TOWN OF EAST HAMPTON
300 Pantigo Place – Suite 105
East Hampton, New York 11937-2684

Planning Department
JoAnne Pahwul, AICP
Director

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SITE PLAN INITIAL EVALUATION
Southampton Hospital Freestanding Emergency Department – Site Plan/Special Permit
SCTM#300-165-5-22
400 Pantigo Place, East Hampton

Prepared by: Eric Schantz
Senior Planner

Date: July 29, 2020

1. APPLICATION INFORMATION

A. **INFORMATION RECEIVED**: 07/17/20 Applicant submission; Cover letter re: Twenty-One (21) copies of the Town of East Hampton Site Plan/ Special Permit Application; Twenty-One (21) copies of a survey of the property prepared by The Raynor Group, P.E. & L.S. PLLC, dated November 1, 2019;Twenty-One copies (21) of Traffic Impact Study prepared by Dunn Engineering Associates dated December 2016; Twenty-one (21) copies of the Full Environmental Assessment Form, Part 1, pursuant to SEQRA; Complete Architectural Plans, Landscaping Plans, Engineered Grading and drainage Plans, and Site Plans prepared by Perkins Eastman, dated March 2, 2020, last revised July 8, 2020. General Sheet (G-00 Cover Sheet / Drawing List Site Review), Survey (SU – 100 Existing Site Survey); Civil (C-001 Reference Drawings); (C-002 Reference Drawings); (C-111 Erosion and Sediment Control Plan); (C-121 Site Removals); (C-131 Site Plan); (C-141 Grading and Drainage Plan), (C-142 Drainage Geometry Pan); (C-151 Utility Plan); (C-161 Site Lighting Plan); (C-501 Site Details); (C-502 Storm water and Utility Details 1), (C-503 Storm water and Utility Details 2); (C-504 Storm water and Utility Details 3);Landscape (L-100 Landscape Plan); Site (AS-001 Contextual Site Plan); (AS -002 (G-2 Helipad Diagram); (AS-100 Architectural Site Plan); Architectural Plan (A-100 1st Floor- Plan); (A-103 Mechanical Roof – Plan), (A-104 Roof – Plan), (A-200 A Building Isometrics & Exterior Envelope Legend); (A-201 Build Elevations); (A-210 Building Sections); (A-211 Building Sections); (A-400 Garage – Plans, Elevations, Sections and Legend).

B. **DATE SUBMITTED:** July 17, 2020

C. **OWNER:** Town of East Hampton

D. **APPLICANT/AGENT:** Stony Brook Southampton Hospital
E. **SCHOOL DISTRICT:** East Hampton
F. **STREET NAME:** 400 Pantigo Place
G. **TYPE OF STREET:** Town
H. **ZONING DISTRICT:** PC: Parks & Conservation, Affordable Housing Overlay District (AHO)
I. **SEQRA - TYPE OF ACTION:** Type I
J. **INVOLVED AGENCIES:** Town Board, Architectural Review Board, Suffolk County Department of Health Services, New York State Department of Health, New York State Department of State, Dormitory Authority State of New York
K. **OTHER REVIEW:** Fire Marshal

2. DESCRIPTION OF PROJECT

A. **PROPOSED USE(S) AS CLASSIFIED BY TOWN CODE:** Semi-public facility
B. **EXISTING USE(S) AS CLASSIFIED BY TOWN CODE:** Recreational open space
C. **ARE THE EXISTING & PROPOSED USES PERMITTED OR SPECIAL PERMITTED BY THE TOWN CODE?** See issues for discussion
D. **AREA OF PARCEL:** 196,026 sq. ft.
E. **MOST RECENT CERTIFICATE OF OCCUPANCY:** None
F. **DESCRIPTION OF EXISTING STRUCTURES:** four dugouts, two baseball fields, a comfort station and associated parking, lighting, etc.
G. **DESCRIPTION OF PROPOSED STRUCTURES:** Proposed new freestanding Emergency Department and Outpatient Diagnostic and Imaging Center. The Hospital Emergency Department is proposed to be approximately 23,830 s.f. with an accessory Ambulance Garage of approximately 810 s.f., helipad, and Generator Enclosure of approximately 456 s.f. The proposed design will create a new revised traffic connection to Pantigo Place and Town Hall, parking, landscaping, lighting and utilities.
H. **EXISTING & PROPOSED LOT COVERAGE:** Existing: 1.5%, Proposed: 13%
I. **EXISTING & PROPOSED TOTAL COVERAGE:** Existing: Information not provided, Proposed: 53%
J. **HEIGHT OF PROPOSED STRUCTURES:** Emergency Department: 35', Ambulance Garage: 16' 6", Generator Enclosure: 13' 4"
K. **NUMBER OF STORIES OF PROPOSED STRUCTURES:** All 1 story with Emergency Department containing mechanicals on rooftop.
L. **NUMBER OF EXISTING PARKING SPACES:** 78
M. **NUMBER OF PARKING SPACES REQUIRED:** See issues for discussion
N. **TOTAL PARKING SPACES PROVIDED:** 72
O. **VARIANCES REQUIRED:** None appear to be required
P. **DOES EXISTING & PROPOSED LIGHTING COMPLY WITH**

BOARD POLICY? It appears to comply

Q. **DISTANCE TO PUBLIC WATER:** @ Pantigo Place
R. **SOURCE OF WATER SUPPLY:** Suffolk County Water Authority
S. **METHOD OF WASTE DISPOSAL:** On-site low nitrogen sanitary system
T. **DO SANITARY CALCULATIONS COMPLY WITH SCDHS STANDARDS?** It appears to comply
U. **NUMBER OF ACCESS POINTS:** 1 (emergency access to Town Hall)
V. **IS SIGHT DISTANCE ACCEPTABLE?** To be determined
W. **IS THE PROPOSAL ADA COMPLIANT?** To be determined

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

See issues for discussion

4. **SITE ANALYSIS:**

A. **SOIL TYPE:** PsA: Plymouth loamy sand, 0 – 3% slopes
B. **FLOOD HAZARD ZONE:** Zone X
C. **DESCRIPTION OF VEGETATION:** 100% cleared
D. **RANGE OF ELEVATIONS:** Approximately 45' – 55' AMSL
E. **NATURE OF SLOPES:** Flat
F. **TYPE OF WETLANDS WITHIN NRSP JURISDICTION:** N/A
G. **SETBACK FROM ANY WETLAND OR WATER BODY:** > 150' (~450')
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 on-site (see issues for discussion)
K. **AGRICULTURAL DATA STATEMENT REQUIRED:** No
L. **IS THE SITE CONTAINED WITHIN:**

NYS Significant Coastal Fish & Wildlife Habitat	No
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	No
Town Overlay District	AHO

Other Background Information:
Application is made to remove two baseball fields and associated accessory structures and to replace them with a new freestanding Emergency Department and Outpatient Diagnostic and Imaging Center. The Hospital Emergency Department is proposed to be approximately 23,830 s.f. with an accessory Ambulance Garage of approximately 810 s.f., a 3,025 sq. ft. (55' X 55') helipad, and Generator Enclosure of approximately 456 s.f. The proposed design will create a new revised traffic connection to Pantigo Place and Town Hall, parking, landscaping, lighting and utilities.

The subject parcel is situated off of Pantigo Road (terminus of Pantigo Place) in East Hampton. It is100% cleared of naturally-occurring vegetation. It is zoned PC: Parks and Conservation and is within the Affordable Housing Overlay District (AHO). It is not within any specially designated groundwater protection areas. It is currently improved with two baseball fields along with four dugouts, a comfort station, parking, lighting and landscaping.

Issues for Discussion:

SEQRA
Pursuant to SEQRA and Chapter 128 of the Town Code the proposed project is a Type I action. The Town Board has declared lead agency status.

Re-Zoning Request
The subject site plan/special permit application's ultimate ability to be approved is contingent upon the Town Board granting a zone change. The project, as currently proposed would require a use variance as the property is currently zoned PC: Parks and Conservation with an Affordable Housing Overlay District (AHO) designation. The applicants and the Planning Department discussed a possibility of a zone change with the Town Board in August 2019. At that time, the majority of the Town Board seemed amenable to granting this request given the history of zoning on the property and the zoning designation of the neighboring parcels. The Town Board has also previously agreed to lease this property to Stony Brook Southampton Hospital with the intention of an application for the subject facility. The Planning Board sent favorable comments to the Town Board regarding the zone change in October 2019 (see attached).

