

1. February 8, 2017

Documents:

[0208.PDF](#)

2. Subdivision Review - Hren's Preliminary

Documents:

[HRENS03526720170203132604.PDF](#)

3. Site Plan Review - Montauk Brewery

Documents:

[MNTK BREW03488020170131130606.PDF](#)

4. Site Plan Review - NCW At East Hampton Recycling Center PWSF

Documents:

[NEWCINGULAR03526620170203132414.PDF](#)

**PLANNING BOARD
TOWN OF EAST HAMPTON**

AGENDA FOR MEETING OF: February 8, 2017

Board of Review:

Building Permit – Map 11, Lots 1-7, UR #38 in EH-12; Minnick

Planning Board Log: AT&T at Iacono Farm Site Plan/PWSF; Montauk Manor On-Site Restaurant SP; Dittmer SW; Bustamante/Krajicek LLM; Montauk Energy Storage Center, LLC SP/SP; East Hampton Energy Storage Center, LLC SP/SP

REGULAR MEETING

SUBDIVISIONS:

SUBWAIVERS:

SITE PLANS:

Peconic Land Trust
Barn and Storage

Approval

Leber/Amagansett

OTHER:

Adoption of Minutes: February 1, 2017

URBAN RENEWAL:

COMPREHENSIVE PLAN:

OLD FILED MAPS :

PUBLIC HEARINGS :

**PLANNING BOARD
TOWN OF EAST HAMPTON
WORK SESSION:
February 8, 2017**

SUBDIVISION REVIEW:

Hren's Preliminary

Leber/Pahwul/Amagansett

SUBWAIVER REVIEW:

SITE PLAN REVIEW:

Montauk Brewery
New Cingular Wireless
at East Hampton Recycling Center PWSF

Keeshan/Schantz/Montauk
Cunningham/Schantz/East Hampton

COMPREHENSIVE PLAN:

ZONE CHANGES:

OTHER:

55 Wainscott Hollow Road Final Subdivision Agricultural Reserve Discussion

URBAN RENEWAL:

OLD FILED MAPS :



TOWN OF EAST HAMPTON

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Planning Department
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February 2, 2017

TO: Planning Board

FROM: JoAnne Pahwul, AICP
Assistant Planning Director

RE: Hren's Nursery Preliminary Subdivision & Site Plan
SCTM#300-166-6-7.1

Last Review Date: June 1, 2016

Background Information:

The subject parcel is proposed to be subdivided into two residential lots, consisting of 33,987 sq. ft. and 37,044 sq. ft. respectively, an 80,460 sq. ft. commercial lot containing the pre-existing, nonconforming nursery business, and a 53,513 sq. ft. agricultural reserved area.

A public hearing was held on the subdivision and site plan applications on May 18, 2016. The Planning Board discussed the summary of public hearing comments on June 1, 2016 and determined that the comments had been adequately addressed. Comments from the Suffolk County Planning Commission dated June 6, 2016 were subsequently received. A Planning Department memorandum dated July 28, 2016 discussing the Planning Commission comments and summarizing the conditions of approval was adjourned from the Board's agenda, at the applicant's request, to allow a question regarding access over a tap street to Eileen's Path, a public road in an adjoining subdivision, to be further addressed. In a letter dated January 26, 2017, the applicant requested that the Planning Board proceed to grant the subdivision approval.

Issues for Discussion:

Suffolk County Planning Commission

Comments from the Suffolk County Planning Commission dated June 6, 2016 were received. The SCPC found the application to be a matter for local determination. A comment was offered that the creation of land locked parcels should be avoided.

The Planning Department notes that the parcel has frontage on both Montauk Highway and a future tap street to Eileen's Path, a public street in an adjoining subdivision map. Access to the commercial lot is proposed from Montauk Highway and access for the residential lots over the tap street. If the applicant is not able to obtain access over the tap street, the map will need to be revised to provide access to Montauk Highway for all of the lots.

Access over Tap Street to Eileen's Path

Planning Board Counsel has suggested that the following condition regarding access be made part of the subdivision approval. The applicant has agreed to this condition of approval.

“The applicant shall secure approval by way of acquisition or easement, of a right to utilize the “future road” set forth on the Map entitled Skimhampton and recorded in the County Clerk's office as Map No.8063 dated February 19, 1986 as access for the subdivision as approved. In the event that the applicant is unable to secure legal access over the “future road”, applicant must apply for and obtain a modification to the Map to provide for access via Montauk Highway, which modification may require re-design of lot layout and possible additional public hearings by this Board.”

Office of Fire Prevention

By letter dated November 24, 2014, the Chief Fire Marshal advised that the project is adjacent to a public water supply for fire fighting purposes.

Town Engineer Comments

By memorandum dated July 3, 2013, the Town Engineer found the engineering elements of the project to be satisfactory.

Site Plan Approval

The site plan is proposed on Lot 1 of the Hren Nursery Subdivision and will not represent a separate lot as depicted until the subdivision has been completed. The Planning Board has reviewed the site plan in order to ensure that the lot being created can accommodate the existing nursery business. However, Counsel has advised that the subdivision will need to be finalized before granting site plan approval.

Subdivision Approval

Items to Be Approved:

- Yield Map prepared by George Walbridge Surveyors P.C., dated January 10, 1990,
- Preliminary Subdivision Map prepared by George Walbridge Surveyors and dated revised October 10, 2014.

Conditions of Approval:

1. The applicant shall prepare and submit a revised final Map containing the following additional notations:

- (a) "A Declaration of Covenants and Restrictions has been filed in the Office of the Suffolk County Clerk which affects the lots shown on this Map. The Covenants and Restrictions contained in that Declaration are binding upon all lot owners and, where a conflict exists, are controlling over the statements made on the face of this Map and over all less restrictive provisions of the Town's Zoning Laws."
- (b) "Lot 1 shall take access to and from Montauk Highway."
- (c) "Lots 2 and 3 shall share a single common driveway as shown on the Map."
- (d) "Lots 2 and 3 shall take driveway access over a tap street from Eileen's Path in the locations shown on the Map."
- (e) "The agricultural reserved area shown on the Map is subject to an agricultural easement granted to the Town of East Hampton."
- (f) "No buildings or structures, except fences and driveways, shall be constructed within ten (10) feet of an agricultural easement boundary. "

2. Ownership of the reserved shall be specified.
3. The applicant shall obtain approval from the Suffolk County Department of Health Services.
4. As a condition of final approval, the applicant shall secure approval by way of acquisition or easement, of a right to utilize the "future road" set forth on the Map entitled Skimhampton and recorded in the County Clerk's office as Map No.8063 dated February 19, 1986 as access for the subdivision as approved. In the event that the applicant is unable to secure legal access over the "future road", applicant must apply for and obtain a modification to the Map to provide for access via Montauk Highway, which modification may require re-design of lot layout and possible additional public hearings by this Board.

Conclusion

The Suffolk County Planning Commission found the application to be a matter for local determination. The applicant and Town Attorney have agreed on a condition of approval that will ensure legal access to the lots in the subdivision. The application appears to be ready for preliminary approval.

Planning Board Consensus:

The Planning Board should discuss whether the application is ready for preliminary subdivision approval based on the plans and conditions listed above.

Additional comments: _____

Additional Board Comments:



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January 30, 2017

TO: Planning Board

FROM: Eric Schantz *E.S. mw*
Senior Planner

RE: Montauk Brewery – Site Plan Modification II
SCTM# 300-49-1-5

Last Review Date: Approved April 3, 2013 and modified April 17, 2013

Items and Date Received: Revised site plan/survey prepared by William J. Walsh Surveyors dated last revised June 30, 2015, application form

Background Information: Application was previously approved to change the use of an existing two-story (1,200 sq ft. first floor with ~500 sq ft. second story loft) commercial building from a woodworking shop with a retail showroom to a retail (only) use (as per the Senior Building Inspector's determination dated 02/08/12).

The subject modification request is to legalize three (3) 100 gallon propane tanks on a concrete pad on the eastern side of the property. As well as some minor changes including the change of an area of asphalt to concrete.

The subject parcel is zoned CB: Central Business and is situated in downtown Montauk on South Erie Avenue. It is 4,100 sq. ft. in lot area and is surrounded by commercial, park and institutional uses.

Issues for Discussion:

Propane Tanks and Brick Patio

The applicants have proposed three (3) propane tanks along the eastern side of the property, roughly 1' from the property line which borders a property with a transient motel use which is zoned RS: Resort. Pursuant to section 255-1-10, accessory structures must have 10' setbacks unless the Board elects to waive this, which is commonly done for minor accessory structures in commercial zones. However, it is noted that there is no fencing along this property line, just a narrow hedge.

The Board should discuss whether or not the location of the propane tanks is acceptable. The Planning Department does not object to this location but notes that a 6' tall stockade fence along this property line may be prudent to screen both the propane tanks and the other items mentioned below. Additionally, the Planning Board should not approve the requested modification until the Fire Marshal has stated that this is an acceptable location.

An asphalt patio at the front of the building has been changed to brick. The Planning Department does not object to this change but the Board should refer to the comments of the Town Engineer to insure that handicapped accessibility has been preserved.



Ramp for handicapped accessibility

Outdoor Storage

There are many items being stored around the periphery of the site including wooden pallets and kegs. Additionally, a trailer and some other items are being stored in the Town alleyway to the rear. The Board should discuss the needs for outdoor storage with the applicants and an area should be designated on the site plan, if needed. The Board should also discuss with the applicants whether or not these items can be stored inside the existing building or if a new storage structure should be provided. Any new structures or storage areas should be factored into the coverage calculations on the site plan accordingly. All items within the Town right-of-way must be removed.

Seating

Chapter 255 of the Town Code does not provide for indoor or outdoor seating in conjunction with a (wet) retail use, although the Suffolk County Department of Health Services (SCDHS) has traditionally allowed up to sixteen (16) interior seats (occupancy limits allowing) for such uses. At the time of the Planning Department's site inspection (January 30, 2017), there were five (5) large and two (2) small picnic tables on the brick patio. It also appeared that there was indoor seating in the front (retail) portion of the building. Although the Board and/or applicants may wish to discuss this issue with Counsel and/or the Principal Building Inspector, it does not appear that this seating can remain. It is noted that photographs from 2013 show one (1) large picnic table on-site. However, this is not illustrated on the approved site plan.



Outdoor seating



Outdoor seating



Eastern property line looking southward



Items within the Town alleyway

Conclusion

In conclusion, the modification application is incomplete until the aforementioned issues have been addressed.

ES

Is the proposed location of the propane tanks acceptable? Should additional screening (6' tall stockade fence) be provided?

Additional comments: _____

Should an area/structure for storage be added to the site plan?

Additional comments: _____

Should the items within the Town alleyway be removed?

Additional comments: _____

Should the outdoor and indoor seating be removed? Will the Board seek a determination/clarification of this issue from either Counsel or the Principal Building Inspector?

Additional comments: _____

Additional Board Comments:



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February 2, 2017

TO: Planning Board

FROM: Eric Schantz *ES*
Senior Planner *mw*

RE: New Cingular Wireless PCS, LLC (aka AT & T) @ East Hampton
Recycling Center Personal Wireless Service Facility (PWSF) – Site
Plan/Special Permit
SCTM# 300-145-3-16.1

Last Review Date: Public hearing held December 7, 2016

Items and Date Received: N/A

Background Information: Application has been made to construct a new Personal Wireless Service Facility (PWSF) consisting of a 199' tall monopole with eight (8) sectors accommodating two (2) antennas each. Also proposed is a fenced-in equipment compound and roughly 12' X 20' (240 sq. ft.) shed at the base of the monopole.

The parcel is zoned CI: Commercial Industrial and is situated on Springs – Fireplace Road. It is owned by the Town of East Hampton and is the location of offices for the Town Highway Department as well as the Town's East Hampton Recycling Center. The property already has a ~150' tall cell tower which currently contains equipment for Sprint and T-Mobile, with Verizon having a previous approval to add their equipment to the existing tower. The subject application proposes no new equipment on the existing tower.

Issues for Discussion:

Suffolk County Planning Commission

The Board has received comments from the Suffolk County Planning Commission (by letter dated January 23, 2017) who has found the application to be a matter for local determination.

RF Engineer's Report

The applicants have submitted an RF Engineer's report (prepared by Pinnacle Telecom Group dated August 1, 2016) which verifies that the proposed changes to the facility will be in compliance with Federal Communications Commission standards.

Structural Analysis

The applicants have submitted a letter from Wells L. Holmes, P.E. dated September 14, 2016 which verifies that the structure meets all applicable regulations regarding wind and ice load and that it can accommodate not only New Cingular Wireless' equipment but also at least three (3) panel antennas in each of the eight (8) sectors.

Office of Fire Prevention

By letter dated October 3, 2016 the Office of Fire Prevention stated that no additional information is necessary for fire-fighting purposes.

Town Engineer

This application has been referred to the Town Engineer who offered no comments with regard to the proposed project.

Architectural Review Board (ARB)

This application has been referred to the ARB who offered no comments with regard to the proposed project. The Planning Board should make ARB approval a condition of site plan approval, should it choose to grant it.

Conclusion

In conclusion, should the Board agree then it appears that the application is ready for approval at this time.

ES

Items to Be Approved:

- A set of plans prepared by Dewberry Engineers, Inc. dated revised September 13, 2016 including: Title Sheet (T01), Tax Map & Key Map (Z01), Site Plan and Notes (Z02), Equipment Plan and Antenna Plan (Z03), North & West Elevations (Z04), South & East Elevation (Z05), and Equipment Details (Z06)
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Conditions of Approval:

- ARB approval

Planning Board Consensus

Is the application ready for approval?

Additional comments: _____

Additional Board Comments: