



## 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 October 18, 2022 East Hampton, New York

## I. CALL TO ORDER

6:30 PM Meeting called to order on October 18, 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. *C/o Britton Bistrian Montauk Sunset Cottages:31 East Lake Drive, Montauk (SCTM#300-020-02-13.1, 13.2)*

**TIME:** 6:30:00 PM **APPLICANT:** C/o Britton Bistrian Montauk Sunset Cottages

**SIZE/LOCATION:** 3.81 acres (total), 31 East Lake Drive, Montauk (SCTM#300-020-02-13.1, 13.2)

**DESCRIPTION:** To demolish all existing improvements and reconstruct 10 resort buildings (cottages) relocating 4 of them, construct a new 6,737 sq. ft. two-story residence, two sanitary systems, a 16' x 56' swimming pool, accessory buildings, grass paver parking stalls and the establishment of a grass vehicular path to the shoreline on a parcel of land containing tidal wetlands, coastal bluffs, beaches and located within the Town's jurisdiction of freshwater wetlands.

**RELIEF SOUGHT:** A Natural Resources Special Permit (NRSP) pursuant to § 255-4-20 and variances from §255-4-30 (Minimum wetland setbacks) and § 255-4-40 (Coastal setbacks) of the Town Code. Bluff crest setback variances of 37' & 41.5' are required to allow combined "cottages 2/4/5" and its associated decking to be located 63' & 58.5' respectively, from the coastal bluff crest where a 100' setback is required. The same building requires wetland setback variances of 25' & 30' for the cottage and deck to be located 75' & 70' respectively from tidal wetlands where a 100' setback is required. "Cottage 12" also requires a 5' wetland setback variance to reduce the freshwater wetland setback of the deck from 37' to approximately 32' from wetlands.

**ZONING DISTRICT:** A Residence VE (el 10') Velocity & X flood zones

SEQRA CLASS: Unlisted

### III. SCHEDULED PUBLIC HEARINGS

#### **A. *Peter Ferrandino: 73 Surfside Avenue, Montauk. (SCTM#300-051-02-10)***

**TIME:** 6:30:00 PM      **APPLICANT:** Peter Ferrandino

**SIZE/LOCATION:** 11,092 sq. ft., 73 Surfside Ave., Surfside Estates, Block 360, lot 18, map no. 1690, Montauk (SCTM#300-051-02-10)

**DESCRIPTION:** An appeal of the Building Inspectors issuance of Building Permits 59459 and 70144.

**RELIEF SOUGHT:** An appeal of the Building Inspector's decision to issue certain permits pursuant to §255-8-30A (1) of the East Hampton Town Code. Appellant seeks to challenge the building Inspector's issuance of Building Permit 69459, dated 05/29/2020, and amended under Building Permit 70144, dated 07/25/2020, and further renewed on 03/07/22. The Appellant contests that the issuance of the permits were deficient in regards to the East Hampton Town Code §255-1-42A, 255-1-30B, 255-4-20, 255-11-72A & B, and 255-1- 0A.

**ZONING DISTRICT:** B Residence Zone X Flood Zone

**SEQRA CLASS:** Type II

#### **B. *Kathy O'Sullivan: 130 South Forrest Street, Montauk.(SCTM#300-028-07-34.1)***

**TIME:** 6:30:00 PM      **APPLICANT:** Kathy O'Sullivan

**SIZE/LOCATION:** 40,463.62 sq. ft., 130 South Forrest Street, Country Club Estates Section 2; Map No.5152, Montauk (SCTM#300-028-07-34.1)

**DESCRIPTION:** To construct, two additions to the residence totaling 442 sq. ft., 354 sq. ft. of decking, an 80 sq. ft. roof overhang, a 72 sq. ft. staircase, a 200 sq. ft pool house, 1,000 sq. ft. pool deck and a 480 sq. ft. swimming pool, and pool fence on a parcel of land containing freshwater wetlands.

**RELIEF SOUGHT:** A Natural Resources Special Permit (NRSP) pursuant to §255-4-20 and six (6) variances from §255-4-30 (wetland setbacks) are required. Variances of 74.7', 67.9', 55.7', 58.3', 18' and 5.5' are required to construct a roof overhang 25.3', a staircase 32.1', an addition to the residence 44.3', decking 41.7', pool fence 82', and a swimming pool 94.5' respectively from a wetland where 100' is required, and any other relief necessary from the Town Code.

**ZONING DISTRICT:** B Residence Zone X Flood Zone

**SEQRA CLASS:** Type II

#### **C. *Maurice Iudicone:184 Soundview Drive, Montauk (300-003-01-01.2, 1.4)***

**TIME:** 6:30:00 PM      **APPLICANT:** Maurice Iudicone

**SIZE/LOCATION:** 58,935 sq. ft. (total), 184 Soundview Drive, Montauk (300-003-01-01.2, 1.4)

**DESCRIPTION:** To place 1,000 cubic yards of bluff compatible fill, biodegradable erosion matting and beach grass along an eroding bluff on a parcel of land containing coastal bluffs, beaches and tidal wetlands.

**RELIEF SOUGHT:** A Natural Resources Special Permit (NRSP) pursuant to § 255-4-20 of the Town Code and any other relief necessary.

**ZONING DISTRICT:** A3 Residence VE velocity & X flood zones

**SEQRA CLASS:** Type II

## **IV. WORK SESSION**

### **A. Administrative Applications**

### **B. Post-Hearing Decisions**

#### **i. Nicholas Family Trust: 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

### **C. Interpretations**

### **D. Other Decisions**

### **E. Building Permit/Certificate of Occupancy**

#### **i. Bruce Bistran: 45 Private Road, Amagansett. (SCTM#300-110-02-12.16)**

To determine compliance with the determination made on September 19, 2019.

***F. Extensions of Time***

**V. MINUTES APPROVAL**

Draft Minutes of September 27<sup>th</sup>, 2022.

Draft Minutes of October 11<sup>th</sup>, 2022.

**VI. RESOLUTIONS**

***A. Jason & Jillian Hirsch: 56 Jacqueline Drive, Amagansett.  
(SCTM#300-176-5-1)***

***B. Dan and Julie Resnick: 72 Shore Drive, Amagansett. (SCTM#300-  
107-01-22)***

**VII. ADJOURNMENT**