

17401

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

**Those Present Were:**

John L. McGuirk III, Chair  
Joseph B. Rose, 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  
Jonathon Tabet, Esq., Representative for Jack and Frances W. Levy – 39 Georgica Road  
Denise Schoen, Esq., Representative for Whitehouse Partners LP – 95 Egypt Lane  
Laurie Wiltshire, Representative for Abraham M. Dweck and Robert Levine – 19 Mill Hill Lane  
Robert Levine, Homeowner of 19 Mill Hill Lane  
Andrew Goldstein, Esq., Representative for Steven Hofmann and Georgianne Jacobs – 137 Main Street  
Charles Sferrazza, Architect for Steven Hofmann and Georgianne Jacobs – 137 Main Street

**Those Absent Were:**

James H. McMullan, Vice-Chair  
Andrew Baris, Member  
Gabrielle McKay, Deputy Clerk

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**John McGuirk:** Good morning and welcome to the Village Zoning Board of Appeals meeting for Friday, October 11th.

**M I N U T E S**  
**September 13, 2024**

**John McGuirk:** We have the minutes from September 13th, 2024. May I have a motion?

**Joseph Rose:** So moved.

**John McGuirk:** Second, please.

**Joseph D'Arco:** Second.

**John McGuirk:** All in favor?

**Board in Unison:** Aye.

DECISION ITEMS

**John McGuirk:** We have three determinations today. I'm going to read two of them. Mr. Rose is going to read the second one, and then we're going to vote on the SEQRA for Huntting Hospitality, LLC and then we'll do that determination also.

DECISION ITEM

**Maxamus, LLC– 54 Georgica Close Road – SCTM#301-7-3-7**

**John McGuirk:** In the application of Maxamus, LLC, 54 Georgica Close Road, SCTM#301-7-3-7 for a modification of a prior Zoning Board of Appeals determination that granted Variances and a Wetlands Permit to raze the existing residence and construct a new single-family residence is GRANTED such that the Applicant is authorized to proceed with the project in two phases – demolition (Phase 1) and construction (Phase 2) – with an August 11, 2028 deadline for completion of both phases. May I have a motion?

**Joseph Rose:** So moved.

**John McGuirk:** Second?

**Abigail FitzSimons:** Second.

**John McGuirk:** Tim, can you poll the board, please?

**Tim Hill, Esq.:** Mr. McGuirk?

**John McGuirk:** Yes.

**Tim Hill, Esq.:** Mr. Rose?

**Joseph Rose:** Yes.

**Tim Hill, Esq.:** Ms. FitzSimons?

**Abigail FitzSimons:** Yes.

**Tim Hill, Esq.:** Mr. Karmely?

**Shahab Karmely:** Yes.

**Tim Hill, Esq.:** Mr. D'Arco?

**Joseph D'Arco:** Yes.

DECISION ITEM

**Richard A. Shilowich Living Trust – 31 McGuirk Street – SCTM#301-1-1-28**

**Joseph Rose:** In the application of Richard A. Shilowich Living Trust, 31 McGuirk Street, SCTM#301-1-1-28 for Area Variances to construct additions to an existing residence that exceeds allowable gross floor area is granted. Can I have a motion?

**Abigail FitzSimons:** Motion.

**Joseph Rose:** Second?

**Shahab Karmely:** Second.

**Joseph Rose:** Okay. Let's poll the Board.

**Tim Hill, Esq.:** Mr. Rose?

**Joseph Rose:** Yes.

**Tim Hill, Esq.:** Ms. FitzSimons?

**Abigail FitzSimons:** Yes.

**Tim Hill, Esq.:** Mr. Karmely?

**Shahab Karmely:** Yes.

**Tim Hill, Esq.:** Mr. D'Arco?

**Joseph D'Arco:** Yes.

SEQR DECISION ITEM

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

**John McGuirk:** Thank you. To adopt the Negative Declaration for the application of Huntting Hospitality LLC, 94 Main Street, SCTM#301-3-8-1. May I have a motion?