The applicants currently request that the zoning designation be changed to CI: Commercial Industrial. The property was previously zoned CI: Commercial Industrial from the adoption of zoning in 1957 to sometime between 1986 and 1990, at which time it was re-zoned A: Residence. The property was improved with two baseball fields and a comfort station in 1997. The 2005 Comprehensive Plan recommended that this specific parcel be re-zoned to PC: Parks and Conservation due to the presence of the ballfield/park.

Two of the neighboring parcels: 300 Pantigo Place containing various Town and private offices, and 200 Pantigo Place containing the East Hampton Healthcare Center, are currently zoned CI: Commercial Industrial.

The Planning Department does not have any objection to the requested re-zoning. It is also noted that the existing ballfields are to be relocated elsewhere in Town so that there will be no reduction in this active recreational resource. It will be recommended to the Town Board, and it is recommended to the Planning Board to support this condition of the zone change, that a lot or lots totaling at least 4.5 acres elsewhere in Town be given the Affordable Housing Overlay District (AHO) designation so as not to result in a loss of potential future affordable housing opportunities.

Project Details

The applicants have submitted a thorough amount of information and a detailed project description. However, upon this initial review, the Board may wish to discuss with the applicants in more detail how the facility is intended to operate. For example:

- Hours of operation for various functions and fluctuations in staff size
- Number of employees at one time (plans provide for 14 employees)
- Anticipated number of ambulance trips
- Anticipated number of helicopter trips

Parking & Circulation

There is no specific parking requirement for a facility of this type as it is quite unique. However, the applicants have provided parking calculations based on a "Medical arts, ambulatory care or clinic" which is 1 per 40 square feet waiting area, plus 1 per employee. This would appear to be the most appropriate method and results in a parking requirement of 61 spaces. The plan provides 72 with 57 spaces intended for visitors at the front of the building and a separate 15 space employee parking area at the western side of the building. There are also stalls around the back of the building for 2 truck loading spaces, 4 ambulances and a garage to store another ambulance. 4 electric car charging stations are also proposed in the parking lot.

The Board should refer to the submitted floor plans which outline the different specialty rooms within the proposed emergency department. Most of these rooms appear to be for diagnostic services such as x-rays, MRIs and ultra sound. There does not appear to be a large number of rooms for treatment or exams of individual patients (appears to be 8). Therefore, the actual required amount of parking may be less than what has been provided. The Board should review the design and quantity of parking and determine if it is adequate. The Planning Department does not object to the proposed configuration but notes that the applicants should contact the Office of Fire Prevention as soon as possible if they have not already done so in order to verify that there is ample room for fire trucks and other such larger emergency services equipment. Additionally, there may be issues related with access to and from the helipad which is proposed on the Town Hall property. These issues will be addressed in a separate section of this analysis.

Fire Marshal
The Office of Fire Prevention will review the application for issues regarding fire-fighting purposes as well as compliance with the Americans with Disabilities Act (ADA) requirements.

Helipad
Included in the project is a 3,025 sq. ft. (55' X 55') concrete helipad to be utilized for medivac operations. It is proposed at the western end of the Town Hall property (159 Pantigo Road) and not on the subject parcel. Access would be via a roughly 400' lane connecting 400 Pantigo Place to 159 Pantigo Road through an existing lane and parking areas to the rear of the Town Hall site. A security gate would separate the two properties. The Board may wish to discuss with the applicants how this gate would operate.

It should also be considered whether or not re-design of the asphalt areas between the freestanding emergency department building and the helipad will be needed. Specifically with regard to grades and traffic signs/control methods. Smooth and level/gradual pavement is ideal for transportation of injured persons and this area is currently trafficked by numerous Town Departments, most notably the East Hampton Town Police Departments. Methods to insure the safe movement of injured persons and coordination of vehicular traffic in this area should be given greater consideration at this time. It is further noted that the areas behind Town Hall between the helipad and Proposed emergency department are currently accessible to the public.

There are numerous tall obstructions within the immediate area. These include a 125' tall water tower, 150' tall lattice tower, trees, buildings and roughly 60' tall power lines. The applicants have submitted plans illustrating a flight path that includes a helicopter coming in close proximity to trees on the neighboring parcel to the immediate west of Town Hall, which is private property. The plans note that the trees are to be removed. The applicants should address this issue at this time as this may require revision of the proposed location and design of the helipad in order to meet Federal Aviation Administration (FAA) requirements.

