

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

In the Matter of the Application

**SITE PLAN/
SPECIAL PERMIT
APPROVAL**

**of
ANIMAL RESCUE FUND OF THE HAMPTONS, INC
PHASE II SITE PLAN
STCM#300-192-3-4**

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.

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

2. USE REQUIRING SPECIAL PERMIT: Semi-Public Facility

3. DESCRIPTION OF PROPOSED WORK: Expansion of the existing ARF adoption center. Replacement and renovation of an existing kennel building from 6,217 square feet to 7,049 square feet, construction of a one-story training building of 8,404 square feet, renovations to an office of 1,374 square feet and lobby area of 4,124 square feet, a proposed outdoor exercise yard of 2,900 square foot, a proposed stair tower, a small adoption area of 471 square feet attached to the lobby area, an additional 451 square feet of conference space attached to the westerly side of the office building, replacement of an existing sanitary system with a nitrogen reducing septic for human and animal waste, twenty-four (24) new parking spaces including two (2) ADA spaces with a total of 54 parking spaces including the existing spaces.

4. SIZE OF PROPERTY: 981,846 sq. ft. (22.54 acres)

5. OWNER OF PROPERTY: Animal Rescue Fund of the Hamptons, Inc

6. APPLICANT: Karen Hoeg, Esq, c/o Twomey, Latham, Shea, Kelley, Dubin & Quartararo LLP

7. PROPOSED SITE PLAN: Survey prepared by George Walbridge Surveyors, P.C., dated revised September 23, 2020; Set of plans prepared by D.B. Bennett, P.E., P.C. dated revised September 22, 2020 including: Civil Site Plan (C-1), Cals and Notes (C2), Partial Site Plan (C3), Construction Details (C4), Exterior Lighting (C5), Training Facility Sanitary Details (C6), Kennel Building Sanitary Details (C7), Water Supply Improvements (C8) and Landscape Plan

(C9)

8. DATE OF PUBLIC HEARING ON APPLICATION: December 9, 2020

B. PROPERTY LOCATION AND DESCRIPTION

- 1. SUFFOLK COUNTY TAX MAP DESIGNATION:** #300-192-3-4
- 2. STREET LOCATION:** 124 Daniels Hole Road
- 3. CONTIGUOUS WATER BODIES:** N/A
- 4. HAMLET OR GEOGRAPHIC AREA:** Wainscott
- 5. SITE DESCRIPTION & EXISTING IMPROVEMENTS:** Semi-public use improved with various structures such as kennels, storage, infirmary, education center, offices, lobby, outdoor dog runs, trails, parking and driveways. Parcel is located with Water Recharge Overlay District, within designated Pine Barrens, and South Fork Groundwater Protection Area. Majority of the parcel contains trees and native vegetation.
- 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:** A5: Residence
- 2. ZONING OVERLAY DISTRICT:** Water Recharge Overlay District (WROD)

D. SEQRA REVIEW

- 1. SEQRA CLASSIFICATION:** Unlisted
- 2. LEAD AGENCY:** Planning Board
- 3. DETERMINATION OF SIGNIFICANCE:** Negative Declaration
- 4. DATE OF DETERMINATION:** October 21, 2020

E. COUNTY COMMISSION REVIEW/ADDITIONAL FINDINGS OF FACT

1. By letter dated December 1, 2020, the Suffolk County Planning Commission has informed the Board that it considers the subject application to be a matter for local determination.
2. By letter dated October 30, 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 a Semi-Public Facility 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 "Semi-Public Facility," as that definition is used in § 255-1-20 of the Town Code.

(G) Circulation. Access facilities are adequate for the traffic estimated to be generated by the proposed use on public streets and sidewalks, so as to assure the public safety and to avoid traffic congestion; and vehicular entrances and exits are clearly visible from the street and are not within seventy-five (75) feet of the intersection of street lines at a street intersection.

(H) Parking. The 54 off-street parking spaces 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: Semi-Public Facility

3. DESCRIPTION OF APPROVED WORK: Expansion of the existing ARF adoption center. Replacement and renovation of an existing kennel building from 6,217 square feet to 7,049 square feet, construction of a one-story training building of 8,404 square feet, renovations to an office of 1,374 square feet and lobby area of 4,124 square feet, a proposed outdoor exercise yard of 2,900 square foot, a proposed stair tower, a small adoption area of 471 square feet attached to the lobby area, an additional 451 square feet of conference space attached to the westerly side of the office building, replacement of an existing sanitary system with a nitrogen reducing septic for human and animal waste, twenty-four (24) new parking spaces including two (2) ADA spaces with a total of 54 parking spaces including the existing spaces.

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: Survey prepared by George Walbridge Surveyors, P.C., dated revised September 23, 2020

2. APPROVED BUILDING OR CONSTRUCTION PLANS: Set of plans prepared by D.B. Bennett, P.E., P.C. dated revised September 22, 2020 including: Civil Site Plan (C-1), Cals and Notes (C2), Partial Site Plan (C3), Construction Details (C4), Exterior Lighting (C5), Training Facility Sanitary Details (C6), Kennel Building Sanitary Details (C7), Water Supply

Improvements (C8) and Landscape Plan (C9)

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, and 3.3 below have been met, as evidenced by the report of the Planning Board Chair.

3.2 The applicant shall obtain the approval of the Suffolk County Department of Health Services. A copy of the approved plan containing an original stamp of approval from that agency, not a photocopy, shall be submitted.

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

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 prior to the issuance of a certificate of occupancy.

3.5 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.

3.6 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.

3.7 The applicant shall install all utilities servicing the proposed lots, including electric, telephone, and, if available, cable television wiring below grade. Any electric transformers placed, installed, erected, or constructed on this property or on the adjacent highway rights-of-way shall be located below natural grade.

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: February 10, 2021

cc: Karen A. Hoeg, Esq.
Twomey, Lathan, Shea
P.O. Box 9398
West Second Street
Riverhead, NY 11901

Planning Department
Building Inspector
Architectural Review Board