**Joseph Rose:** So moved.

**John McGuirk:** Second?

**Abigail FitzSimons:** Second.

**Tim Hill, Esq.:** Mr. McGuirk?

**John McGuirk:** Yes.

**Tim Hill, Esq.:** Mr. Rose?

**Joseph Rose:** Yes.

**Tim Hill, Esq.:** Ms. FitzSimons?

**Abigail FitzSimons:** Yes.

**Tim Hill, Esq.:** Mr. Karmely?

**Shahab Karmely:** Yes.

DECISION ITEM

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

**John McGuirk:** Okay. And now we have the determination for Huntting Hospitality LLC. In the application of Huntting Hospitality LLC, 94 Main Street, SCTM#301-3-8-1, as limited herein to that which the Board is authorized to address under Section 278-7C.(2)(3) of the Village Code (that is, excluding the outdoor pool and patio), is GRANTED, upon the condition that the Applicant and its successors strictly adhere to the construction protocol and the requirements of the historic preservation easement (concerning timbers), and the L.K. McLean Associates last revised March 19, 2024 plans as proposed (with the exception of that portion of the plan that was proposed as screening for the pool and patio area). May I have a motion?

**Joseph Rose:** So moved.

**John McGuirk:** Second?

**Abigail FitzSimons:** Second.

**John McGuirk:** Tim, poll the Board.

**Tim Hill, Esq.:** Mr. McGuirk?

**John McGuirk:** Yes.

**Tim Hill, Esq.:** Mr. Rose?

**Joseph Rose:** Yes.

**Tim Hill, Esq.:** Ms. FitzSimons?

**Abigail FitzSimons:** Yes.

**Tim Hill, Esq.:** Mr. Karmely?

**Shahab Karmely:** Yes.

EXTENSION OF TIME REQUEST

Jack and Frances W. Levy – 39 Georgica Road – SCTM#301-8-12-30.3

**John McGuirk:** Thank you. Going on to the Extension of Time Request for Jack and Frances Levy. Billy, can you just help with that, please, for a minute?

**Bill Hajek:** Sure.

**John McGuirk:** Thank you.

**Bill Hajek:** You received an extension of time request by letter of September 20th. The applicant requested additional time. It sounds like they're redesigning their accessory dwelling unit. They've already merged the two properties, which was a condition of the determination. So, they're moving forward with it. It's just that they just need a little more time and...

**John McGuirk:** And can... I know they have counsel here; you know how much more time they need or?

**Bill Hajek:** Didn't say.

**John McGuirk:** Okay. Jonathan, do you want to address that?

**Jonathon Tarbet, Esq.:** Yep.

**John McGuirk:** Thank you.

**Jonathon Tarbet, Esq.:** Jon Tarbet, for the applicant. So, we will be having to... They hired a different architect for the project, so, we're going to come back with a slightly redesigned accessory dwelling unit and that is going to need a modification. So, the timing partly depends on how long it takes to get through the modification process, but I think six months...or a year it depends on... We won't have a C/O. So, I guess that's part of the consideration, Billy, would be how long for a building permit? Maybe a year is probably safe.

**John McGuirk:** Okay. Anybody have a... Can we vote on this? Tim. Do we?

**Tim Hill, Esq.:** Yes.

**Joseph Rose:** It's a one year extension?

**John McGuirk:** One year extension.

**Joseph Rose:** So moved.

**John McGuirk:** So, I have a motion for a one year extension. Second, please.

**Abigail FitzSimons:** Second.  
**John McGuirk:** All in favor?  
**Board in Unison:** Aye.

**John McGuirk:** Okay. Thank you.

**Jonathon Tarbet, Esq.:** Thank you.

ADJOURNMENTS

**Beach House Realty LLC – 19 Lee Avenue – SCTM#301-13-9-4**  
**Guild Hall of East Hampton – 158 Main Street – SCTM#301-8-5-3**  
**David Benjamin Harrison, Jr. – 45 Baiting Hollow Road – SCTM#301-13-2-4**

**John McGuirk:** So, we have adjournments to November 8th, 2024. For Beach House Realty, LLC, Guild Hall of East Hampton and David Benjamin Harrison Jr.

CONTINUED HEARING

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

**John McGuirk:** Continued hearings of the day. We have White House Partners, LP 95 Egypt Lane. We got... Mr. Bragman, we got your memo yesterday. Um, thought we were going to get it a little bit earlier, but thank you for sending that over. Does any Board members have any questions? So make a motion to close the hearing.

