



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**Carole Brennan**  
Town Clerk

[www.ehamptonny.gov](http://www.ehamptonny.gov)

ADOPTED

Meeting: 01/05/17 06:30 PM

DOC ID: 17913 A

**RESOLUTION 2017-126**

---

---

## **Adopt Local Law Amending Chapter 255 Definition of Building Coverage**

WHEREAS, The Town Board of the Town of East Hampton held a public hearing on January 5, 2017, to consider a local law amending Chapter 255 ("ZONING") of the East Hampton Town Code in order to amend the definition of building coverage (or lot coverage) within the Town of East Hampton, as more fully set forth in the text of the Local Law; and

WHEREAS, after considering the matter, the comments of the public at the time of the hearing and during work sessions of the Town Board, the Town Board believes that the establishment of the subject regulations are in the best interests of the Town; and

WHEREAS, the adoption of this local law is an unlisted action pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town Board has prepared and considered an Environmental Assessment Form which evaluates the potential environmental impacts of the proposed amendment; and

WHEREAS, the Board has determined that the adoption of this Local Law will not have a significant negative impact upon the environment; now therefore be it

RESOLVED, that a negative declaration is hereby made pursuant to the State Environmental Quality Review Act (SEQRA); and be it further

RESOLVED, said Local Law is hereby adopted to read as follows:

LOCAL LAW NO.   4   OF 2017

INTRODUCTORY NO.  65  OF 2016

A LOCAL LAW amending Chapter 255 ("ZONING") of the East Hampton Town Code in order to amend the definition of building coverage (or lot coverage) within the Town of East Hampton, as more fully set forth in the text of the Local Law.

BE IT ENACTED by the Town Board of the Town of East Hampton as follows:

**SECTION 1.** Purpose.

The Town Board is amending the definition of building coverage (or lot coverage) in the Town Code to eliminate any confusion with regard to raised buildings and overhangs. While raised buildings have historically been included in coverage, this amendment will clarify the definition in order to prevent any confusion in the future as to how to calculate building coverage. Also, the Board finds that overhangs and cantilever structures that extend over 24 inches beyond the exterior walls should also be included in building coverage as these structures have similar

impacts to neighborhoods and the physical environment as traditional building coverage structures do.

**SECTION 2.** Amendment.

**§ 255-1-20. Definitions.**

**COVERAGE, BUILDING (or LOT COVERAGE)**

That percentage of lot area covered by ~~the ground floor area of all buildings sited thereon measured to the outside of the exterior walls.~~ **any roofed structure measured to the furthest extent of the roof as projected downward to the ground. Cornices, eaves, gutters, chimneys and fireplaces, projecting not more than 24 inches from exterior walls shall be excluded from building coverage.** Building coverage is computed by dividing the area of ~~buildings~~ **roofed structures** into lot area. See area of building and lot area; also see “total coverage.”

**Temporary exemptions for new Local Law:**

Notwithstanding any other provision of this Local Law, parcels of land that have met one of the following requirements by **December 15, 2016** shall be exempt from meeting the provisions of this local law:

- 1) **An application submitted to the Building Department for a Building Permit requiring no other Town Approvals.**
- 2) **A valid building permit.**
- 3) **An application submitted to the Zoning Board of Appeals, Planning Board or Architectural Review Board.**
- 4) **An approval from the Zoning Board of Appeals, Planning Board or Architectural Review Board**

**SECTION 3.** Authority.

The proposed local law is enacted pursuant to Municipal Home Rule Law §10(1)(ii)(d)(3) and Town Law §261.

**SECTION 4.** Severability.

If any section or subsection, paragraph, clause, phrase or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provisions so adjudged to be invalid or unconstitutional.

**SECTION 5.** Effective Date.

This local law shall take effect upon filing with the Secretary of State pursuant to Municipal Home Rule Law.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sylvia Overby, Councilwoman
<b>SECONDER:</b>	Fred Overton, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell