

**PLANNING BOARD OF THE TOWN OF EAST HAMPTON  
EAST HAMPTON, NEW YORK**

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**In the Matter of the Application**

**of**

**SITE PLAN/  
SPECIAL PERMIT  
APPROVAL**

**HELLMAN HANGAR  
SITE PLAN**

**SCTM # 300-181-2-6**

**ADOPTED: \_\_\_\_/\_\_\_\_/ 2020**

**FINDINGS AND DETERMINATION OF THE BOARD**

The findings of fact, conclusions, and determination set forth herein are made after consideration of the application, any presentations, memoranda or correspondence made or submitted to the Board by staff or interested parties, comments taken at any public hearing on the application, and inspection of the subject property.

**A. PROJECT DESCRIPTION**

**1. TYPE OF APPROVAL SOUGHT:**

(a) Site plan approval pursuant to Article VI of Chapter 255 (Zoning) of the East Hampton Town Code.

(b) Issuance of a special permit pursuant to Article V of Chapter 255 of the Town Code.

**2. USE REQUIRING SPECIAL PERMIT:** Air Terminal

**3. DESCRIPTION OF PROPOSED WORK:** To construct a 50' x 50', or 2,500 square foot hangar with a 30' x 30' asphalt parking area and a 30' wide taxiway.

**4. SIZE OF PROPERTY:** 10,553 square feet (0.242 acre)

**5. OWNER OF PROPERTY:** Town of East Hampton

**6. APPLICANT:** Maynard J. Hellman

**7. PROPOSED SITE PLAN:** Hellman Hangar Site Plan Floor Plans and Elevations dated 02/14/2020 prepared by Richard S. Kent of The Kent Architectural Collaborate, PLLC, received 03/09/2020

**8. DATE OF PUBLIC HEARING ON APPLICATION:** June 24, 2020

**B. PROPERTY LOCATION AND DESCRIPTION**

**1. SUFFOLK COUNTY TAX MAP DESIGNATION:** #300-181-2-6

**2. STREET LOCATION:** 179 Daniels Hole Road, Wainscott

**3. CONTIGUOUS WATER BODIES:** N/a

**4. HAMLET OR GEOGRAPHIC AREA:** N/a

**5. SITE DESCRIPTION & EXISTING IMPROVEMENTS:** Vacant (paved asphalt)

**6. FILED MAP NAME:** N/a

- 7. **FILED MAP NUMBER:** N/a
- 8. **DATE OF MAP FILING:** N/a
- 9. **BLOCK NUMBER IN FILED MAP:** N/a
- 10. **LOT NUMBER IN FILED MAP:** N/a

**C. ZONING CLASSIFICATION**

- 1. **ZONING DISTRICT:** Commercial Industrial
- 2. **ZONING OVERLAY DISTRICT:** Suffolk County Pine Barrens, South Fork Special Groundwater Protection Area, Town Water Recharge Overlay District

**D. SEQRA REVIEW**

- 1. **SEQRA CLASSIFICATION:** Unlisted
- 2. **LEAD AGENCY:** Town of East Hampton Planning Board
- 3. **DETERMINATION OF SIGNIFICANCE:** No significant adverse environmental impacts
- 4. **DATE OF DETERMINATION:** May 8, 2020

**E. COUNTY COMMISSION REVIEW/ADDITIONAL FINDINGS OF FACT**

- 1. Pursuant to the inter-municipal agreement between the Town of East Hampton and the County of Suffolk, the subject application does not require referral to the Suffolk County Planning Commission (SCPC).
- 2. By letter dated April 23, 2020, the Fire Department has informed the Board that no additional fire protection devices are needed for this project.

**F. COMPLIANCE WITH TOWN CODE OR OTHER REQUIREMENTS OF LAW**

Based upon the foregoing, the Planning Board finds that the application as approved, subject to any conditions or modifications specified in § H below, meets the following requirements:

- 1. The application contains all necessary elements of a site plan as enumerated in § 255-6-50 of the Town Code.
- 2. The application meets the standards enumerated for review of site plans in § 255-6-60 of the Town Code.
- 3. The application meets the general standards required for the issuance of a special permit by § 255-5-40 of the Town Code, in that:

(A) Nature of use. The use proposed will be in harmony with and promote the general purposes of Chapter 255 of the Town Code as the same are set forth in § 255-1-11 thereof.

(B) Lot area. The lot area is sufficient, appropriate, and adequate for the use, as well as

reasonably anticipated operation and expansion thereof.

(C) Adjacent properties. The proposed use will not prevent the orderly and reasonable use of adjacent properties

(D) Compatibility. The site of the proposed use is a suitable one for the location of an Air Terminal in the Town, and the proposed use will be compatible with its surroundings and with the character of the neighborhood and of the community in general, particularly with regard to visibility, scale, and overall appearance.

(E) Effect on specific existing uses. The characteristics of the proposed use are not such that its proposed location would be unsuitably near to a church, school, theater, recreational area, or other place of public assembly.

(F) Use definition. The proposed use conforms to the Town Code's definition of "Air Terminal," as that definition is used in § 255-1-20 of the Town Code.

(G) Circulation. No access points will be created that will generate traffic by the proposed use on public streets and sidewalks.

(H) Parking. The 30' x 30' asphalt parking area designated for off-street parking proposed for this application satisfy the requirements of the applicable provisions of Chapter 255 of the Town Code, and are in any case more than adequate for the actual anticipated number of occupants of the proposed use. Furthermore, the layout of the spaces and related facilities will be convenient and conducive to safe operation.

(I) Buffering and screening. Adequate buffer yards and screening have been provided to protect adjacent properties and land uses from possible detrimental impacts of the proposed use.

(J) Runoff and waste. Adequate provision has been made for the collection and disposal of stormwater runoff, sewage, refuse, and other liquid, solid, or gaseous waste which the proposed use will generate.

(K) Environmental protection. The natural characteristics of the site are such that the proposed use may be introduced there without undue disturbance or disruption of important natural features, systems, or processes and without significant negative impact to groundwater and surface waters on or off the site.

(L) Compliance with other laws. The proposed use can and will comply with all provisions of the Town Code which are applicable to it, and can meet every other applicable federal, state, county, and local law, ordinance, rule, or regulation.

(M) Conformity with other standards. The proposed use can and will meet all of the specific standards and incorporate all of the specific safeguards required of the particular use by § 255-5-50 of the Town Code.

## **G. DISPOSITION OF APPLICATION**

The application is approved as described herein, subject to any conditions or modifications specified in § H below.

### **1. TYPE OF APPROVAL GRANTED:**

- (a) Site plan approval pursuant to Article VI of Chapter 255 of the Town Code.
- (b) Issuance of a special permit pursuant to Article V of Chapter 255 of the Town Code.

### **2. NATURE OF APPROVED USE:** Air Terminal

### **3. DESCRIPTION OF APPROVED WORK:** Airport Hangar for the housing of aircraft

## **H. CONDITIONS OF APPROVAL**

The approval hereby granted is contingent upon full compliance with the conditions set forth in this section. The property may not be used except in accordance with this conditional approval, and all improvements shall be made, built, or installed in accordance with the plans described below.

### **1. APPROVED SITE PLAN:** Prepared by Richard S. Kent of The Kent Architectural Collaborate, PLLC and dated 02/14/2020

### **2. APPROVED BUILDING OR CONSTRUCTION PLANS:**

- Hellman Hangar Site Plan Floor Plans and Elevations dated 02/14/2020 prepared by Richard S. Kent of The Kent Architectural Collaborate, PLLC, received 03/09/2020
- Hellman Hangar Site Plan Landscaping Plan dated 04/14/2020 prepared by Lighthouse Land Planning, received 04/14/2020
- Hellman Hangar Site Plan Land Survey dated 02/12/2020 prepared by Tamara L. Stillman of L.K. McLean Associates, P.C., received 02/25/2020

### **3. ADDITIONAL CONDITIONS AND TIME LIMITATIONS:**

3.1 No building permits may issue, nor may clearing, grading, or construction activities be commenced, until and unless the conditions enumerated in sub § (3.2), (3.3) below have been met, as evidenced by the report of the Planning Board Chair.

3.2 The applicant shall obtain the final written approval of the Architectural Review Board.

3.3 The applicant shall obtain the approval from the United States Federal Aviation Administration.

3.4 The applicant shall perform the parking, access, drainage, and landscaping improvements shown on the approved site plan and approved building or construction plans described above.

3.5 Prior to the issuance of a Certificate of Occupancy, the applicant shall submit proof from a licensed engineer that demonstrates compliance with the Planning Board's Groundwater Protection Policy. This shall include the omission of floor drainage and will use an epoxy sealant or of similar materials to contain liquids in the event of a spill within the Hangar building.

3.6 All landscaping shall be maintained by the applicant in accordance with the approved site planting plan for so long as the improvements approved as part of this site plan are in use. This

requirement shall be a continuing condition of this approval, and the applicant and any successors in interest shall replace and replant the landscaping on the site as may be necessary to satisfy this condition.

3.7 The parking, access, and drainage improvements required by this site plan approval (including any devices for delineating parking spaces or directing traffic flow) shall be maintained by the applicant for so long as the improvements approved as part of this site plan are in use. This requirement shall be a continuing condition of this approval, and the applicant and any successors in interest shall repair, replace, and maintain these improvements as may be necessary to satisfy this condition.

3.8 No Certificate of Occupancy shall be issued for this site or for the improvements thereon until and unless all of the foregoing conditions have been met.

3.9 The applicant shall apply for and obtain a building permit no later than three (3) years from the date of this resolution.

4.0 The applicant shall apply for and obtain a Certificate of Occupancy no later than four (4) years from the date of this resolution.

#### **I. VALIDITY OF APPROVAL**

If any condition of this resolution is not met, or is not met within the prescribed time period, all approvals, permits, or authorizations granted hereby shall be deemed void and of no effect.

DATED: August 19, 2020

cc:

Maynard J. Hellman  
30 Pelican Isle  
Fort Lauderdale, FL 33301

Planning Department  
Building Inspector  
Architectural Review Board