

17412

**Zoning Board of Appeals
November 8, 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
Andy Baris, Member
Abigail FitzSimons, Member
Shahab Karmely, Alternate
Joseph D'Arco, Alternate
Timothy Hill, Esq., Village Attorney
Bill Hajek, Village Planner,
Tom Preiato, Principal Building Inspector
Gabrielle McKay, Deputy Village Clerk

John L. McGuirk III: Welcome to the Village of East Hampton Zoning Board of Appeals meeting for Friday, November 8th.

M I N U T E S
October 11, 2024

John L. McGuirk III: First order of business. We have the minutes from October 11th, 2024. May I have a motion?

Joseph B. Rose: So moved.

John L. McGuirk III: Second?

Abigail FitzSimons: Second.

John L. McGuirk III: All in favor?

Board in Unison: Aye.

DECISION ITEMS

John L. McGuirk III: We have three determinations today. The entire files are available at Village Hall.

DECISION ITEM

Abraham M. Dweck and Robert Levine – 19 Mill Hill Lane – SCTM#301-8-7-33.16

John L. McGuirk III: In the application of Abraham M. Dweck and Robert Levine, 19 Mill Hill Lane, SCTM#301-8-7-33.16 for Area Variances to make alterations and construct additions to an existing residence, to construct accessory structures and convert an existing garage to a pool house is GRANTED to the extent reflected on the revised plans of JL Drafting, Inc., last revised September 24, 2024. May I have a motion?

James H. McMullan: So moved.

John L. McGuirk III: Second?

Joseph B. Rose: Second.

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

Gabrielle McKay: Mr. McGuirk?

John L. McGuirk III: Yes.

Gabrielle McKay: Mr. McMullan?

James H. McMullan: Yes.

Gabrielle McKay: Mr. Rose?

Joseph B. Rose: Yes.

Gabrielle McKay: Mr. Baris?

Andrew Baris: Yes.

Gabrielle McKay: Ms. FitzSimons.

Abigail FitzSimons: Yes.

DECISION ITEM

Whitehouse Partners LP – 95 Egypt Lane – SCTM#301-4-10-3

John L. McGuirk III: In the application of Whitehouse Partners LP, 95 Egypt Lane, SCTM#301-4-10-3 for Area Variances and a Wetlands Permit is GRANTED only insofar as granting the proposal for a 36 square foot deck for outdoor grill and is, in all other respects, DENIED (including but not limited to relief relating to the proposed railing or modification of the Board's September 28, 2022 determination). May I have a motion?

Joseph B. Rose: So moved.

John L. McGuirk III: Second?

James H. McMullan: Second.

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

Gabrielle McKay: I just want to correct that it's supposed to be 2012 (Referring to the September 28, 2012 determination).

John L. McGuirk III: Thank you.

Gabrielle McKay: Mr. McGuirk?

John L. McGuirk III: Yes.
Gabrielle McKay: Mr. McMullan?
James H. McMullan: Yes.
Gabrielle McKay: Mr. Rose?
Joseph B. Rose: Yes.
Gabrielle McKay: Mr. Baris?
Andrew Baris: Yes.
Gabrielle McKay: Ms. FitzSimons.
Abigail FitzSimons: Yes.

DECISION ITEM

Steven Hofmann and Georgianne Jacobs – 137 Main Street – SCTM#301-2-7-9.2

John L. McGuirk III: In the application of Steven Hofmann and Georgianne Jacobs, 137 Main Street, SCTM#301-2-7-9.2 for Area Variances to construct additions to an existing residence within required setbacks and exceed allowable gross floor area is GRANTED. May I have a motion?

Abigail FitzSimons: So moved.
John L. McGuirk III: Second?
Joseph B. Rose: Second.
John L. McGuirk III: Gabby, may you poll the Board, please?
Gabrielle McKay: Mr. McGuirk?
John L. McGuirk III: Yes.
Gabrielle McKay: Mr. Rose?
Joseph B. Rose: Yes.
Gabrielle McKay: Ms. FitzSimons?
Abigail FitzSimons: Yes.
Gabrielle McKay: Mr. Karmely?
Shahab Karmely: Yes.
Gabrielle McKay: Mr. D'Arco?
Joseph D'Arco: Yes.