Sanitary System
A full sanitary plan with calculations has been submitted. The applicants propose a system of two Fuji nitrogen reducing units and four leaching pools. The sanitary calculations indicate compliance with Suffolk County Department of Health Services (SCDHS) generated flow requirements. However, separate approval from this involved agency will be required.

Drainage Control
A comprehensive site drainage plan which has been stamped by a licensed professional has been submitted. It appears that all storm water run-off will be contained on-site in accordance with the requirements of the Town Code. However, it is recommended that the application be referred to the Town's consulting engineer to verify this.

Noise
The project includes both a helipad and a diesel generator. No information pertaining to anticipated noise levels has been submitted. The Board should discuss what information it may need at this time.

Archaeology
The subject parcel along with those at 100 Pantigo Place (multiple business complex), 200 Pantigo Place (medical arts building) and 300 Pantigo Place (office) was part of the Pospisil Associates Subdivision (filed 1988). During the course of that review a Stage 1A and 1B archaeological survey was performed (prepared by James Truex dated February 18, 1986). Only four test pits were dug for the Stage 1B portion of the study. Comments from the archaeological field survey (Stage 1B) on Page 9 are as follows:

"*No artifacts were found, nor were there any signs of historic or aboriginal debris. However, it is felt that more test pits are called for to give greater assurance that no portion of the Pantigo site extends into the Pospisil subdivision.*"

The "Pantigo site" referenced in that comment is a site roughly 400' to the east of the subject parcel which was the subject of an archaeological excavation and study beginning in 1917. During the course of excavation, a total of 39 burial sites and numerous items including jewelry and pottery were discovered. The site is believed to be a (entirely) Montaukett burial site that was formed in the 1660s due to high mortality resulting from a small pox epidemic. In 1917 & 1918 all discovered remains were exhumed. This area is now a residential neighborhood between the subject parcel and Spring Close Highway.

The summary and recommendations of the Posipisil archaeological study concluded as follows:

"*It appears unlikely that the burial ground extends across the four hundred feet from its known location to the proposed Pospisil subdivision. The field survey, which included a small number of shovel tests, disclosed no indications of historic or prehistoric cultural activities. Nevertheless, in view of the sensitivity surrounding the possible disturbance of cemeteries, it is recommended that the preliminary exploration be supplemented by further field tests. As a further precaution, it is recommended that the Planning Department be alerted prior to the commencement of construction activities so that a qualified observer can monitor the initial earth moving stages of the project.*"

It is noted though that no further field surveys were conducted when 200 Pantigo Place (medical arts building) or 300 Pantigo Place (offices) were developed. No further field tests were conducted on the subject parcel when the baseball fields and associated accessory structures were built. Additionally, the project was referred to the New York State Office of Parks, Recreation and Historic Preservation. By letter dated July 28, 2020 this agency stated that "*...no historic properties including archaeological and/or historic resources will be affected by this undertaking.*"

However, given the findings of the previous archaeological study as well as the known archaeological site within close proximity, some additional field surveying should be required. It is the understanding of the Planning Department that the applicants are contacting an archaeologist at this time to have an updated report prepared.

Traffic

The applicants have submitted a traffic study prepared by Dunn Engineering Associates dated December 2016. This study was prepared when a number of alternative sites were being considered, including the subject parcel. The study also assumes a facility of 32,350 sq. ft. whereas the current proposal is for a building of 23,830 sq. ft. (26% less).

Trip generation estimates were generated based on the Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition's estimates for a "hospital", "clinic" and "medical-dental office building". Medical-dental office building was chosen as the closest use definition and it is noted that this was the definition of the three that generates the largest volume of traffic.

Estimated trip generations for the use were then compared with Annual Average Daily Traffic (AADT) counts from the New York State Department of Transportation (NYSDOT) in order to determine the impacts of the additional volume of vehicles on through traffic and turning movements. This is expressed in Levels of Service (LOS) which are related to the amount of time it takes to make a particular turning movement. Level of Service is identified as grades A to F with A being the shortest time delay.

Based upon the Table C of the Appendix, the Level of Service of various turning movements between Pantigo Place and Montauk Highway would be reduced should the project be constructed. Under Chapter 128 of the Town Code, in such instances, an application automatically becomes a Type I action.

However, the traffic study also provides an estimate for delays based on the inclusion of a traffic light at Pantigo Place and Montauk Highway. Under this scenario, Levels of Service are still reduced for certain turning movements but the effect of the added traffic volume is significantly reduced. The traffic study has specifically recommended that a traffic light be installed.

The traffic study uses Annual Average Daily Traffic counts from 2015 NYSDOT data. However, it does not appear that a more recent count is available. The trip generation estimates were made based upon a 32,350 sq. ft. facility as opposed to the now-proposed, smaller 23,830 sq. ft. facility, which would reduce the estimate of generated vehicular trips. This would in turn affect the resultant alterations of Level of Service. Additionally, the estimated increases in traffic were projections using the 2016 data and factoring an increase to 2018.

It is recommended that the Summary of Un-signalized Intersection Capacity Analyses Results (Table C) and Summary of Un-signalized Intersection Capacity Analyses Results 2018 Build with Mitigation (Table E) be updated to reflect estimated traffic volumes for

2022 and that the trip generation estimates be updated to reflect the size of the building as it is currently proposed.

50' Buffer

The subject parcel represents Lot 3 of the Pospisil Associates Subdivision. As part of this approval, it was required that a declaration be filed which prevents residential development within 50' of the northern property line on the subject parcel (see attached) and clearing of natural vegetation. It would appear that the purpose of this 50' buffer was to screen development from train traffic and beautify/screen the path of the train for riders. It is noted that most of the area of this 50' wide buffer area is currently cleared. The current project configuration proposes both drainage control structures and the sanitary system within this 50' setback area.

The declaration provides for amendment with the vote of the majority plus one of the Planning Board. The Planning Board should discuss with Counsel whether this declaration is applicable to the subject project.

Bike Path

The Town has a proposal to create a bike path running parallel to the railroad right of way as part of the South Fork Bikeway. The site plan presently illustrates a potential bike path running through the center of the 50' buffer area and in one area partially over the Fuji sanitary system, which has 6 caps that must remain exposed. The proposed location of the septic system currently leaves approximately 25' to the northerly property line unobstructed for the bike path. The applicant should advise if the current sanitary configuration and location has been reviewed by the Suffolk County Department of Health Services.

It is recommended that if it is determined that the 50' buffer area in the declaration is not applicable, that a 20' wide area along the northerly property line be required to be unobstructed by other structures to ensure the ability of creating the bike path or that if redesign of the septic system is required that it be designed so as to not preclude the ability for a bike path given the required raised caps. Having flexibility in the locating the bike path within this 50' wide buffer area, where it does not conflict with other structures, may be beneficial in its design and construction. A future bike path connection to the facility for employees and others utilizing the diagnostic laboratories in the facility could be a beneficial asset.

Landscaping

A comprehensive site landscaping plan has been submitted. This plan utilizes a mixture of evergreen and deciduous trees and shrubs and does not contain any species known to be invasive.

Although the site is considered completely cleared under the Town Code definition of clearing, as the native trees and understory were removed in the past, the site is rimmed with vegetation that provides screening between other commercial properties, some with

expansive parking areas. The existing trees in these areas have been located on the plan and appear to be proposed to be preserved.

There are presently a number of invasive vines and shrubs under the canopy of these trees, including catbriar, Asian bittersweet and Russian olive. While invasive species, these plants are contained by surrounding development and provide screening between other sites, including a large building and outdoor storage area utilized by the Town Recreation Department on the westerly side, and two relatively large parking areas associated with office buildings on Pantigo Place on the southerly side. The present screening preserves a more rural appearance by separating the rather extensive areas of development. The applicant should clarify whether this understory is proposed to be removed. If so, it is recommended that the remaining canopy on the southerly and easterly sides be supplemented with shrubs to replace this screening.

The Erosion and Sediment Control Plan (C-111) depicts a silt fence along the edge of the existing vegetation located on the northerly, southerly and westerly sides that should be required to be installed prior to commencing clearing, grading or construction in order to preserve the existing vegetation that is to remain.

There is also a line of landscaping in the form of large growing trees proposed to be planted at the southerly edge of the 50' wide buffer area that would appear to interfere with the drainage systems.

Lighting
A comprehensive site lighting plan has been submitted. The following information is not provided and should be submitted to the Board:

- Lumen levels of the fixtures
- Mounting height of all fixtures
- Manufacturer's specification sheets for all fixtures
- Building Code requires lighting at building entrances and none has been provided

Conclusion
In conclusion, the application is incomplete pending the resolution of the aforementioned issues and the submission of the required items. The Planning Board should also discuss whether or not to send additional formal written comments to the Town Board, particularly in regard to site plan elements as the Planning Board has already written the Town Board in support of the zone change. The Town Board will be holding a public hearing soon for the requested zone change.

ES

Planning Board Consensus

Does the Board still support the requested zone change and should this be granted on the condition of re-location of the ballfields and the establishment of new parcels of equal acreage for Affordable Housing Overlay District (AHO) designation?

Additional comments: _____

_____

Should any additional project details be provided in narrative form, including but not limited to:

- *Hours of operation for various functions and fluctuations in staff size*
- *Number of employees at one time (plans provide for 14 employees)*
- *Anticipated number of ambulance trips*
- *Anticipated number of helicopter trips?*

Additional comments: _____

_____

Does the Board find the quantity and design of parking adequate?

Additional comments: _____

_____

Should additional information pertaining to traffic circulation on the Town Hall property between the helipad and emergency department be provided?

Additional comments: _____

_____

Does the Board wish to refer the application to the consulting engineer, particularly with regard to proposed drainage?

Additional comments: _____

_____

Should information pertaining to generated noise from the generator and helicopters be submitted?

Additional comments: _____

Should details in the form of specifications be submitted for the generator?

Additional comments: _____

Should a Stage 1A and 1B archaeological report be provided?

Additional comments: _____

Should the traffic study be amended as noted above?

Additional comments: _____

Should the applicants address the issue of the structures within the 50' buffer and provide for a 20' wide area for a future bike path?

Additional comments: _____

Is the Board willing to amend the declaration establishing the 50' buffer?

Additional comments: _____

Should the lighting plan be amended as noted above?

Additional comments: _____

Additional Board Comments:

_____

Inv Comand 10736 PG427

DECLARATION

THIS DECLARATION, made this 29th day of September, 1988, by EDWARD A. POSPISIL and EDWARD J. POSPISIL t/a POSPISIL ASSOCIATES, with offices at One the Plaza, Montauk, New York 11954 (hereinafter called the "declarants"),

DISTRICT 0300 SECTION 188.00 BLOCK 01.00 LOTS 008.002 008.003

WHEREAS, the declarants are the owners of certain real property situate in the Town of East Hampton, County of Suffolk and State of New York, more particularly bounded and described on annexed Exhibits A, B and C, and

WHEREAS, said parcels constitute respectively lots 2, 3 and 4 of a certain subdivision known as Map of Pospisil Associates situate at East Hampton, New York, and filed in the Suffolk County Clerk's Office on the 28 day of September, 1988, as Map No. 8623, and

DISTRICT 0300 SECTION 165.00 BLOCK 05.00 LOT 022.000

WHEREAS, for and in consideration of the granting of certain approvals from the Planning Board of the Town of East Hampton, the declarants have deemed it to be in the best interests of the Town of East Hampton that the within declaration be filed and the within restrictions be imposed on said parcels described on annexed Exhibits A, B and C, and that the within declaration be recorded in the Suffolk County Clerk's Office.

NOW, THEREFORE, this declaration,

W I T N E S S E T H:

That the declarants, for the purposes of carrying out the intentions above described, do hereby make known, admit, publish, covenant and agree that the property described on annexed Exhibits A, B and C shall hereafter be subject to the following covenants which shall run with the land and which shall be binding upon all purchasers and holders of

said property, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. Said lots 2 and 4 described respectively on annexed Exhibits A and B shall not be used or improved for any of the following listed land uses: animal husbandry, auditorium or meeting hall, automobile laundry, boat yard, filling station, fish market, repair garage, mariculture (research and development), motion picture theater, motor vehicle sales room and lot, riding academy, taxi company, technical or trade school, community theater, veterinarian offices or veterinarian hospital, a retail beverage distributor, dry cleaning establishment or laundry, exterminator's offices or facilities, fish processing facility, fuel storage facility, paving and/or construction material manufacturing site, publishing facility, recycling and scrap yard, sand mining and excavating, and/or truck terminal or truck transfer station.

