



EH Town Zoning Board of Appeals

300 Pantigo Place
East Hampton, NY 11937

Laura MacPherson
Telephone: 631-324-8816

**EH Town Zoning Board of Appeals meeting of May 23, 2023
East Hampton, New York**

I. CALL TO ORDER

6:30 PM Meeting called to order on May 23, 2023 at Town Hall Conference Room, 159 Pantigo Road, 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. 29 Sanger LLC: 29 Sanger Place, Montauk (SCTM#300-031-05-04)

TIME: 6:30:00 PM **APPLICANT:** 29 Sanger LLC

SIZE/LOCATION: 7,795.32 sq. ft. (total), 29 Sanger Place, Oceanside at Montauk, lot 282, map no. 2730, Montauk (SCTM#300-031-05-04)

DESCRIPTION: To demolish the existing residence and associated structures and to construct a 2,379 sq.ft. two story residence with lower-level grade garage, 200 sq. ft. swimming pool, decking, balconies, driveway, and sanitary system within lot line setbacks, outside of the Town’s pyramid regulations, greater than the maximum allowable height, and beyond the maximum building coverage allowed.

RELIEF SOUGHT: Ten variances are required for this application. Variances of 9.1’ and 10.4’ are required from §255-11-10 of the Town Code to construct the swimming pool decking 10.9’ and 9.6’ from the western and eastern lot lines, respectively, where 20’ setbacks are required. Three variances of 4.4’, approximately 1.2’, and approximately 1.4’ are required from §255-11-10 of the Town Code to construct the swimming pool 15.6’, 18.8’ and 18.6’ from the southern rear yard, eastern side yard, and western lot lines, respectively, where a 20’ setbacks are required. Variances of approximately 2’, 3’, and 4.5’, are required from §255-11-72D of the Town Code to construct the residence approximately 2’ and 3’ and railing approximately 4.5’ outside of the pyramid line along the eastern and western property lines, respectively. One variance of 2’ 11½” is required from §255-11-10 and §255-11-72B of the Town Code to construct the residence at a height of 32’ 11½” where 30’ is the maximum allowable in a B Residence zoning district. One variance of 21 sq. ft. is required from §255-11-10 of the Town Code to construct the residence with a lot coverage of 1,580 sq. ft. where 1,559 sq. ft. is the maximum allowable.

ZONING DISTRICT: B Residence AE Flood Zone, elevation 14

SEQRA CLASS: Type II

III. SCHEDULED PUBLIC HEARINGS

A. Sean Murphy: 17 South Flagg Street, Montauk (SCTM#300-028-06-16.2)

TIME: 6:30:00 PM **APPLICANT:** Sean Murphy

SIZE/LOCATION: 18,753 sq. ft., 17 South Flagg Street, Montauk Beach Development Corp. Map No.1013, Montauk (SCTM#300-028-06-16.2)

DESCRIPTION: To construct a new 1,892 sq. ft. two story residence with 430 sq. ft. of porches, sanitary system, retaining walls, and pervious driveway within 150' of freshwater wetlands.

RELIEF SOUGHT: A Natural Resources Special Permit (NRSP) pursuant to §255-4-20 and four (4) variances from §255-4-30 (wetland setbacks) are required. Variances of 19', 12' and 7' are required to allow the construction of the residence 81', porch 88' and a retaining wall 93' from wetlands where 100' is required, and a variance of 50' is required to allow the construction of a new sanitary system 100' from a wetland where 150' is required, and any other relief necessary from East Hampton Town Code.

ZONING DISTRICT: A2 Residence Zone X Flood Zone

SEQRA CLASS: Type II

B. 221 Pantigo Road LLC: 219-221 Pantigo Road, East Hampton (SCTM#300-188-01-13.1)

TIME: 6:30:00 PM **APPLICANT:** 221 Pantigo Road LLC

SIZE/LOCATION: 15,009 sq. ft., 219-221 Pantigo Road, N/A, East Hampton (SCTM#300-188-01-13.1)

DESCRIPTION: A site plan application has been submitted to facilitate several site improvements and a lot merger at 219 and 221 Pantigo Road. The proposed project involves demolition of the existing structure at 219 Pantigo Road followed by construction of a new two-story structure with a 1,333 sq. ft. basement utilized for storage; a 1,446 sq. ft. first floor with staff breakroom, new back of house office space and a relocated baking kitchen, and 1,194sq. Ft. second floor three-bedroom apartment to provide staff housing.

RELIEF SOUGHT: Three variances, in addition to any other relief necessary, are required for this application. One variance of 8 ft. at the roof eave along the western lot line is required from §255-11-72D (pyramid law) of the Town Code in order to construct the proposed second story affordable apartment. One variance of 10.8 ft along the western lot line from §255-11-10 to allow a new building first and second story where 15 ft. setback is required. One variance from §255-5-50 Apartments within Commercial Structures (7)(g) to allow three bedrooms for four occupants where two bedrooms for four occupants is required.

ZONING DISTRICT: NB- Neighborhood Business N/A

SEQRA CLASS: Unlisted

IV. WORK SESSION

A. *Administrative Applications*

B. *Post-Hearing Decisions*

i. **Sameh and Sylvia Iskander: 98 Runnymede Drive, Springs.(SCTM#300-023-04-10)**

SIZE/LOCATION: 22,870 sq. ft., 98 Runnymede Dr., Lion Head Beach, lot 84, map no. 3451, Springs (SCTM#300-023-04-10)

DESCRIPTION: To construct a 416 sq. ft. swimming pool with pool equipment, relocate the sanitary system, and alter the driveway on a parcel of land containing bluffs, tidal wetlands, and beaches.

RELIEF SOUGHT: A Natural Resources Special Permit pursuant to § 255-4-20 of the Town Code and one variance of 24' from §255-4-40 of the Town Code is required to construct the swimming pool 51' from the bluff crest where a 75' setback is required, and any other relief necessary.

ZONING DISTRICT: B Residence Zone X Flood Zone

SEQRA CLASS: Type II

ii. **20 Whalers Lane LLC: 20 Whalers Lane, Amagansett. (SCTM#300-152-02-15.9)**

SIZE/LOCATION: 40,571 sq. ft. (total), 20 Whalers Ln., Whalers Cove at East Hampton, lot 13, map no.8585, Amagansett (SCTM#300-152-02-15.9)

DESCRIPTION: To demolish the existing swimming pool and construct a new swimming pool, spa, and plunge pool, construct 219 sq. ft. of additions, reconstruct the existing decking with relocated stairs, new outdoor kitchen, new outdoor shower, construct a new brise soleil over the existing decking and balcony, new stairs and roof deck, generator, upgraded sanitary system, foundation changes for FEMA compliance, new windows, doors, and siding, interior renovations, relocate the existing pool equipment, remove planters, resurface the existing driveway, and to clear and remove invasive vegetation with a revegetation.

RELIEF SOUGHT: A Natural Resources Special Permit pursuant to § 255-4-20 of the Town Code and eight variances are required for this application. Variances of 48.5', 41.3', 37', 35.6', 18.5', 5', and 4' from §255-4-30 of the Town Code is required to construct the decking 51.5', swimming pool 58.7', kitchen 63', brise soleil 64.4', additions 81.5', generator 95', and outdoor shower 96' from freshwater wetlands where 100' setbacks are required. One variance of 31' from §255-4-30 of the Town Code is required to allow clearing to be 19' from freshwater wetlands where a 50' setback is required, and any other relief necessary.

ZONING DISTRICT: A Residence AE Flood Zone, elevation 10

SEQRA CLASS: Type II

C. Interpretations

D. Other Decisions

i. SEAA LLC: 230 Old Montauk Highway, Montauk. (SCTM#300-087-03-09)

To modify a March 3, 2022 NRSP approval to reconfigure the pool, spa, decking, hammam, pool equipment, and generator area.

ii. 404 Old Montak LLC: 404 Old Montauk Highway, Montauk. (SCTM#300-022-01-04)

Request to reopen the record for 45 days until July 13, 2023 to submit revised materials.

E. Building Permit/Certificate of Occupancy

F. Extensions of Time

i. Springmark LLC: 100 Runnymede Drive, Springs. (SCTM#300-023-04-09)

Extension of a 2018 determination

ii. Dean Mogull: 164 West Lake Drive, Montauk. (SCTM#300-019-05-08)

Extension of a 2022 determination

iii. Erb: 31 Fentwood Road, Montauk. (SCTM#300-019-01-12)

Extension of a 2019 determination.

iv. Stewart: 62 Abrahams Landing Road, Amagansett. (SCTM#300-150-05-10.2)

Extension of a 2015 determination.

V. MINUTES APPROVAL

A. *Draft Minutes of May 16, 2023.*

VI. RESOLUTIONS

A. *Lori Chemla: 460 Further Lane, Amagansett. (SCTM#300-190-01-7.3)*

B. *11 Georgia Place Montauk LLC: 11 Georgia Place, Montauk. (SCTM#300-019-07-32.2)*

VII. ADJOURNMENT