Unit. A variance of 8.8 feet is requested from Sections 278-2 B. (7) (e) and 278-3 A. (4) (a) to permit the alteration of and conversion of a detached garage into Accessory Dwelling Unit that is located 25.2 feet from a side yard lot line where the required side yard setback for an Accessory Dwelling Unit is 34 feet. A 232 square foot variance is requested from Sections 278-2 B. (7) (e) and 278-3 A. (13) (a) to permit 7,457 square feet of gross floor area where the maximum permitted gross floor area is 7,225 square feet. The subject property is 62,247 square feet in area, is located at 207 Cove Hollow Road and is situated in Residence District R-80. This project is classified as a Type II Action in accordance with SEQR.

Jacqueline Hubbard, Esq.: Good morning. I'm Jackie Hubbard here from Twomey, Latham, Shea, Kelley, Dubin and Quartararo for the applicant, 207 LPL, LLC. Also here with me are Charles Sferrazza and Brendan Maloney from our architect. I'm going to speak first and if they have any questions for them as well, just, you know, they're here. This application is for two variances, both relating to the proposed conversion of an existing two story garage to an accessory dwelling unit, ADU, under the recent amendments to section 278-2B(7)(e). Because we are converting an existing structure, we request minor relief from the GFA requirements in section 278-3A., 13A., and the primary structure setbacks in section 278-3A. for...just to start. The proposed ADU will otherwise comply with the requirements for ADUs. It will not have more than two bedrooms. It will not exceed the maximum floor area for accessory structures. It will be limited to family of the occupants of the primary dwelling, and it will not be rented out separately from the primary dwelling. Additionally, the property is greater than the required 60,000 square feet, as required by the code for these ADUs. Um, I'm just going to walk through the standards briefly. Because the structures already existing,

we're proposing no expansion of that structure. All work shall be completed in the interior of the structure. The garage has been located in the property since the 2000's and complies with the accessory structure setback requirements. This would require no additional or no significant or new disturbance of the property and minimal effect of any to the surrounding physical or environmental conditions. This change to the structure is to accommodate the applicant who is a year round resident of the area and of this property, his expanding family and it won't change the character of the neighborhood or presumably cause any detriment to the neighbors. As indicated in our application, members of the entity that own this property also own 201 Cove Hollow Road and 211 Cove Hollow Road. So, to the east and directly to the south. If you've been to the property, you know, this is a flag lot, and you enter onto the property through a long driveway. Everything else is tucked to the back there. 211 sits in front of that and 201 is just to the right as you come in. There is already a significant screening between the structure in question and 27 Jericho Road, which is the closest house to the southwest to the structure in question and 21 Jericho Road, which is located a little further away and up the road on Jericho Road. The applicant is actually, of course, willing to provide additional screening if that is needed and like I said, if you have been to the property, it is very nicely tucked away already. To just finish up with the standards for granting these variances. We hold that these are not substantial in the context of what we are proposing. The applicant has been trying to figure out how to develop, or to redevelop, these properties to accommodate his family and he has chosen to take advantage of the new code changes to accommodate them in that way. I'd just like to raise at this point at the time that we applied, we had not yet applied for a separate application for 201, but I wanted to make the Board aware that we did submit subsequently an application for 201 as well. So, that will be coming down the pike also, which is for just the reconstruction of the garage on that property. Because this proposed project would remove the garage from this property and would allow us to use the garage over there, but in the good faith of being open with the Board.

Joseph B. Rose: As a garage?

Jacqueline Hubbard, Esq.: As the garage.

Joseph B. Rose: The subsequent application is going to be for the reconstruction on an adjacent property?

Jacqueline Hubbard, Esq.: Yes. There's an existing garage there.

Joseph B. Rose: Since this garage is being converted and its joint ownership. I just want to make sure I understand.

Jacqueline Hubbard, Esq.: Yes, I didn't want it to be that we come before you again. You're like, oh, it's you again.

John L. McGuirk III: Are you proposing a new I/A system for this ADU?

Jacqueline Hubbard, Esq.: We will be, because it's required. We didn't submit that at the at the time of the application. The existing is an updated I/A system and it does also accommodate the primary structure, but we can of course submit more information on that as well in subsequent if you want to, if that's required, if the Board would like to see that. There was a previous... I just want to highlight this briefly. There was a previous decision for the same structure, which is unusual, I think, generally. That in 2015, when the applicants had had initially bought the property, this exact structure, this garage with a second story storage area had been illegally converted by the prior owner. Our applicants had at that time applied to have that second story be used as an office that was denied at the time, because under the code, you can't have a plumbing on the first floor, excuse me, on the second floor. In this situation, as we know, the code has been amended and we do feel that this particular application is almost exactly what the code contemplates in this amendment. You know, because the structure is pre-existing and the conversion of it to the ADU would be, you know, nearly seamless and not require any additional expansion or work of that actual structure. At the time of that of that previous decision, it was found that that then building was too large and at the time, obviously the code now allows for this to be the case, and it is exactly in line with those requirements. I think because of those code changes, this is also just showing generally that some of the Village Comp Plan for these kind of structures and for the development of the Village in general has changed to some degree, but we are keeping in line with that, and this is a very reasonable application in that context. If there's... I'm available to answer any questions you might have at this time, and I also have architects as well, if they want to step up and say briefly just about the project.

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

Charles Sferrezza: Charles Sferrazza Architects, 74 Montauk Highway, East Hampton.

