



EH Town Zoning Board of Appeals

300 Pantigo Place
East Hampton, NY 11937

Denise Savarese
Telephone: (631) 324-8816

**EH Town Zoning Board of Appeals meeting of June 19, 2018
East Hampton, New York**

I. CALL TO ORDER

6:30 PM Meeting called to order on June 19, 2018 at Town Hall Meeting Room, 159 Pantigo Road, East Hampton, NY.

Attendee Name	Present	Absent	Late	Arrived
Chairman John P. Whelan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Board Member Theresa Berger	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Board Member Roy Dalene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Board Member Samuel Kramer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Board Member Tim Brenneman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

II. CANCELLED PUBLIC HEARING:

A. Bonnie Maslin

SIZE/LOCATION: 19,334 sq. ft. (total), 307 Kings Pt. Road and contiguous to the surface waters of

Gardiner's Bay, Clearwater Beach, no.2715, sect.1, lot 42, Springs (300-024-01-11)

DESCRIPTION: To enlarge and possibly reset the stone armor of an existing rock revetment on a parcel of land containing coastal bluffs, beaches and tidal surface waters.

RELIEF SOUGHT: A Natural Resources Special Permit pursuant to ? 255-4-20 of the Town Code.

ZONING DISTRICT: B Residence Zone X Flood Zone

SEQRA CLASS: Type II

III. Technical Analysis Memorandum

TOWN OF EAST HAMPTON NEW YORK 11937

ENVIRONMENTAL ASSESSMENT FORM

PART II (to be completed by Lead Agency)

TOWN REVIEWING AGENCY:

East Hampton Town Zoning Board of Appeals

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Lead Agency: (non-coordinated review)

Planner: Brian Frank

Date completed: 01/25/18 Site Plan

SEQRA class: Type II Sub Waiver

Physical Location: 307 Kings Pt. Road and contiguous to the Subdivision shoreline of Gardiner's Bay

School District: Springs Special Permit

Zoning District: B Residence Zone Change

Overlay District: Coastal Erosion Overlay District Zone 4 Variance

Tax Map Number: 300-024-01-11 Natural Resources

Applicant: Dr. Bonnie Maslin Special Permit: XX

C/o Land Planning Services Other:

PO Box 1313

East Hampton, NY 11937

Telephone: (631) 324-8716

FEMA ZONE: Zone X Flood Zone

Soil Type: Montauk loamy sand, sandy variant, 0 to 3% slopes (MnA) & 3 to 8 %, Beaches (Bc)

Map of Property: Clearwater Beach, no.2715, sect.1, lot 42

Size of Parcel: 19,334 sq. ft. (total)

Project Description:

To enlarge and possibly reset the stone armor of an existing rock revetment on a parcel of land containing coastal bluffs, beaches and tidal surface waters.

Relief:

A Natural Resources Special Permit (NRSP) pursuant to 255-4-20 of the Town Code.

Property Conditions and History:

The subject premises are improved with a two-story residence with attached decking, a 195 sq. ft. detached deck located along the bluff crest, stone armor revetment along the shoreline and access stairs to the beach. The revetment was constructed pursuant to a 1993 Natural Resources Special Permit and the property has been reviewed by the Zoning Board several times since 1989. The most recent Certificate of Occupancy for the property was issued in 2008. A larger scale proposal for the enlargement of the revetment was submitted in 2013, but was not pursued and has effectively been abandoned. A 2016 Expedited Administrative Natural Resources Special Permit authorized the deposition of up to 150 cubic yards of sand landward of the revetment, but was never acted upon.

The plans for the revetment enlargement were prepared by Drew Bennett, PE (single page), revised 3/24/17 and stamped received by the Board on 7/31/17. The plans are based upon a survey of the property prepared by George Walbridge Surveyors, PC, revised 5/26/16. A construction protocol narrative has also been submitted with the application. The New York State Department of Environmental Conservation (NYSDEC) appears to have issued a permit for the revetment enlargement and the project appears to require a permit from the East Hampton Town Trustees.

Planning Department Analysis and Recommendations for the Board's Consideration:

The subject property is located approximately 1,700 linear ft. east of the Hog Creek inlet. The property is located in Coastal Erosion Overlay District Zone 4, where new or the enlargement of existing erosion control structures is not prohibited. The property is located within an area of extensive erosion control structures consisting of bulkheads, rock revetments or a combination of both. The hardened shoreline is fairly continuous to the east and less continuous towards the west. The littoral drift within this area is distinctly from east to west and the beach, virtually absent east of the subject property, accretes substantially as the distance to the inlet decreases.

The application proposes construction access along the shoreline from the Property Association lot at the western terminus of Kings Point Road. It proposes the removal of the existing staircase to add as much as two courses of stone armor along the property line, increasing the top of revetment elevation from 9 above sea level to 14 above sea level. The added stone is proposed to taper down to the existing top of bulkhead elevation about halfway across the property. As many as three rows of coir logs over clean fill and filter fabric are proposed above (landward) of the revetment. No details have been provided with regard to how much of the existing stone armor is proposed to be reset.

The Planning Department encourages the replenishment of the bluff face with clean sand and beach grass as an alternative to the enlargement of the revetment. It does not appear that the revetment is subject to chronic over wash and the scouring of the bluff face evident landward of the revetment appears to have been the direct result of overtopping during Hurricane Sandy, a storm of historic magnitude. The conditions along the shoreline in 2017 appear to be identical, or at least very similar, to the post-Sandy conditions observed by the Planning Department in 2013. The revetment on the adjoining property to the west was also overtopped with a loss of sediment from the bluff face and was restored with sand, jute netting and beach grass. To date, that restoration has remained intact without any apparent maintenance.

A replacement of the lost back fill material would eliminate the need to remove and replace the staircase, shorten the duration of construction activities along the beach and minimize the diminishment of the bluff face, which is a natural protective feature as defined in 255-4-12 of the Town Code. The shoreline of Gardiners Bay is a component of the Peconic Estuary Critical Environmental Area, a New York State Significant Coastal Fish and Wildlife Habitat and a Scenic Area of Local Significance. The CBPOA beach proposed for construction access along the shoreline has provided nesting and forage habitat for Least Terns (*Sterna antillarum*) and Piping Plovers (*Charadrius melodus*). Piping Plovers are a federally Threatened species and Endangered in New York State. Least Terns are federally Endangered and Threatened in New York State and the presence of these protected shorebirds has resulted in prohibition of dredging and related activities between April 1 and September 30.

Part 2 - Impact Assessment <<http://www.dec.ny.gov/permits/90161.html>>. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

No, or small impact may occur

Moderate to large impact may occur

1. Will the proposed action create a material conflict with an adopted land use plan or zoning <<http://www.dec.ny.gov/permits/91098.html>> regulations?
<<http://www.dec.ny.gov/permits/91098.html>>

XX

2. Will the proposed action result in a change in the use or intensity of use of land <<http://www.dec.ny.gov/permits/91103.html>>?XX

3. Will the proposed action impair the character or quality of the existing community <<http://www.dec.ny.gov/permits/91399.html>>?XX

4. Will the proposed action have an impact on the environmental characteristics that caused the <<http://www.dec.ny.gov/permits/91404.html>> establishment of a Critical Environmental Area (CEA) <<http://www.dec.ny.gov/permits/91404.html>>?XX

5. Will the proposed action result in an adverse change in the existing level of traffic or <<http://www.dec.ny.gov/permits/91414.html>> affect existing infrastructure for mass transit, biking or walkway <<http://www.dec.ny.gov/permits/91414.html>>?XX

6. Will the proposed action cause an increase in the use of energy and it fails to incorporate <<http://www.dec.ny.gov/permits/91419.html>> reasonably available energy conservation or renewable energy opportunities? <<http://www.dec.ny.gov/permits/91419.html>>XX

7. Will the proposed action impact existing: <<http://www.dec.ny.gov/permits/91424.html>>

a. public / private water supplies? b. public / private wastewater treatment utilities?XX

1. XX

8. Will the proposed action impair the character or quality of important historic, archaeological, <<http://www.dec.ny.gov/permits/91429.html>> architectural or aesthetic resources? <<http://www.dec.ny.gov/permits/91429.html>>XX

9. Will the proposed action result in an adverse change to natural resources (e.g., wetland <<http://www.dec.ny.gov/permits/91434.html>>s, waterbodies, groundwater, air quality, flora and fauna) <<http://www.dec.ny.gov/permits/91434.html>>?XX

10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage <<http://www.dec.ny.gov/permits/91439.html>> problems? <<http://www.dec.ny.gov/permits/91439.html>>XX

11. Will the proposed action create a hazard to environmental resources or human health <<http://www.dec.ny.gov/permits/91444.html>>?XX

Part 3 - Determination of significance. <<http://www.dec.ny.gov/permits/90166.html>> The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by <<http://www.dec.ny.gov/permits/91455.html>> the project sponsor to avoid or reduce impacts. <<http://www.dec.ny.gov/permits/91455.html>> Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring,

<<http://www.dec.ny.gov/permits/91460.html>> duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and <<http://www.dec.ny.gov/permits/91460.html>> cumulative impacts.
<<http://www.dec.ny.gov/permits/91460.html>>

Although no moderate to large impacts have been identified, the proposed revetment enlargement may not satisfy the NRSP standards of § 255-4-50 and § 255-4-51 of the Town Code. Strong consideration should be given to alternatives that would not further diminish the bluff face. For any shoreline construction approved by the Board, the following conditions should be incorporated into the approval:

- a. The applicant shall notify the Zoning Board in writing at least three business days prior to the commencement of the authorized activity and again upon project completion.
- b. If authorized, any increase in the dimensions of the revetment should strictly adhere to the locations and elevations on the approved plans.
- c. Any new backfill material shall consist only of clean, beach compatible sand and should be planted with beach grass (*Ammophila breviligulata*) in culms of three or more in staggered rows and 12' on center.
- d. A strict moratorium on construction access along the shoreline should be established between April 1 and August 31 in any calendar year to prevent disturbances to protected species of nesting shorebirds. The moratorium should be lifted only by written correspondence to the Building Department from the Board pending an assessment of nesting or fledgling activity by the East Hampton Natural Resources Department.
- e. No tools or construction equipment may be left on the beach when work is not in progress.
- f. An as-built survey may be required at the discretion of the Zoning Board to demonstrate compliance with the conditions and limitations of this permit.
- g. If any of the conditions are not understood, the applicant shall contact the East Hampton Planning Department for clarification.
- h. A copy of this permit shall be available at the project site whenever authorized work is in progress

- i. If project design modifications are contemplated after the issuance, the applicant is advised that a new application, or modification of this permit, may be required. No design modifications are permitted without first obtaining approval from the Planning Department.
- j. All necessary precautions shall be taken to preclude despoliation of natural features.
- k. The applicant is required to obtain all additional permits or approvals as required by law.
- l. All applicable zoning, building and fire code regulations shall be met.
- m. Applicant shall apply for and obtain a building permit no more than six (6) months from the date of filing of this determination.
- n. Applicant shall apply for and obtain a Certificate of Occupancy no later than twelve (12) months from the date of filing of this determination.

IV. Building Inspector

TIME: 7:30:00 PM APPLICANT: Building Inspector

SIZE/LOCATION: 19,141 sq. ft., 197 Norfolk Drive, Springs, N/A, Springs (300-039-08-01)

RELIEF SOUGHT: Referral from Principle Inspector as required pursuant to Section 102-15(B) (2) of the East Hampton Town Code for the revocation of Certificate of Occupancy #31015 dated December 29th 2015

ZONING DISTRICT: B Residence Zone X Flood Zone

SEQRA CLASS: Type II

V. SCHEDULED PUBLIC HEARINGS:

A. Karen & Peter Proscia

TIME: 6:30:00 PM APPLICANT: Karen and Peter Proscia

SIZE/LOCATION: 41873, 22 Edison Drive, Montauk (300-068-04-15300-068-04-15.1)

DESCRIPTION: To allow an 890.82 sq. ft. sports court to remain within side and rear yard setbacks

RELIEF SOUGHT: Variances from 255-11-10 (Table of dimensional regulations). A 47.1 variance is required to allow the garage to remain 2.9 from the western (side yard) lot line where a

50 setback is required. A 32 variance is required to allow the sports court to remain 18 from the southern (rear yard) lot line where a 50 setback is required.

ZONING DISTRICT: A Residence Zone X Flood Zone

SEQRA CLASS: Type II

i. Technical Analysis Memorandum

Technical Analysis Memo

Lead Agency: (not applicable)

Planner: Michael Delalio

Date completed: 3/16/18 Site Plan

SEQRA class: Type II Sub Waiver

Physical Location: 22 Edison

Montauk NY 11954 Subdivision

School District: Montauk Special Permit

Zoning District: A Zone Change

Overlay District: N/A Variance XX

Tax Map Number: 300-68-4-15.1 Natural Resources

Applicant: Karen and Peter Proscia

Special Permit

22 Edison Drive

Other:

Montauk NY 11954

Telephone: (516)242-8084

FEMA ZONE: Flood Zone X

Soil Type: Bridgehampton silt loam, till substratum, 2 to 6 percent slopes, (BhB)

Bridgehampton silt loam, till substratum, 6 to 12 percent slopes, (BhC)

Map of Property:

Size of Parcel: 41,873.75 sq. ft.

Project Description: To allow an 890.82 sq. ft. sports court to remain within side and rear yard setbacks

Relief Requested: Variances from 255-11-10 (Table of dimensional regulations). A 47.1 variance is required to allow the garage to remain 2.9 from the western (side yard) lot line where a 50 setback is required. A 32 variance is required to allow the sports court to remain 18 from the southern (rear yard) lot line where a 50? setback is required.

Property and History:

This property is currently improved with a stone driveway that includes a parking area, a covered porch with walkway to a 2 story frame dwelling with a 1 story deck in the rear with a hot tub, and awning, a walkway leading to a brick patio that surrounds a pool. A shed in the rear containing the pool equipment has a covered porch, the sports court in question is at the rear of the property adjacent to the shed. The most recent CO issued in 2008. Since that time a BP has been issued to install roof mounted solar panels in 2014. This property has never appeared before the Zoning Board of Appeals. All structures are depicted on the survey from James P. Walsh Land Surveyor dated September 21st 2017, and received by this department November 6th 2017.

The applicant is currently seeking two variances, one variance of 47.1 feet from side yard setbacks, to allow a sports court to remain 2.9? from the east property line where a 50 setback is required. One variance of 32 to allow a sports court to remain 18.0 from the southern property line where a 50 setback is required.

Planning Department Analysis and Recommendations for the Board?s Consideration:

The applicant is in front of the Zoning Board for two variances for the sports court situated on the Western side of the property located on Edison drive in Montauk. The sports court was constructed sometime between 2013 and 2016 based upon the aerials. The applicant has stated that they were unaware that they needed a building permit for the construction of the aforementioned sports court, as well as it being subject to setbacks. As a result the sports court was constructed 2.9 from the side yard(west) lot line and approximately 18 from the rear of the rear(south) property line as scaled on the supplied survey. In both cases a 50 setback is the minimum.

The eastern portion of the property is unimproved and mostly woody vegetation with deciduous woodlands. This portion of the lot is unimproved most likely due to the sloping nature of the terrain.

At the side and rear lot lines the structures are lightly screened by a partially wooded lot to the west and a 6 foot stockade fence to the south. There is a 2 story house on the south neighboring property.

The Zoning Board needs to decide if the applicant meets the variance standards in ?255-8-50 of the Town Code in order to be eligible for the issuance of the requested variance.

The applicant must demonstrate compliance with the Variance standards of 255-8-50 of the Town Code in order to be eligible for the issuance of the requested variances. The applicant needs to show that the proposed project will not create a detriment to nearby properties, that the benefits cannot be achieved by some other method, that the project is not substantial, and will not have an adverse impact on the physical or environmental conditions.

Recommended Project Conditions:

Refer to above paragraph

B. Joseph & Ellen McDonald

TIME: 6:50:00 PM APPLICANT: Joseph and Ellen McDonald

SIZE/LOCATION: 16,800 sq. ft., 38 Seabright Avenue, The estates of Montauk, Lots 11-13 and Lots 14-18, Springs (300-096-05-10300-096-05-10.1)

DESCRIPTION: To allow a 120 sq. ft. shed and 214 sq. ft. pool patio to remain within side and rear yard setbacks

RELIEF SOUGHT: Three variances from ?255-11-10 (Table of dimensional regulations) of the Town Code. One variance of .7 for the shed to remain 9.3 feet from the rear yard lot line where a

10 set back is required. One variance of 3 for a pool patio to remain 17 from rear yard lot line where a 20 setback is required. One variance of 4 for the same pool patio to remain 16 from side yard setback where 20 is required.