**Joseph Rose:** So moved.

**John McGuirk:** Second?

**Abigail FitzSimons:** Second.

**John McGuirk:** All in favor?

**Board in Unison:** Aye.

**John McGuirk:** Okay. Thank you. David and Robert Levine, 19 Mill Hill Lane. We only left the hearing open for Mr. Bragman to submit.

**Denise Schoen, Esq.:** Okay. All right. We submitted letters to the file to... Oh, I'm sorry.

**John McGuirk:** We received them. Thank you.

**Denise Schoen, Esq.:** Okay.

CONTINUED HEARING

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

**John McGuirk:** We have Abraham Dweck and Robert Levine, 19 Mill Hill Lane.

**Laurie Wiltshire:** Good morning, Laurie Wiltshire representing the applicants. Since we last met, the applicants have revised the plans. They no longer propose a second floor office above the foyer, and they have removed a chimney that faced the street. The gross floor area variance

request is now for just 29ft<sup>2</sup> of relief. This is very similar to the 32ft<sup>2</sup> of relief granted to 15 Mill Hill Road next door. What I did not mention at the last meeting was that they are proposing to remove 126ft<sup>2</sup> of the existing house in order to accommodate the addition to the left side of the house. They're not touching the foundation or lifting the house. To create nine foot ceilings on both levels, the height of the house will be increased by only four inches, from 26.2 and a half to 26.6 and a half, well under the 30ft maximum for a lot of this size and I believe Robert would like to add something as well.

**John McGuirk:** And can I just... Mr. McMullan's concern was the, I believe and I'm not an architect and Joey helped me out, the ridgeline or the...

**Joseph D'Arco:** Above the entry.

**John McGuirk:** Yeah. Above the entry, because it was being raised.

**Robert Levine:** We removed that.

**Joseph D'Arco:** Yeah, it looks like that's been addressed.

**John McGuirk:** Okay. Thank you, Joey.

**John McGuirk:** Go ahead, Laurie, sorry.

**Robert Levine:** I just wanted to say... Robert Levine, one of the owners of the house, you know, we heard what you said. We, you know, love Mill Hill Lane. We want to keep the integrity of the street and...

**Tim Hill, Esq.:** I'm just going to interrupt you for a second. I'm not authorized to administer oaths. Our Clerk is not here today, but if you could make a representation for the record that the information that you're providing, you represent to be truthful and accurate.

**Robert Levine:** The information I'm providing represents truthful and accurate.

**Laurie Wiltshire:** And same here.

**John McGuirk:** Thank you Laurie.

**Robert Levine:** So, I just wanted to say that we heard what you said. We want to maintain the integrity of the street and, you know, we in some ways agree and we think that, you know, what you requested was a good move for us and we hope that you feel the same way.

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

**Abigail FitzSimons:** No.

**Joseph Rose:** The change, I think it's appropriate.

**John McGuirk:** Thank you. A motion to close the hearing?

**Joseph Rose:** So moved.

**John McGuirk:** Second?

**Abigail FitzSimons:** Second.

**John McGuirk:** All in favor?

**Board in Unison:** Aye.

### ORIGINAL HEARING

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

**John McGuirk:** We have the new hearings of the day. Steven Hofmann and Georgianne Jacobs, 137 Main Street. Tim, would you please read the notice? Thank you.

**Tim Hill, Esq.:** Application of Steven Hofmann and Georgianne Jacobs, SCTM#301-2-7-9.2, for Area Variances from Chapter 278, Zoning, to construct additions to an existing residence within required setbacks and exceed allowable gross floor area. A 384.4 square foot variance is required from Section 278-3 A. (13) (a) to construct a 70.4 square foot addition resulting in a residence containing 5,386.4 square feet of gross floor area where the maximum permitted gross floor area is 5,002 square feet and the legally preexisting gross floor area is 5,316 square feet. A 12.1-foot variance is requested from Section 278-3 A. (4) (a) to construct a two-story addition located 21.9 feet from a rear yard lot line where the required rear yard setback is 34 feet. A variance of approximate 5 feet is required from Section 278-3 A. (3) (a) to construct a porch with roof deck approximately 45 feet from a front yard lot line where the required front yard setback is 50 feet. The subject property is 40,026 square feet in area and is located at 137 Main Street in Residence District R-80. The property is located within the Main Street Historic District and requires approval of the Design Review Board. This project is classified as a Type II Action in accordance with SEQR.

**John McGuirk:** Mr. Goldstein.

**Andrew Goldstein, Esq.:** Thank you. My name is Andrew Goldstein. I represent the applicant, Steven Hofmann and Georgianne Jacobs, who are the owners of 137 Main Street. Also here is Charles, who was the architect on the project. The house is located in the Main Street Historic District. It was built in 1898 before the incorporation of the Village and the advent of zoning in the Village. As you can see in this site plan I have in front of you, almost the entirety of the house is built outside what is now the building envelope and in addition, the house is pre-existing non-conforming as to the gross floor area. Steve and Georgianne are asking for relatively small variances to make certain improvements to the house and I just... The scope of what they want to do... So, you can see in the floor plan the red square here represents the gross floor area. It's 75ft<sup>2</sup> over two floors. This is the required side yard setback. So, they will be coming a little closer to the side yard than the house is now. This is the edge of a porch on the property. It's a non-conforming house to the front yard setback. They need about a 4.5ft variance for this area. Um, and it is well, in fact, the greater mass of the house. This is an elevation of the house. It shows what you can see of the porch and it's a flat view. I guess when it's three dimensional, it's

actually less apparent. So, I'm going to introduce Charles Sferrazza, the architect, who can walk you through the improvements and why they're necessary.

**John McGuirk:** Mr. Goldstein. Just so... The porch on the left of the house, Dayton Lane runs next to it, right?

**Andrew Goldstein, Esq.:** Dayton Lane is... It's, um.

**John McGuirk:** And to the addition on the back, I believe that's an office driveway to Osborne?

**Andrew Goldstein, Esq.:** They share that driveway with the Osbornes, which is an office and Tom has written a letter.

**John McGuirk:** Yeah. Thank you. I just want to clarify that. Thank you.

**Tim Hill, Esq.:** And again, if you could just acknowledge the truthfulness and accuracy of what you're about to say.

**Charles Sferrazza:** Absolutely. My name is Charles Sferrazza. I'm from Sferrazza Architects, the architect of the client and I will tell the truth and represent everything wholly.

**John McGuirk:** Thank you.

**Charles Sferrazza:** Um, so basically, the reason we're requesting these small variances is the existing house being built as far back as it was the current kitchen, which is this area back here we're asking for, is the main reason why we're looking to close that square off. A modern day kitchen would not flow well trying to design it within that parameter. The irregular counter configuration and the void in the room that is created by that would just leave kitchens with very awkward circulation around the counter. The islands. And would create almost two working spaces in the kitchen and would just not function well at all. As well as squaring off the kitchen and making that circulation much more conducive to modern day living, the back you could see in these elevations on the right, this is the existing elevation, and you can see that you could see this was almost like an addition that was popped on. There was a small, shed roof, very flat shed roof and by squaring off that volume on both floors, we are able to recreate and bring forward this gable that you see here so that the house looks more conducive with the front façade and the back façade, as well as the side that faces that driveway. It just cleans up the entire façade facing that direction. The front porch, well, through the side porch that you see from the front elevation and also from Main Street, if we were to follow the existing set or the allowable setback now, architecturally, that column corner would not be very transparent at all. It would be so many more columns that would actually close that corner out that it would be almost a very dense view. There's currently a Juliet balcony that you can see in this photograph. So, our porch would actually come from here out and we are using that same railing detail on the second floor of that porch. So, you'll see some of that from Main Street and this façade here as well as from Dayton Lane. So, there's... This variance that we're asking for, there's really not much of an impact on the setback, as Andy had mentioned before, because that front porch is an additional 23ft, eight



inches out past that setback line. So, from here to the front porch is actually an additional 23 foot eight.

**Joseph Rose:** I just want you to just go through that one more time in terms of the distances.

**Charles Sferrazza:** So, this that were putting here is about five feet out from the setback line is permitted and this front porch is an additional 23ft eight inches out.

**Joseph Rose:** Understood.

**Charles Sferrazza:** So it's much further back than the existing front of the house. That's it.

**John McGuirk:** Thank you. Any questions from the Board?

**Joseph Rose:** So, the proposed roof deck, the porch, the front porch that you motioned to. Where is the proposed roof deck?

**John McGuirk:** In the elevation?

**John McGuirk:** It exists here already.

**Joseph Rose:** It exists?

**John McGuirk:** Yeah.

**Board in Unison:** They're expanding the Juliet balcony.

**John McGuirk:** Right.

**Joseph Rose:** Understood. Okay. Thank you.

**John McGuirk:** And you can tell... I was back there a couple times, you know, you can tell it's been added on to and added on to and you know...

**Joseph Rose:** I just wanted to make sure it's not the putting a deck over the front porch.

**Charles Sferrazza:** No, it's not the front.

**Joseph Rose:** I understand. Gotcha. Okay. That was it.

**John McGuirk:** Anybody have any questions?

**Shahab Karmely:** Well, I know this. I walked by quite often and actually, it's interesting when you look back there, it won't even be picked up and the side that little square there, if you're on Dayton, I really want to peek through, but from Main Street, no one's going to be picking this up.

**John McGuirk:** No, there's a lot of material landscaping there, too.

**John McGuirk:** Any questions? Okay. Motion to close the hearing.

**Joseph Rose:** So moved.

**John McGuirk:** Second?

**John McGuirk:** Sorry. Anybody here from the public? Okay. Thank you.

**John McGuirk:** So, motion to close the hearing.

**Joseph Rose:** So moved.

**John McGuirk:** Second?

**Abigail FitzSimons:** Second.

**John McGuirk:** All in favor?

**Board in Unison:** Aye.

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**John McGuirk:** Motion to close the meeting.

**Joseph Rose:** So moved.

**John McGuirk:** Second?

**Abigail FitzSimons:** Second.

**John McGuirk:** All in favor?

**Board in Unison:** Aye.

# 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, October 11, 2024, at 11:00 a.m. on the following applications and to conduct such other business as may come before the Board. The ap-

plications can be viewed on the Village's website [easthamptonvillage.org](http://easthamptonvillage.org) by clicking on the "Public Board Meetings" tab.

Application of Steven Hofmann and Georgianne Jacobs, SCTM#301-2-7-9.2, for Area Variances from Chapter 278, Zoning, to construct additions to an existing residence within required setbacks and exceed allowable gross floor area. A 384.4 square foot variance is required from Section 278-3 A. (13) (a) to construct a 70.4 square foot addition resulting in a residence containing 5,386.4 square feet of gross floor area where the maximum permitted gross floor area is 5,002 square feet and the legally preexisting gross floor area is 5,316 square feet. A 12.1-foot variance is requested from Section 278-3 A. (4) (a) to construct a two-story addition located 21.9 feet from a rear yard lot line where the required year yard setback is 34 feet. A variance of approximate 5 feet is required from Section 278-3 A. (3) (a) to construct a porch with

roof deck approximately 45 feet from a front yard lot line where the required front yard setback is 50 feet. The subject property is 40,026 square feet in area and is located at 137 Main Street in Residence District R-80. The property is located within the Main Street Historic District and requires approval of the Design Review Board. This project is classified as a Type II Action in accordance with SEQR.

Application of David Benjamin Harrison, Jr. SCTM#301-13-2-4, for Area Variances from Chapter 278, Zoning, to construct a detached garage and make alterations to a preexisting nonconforming pool house. A variance of approximately 1.5 feet is requested from Section 278-3. D. (6) to make alterations and construct a dormer onto a pool house with a height of approximately 15.5 feet where the maximum permitted height of a pool house is 14 feet. A 202 square foot variance is requested from Section 278-3. D. (7) to permit

717 square feet of accessory building gross floor area where the maximum accessory building gross floor area is 515 square feet. The subject property is 15,789 square feet in area and is located at 45 Baiting Hollow Road in Residence District R-80. This project is classified as a Type II Action in accordance with SEQR.

Said Zoning Board of Appeals will at said time and place hear all persons who wish to be heard in connection with the applications. Interested parties may be heard in person, by agent, or by attorney. Dated: September 20, 2024

By Order of John L. McGuirk III, Chairman, Zoning Board of Appeals, Inc. Village of East Hampton 12-2/122

FILED  
VILLAGE OF EAST HAMPTON, NY  
DATE: 12/3/2024  
TIME: 9:45 AM

*Gabrielle M. K. of*

