



TOWN OF EAST HAMPTON

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Planning Department
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SITE PLAN INITIAL EVALUATION

J Cucci – Site Plan/Special Permit

SCTM#300-145-5-22.1

74 Queens Lane, East Hampton

Prepared by: Eric Schantz
Senior Planner 

Date: May 7, 2020

1. APPLICATION INFORMATION

- A. **INFORMATION RECEIVED:** 07/19/17 Applicant submission; cover letter; EAF Part I, application form, narrative, survey prepared by Saskas Surveying Company, P.C dated last revised February 13, 2020
- B. **DATE SUBMITTED:** March 13, 2020
- C. **OWNER:** D & D Cucci, LLC
- D. **APPLICANT/AGENT:** Jeffrey Freireich c/o Whalen Filer
- E. **SCHOOL DISTRICT:** East Hampton
- F. **STREET NAME:** 74 Queens Lane
- G. **TYPE OF STREET:** Town
- H. **ZONING DISTRICT:** CI: Commercial Industrial
- I. **SEQRA - TYPE OF ACTION:** Unlisted
- J. **INVOLVED AGENCIES:** Architectural Review Board
- K. **OTHER REVIEW:** Office of Fire Prevention, Suffolk County Planning Commission

2. DESCRIPTION OF PROJECT

- A. **PROPOSED USE(S) AS CLASSIFIED BY TOWN CODE:** See issues for discussion
- B. **EXISTING USE(S) AS CLASSIFIED BY TOWN CODE:** Single-Family Residence
- C. **ARE THE EXISTING & PROPOSED USES PERMITTED OR SPECIAL PERMITTED BY THE TOWN CODE?** See issues for discussion
- D. **AREA OF PARCEL (SQUARE FEET):** 16,201 sq. ft.
- E. **MOST RECENT CERTIFICATE OF OCCUPANCY:** 4/23/02 Fernando

& Annabelle Sanabria – 886 sq. ft. one-story, frame, one family residence having one kitchen only

- F. DESCRIPTION OF EXISTING STRUCTURES:** Single family residence with associated accessory structures, exterior storage
- G. DESCRIPTION OF PROPOSED STRUCTURES:** Gravel storage yard
- H. EXISTING & PROPOSED LOT COVERAGE:** Existing: 5.53%, proposed: 5.53%
- I. EXISTING & PROPOSED TOTAL COVERAGE:** Existing: 18.84%, Proposed: 62.95%
- J. HEIGHT OF PROPOSED STRUCTURES:** N/A
- K. NUMBER OF STORIES OF PROPOSED STRUCTURES:** N/A
- L. NUMBER OF EXISTING PARKING SPACES:** 2
- M. NUMBER OF PARKING SPACES REQUIRED:** see issues for discussion
- N. TOTAL PARKING SPACES PROVIDED:** See issues for discussion
- O. VARIANCES REQUIRED:** None appear to be needed
- P. DOES EXISTING & PROPOSED LIGHTING COMPLY WITH BOARD POLICY?** See issues for discussion below
- Q. DISTANCE TO PUBLIC WATER:** @ Queens Lane
- R. SOURCE OF WATER SUPPLY:** Public
- S. METHOD OF WASTE DISPOSAL:** Individual sanitary system (for residence)
- T. DO SANITARY CALCULATIONS COMPLY WITH SCDHS STANDARDS?** Not provided, no change
- U. NUMBER OF ACCESS POINTS:** 2
- V. IS SIGHT DISTANCE ACCEPTABLE?** To be determined

3. SUBMISSION REQUIREMENTS PURSUANT TO CHAPTER 255 (LIST ITEMS AND SECTION FOR THOSE ITEMS NOT SUBMITTED)

See issues for discussion below

4. SITE ANALYSIS:

- A. SOIL TYPE:** P1A: Plymouth loamy sand, 0 - 3% slopes
- B. FLOOD HAZARD ZONE:** X
- C. DESCRIPTION OF VEGETATION:** 100% cleared (lawn & scattered mature Oaks)
- D. RANGE OF ELEVATIONS:** Not provided
- E. NATURE OF SLOPES:** Flat
- F. TYPE OF WETLANDS WITHIN NRSP JURISDICTION:** N/A
- G. SETBACK FROM ANY WETLAND OR WATER BODY:** >500'
- H. ARE THERE TRAILS ON SITE?** No
- I. DEPTH TO WATER TABLE:** Information not provided
- J. DOES THE SITE CONTAIN HISTORIC OR ARCHAEOLOGICAL RESOURCES?** None have been identified
- K. IS THE SITE CONTAINED WITHIN:**

NYS Significant Coastal Fish & Wildlife Habitat	No
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Local Significant Coastal Fish & Wildlife Habitat	No
US Fish & Wildlife Significant Ecological Complex	No
PEP CLPS list	No
Town Community Preservation Fund List	No
Scenic Area of Statewide Significance	No
Suffolk County designated Pine Barrens	No
South Fork Special Groundwater Protection Area	Yes
Town Overlay District	No

Other Background Information:

Site plan application has been made for a fenced - in, gravel base, facility for portable sanitary units, supplies and vehicles on a parcel containing a legally pre-existing, non-conforming single-family residence.

The property is situated on Queen’s Lane within the Springs Fireplace Road Corridor and is zoned CI: Commercial Industrial. It is 100% un-cleared of natural vegetation. The neighboring properties to the east, west, north and south are also zoned CI: Commercial Industrial and contain industrial uses.

Issues for Discussion:

SEQRA

Pursuant to SEQRA and Chapter 128 of the Town Code the proposed project is an unlisted action. The Planning Department recommends that the Board declare lead agency status.

Definition and History of Use

The applicants have applied for a “service commercial” use which is defined in section 255-1-20 of the Town Code as follows:

“SERVICE COMMERCIAL

A place of work for building trade shops or contractors, including but not limited to electrician, plumbing, landscaping, building and construction contractors' shops”

This use definition has most commonly been applied to shops (i.e. buildings) where contractors store and routinely service equipment for contractors. The applicants appear to be proposing something more like a “storage yard” as they are proposing no new buildings but rather an outdoor area for storage of various items for an individual contractor business. Storage yard is not a specifically defined use in section 255-1-20 but it is within the use tables (255-11-10).

Service commercial is a special permit use in the CI: Commercial Industrial Zoning District and storage yard is a permitted use. The applicants should outline the proposed nature of the use in more detail for the Board at this time and the Board may wish to consult the Building Inspector as to what the proper use definition should be.

It appears based upon a review of Building Department records and aerial photographs that the rear portion of this property has been used for storage since at least 2004, without the benefit of site plan approval.



2004 aerial photograph



2010 aerial photograph



2013 aerial photograph



2016 aerial photograph

Groundwater Protection

The parcel is situated within the South Fork Special Groundwater Protection Area. The submitted plans do not indicate any proposed storm water control structures or calculations.

The plans indicate that the storage area is to be gravel but no standard cross section, which would illustrate any proposed layers of different base to top materials (e.g. RCA, RAP, Etc.), has been provided. If the storage area is simply to be a layer of gravel, such a design would allow any hazardous liquids spilled to directly leach into groundwater.

The applicants should include in a narrative what items are proposed to be stored on the site. Particularly, hazardous materials such as liquid fuels for the vehicles stated to be stored on-site, chemicals substances needed to sterilize portable toilets, or equipment need to insure the same. The need for structures that could contain potentially hazardous materials should be discussed.

On-Site Uses

The property has a certificate of occupancy for a modestly sized, yet pre-existing, non-conforming use in the form of a (866 sq. ft, one-story, single-family residence) single-family residence, a non-conforming use in a CI: Commercial Zoning District. The applicants propose a second, conforming use.

Section 255-2-45 A (1) and (2) of the Town Code references the number of allowable uses on a lot:

(1) *“Any one residential district lot or any one residential property: one use, or agriculture and/or animal husbandry plus one other use.*

(2) *“Any one commercial district lot or any one commercial property in any district: two uses....”*

The definitions of “commercial property” and “residential property” indicate that this is a residential property and that a commercial use would only be permitted if the residence were removed”

“COMMERCIAL PROPERTY

Any lot containing a nonconforming business use and any vacant or improved lot in a commercial use district, unless the only principal use or uses on that lot are one or more single-family residences. See "residential property."

RESIDENTIAL PROPERTY

Any lot in any district on which there are located one or more single-family residences as the only principal use or uses on the lot, and any vacant lot in any single-family residential district.”

Parking, Access Lanes and On-Site Circulation

The project description states that vehicles will be stored on the site. No parking spaces or access lanes have been illustrated and this will be required to determine compliance with the Code.

The rear storage area is about ¼ of an acre and oddly shaped, making it constrained and limiting areas where vehicles would be able to meet Code required dimensions for parking spaces and access lanes as well as turning abilities. It appears that the only area which could possibly meet these standards would be the northern part of the storage area.

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Parking spaces and access lanes need to be illustrated on a site plan. The type and size of vehicles to be stored on site should be identified in order to determine if on-site circulation is adequate.

Access to the rear storage area is currently taken across the property to the immediate north (SCTM#300-145-5-21.001), 76 Queens Lane. The applicants should clarify if this is still intended to be the method of access and if so, an easement or other instrument ensuring this access point in perpetuity will need to be established.

Traffic

No estimates of generated vehicular traffic have been provided. This information should be required, particularly given the lot's location within the Springs Fireplace Road Corridor which already has a large volume of traffic, much of it for large commercial vehicles.

Dimensional Regulations

It appears that the proposed project meets all dimensional requirements with the exception that the storage area has been proposed right up to the rear and both side property lines. The minimum required rear and side yard setbacks from these property lines are 25' and 15', respectively. However, the Board has the authority to waive accessory structure setbacks pursuant to section 255-6-63 of the Town Code. The property is entirely surrounded by CI: Commercial Industrial zoning. The Board should determine whether or not to waive the accessory structure setbacks.

Lighting

No information pertaining to exterior lighting has been submitted. If lighting is proposed a lighting plan should be submitted.

Landscaping

No information pertaining to additional landscaping or screening has been submitted. The Board should determine if this is necessary. It would be beneficial to add screening along Queens Lane and possibly a scenic easement, although the lot does not have a significant length of frontage along this roadway.

Site Plan Elements

A full site plan including the following is required:

- Proper title
- Drainage control structures
- Sanitary systems (including existing and proposed systems and sanitary calculations)
- Parking calculations

Architectural Review Board

The applicants have submitted an application to the ARB and this involved agency's approval will ultimately be required.

Conclusion

In conclusion, the application is incomplete pending the resolution of the aforementioned issues and the submission of the required items.

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Planning Board Consensus

Declare lead agency?

Additional comments: _____

Should the applicants clarify what items are proposed to be stored on the site. Particularly, hazardous materials such as liquid fuels for the vehicles stated to be stored on-site, chemicals substances needed to sterilize portable toilets, or equipment need to insure the same?

Additional comments: _____

Should details regarding parking, access and on-site circulation be provided?

Additional comments: _____

Should information regarding generated traffic be submitted, including possibly a traffic study?

Additional comments: _____

Should any additional landscaping or screening be provided?

Additional comments: _____

Additional Board Comments:
