

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

In the Matter of the Application

of

**SITE PLAN
APPROVAL**

**224 and 228 SPRINGS FIREPLACE LLC SITE PLAN
SCTM #300-145-3-8.1, 10.1**

ADOPTED: ____/____/____

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.

2. USE REQUIRING SPECIAL PERMIT: N/A

3. DESCRIPTION OF PROPOSED WORK: A storage yard for vehicles and equipment over two single and separate lots as well as the establishment of an access easement and landscaping

4. SIZE OF PROPERTY: 25,085 sq. ft.

5. OWNER OF PROPERTY: 224 Springs Fireplace LLC, 228 Springs Fireplace LLC

6. APPLICANT: Trevor Darrell, Fleming & Darrell PLLC

7. PROPOSED SITE PLAN: Site Plan by George Walbridge Surveyors, P.C. revised (pending)

8. DATE OF PUBLIC HEARING ON APPLICATION: June 10, 2020

B. PROPERTY LOCATION AND DESCRIPTION

1. SUFFOLK COUNTY TAX MAP DESIGNATION: #300-145-3-8.1 & 10.1

2. STREET LOCATION: 224 & 228 Springs Fireplace Road, East Hampton

3. CONTIGUOUS WATER BODIES: N/A

4. HAMLET OR GEOGRAPHIC AREA: East Hampton

5. SITE DESCRIPTION & EXISTING IMPROVEMENTS: No structures approved by site plan or building permit. Residence on Lot 8.1 demolished in 2014 and Lot 10.1 has never been

developed.

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:** CI: Commercial Industrial
2. **ZONING OVERLAY DISTRICT:** N/A

D. SEQRA REVIEW

1. **SEQRA CLASSIFICATION:** Type II
2. **LEAD AGENCY:** N/A
3. **DETERMINATION OF SIGNIFICANCE:** N/A
4. **DATE OF DETERMINATION:** N/A

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 March 09, 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.

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.

2. NATURE OF APPROVED USE: A storage yard for vehicles and equipment

3. DESCRIPTION OF APPROVED WORK: Site plan application has been made to create a storage yard for vehicles and equipment over two single and separate lots as well as the establishment of an access easement and landscaping.

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: Site Plan by George Walbridge Surveyors, P.C. (Pending submission)

2. APPROVED BUILDING OR CONSTRUCTION PLANS:

i) Drainage Plan by Edward Armus Engineering, PLLC, dated June 2029 and revised November 21, 2020

ii) Parking Plan & Coverage Numbers dated January 29, 2020.

iii) Revegetation Plan by East End Land Planning dated January 28, 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¶ 3.5 below have been met, as evidenced by the report of the Planning Board Chair.

3.2 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.

3.3 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.

3.4 In addition to the drainage improvements illustrated on the approved plans and referenced in ¶ 3.3 above, all storm water collection structures such as dry well and leaching pools shall contain filters designed to collect potential groundwater contaminants from storm water run-off.

3.5 The applicant shall grant to and have accepted by the Town of East Hampton a drainage and access easement, in standard form acceptable to counsel to this Board, as shown on the approved site plan. The applicant shall record this easement with the Office of the Suffolk County Clerk.

3.6 No maintenance, repair or services of vehicles on either of the lots shall occur on-site.

3.7 There shall be no outdoor storage of hazardous materials on either of the lots. Potential hazardous materials shall include fuel, chlorine, fertilizer, and items associated with cesspool cleaning activities.

3.8 The applicant shall prepare and submit a declaration of covenants and restrictions, incorporating the provisions of ¶ 3.6 & 3.7 above and in standard form acceptable to and approved by Counsel to this Board. The said declaration shall provide for its modification or termination only upon the approval of the East Hampton Town Planning Board, after a public hearing held on ten (10) days' notice. Said declaration, after approval by counsel, shall be recorded at the Office of the Suffolk County Clerk prior to the issuance of a certificate of occupancy.

3.9 A declaration of covenants and restrictions incorporating the conditions of joint cross-access for vehicular and pedestrian traffic, joint cross-parking access and no interference with drainage or access, in standard form and approved by counsel to this Board, shall be recorded at the Office of the Suffolk County Clerk.

3.10 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.

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

3.12 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: Trevor M. Darrell, Esq
Fleming and Darrell, PLLC
10, Gingerbread Lane
East Hampton, NY 11937

Planning Department
Building Inspector
Architectural Review Board