



# TOWN OF EAST HAMPTON

300 Pantigo Place – Suite 105  
East Hampton, New York 11937-2684

Planning Department  
Jeremy Samuelson  
Director

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March 16, 2023

**TO:** Planning Board

**FROM:** Jeremy Samuelson  
Planning Director

**RE:** Affordable Accessory Apartments – Proposed Code Changes

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The Town Board is considering various amendments to Chapter 255 (Zoning) to provide for increased opportunities for affordable housing within the Town of East Hampton. Over the course of numerous recent work sessions, the Town Board has discussed and amended potential changes to the Town Code to greater facilitate the creation of affordable housing units, specifically, affordable accessory apartments, also commonly referred to as Affordable Dwelling Units (ADUs).

At this time, the Town Board is seeking comments from the Planning Board on the proposed Code changes (see attached) for affordable accessory apartments. Although the following list is not complete, it includes a brief summary of these proposed changes:

- The definition of an “Affordable Housing Unit” is amended to identify it as being 130% of the Fair Market Rent (increased from 110%)
- Permits affordable accessory apartments in basements of commercial structures
- Increases the permitted number of affordable accessory apartments on residential properties in each school district from 20 to 40
- Increases the permitted number of affordable accessory apartments on residential properties in the Town as a whole from 100 to 200
- Permits affordable accessory apartments in detached structures on lots of 20,000 sq. ft. or more (previously 30,000 sq. ft. or more)
- Permits affordable accessory apartments in the Harbor Protection Overlay District (HPOD) provided low-nitrogen sanitary systems are installed
- Adjusts conditions and terms of leases for affordable accessory apartments
- Permits affordable accessory apartments within residences (not detached) to be up to 50% of the gross floor area of the residence or 1,200 sq. ft.



**East Hampton Town Board**  
159 Pantigo Road  
East Hampton, NY 11937

Carole Brennan  
Telephone:

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March 16, 2023

Jeremy Samuelson  
Address Not On File

Dear Jeremy Samuelson:

Please be advised that the Town Board, at a meeting held on March 16, 2023 11:00 AM, reviewed the following resolution(s):

**Resolution RES-2023-415**

**Adopted as Amended [Unanimous]**

*Schedule Public Hearing*

*Amend Chapter 255 Regarding Affordable Accessory Apartments*

CC: Eric Schantz  
Russell Bennett  
Kate Locascio, Village Clerk-Administrator  
Eileen Tuohy, Village Clerk  
East Hampton Village Administrator, Village Administrator  
LI State Park Commission  
Andrew Freleng, Planning Commissioner  
Clerk of County Leg., Clerk of the County Legislature  
Sundy Schermeyer, Town Clerk  
Rosemarie Cary Winchell, Clerk-Treasurer

Sincerely Yours,

Carole Brennan

Town Clerk



## RESOLUTION 2023-415

Item # 4.C.1

ADOPTED

DOC ID: 29164 E

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### Schedule Public Hearing Amend Chapter 255 Regarding Affordable Accessory Apartments

**WHEREAS**, The Town Board is considering various amendments to Chapter 255 (Zoning) to provide for increased opportunities for affordable housing within the Town of East Hampton; now, therefore, be it

**RESOLVED**, that the Town Board will hold a public hearing on Thursday, April 20, 2023 at 11:00 a.m. or as soon thereafter as this matter may be heard, in the East Hampton Town Hall Meeting Room, 159 Pantigo Road, East Hampton, New York, to hear any and all persons with regard to a local law entitled: "A LOCAL LAW amending Chapter 255 "Zoning" to amend various provisions of Chapter 255 "Zoning" related to affordable accessory apartments, including amendments to 255-1-20 Definitions", "Apartment or residence", 255-5-50 "Specific standards and safeguards", "Apartments within Commercial Structures"; 255-11-63 "Affordable accessory apartments", "General Requirements"; 255-11-63 B "Site requirements." 255-11-63 C "Permits required; 255-11-63 E "Issuance of an affordable accessory apartment permit; conditions; lease; fees."; 255-11-63 F "Lease."; 255-11-63 G "Occupancy requirements"; and 255-11-63 H "Design requirements""

LOCAL LAW No. \_\_\_ of 2023

Introductory No. \_9\_ of 2023

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

A LOCAL LAW amending Chapter 255 (Zoning) to amending Chapter 255 "Zoning" to

#### **SECTION 1. Town Code Amended.**

Chapter 255 (Zoning) is hereby amended as follows:

