

MEMORANDUM

TO: East Hampton Town Board

FROM: East Hampton Town Business Committee

DATE: July 2026

RE: Building Department – 100-Point Checklist & Permit Delays

The Business Committee supports the Town Board and Building Department's goal of improving adherence to codes and ensuring public safety. The 100-point checklist is a valuable reference tool for the industry. However, we have serious concerns about its timing, implementation, and the ongoing permit backlog—all of which are causing significant hardship for local businesses, tradespeople, and residents.

The Backlog Crisis

Prior to the current issues with the Building Department, builders operated under the expectation of approximately 1-3 month permit timelines; current timelines have stretched massively to levels up to 1 year, that everyone agrees are unacceptable. This has created a cascading effect: homeowners are unhappy, local workers are idle, local supply houses are not fulfilling orders, local businesses are losing money, and property owners face extra costs, price escalations and delayed projects. Local small businesses are faltering as a result. Local businesses and property owners operating in good faith should not be penalized by administrative delays. Expedient permit issuance is essential to a healthy local economy and required by East Hampton Town Code.

The Board and the Building Department are working hard to address this with increased staffing and better organization/process. We applaud those efforts and the progress achieved to date. However, the current issues are not close to being resolved and we are now concerned that the implementation of the new 100-point checklist and much more detailed and stringent review of plans will once again extend the approval time significantly. This will create a full 2nd round of delays, increased backlog, and additional workload at the Building Department and potentially fully negate any progress that has been started towards fixing the current crisis. We have been hearing of recent permit reviews by the Building Department resulting in requests by the Building Department to update the plans with HUNDREDS of comments and edits. This appears to be occurring to submitters who have had a long track record of working with the Town with no prior significant issues with their plans, code compliance or safety records. These clearly indicate that the Building Department is now performing a completely new much more detailed level of review and this is resulting in requests for additional notations and edits to plans that previously would not have had to do this. This then requires the submitters (who have already been waiting 8-10 months for review) to have to make all the updates before they can resubmit, resulting in significant further delays and cost. It is unclear how much extra time this will add as it is unknown how long it will be before the Building Department re-reviews the plans after re-submission. But it seems likely to add potentially months.

Accordingly, in our role as advisors to the Town Board, we have prepared several recommendations that we think will greatly reduce the risk of having a new crisis relating to the Building Department even before the current crisis is resolved.

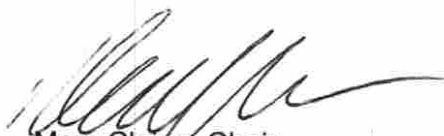
Recommendations

- **Delay checklist enforcement until the backlog is cleared.** Before adding requirements that compound the backlog, the Town and Department should first return to meeting standard timelines for permit review and issuance before implementing new requirements.
- **Grant a formal grace period.** As with the GFA town code adoption, we recommend a structured grace period so that architects, engineers, homeowners and builders can align their processes with the new requirements without disrupting active projects. We recommend making the checklist apply only to NEW applications received AFTER a future date to be tied to when the Building Department has caught up and is meeting the required timelines. This has the added benefit of not penalizing all the prior applications that were prepared and submitted prior to the brand-new checklist being created and issued. This is only fair to everyone who has already prepared and submitted applications following the prior established process.
- **Move to a conditional approval model.** Once the grace period has passed, phase in the implementation by separating minor, non-life-safety items, and issuing plan approval with attached conditions and a stated compliance deadline (e.g., "Approved subject to submission of brace wall detail by [date]") rather than rejecting and restarting the review clock. This keeps permitting moving while ensuring full compliance.
- **Leverage Open Gov for communication.** Use the Open Gov portal to distribute the checklist broadly and communicate updates and timelines for implementation, ensuring equal access to current guidelines for all industry participants.
- **Refocus on field code enforcement.** Licensed architects stamp plans to certify code compliance; Licensed engineers stamp plans to certifying their work meets codes; Licensed HERS raters stamp their plans certifying their work to meet codes; Licensed surveyors stamp their plans certifying their work complies with all codes and rules. Each of these licensed professionals bears the direct financial liability for any errors in their work and failure to comply with codes. The Building Department's role should be focused mainly on field inspection and code enforcement, not plan re-authoring. The checklist is best used as a training tool for new inspectors and a reference for the industry—not as a gate that duplicates the architect's, engineer's, surveyor's and HERS rater's professional responsibility.

We welcome the opportunity to meet with the Board and Department to discuss these recommendations and collaborate on solutions that serve both the public interest and the health of our local building industry, and that help reduce the workload and staffing demands on the Building Department.

Note from Committee Voting to approve these recommendations and memo:

Votes in favor 9, opposed 1



Marc Clejan, Chair