



EH Town Zoning Board of Appeals

300 Pantigo Place
East Hampton, NY 11937

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EH Town Zoning Board of Appeals meeting of September 13, 2022 East Hampton, New York

I. CALL TO ORDER

6:30 PM Meeting called to order on September 13, 2022 at Teleconference, Various Locations, East Hampton, NY.

Attendee Name	Present	Absent	Late	Arrived
Chairman Roy Dalene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Vice Chairman Edward Johann	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Board Member Theresa Berger	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Board Member Denise Savarese	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Board Member Joan McGivern	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Assistant Attorney Hope DeLauter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Secretary Laura MacPherson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

II. CANCELLED PUBLIC HEARING

A. *Wickapogue Realty I LLC: 391 East Lake Drive, Montauk. (SCTM#300-007-03-05)*

TIME: 6:30:00 PM **APPLICANT:** Wickapogue Realty I LLC

SIZE/LOCATION: 73,269 sq. ft. total (includes underwater land), 391 East Lake Drive, Map # 6595, Map of Indian Rills Lot No. 5 & described property, Montauk (SCTM#300-007-03-05)

DESCRIPTION: To demolish an existing residence and construct an approximately 5,649sq. ft., two-story residence including attached garage, swimming pool, decking and sanitary system on a parcel containing tidal wetlands and surface waters.

RELIEF SOUGHT: A Natural Resources Special Permit (NRSP) pursuant to §255-4-20 of the Town Code and any other relief necessary. The closest structure and the sanitary system have been proposed 101' and 232' respectively from the wetland boundary.

ZONING DISTRICT: A Residence AE Flood Zones, el. 5' & 6'; X Flood Zone

SEQRA CLASS: Type II

III. SCHEDULED PUBLIC HEARINGS

A. *Miller Brothers Hospitality LLC: 28 Maidstone Park Road, Springs. (SCTM#300-038-04-022.1)*

TIME: 6:30:00 PM **APPLICANT:** Miller Brothers Hospitality LLC

SIZE/LOCATION: 6,899 sq. ft., 28 Maidstone Park Road, Maidstone Acres (map #664) Section A, Block A, Lots 1 – 3 filed 06/25/31, Springs (SCTM#300-038-04-022.1)

DESCRIPTION: An appeal of the Building Inspector's determination dated March 28, 2022

RELIEF SOUGHT: An Appeal of the Principal Building Inspector pursuant to § 255-8-35A(1) of the Town Code. Appellants seek to challenge the determination finding that catering businesses on-site represent additional uses.

ZONING DISTRICT: NB- Neighborhood Business Zone X Flood Zone

SEQRA CLASS: Type II

B. *Talmage Farm LLC: 464 Old Stone Highway, Amagansett (SCTM#300-103-02-11.2)*

TIME: 6:30:00 PM **APPLICANT:** Talmage Farm LLC

SIZE/LOCATION: 94,231 sq. ft., 464 Old Stone Highway, N/A, Amagansett (SCTM#300-103-02-11.2)

DESCRIPTION: To allow a 39.75 sq. ft. shed, a 57.34 sq. ft. dovecote, and a 55 sq. ft. pergola to remain on a property respective to side yard and pyramid setbacks.

RELIEF SOUGHT: Five variances are required. Variances of 18.2', 4.5', and 18.4' are required from §255-11-10 (dimensional setbacks) to allow a shed 1.8', a dovecote 15.5' and a pergola 1.6' from the Southern, Northern, and Western side yards where 20' is required. Variances of 83 cubic feet and 374.6 cubic feet are required from §255-11-72D to allow a shed and pergola to remain within the Town's pyramid setbacks, and any other relief necessary from East Hampton Town Code.

ZONING DISTRICT: A2 Residence Zone X Flood Zone

SEQRA CLASS: Type II

C. *John Nicholas: 16 Mudford Avenue, Springs. (SCTM#300-038-07-15)*

TIME: 6:30:00 PM **APPLICANT:** John Nicholas

SIZE/LOCATION: 115,495 sq. ft., 16 Mudford Avenue, Maidstone Acres Section A; Map No. 664, Springs (SCTM#300-038-07-15)

DESCRIPTION: To construct floating rafts for the cultivation of oysters. The project consists of floating rafts with 7-tray racks suspended beneath each raft, lantern nets suspended from rafts, and Floating Upweller Systems (FLUPSYS).

RELIEF SOUGHT: A Natural Resources Special Permit (NRSP) pursuant to §255-4-20 of East Hampton Town Code.

ZONING DISTRICT: A Residence AE Flood Zone, elevation 7

SEQRA CLASS: Type II

IV. WORK SESSION

A. Administrative Applications

i. Mark and Aleida Hornfeld: 16 Dune Way, Amagansett. (SCTM#300-176-03-16)

To construct a 112 sq. ft. shed, 96 sq. ft. shed, 32 sq. ft. outdoor shower, 55 sq. ft. barbeque with 43 sq. ft. patio, 170 sq. ft. walkway, 661 sq. ft. of pavers, roof overhang, and approximately 2,856 sq. ft. of revegetation on a parcel of land containing dunes and beach vegetation.

ii. Lauria Trust: 47 Kirk Avenue, Montauk. (SCTM#300-005-04-12.1)

To relocate an approximately 76 sq. ft. nonconforming shed to a conforming location, allow an approximately 46 sq. ft. shed to remain, and to reconstruct existing decking on a parcel of land within jurisdiction of freshwater wetlands.

B. Post-Hearing Decisions

i. Clifford Shapiro: 8 Ocean Lane, Amagansett. (SCTM#300-176-3-10)

SIZE/LOCATION: 12,000 sq. ft., 8 Ocean Lane, Hampton Dunes, lot 30, map no. 4694, Amagansett (SCTM#300-176-03-10)

DESCRIPTION: To construct a 638 sq. ft. first floor addition, outdoor shower, approximately 180 sq. ft. of decking, hot tub, relocated pool equipment, A/C units, LP tanks, generator, approximately 182 sq. ft. garage, bin, driveway extension, fencing, sanitary system upgrade and clearing within jurisdiction of freshwater wetlands.

RELIEF SOUGHT: A Natural Resources Special Permit pursuant to §255-4-20 of the East Hampton Town Code and one variance is required for this application. One variance of approximately 22' is required from §255-4-30 of the Town Code to construct the proposed fencing 78' from freshwater wetlands where a 100' setback is required, and any other relief necessary.

ZONING DISTRICT: B Residence AE Flood Zone, elevation 10

SEQRA CLASS: Type II

ii. Maureen Goldberg: 28 Holly Hill Road, Amagansett. (SCTM#300-127-02-50)

SIZE/LOCATION: 20,818 sq. ft., 28 Holly Hill Road, Devon Woods, Map No. 4824, Amagansett (SCTM#300-127-02-50)

DESCRIPTION: To construct a 484 sq. ft. garage with quartz driveway, a 256 sq. ft. addition to the residence, to allow a 5.25 sq. ft. generator and a brick walkway/stone patio to remain on the property, and to remove a 151.3 sq. ft. shed, 112 sq. ft. deck with outdoor shower and a 36 sq. ft. brick walkway on a parcel that contains freshwater wetlands.

RELIEF SOUGHT: A Natural Resources Special Permit pursuant to §255-4-20 and four (4) variances from §255-4-30 (wetland setbacks) are required. Variances of 11', 29', 54', and 72' are required to allow the proposed garage 89', proposed addition 71', existing generator 46' and existing brick walkway/stone patio 28' from wetlands where 100' is required, and any other relief necessary from East Hampton Town Code.

ZONING DISTRICT: B Residence Zone X Flood Zone

SEQRA CLASS: Type II

C. Interpretations

D. Other Decisions

i. Bonnie Maslin: 307 Kings Point Road, Springs. (SCTM#300-024-01-11)

Possible Admin for 200 sq. ft. 2nd story addition.

ii. Philippa Abeles: 91 Gerard Drive, Springs. (SCTM#300-041-02-05)

Clarification or Confirmation of Condition K.5.j Prohibition of turf, lawn or sod.

iii. Demarchelier: 15 Island Road, East Hampton. (SCTM#300-093-03-09)

Request to leave the Written Record open for three weeks' time- Until October 4, 2022 for the Purpose of submitting a revised revegetation plan.

E. Building Permit/Certificate of Occupancy

F. Extensions of Time

V. MINUTES APPROVAL

Draft Minutes August 23, 2022.

VI. RESOLUTIONS

A. Michael and Leslie Rikon: 22 Dune Lane, Amagansett. (SCTM #300-176-04-7)

B. Brittis: 330 Gerard Drive, Springs. (SCTM# 300-064-01-18)

C. Terremce O'Connell: 9 Madison Drive, Montauk. (SCTM#300-068-02-14.1)

D. David Wagner: 237 Kings Point Road, Springs. (SCTM#300-024-01-32)

VII. ADJOURNMENT