**NOTE: Cross outs represent text to be deleted. Underlined italics indicate new text.**

**A. 255-1-20 Definitions: "Affordable Housing Unit" Paragraph A "Apartment or residence" Sub-paragraph "(1)"** is amended to read in its entirety as follows

(1) The maximum monthly rental (excluding utilities) does not exceed ~~110%~~ 130% of the Fair Market Rent for Existing Housing<sup>[1]</sup> promulgated for the Nassau-Suffolk, NY HUD Metro FMR Area and published annually in the Federal Register by the Secretary of the United States Department of Housing and Urban Development, pursuant to Section 8(c)(1) of the United States Housing Act of 1937 [42 U.S.C. § 1437f(c)(1)] and Part 888, Subpart A, Sections 111 - 115, of Title 24, Subtitle B, of the Code of Federal Regulations (24 CFR 888.111-115). Starting the second year, such an affordable apartment or residence is leased and, thereafter, the maximum monthly rental may be adjusted annually in accordance with the Annual Adjustment Factor<sup>[2]</sup> published annually in the Federal Register by the Secretary of the United States Department of Housing and Urban Development pursuant to Section 8(c)(2)(A) of the Housing Act [42 U.S.C. § 1437f(c)(2)(A)] and Part 888, Subpart B, Sections 201, 202 and 203(3), of Title 24 of the Code of Federal Regulations [24 CFR 888.201, 202 and 203(3)]

**B. 255-5-50 "Specific standards and safeguards.", "Apartments Within Commercial Structures", Paragraph (3)** is amended to read in its entirety as follows:

(3) The habitable floor area of the apartment shall be at least 450 square feet, but in no case more than 1,200 square feet. ~~The apartment shall be located either on the first or second floor of the building, but shall not be located in a basement or cellar, and~~ the apartment shall contain all services for safe and convenient habitation, meeting the New York State Uniform Fire Prevention and Building Code and the Sanitary Code.

**C. 255-5-50 "Specific standards and safeguards.", "Apartments Within Commercial Structures", Paragraph (7)** is amended to read in its entirety as follows:

(7) Only the owner of the building in which it is proposed to locate the apartment(s) may

apply for this special permit. The Planning Board shall require that such applicant execute such agreements, contracts, easements, covenants, deed restrictions or other legal instruments running in favor of the Town as, upon recommendation of the Town Attorney, the Board shall determine to be necessary to ensure that:

- (a) The apartment is the domicile of all tenants therein and the tenant(s) or any other occupant(s) of the apartment do not own a residence;
- (b) The apartment or any proprietary or other interest therein will not be sold to the tenant or any other party, except as part of a sale of the entire building in which the apartment is located;
- (c) The rental charged for the apartment remains within previously agreed-upon minimum and maximum guidelines, and the apartment is made available for year-round rental but may also be available for seasonal rental ~~to employees of the business operating within the same commercial structure;~~
- (d) The apartment is properly constructed, maintained and used, and unapproved uses are excluded therefrom;
- (e) The persons or class of persons for whom the apartment was designed and approved do in fact continue to occupy the apartment and benefit from the existence of the apartment for the lifetime thereof;
- (f) Any other condition deemed reasonable and necessary to ensure the immediate and long-term success of the apartment in helping to meet identified housing needs in the community is complied with;
- (g) Each apartment shall have a maximum of two bedrooms with a maximum of two beds and two occupants per bedroom; and
- (h) Apartments shall be subject to inspection for compliance with the Town Code and the Building Code by the Fire Marshal, the Building Department, and the Office of Housing and Community Development and may also be subject to inspection upon reasonable notice by Code Enforcement as part of an investigation in response to a complaint.

- D. **255-5-50 "Specific standards and safeguards.", "Apartments Within Commercial Structures in LBO", Paragraph (3)** is amended to read in its entirety as follows:

- (3) The habitable floor area of the apartment shall be at least 450 square feet, but in no case more than 1,200 square feet. ~~The apartment shall be located either on the first or second floor of the building, but shall not be located in a basement or cellar, or accessory structure, and it~~ The apartment shall contain all services for safe and convenient habitation, meeting the New York State Uniform Fire Prevention and Building Code and the Sanitary Code.