ZONING DISTRICT: B Residence Zone X Flood Zone

SEQRA CLASS: Type II

i. Technical Analysis Memorandum

Technical Analysis Memorandum

Lead Agency: (not applicable)

Planner: Michael Delalio

Date completed: Site Plan

SEQRA class: Type II Sub Waiver

Physical Location: 38 Seabright Avenue Subdivision
Springs, NY 11937

School District: Springs Special Permit

Zoning District: B Zone Change

Overlay District: N/A Variance XX

Tax Map Number: 300-96-05-10.1 Natural Resources

Applicant: Joseph and Ellen McDonald Special Permit
C/O Land Planning Service Other:
PO Box 1313
East Hampton NY 11937

Telephone: (631)537-8500

FEMA ZONE: Flood Zone X

Soil Type: Plymouth loamy sand, 0 to 3 percent slopes, PIA

Plymouth loamy sand, 3-8 percent slopes, PIB

Map of Property: The Estates of Montauk, Lots 11-13 and Lots 14-18

Size of Parcel: 16,800 sq. ft.

Project Description:

To allow a 120 sq.ft. shed and 214 sq. ft. pool patio to remain within side and rear yard setbacks.

Relief:

Three variances from 255-11-10 (Table of dimensional regulations) of the Town Code. One variance of .7 for the shed to remain 9.3 feet from the rear yard lot line where a 10 set back is required. One variance of 3 for a pool patio to remain 17 from rear yard lot line where a 20 setback is required. One variance of 4 for the same pool patio to remain 16 from side yard setback where 20 is required.

Property and History

The property is currently improved with an approximately 1600 sq.ft. one story frame residence, 54 sq. ft. front deck, a 648 sq. ft. pool with accompanying patio, and appropriate fencing, a 96 sq. ft. play house and 125 sq. ft. shed. The pool was constructed under the building permit #57555 in 2012 which was renewed in 2017. The most recent Certificate of Occupancy was issued in 1983. The property has never appeared before the board in the past. The shed in question presumably was constructed without a building permit. The property was acquired by the current owners in 2001. All structures on the property exist as depicted by the supplied survey received April 6th 2018 prepared by Barylski Land Surveying revised 9/28/2017. The 16,800 sq. ft. property is completely cleared and is the maximum allowed and was preexisting non-conforming.

Planning Department Analysis and Recommendations for the Boards Consideration:

In 2012 a BP was issued to the applicants for the construction of a 648 sq. ft. vinyl lined pool. After the construction of the pool and patio it was found that the pool meets the setbacks though the surrounding blue stone patio does not. The applicant stated that they were unaware that the pool patio was subject to the same setbacks as the pool per 255-11-10 (Table of Dimensional regulations) of the Town Code. On the sides requesting variances the patio is not excessively large, not having enough room for patio furniture and likely only acts as a walkway around the pool. The neighboring properties are well screened along both lot lines. The rear yard lot line is screened by a 6 stockade fence as well as a thick

stand of bamboo on the neighboring property. The side yard is well screened by a 6 wood fence and newly planted privet hedge that in the coming years will aid in further screening. The variance for the pool represent 15% variance for the rear yard and 20% variance from code for the side yard.

The subject shed, standing 8.5 at the peak, 9.3 feet from the property line conforming to pyramid was likely constructed without a building permit. For the shed to remain in its current location it would require a .7 variance from rear yard setbacks. The Planning Department suggests the applicant move the shed the required amount to meet the setback as offered in their application.

The Zoning Board needs to decide if the application meets the variance standards in ?255-8-50 of the Town Code in order to be eligible for the issuance of the requested variance. The applicants should address how the variance does not cause an undesirable change in the character of the neighborhood, cannot be achieved by some method other than the requested variances, is not substantial, and does not have an adverse effect or impact on the environment or the neighborhood.

Recommended Project Conditions:

Refer to above paragraphs.

VI. WORK SESSION:

VII. BOARD DETERMINATIONS:

A. Abiplanalp

SCTM# 300-13-1-2

319 East Lake Drive

Montauk

Board has to determine if the plan submitted with the4 revised dock depicted on the First Coastal Corp site plan dated April 5th 2018 satisfies the conditions of approval of the ZBA Determination filed January 25th 2018

VIII. BOARD DECISIONS:

A. *Rosenstein*

SIZE/LOCATION: 84,065 sq. ft., 38 Hawk's Nest Lane, Map No. 6557; Map of Hawks Nest, Sec II, Lot 39, Amagansett (300-151-04-06)

DESCRIPTION: To allow approximately 3,495 sq. ft. of clearing and a 280 sq. ft. storage shed to remain on the property.

RELIEF SOUGHT: One variance from 255-3-65 (Water Recharge Overlay District (WROD) regulations), a variance from 255-11-10 (Dimensional regulations), and a variance from 255-11-

72D (Pyramid Law) of the Town Code and any relief necessary. A 9,172 sq. ft. clearing variance is requested to allow 29,680 sq. ft. of clearing to remain on the property where the maximum clearing permitted is 20,500 sq. ft. A 6.2 ft variance is required to allow the shed to remain 13.8 ft. from the side yard where 20 ft. is the minimum setback. A 3 ft 2.5 in. Pyramid variance is required.

