

Design Review Board  
June 19, 2018

Those present were:

James H. McMullan, Vice Chairman  
C. Sherrill Dayton, Member  
Robert D. Caruso, Member  
Bruce A.T. Siska, Member  
Rosemary G. Brown, Member  
J. Kent Howie, Ordinance Inspector  
William Hajek, Village Planner  
Robert J. Hefner, Village Director of Historic Services  
Brandon Matthews, Agent on behalf of Beauty Counter  
Judi Desiderio, Applicant  
Gene E. Cross, Planning Consultant on behalf of Judi Desiderio and  
80 North Main Street LLC  
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 Robert D. Caruso, duly seconded by C. Sherrill Dayton, the Board unanimously approved the minutes of June 5, 2018.

2. **John Papas – 20 Park Place (lighting) – SCTM #301-3-6-11**

The Board is in receipt of a request to replace lighting over an existing sign pursuant to submission dated received May 17, 2018. The proposed lighting is to be revised but the revised information has not yet been received. The application was tabled.

3. **Beauty Counter – 27 Newtown Lane (arbor) – SCTM #301-3-4-12**

The Board, at its meeting of June 5, 2018, had before it a sign permit application and an application to install a pergola, all pursuant to a submission marked received May 22, 2018. Since no one appeared at that meeting, the

application was tabled. Subsequent to that meeting, the Chairman approved the sign application.

Brandon Matthews appeared before the Board and stated that the proposed pergola mimics the interior of the little building. The pergola will have no roof system and will not attach to the buildings on either side; it is a pipe and flange construction with no wind load. In addition to the proposed pergola, Mr. Matthews submitted a request for planters and a cushioned bench by plan marked received June 19, 2018, which planters and cushioned bench have already been installed in anticipation of the store's June 15<sup>th</sup> opening. Mr. Dayton stated that he likes the open look with the installation of the planters rather than having a pergola too. Mr. Caruso stated that the pergola does not seem appropriate or necessary. Ms. Brown stated that she prefers the planters and the visual interest they provide. Mr. Siska stated that the planters soften up the alley without the pergola. Mr. Matthews withdrew the request for the pergola.

Upon motion of Robert D. Caruso, duly seconded by Rosemary G. Brown, the Board unanimously approved the request for the planters and a cushioned bench as shown in the submission marked received June 19, 2018.

4. **Intermix – 87 Main Street (planters) – SCTM #301-3-6-14**

The Board is in receipt of a planter permit application, marked received June 5, 2018, requesting permission to install two wooden planters, white in color, to be planted with a shrub material, both of which will be located on private property.

Upon motion of Bruce A.T. Siska, duly seconded by Rosemary G. Brown, the Board unanimously approved the request.

5. **Judi Desiderio and 80 North Main Street LLC –  
76, 78 and 80 North Main Street**

A Design and Site Plan application, marked received April 3, 2017, was discussed by the Board at its meeting of April 18, 2017.

Gene E. Cross appeared on behalf of the applicant and submitted the following material: letter of Gene E. Cross dated June 19, 2018, Structural Review dated December 11, 2016, letter of Thomas J. Osborne dated January 16, 2018, Benefits to East Hampton Village list, and aerials and site plan, all marked received June 19, 2018. The property is located at the corner of North Main Street

and Collins Avenue and the initial proposal was for the corner lot's building to simply be demolished and reconstructed which became problematic.

Plan A shows the existing building, corner lot (SCTM #301-4-1-36), with the provision of one additional parking space, a common driveway from the existing North Main Street curb cut, and four parking spaces on the vacant parcel (SCTM #301-4-1-35) that would support another 400 square feet of retail and a second story apartment; that amount of parking provided did not seem acceptable. After the last meeting he left with two issues, one was to provide parking and the other was to propose the merger of the two parcels.

Alternative Plan B calls for a 30 foot transitional yard across the rear property line noting that the existing driveway is two and one-half feet from the property line. The property does not meet the required dimensional requirements of 278-6 as cars are required to back out into the street. The transitional yard Code expressly states that no parked cars are permitted in the transitional yard which requirement called for the parking to be moved as far away from the property line as possible and at the same time, there are dimensional requirements associated with the guidelines which call for the building to be set back from the sidewalk.