ADJOURNMENTS

Beach House Realty LLC – 19 Lee Avenue – SCTM#301-13-9-4
Ira and Heather Shapiro – 133 Egypt Lane – SCTM#301-9-1-8

John L. McGuirk III: So, we have two adjournments today. We have Beach House Realty LLC, 19 Lee Avenue. This application was placed on the December 13th Zoning Agenda, so, we'll allow them to adjourn one more time and then if they don't show up in December, we will withdraw and dismiss without prejudice on Beach House Realty, LLC. And then we have Ira and Heather Shapiro, 133 Egypt Lane and we have new hearings of the day.

Joseph B. Rose: That's going to be removed. You're going to put an outdoor fireplace there but what's... Is it going to be grass?

Trevor Darrell, Esq.: It's going to be proposed to be landscaped with seating but not....

Joseph B. Rose: But seating on grass?

Trevor Darrell, Esq.: Just seating on grass, correct. Yeah. It's not going to be patio. They're not calling for... So, um... And that's also really needed on the G1 page. The property as it sits there today, exceeds the permissible coverage after the renovation of the house, the main house, the pool house and the addition of the garage, the overall coverage of the lot reduces under the permissible allowed. So, we end up with a reduced coverage of about 3,571 where 3,745 is permitted. So, we're actually reducing the coverage. So yes, it's going to be, you know, chairs on the lawn, not patio, not bricks.

Joseph B. Rose: So, I just have a question about the practicality... I mean, having a fireplace, a seating area with just grass for the chairs next to it. It doesn't... I'm not sure I've ever seen that in new construction situation.

Trevor Darrell, Esq.: So, I think the answer to that question is they tried very hard to remain within the parameters of the code. I know my conversations with the applicant is this Board takes coverage very seriously. So, it's not a request that I think, um, you know, if something can be not sought. That's my general opinion.

Andrew Baris: What's the coverage go from? You said there's a correction. What's the correction again.

Trevor Darrell, Esq.: So, the overall coverage will reduce down to 3540ft² and I do have a new, uh, the numbers are being...supposed to be here by now to be submitted to the Board. It's over right now it's existing it's at 3745ft², so it's less. So, we're reducing. Right now we exceed the permissible amount as it sits there today. It's pre-existing non-conforming coverage and post construction renovation, we will be under by approximately, you know, 100 and some odd square feet.

John L. McGuirk III: Is there anybody in the audience like to speak on this?

Joseph B. Rose: Have there been any outreach to the neighbors?

John L. McGuirk III: I'd say get noticed by the Village, so.

Trevor Darrell, Esq.: I've seen no opposition in the record, and I haven't received it.

Joseph B. Rose: Has there been any outreach on the part of the applicant to the neighbors?

Trevor Darrell, Esq.: Not that I'm aware of.

Joseph B. Rose: That's something that would be appropriate in this case.

Andrew Baris: I walked the property. I don't have a problem with the style. It's pretty secluded. It's pretty nestled. So, um, that's my opinion.

Shahab Karmely: I don't mind it. There's no visual impact from that.

Joseph B. Rose: I think my concern is just with the fireplace and to the, I guess the north, without the patio area attached to it where they're seating, I just I don't know how that actually works in practice and having, uh, an outdoor fireplace. It seems to me it's an attracted compliance becomes an issue over time because the chairs are going to make holes in the grass. It's going to be a tough... If you actually use it as a place where people hang out next to the fireplace, it's going to undo the joining right by the setback without a patio. Just... I don't know how that works from a landscaping purpose.

Trevor Darrell, Esq.: I can't speak to that.

Joseph B. Rose: I understand. I'm not... I'm just expressing the concern. I'm answering...

Shahab Karmely: It's a valid Trojan horse question because in 99% of the applications... Let's say 90% of applications, not legal applications, applications in real life. He's correct because you have raining and it gets soggy and your fireplace, at the very least you could have a bluestone patio, which is non-structural, cement dispersed probably put on top. So, that's what most people do. And Joe's concern, I guess, is that this is a Trojan horse, uh, relief that is being sought that at times is going to be some bluestone. Put down that and they're going to put chairs on it. On the other hand, you know, you've got to also have this certain level of trust and people say they're not going to do it. It's going to be a fireplace. I can see chairs. They can sit on the grass and be around the fireplace and certainly if you look at the Arts and Crafts movement, the pictures from that era have outdoor fireplaces and have chairs that was sitting on grass. So, I tend to want to trust people in situations like this and other situations, but I think he has a valid point because, you know, given the weather conditions out here. So, it's just emphasized to your clients that, you know, at some point somebody's going to drive by or someone's going to flag it. Joe, does that...

Joseph B. Rose: Just raise the issues.

Trevor Darrell, Esq.: Understood.

Joseph B. Rose: Putting out there for the record.

John L. McGuirk III: Thank you. Okay. Any other questions? No concerns in the audience? A motion to close the hearing.

Andrew Baris: Motion to close the hearing.

John L. McGuirk III: Can I have a second, please?

Shahab Karmely: Second.

Bill Hajek: All in favor?

Board in Unison: Aye.

John L. McGuirk III: Okay. Thank you.

ORIGINAL HEARING

East Hampton Tennis Club, Inc. – 178 Montauk Highway – SCTM# 301-7-2-4.1

Gabrielle McKay: Request of the East Hampton Tennis Club, Inc., SCTM#301-7-2-4.1, to modify a previously granted Variance and Special Permit to construct four pickleball courts. A Special Permit is requested pursuant to Section 278-7 D. (1) (b) to modify the prior Special Permit by shifting the location of four pickleball courts previously approved on property that operates as a membership club. The property is 99,242 square feet in size, is located at 178 Montauk Highway in Residence District R-80 and contains a special permit use identified as the East Hampton Tennis Club, Inc. This project requires approval of the Design Review Board and is classified as an Unlisted Action in accordance with SEQR.

John L. McGuirk III: The members sitting on this application would be myself, Jim McMullan, Andy Baris, Abigail, and Mr. Rose has recused himself and we're going to have Joseph D'Arco on this one. Thank you, Joey.

Bill Hajek: Good morning, Chairman, members of the Board. The applicant is unable to attend today's meeting. They asked me to just summarize the request to the Board here. So, the Zoning Board previously granted, and the Design Review Board, a Special Permit and site plan approval, and a variance, a small variance, to construct four pickleball courts at the east end of the tennis facility. Those approvals were granted when they went to start construction. They were advised by the contractor to adjust the size of the courts, particularly the overrun areas and so they've increased the size of the courts to the south and to the east, which doesn't change the relief that was previously granted and they're fitting the expansion within the previously approved limits of clearing. So, it's an extension by like seven feet in the south direction and then 6ft or 7ft in the easterly direction.

John L. McGuirk III: And the south direction is obviously Montauk Highway, and the east direction is employee housing, I believe, for the Maidstone Club, right. So that's...

Bill Hajek: Correct.

John L. McGuirk III: Okay.

Bill Hajek: They previously supported the application, so.

John L. McGuirk III: All right. Thank you. Anybody in the audience have any problems with this? Board members, are we okay? Okay. Motion to close the hearing.

James H. McMullan: So moved.

John L. McGuirk III: Second?

Andrew Baris: Second.

John L. McGuirk III: All in favor?

Board in Unison: Aye.

John L. McGuirk III: Thank you.

ORIGINAL HEARING

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

Gabrielle McKay: Application of Hook Pond LSJ, LLC, SCTM#301-8-14-12, for a Wetlands Permit in accordance with Chapter 163, Freshwater Wetlands, 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. The subject property is 143,198 square feet in size and is located at 16 Hook Pond Lane. The property is located in Residence District R-160 and FEMA Flood Zone AE Elevation 12 and Zone X. This project classified as a Type II Action in accordance with SEQR.

John L. McGuirk III: Thank you. And members sitting on this is myself, Mr. McMullan, Mr. Rose, Mr. Baris and Ms. FitzSimons. Billy, are you going to...

Bill Hajek: Well, I think the applicant is here.

John L. McGuirk III: Okay.

Eliot Fisher: Good morning. Eliot Fisher with Tarbet and Lester for the applicant. So, essentially, we're just asking for a demolition permit to take down the existing house and then rebuild it with a totally conforming home. We have DEC permits already and the non-jurisdiction and everything, everything else for the house is totally legal and conforming. So, this is the only variance that we need.