ZONING DISTRICT: A2 Residence, Zone X Flood Zone

SEQRA CLASS: Type II

B. *Grand Leopard*

SIZE/LOCATION: 5.621 acres (total), 17 Association Road, Wainscott (300-200-03-15)

DESCRIPTION: Not applicable.

RELIEF SOUGHT: An Appeal of the Principal Building Inspector pursuant to ? 255-8-30A (1) of the Town Code. Appellant seek to challenge the May 1, 2017 issuance of building permit # 64322.

ZONING DISTRICT: A5 Residence AE Flood Zones, elevation 9' & 13' & X Flood Zone

SEQRA CLASS: Type II

2/6/2018

C. *Locker*

SIZE/LOCATION: 71,837 sq. ft. total, 328 Cranberry Hole Rd., Amagansett (300-128-01-195)

DESCRIPTION: To construct a 4,038 sq. ft. one and two story residence which includes a covered

porch, a 579 sq. ft. detached garage, a 391 sq. ft. pool, 471 sq. ft. of decking, and a sanitary system on a parcel of land containing dune land and beach vegetation

RELIEF SOUGHT: A Natural Resources Special Permit pursuant to 255-4-20 and any relief necessary

ZONING DISTRICT: A Residence, AE Flood Zone, elevation 9

SEQRA CLASS: Type II

D. AFMP

SIZE/LOCATION: 2.8 acres (total), 204 Old Montauk Hwy, Montauk (300-022-01-04)

DESCRIPTION: A modification of the Board's determination filed January, 2005.

RELIEF SOUGHT: A modification of the Board's determination filed January, 2005. Modification seeks to Relocate the sanitary system from the north side to the south side of an approved

Residence on a parcel of land containing coastal bluffs, beaches and freshwater Wetlands.

ZONING DISTRICT: A10 Residence VE velocity & X flood zones

SEQRA CLASS: Type II

E. Vanderveer

SIZE/LOCATION: 3.56 acres, 580 Three Mile Harbor-Hog Creek Hwy, Springs ()

DESCRIPTION: An appeal of the Principal Building Inspector's November 20, 2017 determination

regarding the use of the property.

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 dated November 20, 2017

finding that a storage warehouse was not a pre-existing use on the subject property.

ZONING DISTRICT: A Residence

SEQRA CLASS: Type II

F. Diament

SIZE/LOCATION: 12,429 sq. ft., 91 Napeague Harbor Road & contiguous to Napeague Harbor, N/a, Amagansett (300-110-02-01)

DESCRIPTION: To demolish a one story residence and construct a new 1,950 sq. ft. two-story

residence with 710 sq. ft. of 1st and 2nd floor decking & porches, a sanitary system and new driveway on a parcel of land containing tidal wetlands, primary dunes and beach vegetation.

RELIEF SOUGHT: A Natural Resources Special Permit pursuant to 255-4-20, variances from 255-4-30 (Minimum wetland setbacks), 255-4-40 (Coastal setbacks), 255-11-10 (Table of

Dimensional Regulations), 255-11-72D (Pyramid Law) of the Town Code and any other relief necessary. The following nine variances are required: (1) & (2) Variances of 38.8 and 39.4 are required to construct the residence and decking 61.2 & 60.6 respectively, from wetlands where a 100 setback is required; (3) a 105.4 variance is required to install the sanitary system 94.6 from wetlands where a 200 setback is required; (4) a variance of 3 is required to construct a staircase approximately 47 from the primary dune crest where a 50 setback is required; (5) a 4.6 side yard variance is required to construct the principal structure 10.4 from the northern lot line where a 15 setback is required, (6), (7) & (8) variances of 6 1, 8 3 & 10 5 are required to allow the residence to extend beyond the relative (pyramid) height restriction along the northern, southern (side yards) and eastern (street) lot lines respectively; & (9) a 3 maximum height variance is required to allow the residence to extend 28 above natural grade where 25 is the limit.

ZONING DISTRICT: A Residence AE Flood Zone, el. 11'; VE Flood Zone el. 12

SEQRA CLASS: Type II

IX. MINUTES APPROVAL:

X. RESOLUTIONS