

Design Review Board  
February 6, 2018

Those present were:

James H. McMullan, Vice Chairman  
Carolyn D. Preische, Member  
C. Sherrill Dayton, Member  
Robert D. Caruso, Member  
Bruce A.T. Siska, Member  
Rosemary G. Brown, Member  
Linda Riley, Village Attorney  
J. Kent Howie, Ordinance Inspector  
William Hajek, Village Planner  
Robert J. Hefner, Village Director of Historic Services  
Robert Strada, Builder on behalf of Eric Ellenbogen  
Simone M. Freeman, Attorney on behalf of Verizon Wireless,  
First Presbyterian Church  
John Ellsworth, Environmental Planner on behalf of Verizon Wireless,  
First Presbyterian Church  
Richard E. Whalen, Attorney on behalf of Maidstone Club Inc.  
Pamela J. Bennett, Deputy Clerk

The Vice Chairman called the meeting to order at 9:00 a.m., and the following official business was discussed:

1. **Minutes**

Upon motion of Bruce A.T. Siska, duly seconded by Robert D. Caruso, the Board unanimously approved the minutes of January 2, 2018.

2. **Tory Burch – 47 Newtown Lane – SCTM #301-3-4-6**

The Board is in receipt of revised plans, marked received January 29, 2018, pursuant to the Board's request to change the proposed lighting; six gooseneck light fixtures are proposed (two were existing and four had been capped off). Proposed is a 13 watt LED bulb for each fixture which is more than 60 watts a fixture which the Board finds to be an excessive amount of light. Mr. Siska stated that a 6 to 9 LED bulb equals about 40 watts incandescent. Mr. McMullan asked Ms. Riley if the Board could approve the application conditioned upon a certain

bulb or wattage. Mrs. Preische questioned whether the Board even wants the light shining down on the awning. Messrs. McMullan and Siska stated that they did not object to the light fixtures above the awning; Mr. McMullan pointed out that the light will also illuminate the front steps. Mr. Caruso expressed concern of light reflecting off the white awning. Mrs. Preische stated that she does not see the need for the lights above the awning at all. Mr. McMullan stated that some of the light will illuminate the front steps; the awning only protrudes about 18 inches and the projection of the light will be two feet three inches. Ms. Brown stated that the applicant is trying to create a balance with having six fixtures across the front of the building. Ms. Riley stated that to answer Mr. McMullan's question, the Board can approve the request on the condition that the LED wattage does not exceed X amount.

Upon motion of Robert D. Caruso, duly seconded by Rosemary G. Brown, the Board unanimously approved six light fixtures across the front of the building conditioned upon each fixture having a maximum of 8 to 9 LED watt bulbs.

3. **Eric Ellenbogen – 13 Egypt Lane – SCTM #301-4-6-18**

The Board is in receipt of a Certificate of Appropriateness application, plans, and survey, all marked received December 19, 2017, requesting permission to restore the original timber frame building and to construct a new two-story principal structure. At the January 2, 2018 meeting, the Board found no objection to the restoration of the original timber frame building or the construction of a new two-story principal structure but Mr. Hefner expressed concern that if the septic system is to be located in the front yard, it will require a retaining wall which would interfere with the setting of the timber frame structure as seen from the street. Mr. Strada was to explore other options.

Mr. Strada stated that he submitted a letter and plans from Drew B. Bennett dated January 23, 2018 which states that a single sanitary system will serve the existing timber frame as well as the proposed house, that the system will be located in the rear and side yard of the timber frame structure, that the sanitary system is designed in accordance with the Suffolk County Department of Health Services standards, and that no grade changes or retaining walls are proposed. Mr. Strada stated that the plan has not been submitted to the Suffolk County Department of Health Services but Mr. Bennett is confident that it will be approved.

Mr. McMullan asked Mr. Hefner if he finds the proposal acceptable. Mr. Hefner stated that the proposed system would be acceptable as long as it is located

behind the timber frame so that the front lawn and the setting from the street will not be disturbed.

Upon motion of Robert D. Caruso, duly seconded by Rosemary G. Brown, the Board unanimously granted the Certificate of Appropriateness conditioned upon there being no retaining walls or change in grade between the street and the timber frame structure and that the applicant receives approval from the Suffolk County Department of Health Services.

**4. First Presbyterian Church – 120 Main Street – SCTM #301-3-9-1**

The Board is in receipt of a letter from Jessica Zalin, Amato Law Group LLC, dated March 24, 2017, a Design and Site Plan Application, a Certificate of Appropriateness Application, and survey, all marked received March 24, 2017. The Board is also in receipt of a letter from Simone M. Freeman Esq., Amato Law Group LLC, dated September 22, 2017, an Environmental Assessment Form Part I, an Engineering Report, a Real Estate Consulting Report, Visual Assessment & Photo-Simulations, a Proposed Verizon Wireless Emergency Backup Generator analysis, and a Proposed New York SMSA Limited Partnership d/b/a Verizon Wireless Emergency Backup Generator study, all marked received September 22, 2017.

