

**BOARD OF TRUSTEES
DECEMBER 7, 2023
WORK SESSION
LTV STUDIOS, 75 INDUSTRIAL ROAD,
WAINSCOTT, NY 11975**

Those Present Were: Jerry Larsen, Mayor
Chris Minardi, Deputy Mayor
Sandra Melendez, Trustee
Sarah Amaden, Trustee
Marcos Baladrón, Administrator
Lisa Perillo, Attorney (via Zoom)
Hugh King, Historian
Billy Hajek, Planner

Those Absent Were: Carrie Doyle, Trustee

MAYORS ANNOUNCEMENTS:

Mayor Larsen explained that since this is a Work Session, no public comment is allowed, however, the public is able to be present at the meeting. December 7th is both Pearl Harbor Day and the first day of Hannukah. Mr. Larsen then provided a recap on the holiday events that had taken place on Saturday, December 2nd. All events were accomplished in partnership with the Greater East Hampton Chamber of Commerce, including a Santa parade, free holiday movies at the movie theater, a holiday market at Village Hall, ice skating at the Hunting Inn, and lastly a tree lighting ceremony with Neil Patrick Harris.

PRESENTATIONS:

Hugh King – History of Rowdy Hall

Rowdy Hall was a house that was once located where the post office in East Hampton is today. Mr. King then explained that at the last meeting he had not stated the name of author of the article written in the Star – Judy Culbreth.

WORK SESSION/DISCUSSION:

Adding Insulation to Garages

Deputy Mayor Minardi explained that this legislation would allow Village Residents to condition their empty space above a garage, attic, or pool house, into usable space. He made it clear that this would not be habitable space, but rather space to be utilized as storage with heat and/or air conditioning. Mayor Larsen added that this space could be used as a gym or office, in addition to a temperature controlled storage space. All members of the Board agreed that this adjustment to the code would be beneficial to Village Residents. Village Attorney Lisa Perillo is to draft legislation for the adding of insulation to garages. Deputy Mayor Minardi added that the Board does not anticipate this change in legislation leading to violations.

Proposed Code Revisions

Ch. 163. Freshwater Wetlands

Mr. Hajek explained that within the Village there are wetlands that are not freshwater. As general housekeeping, the proposed legislation will no longer categorize the wetlands to be solely freshwater. This provides the Village with an extra layer of protection when defending the code. Additionally, a definition has been created for a man-made pond or wetland.

Ch. 278. Zoning:

§278-1 (Definitions; nonconforming buildings)

Mr. Hajek explained that the coverage definition in this portion of the code has been defined more clearly. Additionally, regarding flag lots – it has been proposed to eliminate the requirement that it is the property owner's responsibility to select a front yard, making all other property lines the side or rear yards. This requirement creates confusion, is difficult to enforce, and creates a larger setback for a neighboring property. When a significant amount of time passes, it is difficult to know what the property owner at the time had chosen as their front yard. The proposed legislation will make it so that each yard is treated as a side yard. This is also

part of the code of close-by municipalities.

§278-3 (Accessory building and structure design requirements) & (wetland setbacks)

Village Planner Bill Hajek provided drafted legislation that he created with the help of Principal Building Inspector Tom Preiato. Mr. Hajek explained that this draft eliminates the prohibition of insulation in pool houses and modifies the accessory structure requirements to permit recreation rooms in second stories of garages – to be utilized as an office, gym, etc. with a half-bath (no shower).

Village Planner Billy Hajek – Comprehensive Plan Update

Mr. Hajek explained that a Request for Proposal (RFP) is currently being created and will be brought before the Board at an upcoming meeting for review. The RFP will lay out the criteria for preparation of an updated Comprehensive Plan for the Village. Neighboring municipalities have either just recently completed their comprehensive plan or are currently in the works of creating one. Village Administrator Marcos Baladrón and Mr. Hajek have met with various companies who are interested in accomplishing this. Mayor Larsen thanked Mr. Hajek for spearheading this project.

Proposed Code Revisions Continued

Ch. 18. Code of Ethics; §18-2 Definitions (Municipal Officer or Employee)

Mayor Larsen explained that this amendment to Chapter 18 changes “ambulance association volunteers” to “volunteer members of the Village of East Hampton Department of Emergency Medical Services (EMS)” under definitions. This is in accordance with the creation of the Department of EMS established earlier in 2023.

Ch. 77. Beaches; Article I. Beach Regulations;

Mayor Larsen explained any changes to be made to Chapter 77 – Beaches of the Code are first to be approved by the Town of East Hampton Trustees.

§77-4 (Prohibited conduct)

Mayor Larsen explained that §77-4 J. does not belong in this chapter of the code as it does not relate to beaches and therefore is being removed and will be put in the appropriate section of the code. This is the same for §77-4 K.

§77-5 (Vehicles on the beach)

Mayor Larsen explained that §77-5 (2) permits a handicap individual with a handicap permit to drive on the beach without any other sort of permit, which is not the case as a Town of East Hampton Drive-On Permit is required.

§77-12 (Temporary closure)

This proposed amendment would allow the Chief of Police to temporarily close any Village Beach for public safety purposes. The Board would then notify the Town Trustees of such a closure. Under the current Code, the Town Trustees are the only individuals with the ability to close any of the Village Beaches.

§77-6 (Operating a vehicle while under the influence)

The Blood Alcohol Level (BAL) is currently stated as a limit of 0.10 for those operating a vehicle on the beach within the code. This proposed amendment would adjust the BAL to .08, which would be in accordance with the State of New York Law.

§77-14 (Locker permits)

Those that can apply for a Residential Beach Permit has been amended in the proposed legislation to include volunteer members of the East Hampton Village Department of Emergency Medical Service (EMS). Additionally, any ambulance association members who were exempt as of April 30, 2023 are also entitled to a Resident Beach Permit. April 30, 2023 is the date that the relationship with the ambulance association ended, and the Department of Emergency Medical Services was created.

Mayor Larsen and Deputy Mayor Minardi stated that this section does have quite a few amendments and that some were long overdue. It has taken some time to find parts of the code that needed to be updated.

Ch. 267. Vehicles and Traffic; Article I. General Regulations

§267-5 (Beach parking)

Mayor Larsen explained that the proposed amendment to §267-5 B. (6) would make it so that between the hours of 9AM and 1PM, only those who have both a Lot 1 Parking Permit and a

Handicap Permit are permitted to park in the handicap spaces within Lot 1. It was noted that during the prior summer, those who needed to park in a handicap spot and were Lot 1 permit holders were unable to park as the handicap parking spots were frequently taken in Lot 1. Deputy Mayor Minardi explained that this is a fair adjustment as the residents who purchase the Lot 1 Permit should be able to park in the handicap parking spots when and if necessary.

§267-7 (Parking time limited in designated locations)

This section of the code pertains to a parking permit provided to members of the EMS Department, Fire Department, and Ocean Rescue who also work in the Central Business District of the Village of East Hampton and park in the Reutershan and Schenk parking lots for more than the 3 hour limit so that they are able to get to their calls quickly while at work. Mayor Larsen explained that this legislation is to be updated so that those who obtain this permit are to be only Volunteer members of the EMS Department, Fire Department, and Ocean Rescue that are active. At the moment, the legislation also includes exempt members. The Mayor added that individuals who work on North Main Street and park in the 73 N. Main Street parking lot should also be able to obtain the parking permit if an active member.

Additionally, in this part of the code there is a section pertaining to the parking lot at 66 Main Street, Chase Bank, in which Village Staff use to utilize. Since this is a parking lot no longer utilized by the Village, this portion of the code will be eliminated. Mayor Larsen explained that this used to be in the code so that Chase Bank would enforce parking restrictions, which no longer exist as it is a privately owned lot.

Ch. 225. Property Maintenance and Nuisance Abatement;

§225-2 (Exterior maintenance)

Mr. Hajek explained that the proposed legislation for Ch. 225-2 is specifically regarding maintaining stormwater on a person's property and ensuring it does not exit the property. The code initially was only regarding stormwater running onto or over the sidewalk. What has been added is stormwater running onto any neighboring property or street right of way. This adjustment will provide Code Enforcement with more leverage for enforcing the code. The coverage definition has been clarified.

Ch. 278 – Continued

§278-1 (Definitions; nonconforming buildings)

Mr. Hajek further explained the amended definition of coverage. More specifically, it has been made clearer how coverage is calculated to the outer roof of the structure and then exempted 24 inches for eaves, overhangs, gutters, and other similar items, which is a fairly standard way of calculating. In regard to front lot line and side yard definitions, what has been eliminated is the requirement for a flag lot to select a front yard. Therefore, a flag lot would have all side yards. Mr. Hajek then confirmed that the material that has a line through it is to be eliminated while the boldened material is to be added to the code.

§278-3 (Accessory building and structure design requirements) & (wetland setbacks)

Mr. Hajek explained that this subsection has been reorganized, putting the most important items at the top, including the maximum allowed amount to build. All changes permit the insulation requirement discussed previously and permits recreation rooms on the second story of garages. This was accomplished by requiring the garage to meet the same requirements as a pool house.

Ch. 163 - Freshwater Wetlands Continued

Mr. Hajek reiterated that the word freshwater has been eliminated from the chapter. Additionally, the definition of a man-made wetland or pond has been added, which is fairly standard and artificially lined, which does not penetrate the groundwater table.

Mayor Larsen thanked Attorney Lisa Perillo and Planner Bill Hajek for their work. The intention is to now move these proposed changes to the code to public hearings, in which the Board agreed that they are all ready to move forward to.

Mayor Larsen made a motion to close the meeting at 11:39 a.m., so moved by Trustee Sarah Amaden, seconded by Deputy Mayor Chris Minardi. He then reminded the public that the Board of Trustees Regular Meeting is scheduled for the following Friday, December 15th, wished all a Happy Holidays, and added that the Manora Lighting will take place on this day at 4:00 p.m. at the Hook Windmill, hosted by Chabad and The Jewish Center of the Hamptons. Lastly, the Mayor announced that the Herrick Park Basketball Courts are officially open as of this day. They have yet to be painted due to the cold weather, however they do have striping and can now be played on.

Gabrielle McKay

FILED
VILLAGE OF EAST HAMPTON, NY
DATE: 2/22/24
TIME: 10:13 a.m.