- E. **255-5-50 "Specific standards and safeguards.", "Apartments Within Commercial Structures in LBO", Paragraph (7)** is amended to read in its entirety as follows:

(7) Only the owner of the building in which it is proposed to locate the apartment(s) may apply for this special permit. The Planning Board shall require that such applicant execute such agreements, contracts, easements, covenants, deed restrictions or other legal instruments running in favor of the Town as, upon recommendation of the Town Attorney, the Board shall determine to be necessary to ensure that:

- (a) The apartment is the domicile of all tenants therein and the tenants or any other occupants of the apartment do not own a residence;
- (b) The apartment or any proprietary or other interest therein will not be sold to the tenant or any other party, except as part of a sale of the entire building in which the apartment is located;
- (c) The rental charged for the apartment remains within previously agreed-upon minimum and maximum guidelines, and the apartment is made available for year-round rental but may also be available for seasonal rental ~~to employees of the business operating within the same commercial structure;~~
- (d) The apartment is properly constructed, maintained and used, and unapproved uses are excluded therefrom;
- (e) The persons or class of persons for whom the apartment was designed and approved do in fact continue to occupy the apartment and benefit from the existence of the apartment

for the lifetime thereof;

- (f) Any other condition deemed reasonable and necessary to ensure the immediate and long-term success of the apartment in helping to meet identified housing needs in the community is complied with;
- (g) Each apartment shall have a maximum of two bedrooms and with a maximum of two beds and two occupants per bedroom;
- (h) Apartments shall be subject to inspection for compliance with the Town Code and the Building Code by the Fire Marshal, the Building Department, and the Office of Housing and Community Development and may also be subject to inspection upon reasonable notice by Code Enforcement as part of an investigation in response to a complaint.

F. **255-11-63 "Affordable accessory apartments" A "General Requirements" Paragraph (3)** is amended to read in its entirety as follows:

- (3) A ~~an~~ detached affordable accessory apartment shall not be permitted on a lot on which there exists an artist studio, ~~rooming house or boarders, home occupation, home professional office,~~ preexisting accessory apartment, two-family detached dwelling or multiple-family dwelling. ~~The owner of a single family residence with an affordable accessory apartment may not also rent guest rooms pursuant to §~~ **255-11-62C(3)**

G. **255-11-63 A "General requirements" Paragraph (8)** is amended to read in its entirety as follows"

- [8] No more than ~~20~~ 40 affordable accessory apartment permits or building permits for affordable accessory apartments shall be issued in each school district located within the Town of East Hampton. The total number of permits issued for affordable accessory apartments in the Town of East Hampton shall not exceed ~~100~~ 200. The permits will be issued on a first-come-first-served basis. See § 255-11-63C(3)(a)[1] for additional restrictions. The Town Board, as necessary and at their discretion, may adopt, from time to time, a resolution to establish a certain number of units in each school district that are available on less than year-round occupancy.

H. **255-11-63 B "Site requirements." Paragraph (2)** is amended to read in its entirety as follows:

- (2) No affordable accessory apartment within a residence or a detached structure shall be constructed on a lot with a total lot area less than 20,000 square feet. ~~No affordable accessory apartment within a detached structure shall be constructed on a lot with a total lot area less than 30,000 square feet.~~

I. **255-11-63 B "Site requirements." Paragraph (3)** is amended to read in its entirety as follows:

- (3) ~~No affordable accessory apartment shall be permitted on any lot located wholly or partially within a Harbor Protection Overlay District or the Affordable Housing Overlay District. Affordable accessory apartments shall only be permitted on any lot located wholly or partially within the Harbor Protection Overlay District provided all sanitary systems on the lot are either Low-Nitrogen Sanitary Systems or are upgraded to be Low-Nitrogen Sanitary Systems, as the same are defined in section 210-1-4 of the Town Code.~~

J. **255-11-63 C "Permits required; conditional use." Paragraph (1)** is amended to read in its entirety as follows:

- ~~1. In order to construct an affordable accessory apartment, the owner shall apply for a building permit and obtain a temporary certificate of occupancy for the apartment from the Building Inspector. The apartment may not be occupied until an affordable accessory apartment permit from the Town Office of Housing and Community Development is obtained pursuant to § **255-11-63E** herein. A permanent certificate of occupancy conditioned upon use of the apartment as an affordable accessory apartment as defined herein may not be issued by the Building Inspector until an affordable accessory apartment permit is issued.~~

[1] The apartment or principal dwelling is owner-occupied, serving as the owner's legal primary residence. Rent for the remaining dwelling unit is determined by



the affordable guidelines and terms found herein, including but not limited to the rental limits set forth for an affordable housing unit pursuant to § 255-1-20 of the East Hampton Town Code.

- K. **255-11-63 C "Permits required; conditional use." Paragraph (3) "Certificate of occupancy for affordable accessory apartment will not be issued until:" , Subparagraph "(a)", item [1]** is amended to read in its entirety as follows:

[1] The principal dwelling is owner-occupied, except the owner shall be permitted to occupy an affordable apartment within a residence and rent the principal dwelling under the applicable, as determined by the Office of Housing and Community Development, affordable apartment guidelines and terms found herein, including but not limited to the rental limits set forth for an affordable housing unit pursuant to § 255-1-20 of the East Hampton Town Code. ~~This exception shall be limited to up to four affordable accessory apartments within residences within each school district and shall not apply to affordable apartments within detached structures.~~

- L. **255-11-63 C "Permits required; conditional use." Paragraph (3) "Certificate of occupancy for affordable accessory apartment will not be issued until:" Subparagraph "(a)" item [3]** is deleted in its entirety:

~~[3] The affordable dwelling unit will be used only for the year round occupancy of an East Hampton Town resident;"~~

- M. **255-11-63 C "Permits required; conditional use." Paragraph (3) "Certificate of occupancy for affordable accessory apartment will not be issued until:" subparagraph "(a)" item [4]** is re-numbered [3] and amended to read in its entirety as follows:

[3] The affordable ~~accessory apartment~~ dwelling unit is the legal domicile of all tenants therein;

- N. **255-11-63 C "Permits required; conditional use." Paragraph (3) "Certificate of occupancy for affordable accessory apartment will not be issued until:" subparagraph "(a)" item [5]** is re-numbered [4] and amended to read in its entirety as follows:

[5] All leases of the rental apartment shall be in writing, comply with § **255-11-63F** and made available to the Office of Housing and Community Development. ~~and shall be for a minimum of a~~

one-year term;

**255-11-63 C "Permits required; conditional use." Paragraph (3) "Certificate of occupancy for affordable accessory apartment will not be issued until:" subparagraph "(a)" item [5] through [8] are re-numbered [4] through [7].**

**K. 255-11-63 C "Permits required; conditional use." Paragraph (3) "Certificate of occupancy for affordable accessory apartment will not be issued until:" Subparagraph "(a)" item [9] is DELETED.**

~~[9] No more than two persons are permitted to reside in the apartment;~~

**L. 255-11-63 C "Permits required; conditional use." Paragraph (3) "Certificate of occupancy for affordable accessory apartment will not be issued until:" Subparagraph "(a)" items "[10]" through "[12]" are re-numbered "[9]" through "[11]".**

**M. 255-11-63 E "Issuance of an affordable accessory apartment permit; conditions; lease; fees." Paragraph (1) "Application." item (b) is DELETED.**

~~(b) Proof of residency of the tenant(s);~~

**N 255-11-63 E "Issuance of an affordable accessory apartment permit; conditions; lease; fees." Paragraph (1) "Application." Items (c) through (h) are re-lettered (b) through (g).**

**O. 255-11-63 E "Issuance of an affordable accessory apartment permit; conditions; lease; fees." Paragraph (3) "Permit fees." Is amended to read in its entirety as follows:**

(3) Permit fees. The fee for the initial permit application for an affordable accessory apartment permit shall be ~~\$50~~ set and amended, from time to time, by Resolution of the Town Board, and if such application is made to legalize an otherwise illegal apartment, ~~in which case the fee shall be \$500, a different fee,~~ also set and amended, from time to time, by Resolution of the Town Board shall apply, which fees shall be nonrefundable and paid at the time of filing the application, in addition to any other fees required by the Building Department for a building permit.

**P. 255-11-63 E "Issuance of an affordable accessory apartment permit; conditions; lease; fees." Paragraph (4) "Permit renewal" item "(a)" is amended to read in its entirety as follows:**

(a) Any permit issued under this local law may be renewed for an additional term of one year. A ~~complete application~~ renewal form pursuant to Subsection E(1) herein must be filed for a permit renewal. The filing fee for the renewal of an affordable accessory apartment shall be ~~\$25.~~ set and amended, from time to time, by Resolution of the Town Board.

Q. **255-11-63 E "Issuance of an affordable accessory apartment permit; conditions; lease; fees." Paragraph (4) "Permit renewal" item "(c)"** is amended to read in its entirety as follows:

(c) Failure to renew an affordable accessory permit results in the presumption that an affordable accessory apartment is being operated, used, rented, leased and/or maintained by the ~~new~~ owner(s) in violation of law.

R. **255-11-63 E "Issuance of an affordable accessory apartment permit; conditions; lease; fees." Paragraph (5) "Transfer of permits." Item "(b)"** is amended to read in its entirety as follows:

(b) The application for a transfer of the affordable accessory apartment must occur within 90 days of the closing of title, ~~and the main dwelling will be or is the principal residence of the new owner upon sale.~~ Such transfer of the permit will not take effect until the new owner(s) submits a complete application and such application is approved by the Office of Housing and Community Development. In the event an application for a transfer of an accessory permit has not been filed by the new owner(s) in violation of this article, there shall be a presumption that an affordable accessory apartment is being operated, used, rented, leased and/or maintained by the new owner(s) in violation of law.

S. **255-11-63 E "Issuance of an affordable accessory apartment permit; conditions; lease; fees." Paragraph (5) "Transfer of permits." Item "(c)"** is amended to read in its entirety as follows:

(c) Said transfer application shall be subject to Subsection E(1) ~~and (4)~~ herein and payment of the applicable fee

T. **255-11-63 F "Lease." The lease between the owner and the tenant must be in writing and contain the following provisions:"** is amended to strike items (1) through (3) inclusive:

~~(1) A minimum term of one year;~~

~~(2) No more than two persons are permitted to reside in the apartment.~~

~~(3) "The apartment must serve as the year-round legal residence of the tenant, except where the owner occupies the apartment and tenant occupies the principal residence as permitted by § 255-11-63C(3)(a)[1]. Should the tenant occupy the principal residence, said principal residence must serve as the year-round legal residence of the tenant."~~

U. **255-11-63 F "Lease." The lease between the owner and the tenant must be in writing and contain the following provisions:"** is amended to re-number items (4) through (6) as (1) through (3).

V. **255-11-63 G "Occupancy requirements" Paragraph "(1)"** is amended to read as follows:

(1) One or more owners of the lot upon which the affordable accessory apartment is located shall reside within the principal dwelling, or in the affordable accessory apartment as permitted herein, as a primary legal residence ~~year-round resident~~. The owner or owners ~~in residence~~ shall have no other primary residence and must demonstrate legal residency in the Town of East Hampton.

W. **255-11-63 G "Occupancy requirements" Paragraphs "(3)", "(4)" and "(5)"** are deleted in its entirety.

~~(3) No more than two persons are permitted to reside in an affordable accessory apartment."~~

~~(4) The tenant must have established legal residency in the Town of East Hampton prior to occupying an affordable accessory apartment."~~

~~(5) Documents that may be requested to establish legal residency may include but are not limited to:~~

~~(a) Government issued photo identification;~~

~~(b) New York State income tax forms;~~

~~(c) A voter registration card;~~

~~(d) A year-round lease for a residence in the Town of East Hampton with rent receipts;—and~~

~~(e) Any other information the Office of Housing and Community Development deems—necessary to the determination of residency."~~

- X. **255-11-63 H "Design requirements" Paragraph "(1)"** is amended to read in its entirety as follows.

~~(1) The affordable accessory apartment shall be a minimum of 300 square feet and shall not exceed 600 square feet."~~

*(1) A detached affordable accessory apartment shall be a minimum of 300 square feet and a maximum of 600 square feet. An attached affordable accessory apartment shall be a minimum of 300 square feet and a maximum of 50% of the gross floor area of the principal dwelling unit not to exceed 1,200 sq. ft.*

- Y. **255-11-63 H "Design requirements" Paragraph "(2)"** is amended to read in its entirety as follows:

*(2) The affordable accessory apartment shall not contain more than ~~one~~ two conventional bedrooms, and such design shall be in compliance with the New York State Uniform Fire Prevention and Building Code and/or the rules and regulations of any other agency having jurisdiction.*

- Z. **255-11-63 H "Design requirements" Paragraph "(3)"** is deleted in its entirety.

~~*(3) No portion of a single family dwelling structure or affordable accessory apartment shall utilize a cellar, attic or any portion thereof as habitable living space unless a variance is issued by the New York State Uniform Fire Prevention and Building Code Review Board or other agency having jurisdiction.*~~

- AA. **255-11-63 H "Design requirements" Paragraphs "(4)", "(5)" and "(6)"** are re-numbered "(3)", "(4)" and "(5)".