Simone Freeman Esq. appeared on behalf of the applicant and stated that proposed is a 22 square foot concrete pad with an emergency natural gas generator to be located at the rear of the Church which will be used in emergencies only (power outages). The generator will be tested for one-half an hour once a week. Ms. Freeman stated that approximately five HVAC units exist at the rear of the Church which are operational 24 hours a day 7 days a week although the generator is slightly larger. Arborvitae is proposed to screen the generator. Mrs. Preische questioned how many arborvitae are proposed. Ms. Freeman stated that eight arborvitae are proposed, planted six feet on center. The generator will be contained within a sound enclosure that will be neutral in color and all the utilities will be located underground in accordance with National Grid regulations as well as Village Code requirements.

Mrs. Preische stated that the plan seems to indicate four arborvitae. Ms. Freeman stated that it will be six to eight depending upon the Board's wishes. Mr. Caruso questioned the kilowatt output of the generator. Ms. Freeman stated that it is 10 kilowatts. Mr. Caruso questioned the decibel level that will be projected. Mr. Ellsworth stated that the analysis of the noise study showed that the generator

would result in a 3.6 decibel increase at the nearest property line. Mr. Caruso suggested a noise baffle of a certain height to ensure that the generator would be quiet as noise travels depending upon wind, rain, and weather conditions. Ms. Freeman stated that the generator is going to be enclosed in a sound enclosure but asked the Board to think about the visual impact of an additional baffle. Mrs. Preische asked if it has a baffle as part of the enclosure. Mr. McMullan stated that it is a sound attenuating enclosure. Mr. Ellsworth stated that according to the New York State Federal Standards, three decibels is the limit of human perception for differences in noises; the average human cannot perceive anything lower than three decibels so 3.6 decibels would be barely perceptible. Mr. McMullan stated that the arborvitae should serve the purpose. Mrs. Preische added as long as the higher number of trees is used. Ms. Freeman stated that the closest residence is approximately 150 feet away. Mrs. Preische suggested that the testing not coincide with the Church chimes.

Mr. McMullan stated that this is the Board's preliminary review and will have to be heard by the Zoning Board of Appeals.

Upon motion of Robert D. Caruso, duly seconded by Bruce A.T. Siska, the Board unanimously concluded its preliminary review, noting that the planting of eight arborvitae would be preferable over six.

5. **Philip Shuttleworth & Paula Maria Harvey – 72 Pantigo Road –**  
**SCTM #301-4-7-7.1**

The Board is in receipt of a Certificate of Appropriateness application marked received January 11, 2018 requesting permission for a 187 square foot second floor addition for two bathrooms and a 178 square foot second floor deck addition. No one appeared on behalf of the applicant.

Mr. Hefner stated that this is a minor addition to be located at the rear of the structure which will have no effect on the architectural integrity of the house or its setting and meets the Guidelines for additions. Ms. Brown stated that it is a minimal request which will look nicer from the street when it is done.

Upon motion of Robert D. Caruso, duly seconded by Bruce A.T. Siska, the Board unanimously granted the Certificate of Appropriateness.

6. Maidstone Club Inc. – 50 Old Beach Lane – SCTM #301-9-5-22

The Board is in receipt of a letter from Jeffrey Freireich, Richard E. Whalen PLLC, dated January 19, 2018 requesting an amendment of a previously submitted Design and Site Plan Application, marked received November 14, 2017, to construct a paddle hut to serve two existing outdoor paddleboard courts and permission to maintain a shed which has been in existence for 20 years.

Mr. Caruso brought to Mr. Whalen's attention that the lighting of the paddleboard court, when driving down Egypt Lane in the evening, is directed outward toward Egypt Lane and suggested that the lights be angled downward. Mrs. Preische added that you are not supposed to see the source of the light. Mr. Whalen stated that that is preexisting but that he will see if the lights could be adjusted downward or shielded.

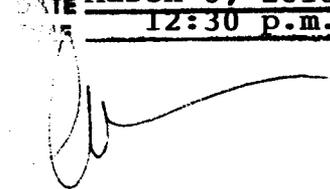
Mr. Whalen stated that the shed does not require any variances as the accessory building gross floor area for the shed is included in the calculations, it is located on a concrete pad that has existed for decades, and the shed is also included in coverage calculations but it is within the Coastal Erosion Hazard Area zone. The applicant should not need a CHA variance but only a coastal erosion management permit as it is a minor addition which is allowable in the CHA zone without a variance. Ms. Riley stated that that is not the Design Review Board's jurisdiction but the Zoning Board's.

Upon motion of Robert D. Caruso, duly seconded by Carolyn D. Preische, the Board unanimously concluded their preliminary review.

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Upon motion of Bruce A.T. Siska, duly seconded by Rosemary G. Brown, the Board unanimously adjourned the meeting at 9:29 a.m.

FILED  
VILLAGE OF EAST HAMPTON, NY  
DATE March 6, 2018  
12:30 p.m.



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