2. No driveway or entrance road on Pantigo Place shall be located within fifty (50) feet of the northerly end of the short radius curve connecting the westerly side of the right-of-way of Pantigo Place with the northerly side of the right-of-way of Montauk Highway.

3. No parcel or lot within the subject subdivision shall be used or occupied by any person or entity who shall engage on site at the subject premises in the storage, manufacture, use, or disposal on site of hazardous waste. For purposes of this paragraph, hazardous waste means a waste or combination of wastes which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness, or pose a substantial present or potential hazard

to human health or the environment when improperly treated, stored, transported, disposed, or otherwise managed.

4. No lot shall be subdivided, or its lot lines modified in any manner at any future date except as authorized by the Town of East Hampton Planning Board.

5. No residential improvements shall be constructed and occupied at lot 3 of the subject subdivision except upon the maintenance of a buffer 50 feet in depth extending the entire width of the subject lot number 3 as measured along the northerlymost boundary of lot number 3, and there shall be no disturbance of existing plantings or natural vegetation within said 50 foot buffer except installation of additional indigenous plants and/or installation of an earthen berm which itself shall be suitably vegetated with indigenous growing materials.

Read → 6. These covenants and restrictions can be modified upon a substantial change of circumstances and only at the request of the then owner of the premises or lot, with the approval of a majority plus one of the Planning Board of the Town of East Hampton after a public hearing.

IN WITNESS WHEREOF, the declarants have hereunto set their hands and seals the day and year first above written.

EDWARD A. POSPISIL

EDWARD J. POSPISIL

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

On the 21st day of September, 1989, before me personally came EDWARD A. POSPISIL and EDWARD J. POSPISIL, to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged that they executed the same.

Notary Public

TOWN OF EAST HAMPTON

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

Planning Department
Marguerite Wolffsohn
Director

Telephone (631) 324-2178
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October 2, 2019

TO: Town Board

FROM: Samuel Kramer,
Planning Board Chairman

RE: Southampton Hospital's East Hampton Free Standing Emergency Department - Zone Change Request
SCTM# 300-165-5-22
400 Pantigo Place, East Hampton

The Planning Board has reviewed the request to re-zone the above-listed property from its current PC: Parks and Conservation designation to either A: Residence or CI: Commercial Industrial as requested by Southampton Hospital in order for them to build a new free standing emergency facility.

The Planning Board discussed the history of the property's zoning designations and discussed the merits of all three zoning designations. It was the majority opinion of the Board that CI: Commercial Industrial would be the most appropriate zoning designation. It was noted that the two neighboring parcels (300 Pantigo Place & 200 Pantigo Place) which uses related to healthcare are both zoned CI: Commercial Industrial, with 300 Pantigo Place containing medical offices and 200 Pantigo Place being a medical arts facility. It was stated that a commercial zoning designation would be more in keeping with the proposed and surrounding uses, which are not residential. The future of the baseball fields was also discussed and it is our understanding that they would be relocated to another location in Town so that there will be no net loss of parkland.

For the aforementioned reasons the majority of the Planning Board recommends a re-zoning to CI: Commercial Industrial so long as there is no net loss of parklands in the Town.

CC: John Jilnicki
Jameson McWilliams

PLANNING - <PREPARERS NAME> - <DATE>

Basemaps: 2018 Pictometry Digital Ortho Photography
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N

1 " = 300 feet

Feet
0 75 150

THE TOWN OF EAST HAMPTON

SH HOSPITAL FREESTANDING EMERGENCY DEPARTMENT

NO PORTION OF THIS MAP MAY BE MAINTAINED, ALTERED, SOLD, DISTRIBUTED, REPRODUCED, STORED IN OR INTRODUCED INTO A RETRIEVAL SYSTEM, OR TRANSMITTED, IN ANY FORM OR BY ANY MEANS (ELECTRONIC, MECHANICAL, PHOTOCOPYING, RECORDING OR OTHERWISE), WITHOUT THE PRIOR WRITTEN PERMISSION FROM THE TOWN OF EAST HAMPTON.

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Prepared by
THE TOWN OF EAST HAMPTON
Suffolk County, New York
Dept. of Information Technology

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