The size of each of the three apartments will be reduced in size from 850 square feet down to 600 square feet, thereby reducing the design flow of 225 gallons per unit a day down to 150 gallons a day which would be a rather substantial improvement. Retail space is calculated by the Health Department at .03 gallons a day per square foot. The benefits of proposed Plan B are environmental, upgraded sanitary system, reduction of 200 gallons per day in design flow, and the re-construction of the building which would be consistent with the design guidelines, nine on-site parking spaces where currently none exist (none exist that comply with the Code), an additional parking space created by the closing of the North Main Street curb cut which the applicant cannot take credit for but it is a benefit to the Village. The proposed building design is consistent with the character of North Main Street and the design guidelines. With reference to the Zoning regulations, the proposed building would be located entirely outside the transitional yard; the current building is located within the transitional yard, some 28 feet in the air where the most basic tenant of Zoning is light and air to adjoining residential properties. The transitional yard setback is going from two and one-half feet to 26 and one-half feet, the site is extremely limited depth-wise but nevertheless cars would be re-located almost entirely out of the transitional yard. With access from Collins Avenue, potential exists for a future integration with the adjoining property to the south (which would not occur until that property is re-

developed). The Code permits apartments on the second floor of commercial buildings; currently one of the apartments is downstairs and that would be moved to the second floor so by reducing the size of the units, all three units would fit on the second floor where they are permitted. The Code expressly prohibits the use of attic and crawl spaces for anything other than storage and/or for mechanical space; the site is somewhat limited, the depth to groundwater is about six feet.

Mr. Cross reviewed his letter dated June 19, 2018 with the Board, and asked the Board to consider which access to use. Mr. McMullan stated that he sees it as an improvement for circulation especially if there is integration with the adjoining parcel (SCTM #301-4-1-34). Ms. Brown stated that when the Board was reviewing the proposed CVS building located at 71 Montauk Highway, the parking was located behind the building with a future integration with the neighboring parcels. Mr. McMullan stated that he likes that the parking is farther away from the neighbor's residential property. This application requires Zoning Board approval but Mr. McMullan stated that it is a step in the right direction; Mr. Dayton agreed. Ms. Brown stated that she is interested in seeing what the building will look like because of the mass along the street which will be more than it is currently.

Mr. Hefner stated that the major change is a building which is currently set back from the street and has a lot of open space on the side to a building that is right on the property line, along the entire length of the property. The concept of parking at the rear of a building, the Guidelines for North Main Street say that when the Board sees a situation where it is better to have some of the parking not behind the building is understandable. A municipal parking lot exists across the street noting that the adjoining parcel (SCTM #301-4-1-34) is twice as deep as the applicant's parcels so in reality the idea of integrating with that parcel may not be practicable. In the larger context of the Town and the Village, the Home Goods store was not a welcomed building right on the property line and even the CVS building, which the Board approved, may not have been the best solution and that was not a welcomed building either as a big mass right close to the street. There is a major conflict between the transitional yard and the Guidelines adopted by the Design Review Board in response to the Comprehensive Plan which called for space, more setback but the concept of right on the front property line, lot line to lot line along the street is something that is going to be very difficult to fit into the character of that district.

Ms. Desiderio, property owner, thanked the Board for its input and noted that Mr. Cross is the third local professional that she hired to help with the project

because there are so many factors; environmental, architectural, parking, traffic, etc. The commercial building is moved away from the residential buildings, respecting the Village's need for parking, and in this particular location, there is a river that runs underneath the building, the building is structurally not anywhere near today's Code. While the building may have inherent character, it is not safe and she is concerned as the landlord; you can put a stick through the foundation. The existing building is along North Main Street, it is not set back from North Main Street but it goes deep into the lot and that her tenants will park directly up against the neighbor's house. Currently four parking spaces exist but six cars are parked so the idea to combine the two pieces of property and respect the transitional yard, more parking can be accommodated. Ms. Desiderio stated that the building has to be two stories in order to put all the living space on the second floor; the attic will be for building mechanicals, there is street gas and street water but the building still has to have cesspools which is why the residential units have been decreased in size to 600 square feet. The existing building is right on the street but the proposed design of the front of the building, in the middle, is stepped back which is intended to make the building look interesting and feel different.

Mr. McMullan stated that a Committee does exist for this project who will keep working on the project. Mr. Cross asked which access would the Board like. Mr. McMullan stated that Plan B, access onto Collins Avenue, seems to be the best access. Mr. Cross stated that Plan B Proposed Merger shows the building in close proximity to the front (North Main Street) property line which also respects Mr. Hefner's request to move the building back off the property line several feet. Mr. Cross stated that there are many ways in which to design the building but the more serious concerns are to comply with zoning and obtain variances.

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Upon motion of Bruce A.T. Siska, duly seconded by Robert D. Caruso, the Board unanimously adjourned the meeting at 9:40 a.m.

**FILED**  
**VILLAGE OF EAST HAMPTON, NY**  
**DATE July 17, 2018**  
**TIME 3:15 p.m.**