John L. McGuirk III: Thank you, Eliot. Billy, can you just give us a quick minute on this please.

Bill Hajek: Sure. Good morning, chairman, members of the Board. Billy Hajek for the Village. As indicated by Elliot, the existing house sits within the required wetland setback. So, there is no other... There's really no alternative. Obviously, moving outside of the wetland setback requirements is a benefit. We want to encourage that. So demolishing the existing house, which as far as I know has no real historical significance, and then constructing their new project outside of jurisdiction. We have asked them to submit a survey showing the limits of clearing, grading, and ground disturbance. As long as they adhere to that requirement, I don't see any real issue with the proposal.

John L. McGuirk III: So, we're going to keep this open until they submit that.

Bill Hajek: Yeah. So, the Board... I suggest the Board keep the record open because the notices for the wetland permit requirements requires the notices be sent out 15 days, and I don't think it was sent out 15 days prior to the commencement of today's meeting. So, I think it's a good idea

for the Board to just keep the record open for written comment until the next meeting, and then you can close the record and make a determination at the same time.

John L. McGuirk III: Any Board members have any comments?

James H. McMullan: No, I mean, I think it's just a product of what they're doing and just doing the right thing to come back just to demo the house. So, I have no problem with that.

John L. McGuirk III: Okay. Do any members in the audience like to speak on this? Okay. So we're going to keep this hearing open until next month, December. So next meeting is?

Gabrielle McKay: The 13th, December 13th.

John L. McGuirk III: Friday the 13th.

John L. McGuirk III: Okay. Great. Um, so we're on to our last hearing of the day and Jim McMullan is going to chair that.

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

Gabrielle McKay: Application of Guild Hall of East Hampton, Inc. SCTM#301-8-5-3 for a Special Permit in accordance with Section 278-7 D. and Variances in accordance with Chapter 278, Zoning, are required to erect two (2) detached ground signs. A 7 square foot coverage variance is requested from Section 278-3 A. (9) (a) for the erection of the ground signs where a prior Zoning Board determination granted 33,325 square feet of coverage and 9,170 square feet is the maximum coverage permitted by zoning. Variances of 5.45 square feet, 6 square feet and 27.45 square feet are required from Section 278-4 E. (1) to permit an event totem sign to contain 21.45 square feet of area and a ground mounted building identification sign to contain 22 square feet in area where one detached ground sign may not exceed 16 square feet. Variances are requested from Section 278-4 D. (4) and (7) to permit an internally illuminated event totem where internally illuminated signs are prohibited, and advertising structures used to attract the attention of the public are prohibited outdoors. The property is 45,848 square feet in size and is located at 158 Main Street. The property is located in Residence District R-80 and the Main Street Historic District. This project requires approval of the Design Review Board and is classified as a Type II Action in accordance with SEQR.

James H. McMullan: Good morning. How are you? Please state your name.

Jon Maas: Sure. Jon Maas with Maas, LLC.

Gabrielle McKay: I'm going to swear you in.

Jon Maas: Oh, okay.

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

Jon Maas: Jon Maas, 111 Southlawn Avenue, Dobbs Ferry, New York, 10522.

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

Jon Maas: I do, thank you. I am Jon Maas. I'm the owner's representative and project manager for the Guild Hall project that's been going on for the last number of years. I'm here with Andrea Grover, the Executive Director, and Jeannine Dyner, the Chief Operating Officer of Guild Hall. So, we are here seeking variances with respect two signs in the front of the building. One is an event totem that has an existing sign. The other one is a ground mounted building identification sign. There's a number of different items on the on the denial letter, but we would probably focus on items three through six and then there is another issue that has come up in the last exchange since the last adjournment, about a month ago and that last item is the total area of signage of all signage on the site. So, we believe there's a second item and that's been a discussion I had with Mr. Hajek over the last number of weeks. Just to focus on those specific items, the first has to do with the maximum allowable site coverage. We would be looking to... That's a variance that's been granted to Guild Hall under their Special Use for I think a number of different instances in front of this Board. We would be looking to increase site coverage by six square feet. That accounts for the building identification sign. The second item has to do with the size of the event totem. Initially, we were looking for a variance for the event totem and for the building identification sign. We've since reduced the size of the building identification sign, and we're focused only on the event totem. That was the one that was read earlier. 16 square foot maximum. We believe we are at 21.45ft². So, we're looking for a variance of 5.45ft². Again, that sign has been installed, that exists. Um, and I believe the reason it exists is when we came with our initial application, we were told just to go through the Design Review Board. We were not referred to the Zoning Board of Appeals, so, perhaps we're looking for an approval for that sign retroactively. The third item has to do with an internally lit sign. I'd like to save that one for last. The last one has to do with an event totem being installed at the exterior of the building, and we went in front of the Design Review Board on that event totem that exists in front of Guild Hall. They approved that sign as it stands today, but we but I think we were not told that we needed to go back and get a variance for that. So, we're here to get a variance for that existing event totem. The last item that, again, was a new item had to do with the total. Total area of signage that is on the site. I have a revised document that I'd like to hand out, if that's okay, that augments what we, um, what we submitted prior. These are not... These are not new documents, per se. They are, um, clarifications of documents that were submitted before and the concern was that the total number of signs...the total area of the signs on the site had exceeded the 60ft² that was allowed. The total length of the building, and we're referring to section 278-4 B.(1), the total length of the building is just over 209 linear feet. So, that is that. That renders a 60 square foot allowance that is permitted for the total area of signage on the site. When we look at all the signage, we initially suggested that those signs on the site that are not visible from the road should not count toward that total square...that total area. So, the total approved for the total of that, the total of all the signage that has been approved and installed is 72.6ft². This is on the bottom of the table. The total that has been approved, but not yet installed is 5.6ft², and we have 16 additional square feet. That's under consideration today. That's 94ft². So, obviously we're well above the 60ft² by 34ft². However, if we are permitted to not consider the signage that is not visible from the street that would account for 40ft² and if we are able to not consider signage that's required by the code,

that would be an additional 3.3ft². So, if that was the discussion that we were having with that we started to have with the Village, and they felt that we should be bringing that to this Board for consideration. Finally, we laid out going back to the backlit sign, the internally lit sign. That's motivated really not by necessarily...or the hope of Guild Hall is really that they would like to be able to more efficiently broadcast the offerings that they have to the people of East Hampton. They currently now have a static sign in that totem. They are printing signs. They stick them up, they take them down and because Guild Hall does...as a small venue, they do not have events that are lasting multiple days. Almost every event they have is a one day event. They can't possibly print that fast and take it down, printing on a daily basis. I believe each time they print is. It used to be over \$500? (Asking Andrea Grover)

James H. McMullan: Actually, if you could speak. If you could...

Jon Maas: I can repeat it, that's okay.

Andrea Grover: So, over \$500 but we got other bids. So, now it's \$323 every time we print and have it installed.

Jon Maas: So, every time they install, \$323. The hope is that a using a digital monitor would allow them to make that change much, much more efficiently. It's less waste. The Village benefits insofar as that people will be able to see more clearly what's being offered on a regular basis and we laid out a few items in our application where we felt that we would be able to mitigate what we would anticipate to be the concerns. One would be that they would potentially showing moving images. We would absolutely agree to not show moving images. The other would be that perhaps it would be too bright at night. We included images in the most recent application materials where we actually mocked that up. We showed a static sign immediately next to a backlit sign, and we felt that the difference between the two was de minimis. We would also be willing to dim that sign at night if the feeling was that it was still too bright and also about change rate. We're not looking to change the sign every 10 or 15 seconds. We would be willing to have a change rate that would be reasonable once every few minutes, perhaps. So, again, so that the many, many offerings, both in the theater and in the galleries at Guild Hall happens to have, they would have an opportunity to be able to show that in a little bit of a more efficient way and comprehensive way. Do you have anything to add to that? If so, you should. (Asking Andrea Grover)

Andrea Grover: No, I mean...

James H. McMullan: If you can let Gabrielle swear you in, please.

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

Andrea Grover: Hi, I'm Andrea Grover. 21 Wooded Path, Sag Harbor, New York, 11963.

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

Andrea Grover: I do. Thank you. Good morning, everyone. So, this really is an application towards Guild Hall's sustainability. A lot of our programs are not well known to the public, because we have so many of them in the museum and theater and our education program. So, for instance, tonight there's Ina Garten. How many people knew that was happening? So, people walk by Guild Hall all the time and drive by, but they're not able to know what's inside the building. A lot of first time visitors will say, oh, I've never come in. I've never, you know, I've never noticed this building. So, I think what we're asking for and you've seen from the renovation that we've approached this in a really tasteful and appropriate way, everything that we've done prior. So, this is really about this institution that's almost 100 years old, remaining vital in this community and the signage is important. So anyway, Jon has spoken about this. I think that we've approached it in a sensitive way and were willing to make adjustments to the digital signs so that it may be a change once a week. That would be a lot easier on us than changing the signs via posters through this printing process, paying for installation, etc. So at any rate, thank you for considering and I hope that you'll come by and see what we've done. Thank you.

James H. McMullan: Thank you. So what I first want to comment on is your list of signs and which should be counted, and which should not be counted. That's kind of out of our purview. Um, it falls mainly with the Building Inspector and his interpretation of the code. So, my first feeling is that whatever you originally had to come with and whatever is designated as signs that are outside and part of this calculation, I feel that we have to stay with what the Building Department is kind of deeming, what should be included. On that, I think my biggest problem is the illuminated totem sign, just because I feel that people driving by aren't going to be able to read this. As they're driving, obviously they should be looking at the road. Also, I think we're starting to create a precedent, and I think if we approve one of these, I think we'll be getting one in front of the 1770 house, one in front of The Palm. One in front of The Hedges. Um, I think it just opens up opportunity for other establishments to do these as well. The other thing too, is the Guild Hall sign in front that's going to be illuminated also. I think that size sign is not needed, and I think a lot of people know where Guild Hall is now and if they can't find it in Google Maps, something's wrong. Does anybody else have any Board members, have comments?

Abigail FitzSimons: No. I mean, I agree, I think Guild Hall is a well-known facility. I don't think adding more signage is necessary for locating the facility. And I also agree on the totem. I, you know, driving by we don't really want drivers to be looking at the signage, and I think they would probably if it's lit up and my concern also is, you know, every other establishment is going to want a similar signage and then entering the Village becomes a completely different experience.

Shahab Karmely: You know, I also want to add to that, that I'm a big fan of Guild Hall. The wonderful renovation substantially improved the frontage of the building. So kudos to you. You have those resources. I have a business in real estate and believe me with geo...if you have concerns about people knowing what's going on, geo targeting, site optimization, in the digital world that we live today, for you to feel that you can't get your message out without putting this totem that, whether a digital or not, I don't think it keeps up with the character of Main Street, especially where you are located with the character of the beautiful village, really done a tremendous job with it. So aesthetically, whether digital or not, it's an appropriate. The digital

turnover is very inappropriate because no matter how much you dim those signs, it's a blue light that's sticking out like a sore thumb on Main Street as you drive in and all of us drive out from the city, and the first thing we see are those illuminated signs on 27, which are a bigger version of it. So, I would have a hard no on this. And the totem itself, I think it's inappropriate and you are so well known as an institution, and you have such a fantastic job with that frontage and the art. They use that in terms of lighting and this being beautiful and in keeping with the history of the Village and the fabric of that public Main Street, it's really...you hit it out of the ballpark and then the signage is contrary to that. And again, given the digital era that we live in, you can very much get your message out and to her point, I remember many years ago when Elie Tahari was trying to put temporary signage on a store during construction. He was turned down because people felt that people were making that turn from Main Street, they're going to be looking. So this thing just, you know, aesthetically, functionally and in terms of utility use, it's just the most ugly, inappropriate, of very little value to us.

Joseph B. Rose: So first of all, I think we can all agree that Guild Hall is one of the most important institutions in the Village, and the renovation has been terrific and well-handled and a lot of the concerns, I think, that were expressed when we saw the original application have turned out to be sensitively handled and it's a huge asset. That being said, I've been here for 60 years, and in East Hampton, I remember being told by my parents as a child that one of the reasons East Hampton's beauty and special character is, is what it is. In contrast, even with some of the other attractive villages in the area, the very strict prohibition on illuminated signage and I think that's important and characteristic, and this would be as important and valuable as Guild Hall is. And as Shahab was saying, there are plenty of ways now to get the message out in terms of what the programming is and, in this case, I think it's not necessary. For example, I just looked it up while we were talking, I will say this for the record, but that the Ina Garten event tonight is sold out, which is terrific and should be, but it's not as if there's all this programming. It's not that people aren't able to have access to finding out what's available. So, while sympathetic to the goal and I certainly wouldn't want to spend, you know, several hundred dollars each time you change signage, I can understand why that's a that's problematic. Doing an illuminated sign out in front I think is just... There's... Got to figure out a way or a different solution to getting the word out, because the illuminated signage out front, I think is problematic.

Jeannine Dyner: May I say something?

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

Jeannine Dyner: Jeannine Dyner, 6 Bell Top Lane, East Hampton, New York 11937.

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

Jeannine Dyner: Yes. Thank you. I just know that we've all been in East Hampton for a long time, and I wanted to remind everybody about what the signage situation has been historically at Guild Hall. So, I started working at Guild Hall in 1994, and at that time there was a lighted totem at the corner of Dunemere and Main Street, and there were also lighted signs on either side of the brick pathway at Guild Hall. Subsequent to that, we renovated, and then that was like in 2004

and then I guess this Board approved two totems. There was one on either side of the brick path, very tall, with the GH logo at the top that were also lit inside. So, I think there is precedent not for this digital sign, but certainly for a totem at this point in time. We're going down from... Historically, there were three, now there were two in the 2005 to 2022 time period and now we're having just the one on the left side. So, I just want to remind everyone that we've reduced and reduced some signage with regard to the programming, and the totem is definitely necessary for us. Thank you.

James H. McMullan: Andy, do you have anything to be added?

Andrew Baris: Anything that I would be adding would just be reiterating what was said. I think that Shahab's comments on the 27 with the huge totems, it's just an exaggeration of this. But, um, I think everyone knows. First of all, I'd say the Board has been really empathetic to Guild Hall and supportive of Guild Hall in every facet and I think that in this one, I just can't get behind a lighted sign in our community. So, I would just be reiterating everything else that was said by the Board.

James H. McMullan: Thank you.

Joseph B. Rose: Just want to underscore in response. The previous illuminated was a light box with bulbs illuminating a printed poster or announcement And this is a different. This is a different animal in terms of its digital illumination and the changing nature. So, there's a... Again, sympathetic to the concern and the point and looking at it in context, but I think this is a different animal than what was previously there. The issue of how to call attention to and alert and notify people of the spectacular programming and the expanded programming is a real issue, and perhaps there can be ongoing discussions with the staff of the Village and coming back to the Board. It's not that there's no desire ever to facilitate Guild Hall's mission and getting its word out, but just that this particular technological solution seems problematic.

James H. McMullan: Also, everyone on the Board received the minutes from the Design Review Board meeting. That also showed that the Design Review Board was not in favor of this backlit sign as well. So, I think it's probably in the best interest of the applicant to maybe revisit this and hopefully come up with another solution that maybe fits more with the code and signage. And again, I still feel that the square footage of this sign application has to be looked at as a whole according to the way the Building Department proceeds it.

Jon Maas: We'll go back and speak to them about that, to be sure. I mean, the concern is that when we submitted the drawings for the project that noted that it was good that the project included an electronic sign that was shown in the drawings that was approved. We then subsequently brought the detail. We chose to not rely only on that approval during the regular building plan review, and we went back and showed the totem, and at that point we were told to go in front of the Design Review Board for just the totem, we did that. They approved the totem as it stands there today. I think what I'm understanding is that through this process that the Building Department has said, wait a second, you actually need a variance for that sign from the ZBA. It's not just a DRB. So, if I'm understanding this, if the ZBA says no, we won't grant you the variance for the sign of that sign, the 5.7ft², and we won't grant you a variance for the de

minimis lot coverage, and we won't grant you a variance for locating a, you know, an exterior sign, a ground mounted exterior sign. Are we now in a position where we have to take it down because we thought that we had approval previous? So, that's... I just want to make sure that we're clear on that, because if this comes up later on, we... It's going to be rehashed at a later time.

James H. McMullan: First of all, I don't think the DRB actually granted approval of the sign. Billy, if you don't mind, if you could step up.

Bill Hajek: I could try to clarify.

Jon Maas: Sure. Thank you.

Bill Hajek: Good morning, Chairman, members of the Board. I'll try to clarify. I might be paraphrasing some of the conversations that I think occurred, but the existing podium sign was approved. It's not a backlit sign, though. It's a, you know, I've described, it's an existing sign. It received approval under a building permit. The new Guild Hall ground mounted sign... So, let me back up. In a residential zoning district, ground mounted signs are prohibited. So, the existing podium sign was considered like a replacement of what previously existed and that was approved and the Design Review Board approved it. The new Guild Hall sign is considered a ground mounted sign that requires a variance for the fact that it's a ground mounted sign, and the fact that they're over their allowable area of sign more than 60ft². Converting the existing podium to a backlit sign or an internally illuminated sign requires the other variance. So, if you don't permit it to be backlit, the existing podium sign can remain and they can keep functioning, you know, putting the banners or whatever coverings they put on. That's correct. I think that's where it stands, but Tom can correct me if I'm wrong.

James H. McMullan: Thank you. Tom, if you could.

Tom Preiato: Regarding the Square footage, the code is not specific. If it's visible or not visible, it does exist at 40.8 extra feet. I can appreciate your interpretation of the code, however that's not how it sets. So that hadn't been said. You know, that can be used as your justification, perhaps that it's not visible. However they exist. They may be counted as square footage.

James H. McMullan: Great. Thank you.

Jon Maas: And I guess if that's the direction, I think we are asking for a variance for the amount of signage that's on the site. Understanding that much of it is small plaques under trees that no one can even see. It really just speaks to the Special Use of the property by a theater, by a not for profit. They're just trying to, in many, many cases, not gain attention of people passing by, but instead just recognizing the generosity of donors.

James H. McMullan: Excellent. Does anybody have anything else to add?

Joseph B. Rose: So, are we keeping the hearing open then, as a result of some of the the variance requests or just... In terms of where we stand on this?

James H. McMullan: Yeah. What I would do is I would like to keep this open and ask the applicant if maybe they can revisit some of this stuff and come back to us with either alternatives or corrections you make. That would be appreciated.

Jon Maas: Understood.

James H. McMullan: Thank you and please keep communications open with Tom Preiato and Billy because they are a very good resource.

Jon Maas: It goes without saying, we appreciate their help and cooperation throughout the entire process.

EXECUTIVE SESSION

John L. McGuirk III: Thank you, Mr. McMullan. The Board now is going to go into executive session.

John L. McGuirk III: Is there any other business? If not, I make a motion to close this meeting.

James H. McMullan: Make a motion.

John L. McGuirk III: Second, please.

Joseph B. Rose: Second.

John L. McGuirk III: All in favor?

Board in Unison: Aye.

John L. McGuirk III: Thank you all. Have a good day.

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, November 8, 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 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.

Request of the East Hampton Tennis Club, Inc., SCTM#301-7-2-4.1, to modify a previously granted Variance and Special Permit to construct four pickleball courts. A Special Permit is requested pursuant to Section 278-7 D. (1) (b) to modify the prior Special Permit by shifting the location of four pickleball courts previously approved on property that operates as a membership club. The property is 99,242 square feet in size, is located at 178 Montauk Highway in Residence District R-80

and contains a special permit use identified as the East Hampton Tennis Club, Inc. This project requires approval of the Design Review Board and is classified as an Unlisted Action in accordance with SEQR.

Application of Hook Pond LSJ, LLC, SCTM#301-8-14-12, for a Wetlands Permit in accordance with Chapter 163, Freshwater Wetlands, 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. The subject property is 143,198 square feet in size and is located at 16 Hook Pond Lane. The property is located in Residence District R-160 and FEMA Flood Zone AE Elevation 12 and Zone X. This project classified as a Type II Action in accordance with SEQR.

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

Dated: October 18, 2024
By Order of John L. McGuirk III, Chairman
Zoning Board of Appeals, Inc. Village of East Hampton
16-2/168

FILED
VILLAGE OF EAST HAMPTON, NY

DATE: 1/13/25

TIME: 10:45 AM

Gabriella McNeil