~~(4)~~ (3) At least two off-street parking spaces shall be provided for in a driveway on the lot for the affordable accessory apartment in addition to that parking already utilized by the property owner. The parking of vehicles of the owner and the tenant on the street or on any property other than the lot on which the affordable accessory apartment is located or parking overnight of more than four vehicles on said lot shall be prohibited.

~~(5)~~ (4) For affordable accessory apartments in single-family residences, all exterior entrance doors shall be located at the sides or rear of the dwelling. No exterior changes shall be made so as to alter the single-family appearance of the dwelling.

~~(6)~~ (5) Any detached structure with an affordable accessory apartment shall meet principal structure setbacks as set forth in § **255-11-10** herein, except for in the front yard, where a detached structure with an affordable accessory apartment shall meet the accessory building setbacks. For a waterfront lot, the accessory front yard setback shall be applied for the yard fronting on the street.

## **SECTION II Effective date.**

This local law shall take effect immediately upon filing with the Secretary of State as provided by law.

And be it further

RESOLVED, that the full text of the Code Sections including the proposed changes is available at the Town's website at [www.ehamptonny.gov](http://www.ehamptonny.gov) <<http://www.ehamptonny.gov>> for review; and be it further

RESOLVED, that the Town Clerk is directed to publish the following Notice of Public Hearing in the March 23, 2023 edition of the EAST HAMPTON STAR.

NOTICE OF PUBLIC HEARING

LOCAL LAW NO. \_\_ of 2023

Introductory No. 9\_\_ of 2023

NOTICE IS HEREBY GIVEN that the Town Board of the Town of East Hampton will hold a public hearing on Thursday, April 20, 2023 at 11:00 a.m. or as soon thereafter as this matter may be heard, at Town Hall, 159 Pantigo Road, East Hampton, New York to consider a local law, an abstract of which is as follows:

A local law law entitled: "A LOCAL LAW amending Chapter 255 "Zoning" related to affordable accessory apartments, including amendments to 255-1-20 "Definitions", "Apartment or residence", 255-5-50 "Specific standards and safeguards", "Apartments within Commercial Structures"; 255-11-63 "Affordable accessory apartments", "General Requirements"; 255-11-63 B "Site requirements." 255-11-63 C "Permits required"; 255-11-63 E "Issuance of an affordable accessory apartment permit; conditions; lease; fees."; 255-11-63 F "Lease."; 255-11-63 G "Occupancy requirements"; and 255-11-63 H "Design requirements"" to amend provisions related to affordable accessory apartments, varying the requirements to add such an apartment to a property within the Town of East Hampton as well as the qualifications for those desiring to occupy such premises. The Town last updated affordable apartment regulations through a pilot program in 2016 that succeeded in creating nearly 50 affordable housing units, roughly half the total allowed under the program. After detailed review of the code, surveys of community members and organizations and an updated assessment of housing needs within the community, the Town is seeking to simplify the application process and code regulating affordable apartments as well as allow for a total of up to 200 total units throughout Town.

The full text of the local law is available for review on the Town's website at <https://www.ehamptonny.gov> and is also available for review at the office of the Town Clerk, 159 Pantigo Road, East Hampton, New York.

The public hearing will be held live and in-person by the Town Board and will be available electronically by video and teleconferencing, and will be televised on Local TV (LTV) Channel 22, and available for livestream on the LTV website (<<https://www.ltveh.org>>). The public shall be permitted to appear in person but may also provide comments on the matter being heard by calling 351-888-6331.

Any person or party wishing to be heard with respect to the foregoing may do so, in person or by agent, or by attorney, or by call-in to the live stream, or by written comment addressed to the East Hampton Town Clerk, 159 Pantigo Road, East Hampton, New York 11937. Comments may also be submitted to the Town Clerk by email to [CBrennan@ehamptonny.gov](mailto:CBrennan@ehamptonny.gov). All comments must be received by the Town Clerk by the date and time of the public hearing.

Please check the meeting Agenda posted on the Town's website ([www.ehamptonny.gov](http://www.ehamptonny.gov)) for any changes, and for updated information.

Dated: March 16, 2023

BY ORDER OF THE TOWN BOARD

TOWN OF EAST HAMPTON

CAROLE A. BRENNAN

TOWN CLERK

**RESULT: ADOPTED AS AMENDED [UNANIMOUS]**

**MOVER:** Sylvia Overby, Councilmember

**SECONDER:** Cate Rogers, Councilmember

**AYES:** Burke-Gonzalez, Lys, Overby, Rogers, Van Scoyoc