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

Charles Sferrezza: Yes, I do. So, the actual building itself will not be changing in any height from the exterior. Like Jackie said, there's no change at all to the exterior volume of the structure whatsoever. We will not be adding any windows on the west side that faces the neighbor's property. That will remain just a blank façade, with the exception of the Palladian window that is currently existing on the second floor, but we will be adding new doors where the garage doors were and windows, as well as on the back side, the south side of the new structure that faces the pool. So, the first floor would actually consist of a dining room, kitchen and a living space with a powder room and a closet and then upstairs would be the one bedroom with the bathroom as well as a closet. So, like I said, there's really no impact on any of the neighbors on the west side. The only changes to the fenestration would be on the north side facing the house, the east side facing the motor court, and the south side facing the pool.

John L. McGuirk III: Okay. We talked about the new IA system, are you going to be proposing a new IA system?

Charles Sferrezza: Yeah, we'll work with the applicant on that. Um, like I said, I wasn't familiar with what the septic system was existing there. We were looking for this variance for the change in the use as well as the setback and the GFA. So, yeah, we can work with the applicant upon that.

John L. McGuirk III: Thank you. Any Board members have any issues with this?

James H. McMullan: I don't.

Joseph B. Rose: I just want to say I think this is exactly... This is the kind of application that the variance application that the code changed contemplated. It's very much in keeping with the intent. I have no problem. I would like to just prior to the, again, bundle up and go walking around properties in the Village in the next couple of weeks, but the to come and see just to see if we need to address that screening issue that the applicant raised, see if there's any comment from the Village on that matter.

John L. McGuirk III: We don't have any letters in the file from any of the neighbors. Any opposition? Is there anybody who'd like to speak on this in the audience? Thank you. So, we'll keep the hearing open for written comment only, and we'll shut it down next meeting. Thank you.

James H. McMullan: Thank you.

ORIGINAL HEARING
201 LPL, LLC – 201 Lily Pond Lane – SCTM#301-15-4-14

Gabrielle McKay: Application of 201 LPL, LLC, SCTM#301-15-4-14, for a Permit and Variance from Chapter 101, Coastal Erosion Hazard Areas, Variances from Chapter 278, Zoning, and Chapter 124 Preservation of Dunes to make alterations and construct additions to an existing residence, reconstruct patios, walls, and walkways, a parking area, two sanitary systems and stormwater drywells and landscaping and landscape lighting. A Coastal Erosion Hazard Area Permit and Variance is required in accordance with Section 101-9 to make alterations, modifications and construct additions to a residence that is located seaward of the Coastal Erosion Hazard Area line, make alterations and modifications to a second dwelling "Guest House," and to reconstruct with modifications multiple patios, walkways, walls, two sanitary systems, stormwater drywells, swimming pool coping, landscaping and landscape lighting all located seaward of the Coastal Erosion Hazard Area line. An 8.9 foot variance is requested from Section 278-3 A. (4) (a) to make alterations and modifications to an existing detached garage and connect it the residence that is located 41.1 feet from a side yard lot line where the required side yard setback is 50 feet. A variance is requested from Section 278-7. C (2) to permit alterations to a legally preexisting second residential dwelling "Guest House" where the maximum number of residential dwelling units is one. A 4.4 foot variance is requested from Section 278-3 D. (6) to permit elevating of a second dwelling "Guest House" to a height of 18.4 feet where 14 feet is the maximum permitted height for an accessory building. A variance is requested from Section 278-3 A. (5) (d) to permit a walkway zero feet from a

side yard lot line. Sections 124-1 (A) 1. & 2. and 278-3 A. (7) prohibit buildings and structures within 100 feet of the 15-foot contour line and prohibits disturbance within 150 feet of the edge of beach grass. The project proposes alterations and modifications and construction of additions to an existing single family residence located 60.2 feet from the 15 foot contour, reconstruction with alterations of patios and walkways, the nearest being 42.5 feet from the 15-foot contour line, replacement of swimming pool coping 54 feet from the 15-foot contour line, installation of stormwater drainage structures 40 feet from the 15-foot contour line, installation of landscape lighting, and modifications and alterations to a second dwelling "Guest House" located 54 feet from the 15-foot contour line and all improvements and disturbance being located within 150 feet of the edge of beach grass. The subject property is 116,548 square feet in area and is located at 201 Lily Pond Lane in Residence District R-160. The property adjoins the ocean beach and is located in FEMA Flood Zones VE (el. 17). This project is classified as a Type II Action in accordance with SEQR.

David Rhodes: Well thank you.

Leonard Ackerman, Esq.: Gabby, you got through that. Good morning.

John L. McGuirk III: Good morning.

Leonard Ackerman, Esq.: It's always a pleasure to appear before the Board. It gives me a chance to get dressed up, pull out some of my winter clothes and stand up here and hear myself talk. Mr. Chairman, what I was going to do was just make a couple of brief remarks and then have Drew Bennett review the scope of the project. I have here, in addition to Drew, Tom Lawrence, the construction manager of the project. Drew Bennett is here, he's our engineer. Matt Pachman and Linda Margolin, my partners, are here to answer any questions, with respect, if there's a question that requires a deep down legal opinion. This property... um, I don't know if I pronounced it properly called Cima del Mundo was originally built in 1926 by a very well-known architect, Elgin Warner. It was designed on Lily Pond to reflect what was then called the Lily Pond Dunes. Over the years, there have been numerous property owners, you know, culminating with the Williams family, who inherited it from the John Olin Estate. This property was renovated in '31 and again in '38 after the major hurricane in which it actually survived the hurricane. Records show that there was damage to the roof only. It was purchased in 1944 by John Olin, who had previously been a tenant of the property. In 1956, Mr. Olin started making substantial renovations. These dealt with the garage, the main block of the house, the entrance, the windows, among other things. In 1994 and again in 1996, there was a retaining wall along the street that you all now see as you drive along Lily Pond Lane. In 2023, our client bought it. He's the owner of the adjacent property to the east and 199. He has spent the last 18 months developing this program to renovate this house and to make it current under FEMA standards, upgrading sanitary, the energy code, and to preserve as much of the existing house as possible. 90% of the variances that Gabby just read were all generated by FEMA compliance. The rest of the variances we can, you know, go through each one of them, but they're mostly related to non-FEMA compliance. Drew Bennett's testimony here is going to review the construction protocol

and he's going to discuss how we're going to lift the house up. We're going to install the FEMA compliant foundation and then putting the house back down. So, just to make a brief reference, we did give consideration to possibly relocating the house further north, however, there are numerous factors that negated this approach. First, the poor eroding capacity of the soils on the new site. The disturbance that would be entailed in excavating and removing the foundation and the pool from the present location would, in our view, create much more disturbance at the site, especially in the part of the site closest to the dunes. We believe that we've given you a well-supported, detailed application. Now, I'd like Drew to come up and let Drew take you through the more technical aspects of the application.

John L. McGuirk III: Mr. Ackerman, can I ask you one question. Is this a tear down or rebuild?

Leonard Ackerman, Esq.: This is a restoration of the existing house and that's what Drew's going to explain to you. How we're going to accomplish it.

John L. McGuirk III: Thank you.

Gabrielle McKay: I can swear you in. Please raise your right hand and state your name and address for the record.

Drew Bennett: My name is Drew Bennett, doing business at 74 Montauk Highway, East Hampton, New York.

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

Drew Bennett: I do, thank you.

John L. McGuirk III: Good afternoon, Drew.

Drew Bennett: Good morning, Board members. I am a consulting engineer on the project, and I'm going to give you a concise overview of the technical scope of work and as it pertains to the Zoning Board's purview. The owner purchased the property at 18 months ago, and the team has conducted a number of inspections, including probing on the inside of the property, inside of the house itself, and I can report to you that in summary, long story short, that the outside is quite weathered, there's some deterioration and the inside, while being maintained, is very, very dated. So, the owner would like to do essentially a gut renovation, which triggers other requirements that are required under the residential code as well as FEMA. As Len mentioned, the team did consider options of reconstruction and relocation and considering all the design factors and other constraints, the conclusion was that the best option was to restore and conform in place. So, with the gut update, I think Len had mentioned, the key requirement that would be triggered by the Code is to make a FEMA compliant foundation, which then triggers energy code updates, updates to the structure, update to the

mechanical electrical, since the residential building code. So, there's a fair amount of scope that needs to be done. Are you familiar with the site? Perhaps I should walk people through the site.

John L. McGuirk III: It would be great if you could walk through it. Thank you.

Drew Bennett: This is the Atlantic Ocean. This is the Lily Pond Lane. This is an existing rock revetment. This is the existing dog pens, going to be removed. This is an existing garage that is going to be razed and will be connected via a small breezeway, a closed breezeway, that will be used as both a wellness area and mechanical space. This is the main house, we think of it as two sections, this section and that section. This is the living room area that we'll talk about briefly, patio area and existing breezeway that connects to an existing guest house which is here and then there's an existing pool. Currently, the driveway curb cut, which I think most people are familiar with is here, will remain the same. The driveway sort of meanders like this to enter the garage area. That area will be stripped of the driveway and restored, and a new parking court will be placed in the front of the house. There is a unique and attractive package referred to as a ha-ha wall. It's along the North property line that will remain. So, there's some minor paths and so on and so forth that connect structures. So, a key element of the work is this is basically a vertical stretch of the house in place, which is unusual and innovative, but we've come up with a way to do it. So, this is the existing house, 23.5ft high. The first step is... This is the stretching vertical; this is what's proposed. The first step is to raise the house in its entirety, one foot, five inches, to conform to the FEMA flood requirements and then you'll see here that the cellar area is full of heating, electrical, mechanical type systems which are not permitted under FEMA and so, we have to put them somewhere and so, the mechanical engineers have come up with a strategy of locating them in the ceilings of the first floor and the second floor, and also in the converted garage area and that will require raising the ceiling heights of both the first floor and the second floor. So, we have met with Dolan House Moving and Bulgin Associates several times to come up with a strategy of how to do this and the idea is that we will first lift the house, both floors and the roof, all at one time. Then they will take the second floor system and raise this up one foot six inches, and then again raise the second floor system and roof another one foot six inches. So, in its entirety it raises... It gets raised up four feet, five inches, I think is the number. The total height at the completion, as I mentioned earlier, from average grade is 27ft, 11 in, which is within the maximum house height. The raising will occur to both the guest house, the main house, as well as the garage conversion. There's a couple of minor Additions, very minor additions, proposed to the house. Hopefully I can remember them, let's see. One is the actual connection to this former garage area, and there's a couple small areas here. They don't have the exact numbers. Perhaps someone else can help me out with that in a few minutes. Work also includes some minor site work, which I know we've discussed, two new sanitary systems, I/A systems that will be on the landward side of the house, some drainage dry wells, these are shallow, dry wells. There are a couple located on the seaward side of the house. The dry wells are eight feet deep. Some paths... There is a connection to the neighboring property which the owner also owns, which is why we have this path here and some landscaping. The pool will remain as is. The work has been carefully planned to limit site disturbance by utilizing the existing house footprint and constraining the site scope, and by our estimates, were... Will result in about 40,000ft² of site disturbance. Let's

see what else... Just to give you a little visualization of... This is the current house. This is the existing south elevation, so this is what's facing the ocean, and the blue illustrates the change in the height. The one story areas here remain one story. The two story areas that are existing remain two story. It's just that the roof gets a little higher. If you wanted to talk about what relocation looked like, with that later on. So, um, let's see. The new foundation will... I think a key element of this is that the existing foundation is a poured concrete foundation, it's a mix of foundations of a shallow frost wall and then there is a large area that's 8 or 9ft deep that's under the core portion of the house. The idea is that we will build a new FEMA compliant foundation, consisting of helical piles and concrete pile caps within the existing foundation, and we'll modify the existing foundation to make it break away, essentially. So, we're going to abandon it in place and modify it so that it meets the FEMA criteria for breakaway. I think that summarizes at a high level what I intended to present. Of course, we're here and available for any questions that you have.

John L. McGuirk III: Rose has a question.

Joseph B. Rose: Couple of questions. Thank you, very helpful. Can you go back a few points. The one that shows the basement. That next one. So, this may just be visual, the width dimensions of the house remaining are exactly the same?

Drew Bennett: Exact same footprint.

Joseph B. Rose: So, here it's the height increase, because of the foundation and the mechanical system?

Drew Bennett: Correct.

John L. McGuirk III: Please go up to the mic.

Drew Bennett: So, I think what... Let me just...

Linda Margolin, Esq.: I just wanted to point out that the footprint is changing very slightly around one wing there's about a two foot ramp and the hallway that connects the repurposed garage to the main house, those are partially offset by some bump outs on the northerly façade of the house that are being eliminated.

Joseph B. Rose: So, can you just specify on the...

Linda Margolin, Esq.: Let's see if we can do this.

Drew Bennett: It's not on one those boards. It's the site plan.

Linda Margolin, Esq.: I think it'll... I think you'll see it here. There's a small wrap around this wing. There is a bay bump out here, but there are bump outs here that are being eliminated, and this is the connection between the garage and the rest of the house.

Joseph B. Rose: On the elevation, what's the... So, a new connections being made between the garage and the main house.

Linda Margolin, Esq.: Right. That's the only... That's the only, uh, addition that you would see in terms of a changed elevation from the north side. From the south side, and I think we do have the elevations in the architectural plans, this area here is what you would see, and you'd see a little bit of this. It's mostly shielded by the house.

Drew Bennett: I can show it in the elevations.

Joseph B. Rose: If you could show in the elevations. Thank you. That's where I'm going.

John L. McGuirk III: But you don't really see that side right now.

Jonathon Tarbet, Esq.: We've got quite a mess here with all our elevations.

Drew Bennett: Okay, let's see if we can answer the question. So, let's see... Again, we're looking...

Linda Margolin, Esq.: That's south.

Drew Bennett: I know I'm just trying to get back. Bear with me. Just bear with me. Okay, so this is the south elevation. This is the existing house. This is the proposed house. You can see that the entire line of the house gets raised. As I mentioned, the two story areas stays two stories. For the one story area, stays one story. There is an area here... So, this is the existing garage. You see that it's connected with a small breezeway.

Joseph B. Rose: And that breezeway will be climate contained? A full structure.

Drew Bennett: Yeah, I think it's less than ten feet long and I can give you the exact amount. It's de minimis.

Joseph B. Rose: On the western portion, the connection of the guest house?

Drew Bennett: This is an existing breezeway that exists today.

Joseph B. Rose: Climate controlled?

Drew Bennett: No, no it's open.

Joseph B. Rose: It's open.

Drew Bennett: It just gets replaced, not replaced, but that stuff is pretty deteriorated. So, the idea is that they'll take that part of this connection off.

Joseph B. Rose: That connection going to be climate controlled?

Drew Bennett: No.

Joseph B. Rose: It's going to be open to as well. And the elevation of the height of that goes from what to what?

Drew Bennett: That also gets raised one foot five inches.

Joseph B. Rose: From the existing.

Drew Bennett: So, you can see this blue shaded area is what gets raised.

Joseph B. Rose: And on the guest house?

Drew Bennett: Same. It's approximately one foot five because... Excuse me, it's one foot six because it goes up for FEMA.

Joseph B. Rose: So, the total the total elevation is one foot... Is a one foot six change on the guest house. On the main house it's...

Drew Bennett: Four feet, five inches.

Joseph B. Rose: On the guest house it's 1.6?

Drew Bennett: Um, no. It's, uh, in round numbers. It's 15.5 to 18.5, so it's about three feet. So, that's the FEMA rise plus they raised the ceiling for mechanical.

Joseph B. Rose: What are the... And that's the next question. So, the ceiling heights interior on the in, I guess, all parts change from what to what or stay.

Drew Bennett: Yeah, I can answer that. One moment. So, back to this figure, which is the conceptual plan, the existing first floor elevation, first floor heights eight goes to nine foot six. In that nine foot six is one foot six for mechanicals, which is the blue hatched area here. On the second floor, the existing is what appears to be a seven foot eight and a half, and it goes up one foot six.

Joseph B. Rose: And on the guest house and the garage?

Drew Bennett: So, the guest house, we just we just spoke about, it goes from 16.5 round numbers to 18.5, and then the garage goes from 13.5 to 18.5.

Joseph B. Rose: And either the garage or the guest house and breezeway portions on both they have substructure or basement or are they just... Are they on piles or what's existing or...

Drew Bennett: Existing or proposed?

Joseph B. Rose: Proposed.

Drew Bennett: So, everything will be on new pile foundation to be FEMA compliant.

Joseph B. Rose: But there's an area below the first floor.

Drew Bennett: Let me go through that for you. Okay. So, the guest house has a very small cellar, maybe 12 by eight. That's just like has the hot water heater in it and then it has a very shallow crawl space, like really shallow. So, that will be raised, first floor will be raised, the whole thing will be raised one foot six for FEMA and then the ceiling gets raised one foot five or getting my numbers mixed up, but another foot or so. Then all of that is supported by helical piles. The breezeway right now is just old concrete piers that support, you know, the wooden posts that support the roof, that will also be supported by helical piles that you won't see. It'll be flush with grade. Main house as a portion of old, I guess this has been added to over the years as a portion of old crawl space, and it has a portion of old cellar and it's a pretty big old cellar. It's maybe 4500ft² that's 8 or 9 foot deep. All of that gets raised and supported by helical piles and a concrete cap, and the old foundation that's underneath the house will remain in place. The new foundation's inboard of the existing foundation walls and the old foundation will be modified to meet the breakaway standards. When you get to the garage, the garage is on a concrete foundation, like an old block foundation, but in great shape. That will also be raised and supported by piles.

Joseph B. Rose: There's no basement structure underneath this?

Drew Bennett: There's no... So, under FEMA, you're not allowed to have anything. There's no space underneath this, there's no space underneath this. There is an existing cellar hole here that will remain an existing cellar hole. There'll be no mechanicals. There'll be nothing in it and the garage has no gap underneath it except the space between the floor and the ground. So, there's no...

Joseph B. Rose: So, the basement space... Sorry, last question. The basement space and the main house that exists through which the interior of which will be sunken piles that will not be usable space?

Drew Bennett: Correct, the code would not allow for that.

Joseph B. Rose: Yeah, of any kind.

Drew Bennett: So, you know, the candid answer is some people will use it to store their outdoor furniture, but you're not allowed to have you know, it's not...

John L. McGuirk III: It's not habitable.

Drew Bennett: Right, correct.

John L. McGuirk III: No mechanicals, obviously.

Drew Bennett: Yeah, and by the time you get done with the new foundation, it's a sea of piles, a forest of piles is.

Joseph B. Rose: Understood. Thank you.

Drew Bennett: Any other questions?

John L. McGuirk III: Just your construction protocol. You know, you a little bit on it. I know you went through some of it.

Drew Bennett: I think Tom would be...

Leonard Ackerman, Esq.: Tom Lawrence will do that. Could I just interject something?

John L. McGuirk III: You can.

Leonard Ackerman, Esq.: Because Mr. Rose is, you know, really focused on what's important here. I just want to point it out to you... In answer to the Chairman's point, I just want to run through a quick list of what's to remain. The existing roof framing is to be reused for the renovation, doors and window openings to be preserved for the renovation, wherever possible, existing basement walls to remain, existing wall studs is to be reused, existing floor joists to be reused. I mean, we're trying to use as much as we can, but there has been... Over the last 15, 20 years, severe diminishing of this structure, but we're trying to preserve as much of it as we can and so, it looks the same as well. So, Tom, if you don't mind, Tom Lawrence is going to run through the construction protocol and then we can certainly answer any other questions the Board may have. Tom.

John L. McGuirk III: Good morning, Tom

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

Tom Lawrence: Good afternoon. My name is Tom Lawrence, representing Bulgin & Associates. Working from 136 Main Street in Amagansett, New York, 11930 and 199 Mariner Drive in Southampton, 11968.

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

Tom Lawrence: I do. Did the Board have specific questions?

John L. McGuirk III: No. Just go through it. You know, I know you have a construction protocol in here, but just maybe go through a little bit of it.

Tom Lawrence: I'll touch on the high points, if you will. Good afternoon. Of course, given the time and the import of these proceedings, I'm going to respectfully ask that we refrain from any Santa jokes until after the hearing. I'll be happy to stick around just to see if anyone has any new ones that I haven't heard lately. To the Chase, I'm fortunate to have literally grown up in the construction business and been originally trained by my father, a Combat Veteran Seabee, a hard but incredibly wise teacher, and one of the many invaluable lessons he taught me was that integrity is a commodity that you spend. But once the protocol was written with that foremost in our minds. On that note, I will readily admit that the construction protocols submitted to you in this matter, despite having gone through some 20 or so review and edit cycles with the entirety of our team, is not perfect and never will be. No construction plan, no disrespect to any architects or protocol, has ever been perfect or ever will be unless it's written once the work is done. Construction protocols are inherently very difficult to craft, certainly on a project of this complexity and at best provide detailed parameters for the project, and then they involve evolve in full concert with the building inspector and the planner. As the project moves through the process of construction, such that any and all potential issues are identified in advance and properly addressed to the satisfaction of the Village in a prompt and timely fashion that they approve prior to the work proceeding. As home builders and members of this community, we acknowledge our responsibility as temporary stewards for the owners, the property, the neighborhood and the environment. We recognize the importance of safeguarding our existing natural features from any potential impacts or disturbances resulting from the proposed construction activities. We are committed to taking all necessary precautions to ensure the protection of the delicate environmental areas surrounding the project, and our understanding extends to both the micro and macro perspectives, emphasizing our dedication to responsible construction practices and our respect for the building department and the Village Planner. What's most important is that the protocol is, in fact, a contract between our team and the Village, and specifically this Board and its front line, the Building Department and Village Planner. We have successfully completed many similar projects in the Village and various surrounding jurisdictions by working very carefully in concert with the building inspectors and planners, keeping in constant contact with them at every step in an open dialogue that assures both compliance and success. In short, we have promised to and will strictly adhere to all the construction methodology and strategies as defined in the protocol without fail. The Seabee motto can do. We respectfully promise that we will. I think Drew did a great job at

running through the semantics of how we're going to perform the project, and rather than take the Board's time and go through the protocol, which I presume, and apologize for all of you having to read, um, we don't want to go through it, but rather any specific questions or points that you'd like to clarify.

John L. McGuirk III: Members? Everybody's okay?

James H. McMullan: I read through it. I have no problem.

John L. McGuirk III: I don't have a problem with either. Joe? Okay. Um, I have one question for Tom. Does this... Is it SWPPP, Suffolk County? Can I just ask Tom a question real quick. Because of the size of the... I don't know how it comes in.

Tom Preiato: Good afternoon, Board members. So yes, there in plan review. The question was raised as to if the proposed clearing is sufficient, first, and then if it would rise to the level of being over an acre, whereby a SWPPP Permit, which is storm water pollution prevention plan, would be required through the EPA and through the DEC and then us locally here. Um, it looks tight. Um, 43,560 is an acre. We have 40, almost 41 I guess, being cleared here, disturbed here, I should say, actually. So, um, we just want to be mindful of that. I spoke to the Santa Claus, the builder here, and I've worked with him for 25 years and we do have a good working relationship and, uh, I was assured that before any additional clearing or disturbance would take place, that we'd be notified and if the pertinent permit would be, a SWPPP Permit, would be pulled, if need be.

Joseph B. Rose: What are the implications of the SWIP Plan?

Tom Preiato: Well, the SWPPP plan, basically identifies any sources of pollutants that may be on the site or runoff, etcetera. A project in this area is also usually whether there's a SWPPP or not has a pretty substantial silt fence and mindful of the surrounding area.

Joseph B. Rose: Is that being done? Is that part of the protocol in any event? So, what is... The question is, since it's so tight, what is the difference between what would be required, both operationally which is most important and procedurally which is a question.

Tom Preiato: Well, it's a process. I mean, there's a logbook that's kept and inspections are made and to see that things stay stabilized. It changes with each site. But there's... In and of itself there is a protocol, but not necessarily until...

Joseph B. Rose: I think I understand that pursuant to the Chair's question that.

Drew Bennett: So, the construction protocol includes a snow fence around the quote unquote, area that's going to be disturbed. So, that will be a hard boundary. As Tom and Tom mentioned, you know, if something happens and we realize that they need another, whatever thousand square feet or

whatever, the Village will be notified will be adapted if we go over the threshold of needing a state permit, which is a Stormwater Pollution Prevention Plan, we will go through that. Um, we do intend to have silt fence around the perimeter of the work, which is what's required under the SWPPP itself.

Joseph B. Rose: So, that's my question, I guess, to Tom, but I appreciate... Which is that is they're leaving the process aside, which I understand that it's been tightly drawn to avoid going into the bureaucratic process. Is there anything substantive that the Village would like to see as part of the construction protocol that might be imposed as part of a SWPPP Process that is not included here?

James H. McMullan: I think what they've done is... They've provided the basic requirements for the SWPPP, even though they don't have to.

Joseph B. Rose: Understood. That was the question.

James H. McMullan: If a SWPPP is triggered the site analysis and stuff that they would do would then trigger additional steps, be it cleaning all the trucks leaving the site, so no contaminants are going on other people's properties and stuff like that. But I think they are designing this protocol to tackle all those things beforehand. On the basic level, if I'm...

Leonard Ackerman, Esq.: That's correct. Yes.

Joseph B. Rose: I had one, I had one further question. This is... You supplied a lot of drawings. There's one drawing that I think would be very helpful and it relates to the fact that the most important. I'm not from an environmental perspective because there are a variety of issues and there are compliance issues, but the way this property reads as renovated from the beach is the...goes to the commons of part of the Village and it would be a substantial and recognizing the need to to make a bunch of the changes here. It would be good to have a visual that shows, I guess... I'm not sure if it's a cross section, I guess a cross section and a visual that shows from standing on the beach.

Leonard Ackerman, Esq.: We did that. I thought...

Joseph B. Rose: There's an elevation, there's a north, there's a south elevation, right. But it's a south elevation. I don't... At least I didn't see it, maybe. Okay. That shows from standing on the beach where the... How it reads from a person, you know, a Village person walking on the beach is going to see... Because elevating at a certain point now you see the main house, it's lowered will obviously be higher by four feet, but the question is to avoid... I'm not suggesting changes, I'm just asking to see what it's going to look like from the beach because there's a dune and then there's the house set back at grade before the house is right. Let me just finish the point so it's clear what I'm saying.

Linda Margolin, Esq.: Mr. Rose.

Joseph B. Rose: Let me finish what I'm saying.

Linda Margolin, Esq.: Mr. Rose.

Joseph B. Rose: Let me finish what I'm saying, please. Okay. If the house...

Leonard Ackerman, Esq.: Linda, just a minute. Just let him speak. Okay?

Joseph B. Rose: So, there's going to be an elevation, an increase in height for the whole width of the existing house. There is a dune that goes in front of... Some of that is below the grade, only the roof part is visible from when you're standing on the beach because of the location of the dune. It will be slightly and we're not talking about massive amounts more, more height, more visible. It would be good to see what that volume reads like from the from the beach, which involves a cross section and an elevation, if you understand what I'm saying.

Leonard Ackerman, Esq.: I understand exactly if you could bear with me though, we have a technical problem with this and that. The Health Department has a policy whereby all applications for Health Department approval of properties on the water require before Health Department will issue a DEC Permit, which we have, we have non-jurisdiction but requires ZBA approval and then they issue their permit so we can begin the process. I'd like to ask you if you would allow us respectfully to close the record, we will deliver to you what you're requesting within 48 hours. We have to get it from the architects. I thought we had that. I think we do have it, but perhaps it wasn't in the folder, so, we will certainly deliver that to you. But I would like the courtesy, if I could, to get the hearing closed, so that a month from now we'll be able to pull our Health Department Permit. We're up against, of course, plover restrictions. We'd like to get started. There's a lot of work that has to be done here for prep and site work and the like, so we certainly will provide that. Everybody understand what Mr. Rose is looking for? Okay. We'll get that from the architects.

Linda Margolin, Esq.: It may be the last sheet of the architectural plans.

Leonard Ackerman, Esq.: All right. But whatever it is, it is okay. But if we could close the hearing, I'd like to be able to proceed.

John L. McGuirk III: So, can I just go to Billy? Billy, can you go to the podium for a second? And then just a just a basic... Are we waiting on anything from Vin or anybody like that at this point?

Billy Hajek: No, the application was not referred to Vin Gaudiello. I mean, the drainage itself is pretty straight forward. There's no depth to groundwater issues. They're using precast concrete rings for drainage. It's a standard septic I/A septic system. So, this didn't rise to the level of attention that we thought it had to be referred to Vin. With regard to the protocol, you know, if the Board wants to close the record, I would ask that as a condition of the approval, we receive an updated protocol based on some conversations that I've had with Drew. I mean, I've met with Drew, and we've had multiple conversations about the protocol. I understand it's an evolving process, but there are some kind of bigger picture items in the protocol regarding parts of the house that are going to be

demolished versus not demolished. I think those bigger picture items need to be very clear in the protocol as to the scope of work and so that, you know, I don't think it changes the magnitude of the project at all, but it's just some bigger picture items that I think the protocol needs to flush out and so I would ask that you either require that or condition your approval on requiring that. So, other than that I'm not waiting on any additional information.

Joseph B. Rose: And just to be clear on the issue, okay. I understand that there's cross section and just to be clear what I was saying, it refers to average natural grade and to where, where the house is located on the property, but it doesn't show and I'm not... I understand, I just want to respond to the point that was made. I have the architectural plans. I've looked at them. How it presents from the beach and the relationship of the dune to the massing to the volume.

John L. McGuirk III: So, Board members, we can close the hearing with written comment only we can, close it next meeting and then have a determination for written comment only. Are we happy with that?

James H. McMullan: I would be comfortable with that.

John L. McGuirk III: We can keep the hearing open until the next meeting for written comment only and then close the hearing next meeting.

Leonard Ackerman, Esq.: I will have the revised protocol for you Monday morning. I just would like to move this along, sir.

John L. McGuirk III: If everything comes by Billy, we can close the hearing next meeting, and we can have a determination next meeting. As long as everything's okay.

Leonard Ackerman, Esq.: Everybody understand what we need to do here?

Drew Bennett: Yeah. I'd like to just make one clarifying point.

John L. McGuirk III: Please come up.

Drew Bennett: I appreciate the opportunity to talk about the application with Billy Hajek twice. Once I met with him at his request to go over the scope of work, which is a lot. The second time was to review our construction protocol with both he and Tom. Billy did call me yesterday with some questions on the construction protocol, and he mentioned that there was an inconsistency in how we were handling the existing living room here and he said it was inconsistently presented in a diagram, and it didn't match the text. Afterwards, I went back, and I checked what we had filed, and I think what we had and... I think there's maybe a little confusion. What we had filed is correct is what I'm trying to say. So, the picture in the construction protocol matches the text of what we're doing with the living room. So, uh, and I would argue nicely that that's a minor detail. The second question that

Billy had with regard to the construction protocol is you're showing some dry wells that are going to be on the seaward side of the house and the protocol reads you're going to use a light excavator. What does that mean? And I can tell you that that basically is a very small, you know, wide track machine. I'm sorry...

Leonard Ackerman, Esq.: But we're going to fix it all and make it nice. We're going to give Mr. Rose what he wants. We give everybody what they want.

David Rhodes: Just ask that in January I don't have to make this trip back.

John L. McGuirk III: January 8th.

Leonard Ackerman, Esq.: If you would just close the hearing. Let's move on. This is a terrific project. We're all going to be very proud of this. This is an incredible opportunity where a landowner is restoring a magnificent property and driving by in 2027, I think you won't even realize that this house has been renovated and restored. It's going to be absolutely beautiful, both from the beach and from Lily Pond Lane. I thank the Board very much for its patience here.

John L. McGuirk III: Thank you. All right. We're going to motion to close to close the meeting.

James H. McMullan: Motion.

John L. McGuirk III: Second?

Joseph B. Rose: Second.

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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 Emergency Services Building, 1 Cedar Street, East Hampton, New York, on Friday, December 13, 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 Ira and Heather Shapiro, SCTM#301-9-1-8, for a Wetlands Permit and Variances in accordance with Chapter 278, Zoning, and Chapter 163, Freshwater Wetlands, to raze the existing improvements and construct a two-story residence, porches and patios, swimming pool, drainage structures and landscaping. Variances of 13.8 feet and 17.7 feet are requested from Section 278-3 A. (5) (a) to construct a residence 21.2 feet from the front yard lot line and to construct porches and stoops, the nearest being 17.3 feet from a front yard lot line, where the required front yard setbacks are 35 feet. A 24.7-foot variance is requested from Section 278-3 A. (5) (b) to construct a swimming pool 20.3 feet from the front yard lot line where the required front yard setback is 45 feet. A Fresh-

water Wetlands Permit in accordance with Section 163-5 and variances from Section 278-3 A. (8) in the amount of 68.2 feet, 59.3 feet, 53.4 feet, 39.7 feet, 20.2 feet and 127.8 feet are requested to construct drainage systems the nearest being 81.8 feet from wetlands, a terrace 90.7 feet from wetlands, a swimming pool 96.6 feet from wetlands, covered porches the nearest being 110.3 feet from

wetlands, a two-story residence 129.8 feet from wetlands and fencing 22.2 feet from wetlands, where the required wetland setbacks are 150 feet. A Freshwater Wetlands Permit and variance from Section 278-3 A. (8) is required to permit native revegetation 22 feet from a wetland and lawn area 80 feet from a wetland where 125-foot setback is required. The subject property is 25,464 square feet in size and is located at 133 Egypt Lane. The property is located in Residence District R-40 and FEMA Flood Zones AE Elevation 10. This project requires approval of the New York State Department of Environmental Conservation and is classified as a Type II Action in accordance with SEQOR.

Application of Gregory L. Wilson and Lisa C. Wilson, SCTM#301-3-7-10, for Area Variances from Chapter 278, Zoning, to construct a pool house and to legalize coverage. A 768 square foot variance is requested from Section 278-3 A. (9) (a) to construct a pool house and legalize the construction of patios resulting in 4,937 square feet of coverage where 4,169 square feet of coverage is permitted by way of a prior variance. The maximum permitted coverage by zoning is 4,124 square feet. A 20.9-foot variance is requested from Section 278-3 A. (5) (a) to construct a pool house 14.1 feet from a front yard lot line where the required front yard setback is 35 feet. The subject property is 18,121 square feet in area and is located at 30 The Circle in Residence District R-20. This project is classified as a Type II Action in accordance with SEQOR.

Application of 207 CHR, LLC, SCTM#301-7-6-6.7, for Area Variances from Chapter 278, Zoning, to convert a detached garage to an Accessory Dwelling Unit. A variance

of 8.8 feet is requested from Sections 278-2 B. (7) (e) and 278-3 A. (4) (a) to permit the alteration of and conversion of a detached garage into Accessory Dwelling Unit that is located 25.2 feet from a side yard lot line where the required side yard setback for an Accessory Dwelling Unit is 34 feet. A 232 square foot variance is requested from Sections 278-2 B. (7) (e) and 278-3 A. (13) (a) to permit 7,457 square feet of gross floor area where the maximum permitted gross floor area is 7,225 square feet. The subject property is 62,247 square feet in area, is located at 207 Cove Hollow Road and is situated in Residence District R-80. This project is classified as a Type II Action in accordance with SEQOR.

Application of 201 LPL, LLC, SCTM#301-15-4-14, for a Permit and Variance from Chapter 101, Coastal Erosion Hazard Areas, Variances from Chapter 278, Zoning, and Chapter 124 Preservation of Dunes to make alterations and construct additions to an existing residence, reconstruct patios, walls, and walkways, a parking area, two sanitary systems and stormwater drywells and landscaping and landscape lighting. A Coastal Erosion Hazard Area Permit and Variance is required in accordance with Section 101-9 to make alterations, modifications and construct additions to a residence

that is located seaward of the Coastal Erosion Hazard Area line, make alterations and modifications to a second dwelling "Guest House," and to reconstruct with modifications multiple patios, walkways, walls, two sanitary systems, stormwater drywells, swimming pool coping, landscaping and landscape lighting all located seaward of the Coastal Erosion Hazard Area line. An 8.9 foot variance is requested from Section 278-3 A. (4) (a) to make alterations and

modifications to an existing detached garage and connect it the residence that is located 41.1 feet from a side yard lot line where the required side yard setback is 50 feet. A variance is requested from Section 278-7. C (2) to permit alterations to a legally preexisting second residential dwelling "Guest House" where the maximum number of residential dwelling units is one. A 4.4 foot variance is requested from Section 278-3 D. (6) to permit elevating of a second dwelling "Guest House" to a height of 18.4 feet where 14 feet is the maximum permitted height for an accessory building. A variance is requested from Section 278-3 A. (5) (d) to permit a walkway zero feet from a side yard lot line. Sections 124-1 (A) 1. & 2. and 278-3 A. (7) prohibit buildings and structures within 100 feet of the 15-foot contour line and prohibits disturbance within 150 feet of the edge of beach grass. The project proposes alterations and modifications and construction of additions to an existing single family residence located 60.2 feet from the 15 foot contour, reconstruction with alterations of patios and walkways, the nearest being 42.5 feet from the 15-foot contour line, replacement of swimming pool coping 54 feet from the 15-foot contour line, installation of stormwater drainage structures 40 feet from the 15-foot contour line, installation of landscape lighting, and modifications and alterations to a second dwelling "Guest House" located 54 feet from the 15-foot contour line and all improvements and disturbance being located within 150 feet of the edge of beach grass. The subject property is 116,548 square feet in area and is located at 201 Lily Pond Lane in Residence District R-160. The property adjoins the ocean beach and is located in FEMA Flood Zones

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VE (el. 17). This project is classified as a Type II Action in accordance with SEQOR.

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: November 22, 2024

By Order of John L. McGuirk III, Chairman
Zoning Board of Appeals, Inc. Village of East Hampton
21-2/2024

FILED
VILLAGE OF EAST HAMPTON, NY
DATE: 1/13/25
TIME: 10:43 AM

Kabriele McKay