



TOWN OF EAST HAMPTON

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Planning Department
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Director

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March 7, 2019

TO: Planning Board

FROM: Eric Schantz
Senior Planner *E.S. mm*

RE: Seeler/Zohn – Lot Line Modification (LLM) Modification II
SCTM# 300-170-4-23.4 & 23.5

Last Review Date: Public hearing held on March 6, 2019

Items and Date Received: N/A

Background Information: Application has been made to modify the lot lines of two (2) parcels. Lot 1 (SCTM#300-170-4-23.5) is currently 52,124 sq. ft. and Lot 2 (SCTM#300-170-4-23.4) is currently 102,183 sq. ft. These properties are currently irregularly shaped owing to the fact that they were previously subdivided along the zoning district boundary line between NB: Neighborhood Business and A: Residence, which runs parallel to Montauk Highway. The applicants now propose to modify the lot lines to create more rectangular shaped lots. Proposed Lot 1 would now be 67,119 sq. ft. and proposed Lot 2 would be 94,187 sq. ft. Both lots would be partially within both commercial and residential zoning districts.

Both lots are currently 100% cleared of naturally-occurring vegetation and are used for storage of vehicles and materials for a garden center, which has its principal building on a lot to the east of the two subject parcels.

These lots were created as part of a minor subdivision approved in 2005 which also included a lot line modification. That application (“further Court Minor Subdivision”) was recently modified to change the location of a common driveway to prevent the removal of mature trees.

Issues for Discussion:

Public Hearing

A public hearing for this application was held on March 6, 2019. No members of the public spoke at the hearing and no written public comments have been received.

SEQRA

The Planning Department has prepared the attached EAF Part II & III. A negative declaration pursuant to SEQRA and Chapter 128 of the Town Code is recommended.

Town Engineer

The application was referred to the Town Engineer who reviewed the application and offered no comments

Office of Fire Prevention

By letter dated September 14, 2018 the Office of Fire Prevention has stated that no further review for fire-fighting purposes is required.

Conclusion

In conclusion, it appears that the application will be ready for approval once a SEQRA determination has been made and necessary referral sent to the Suffolk County Planning Commission.

Items to be approved:

- Survey prepared by George Walbridge Surveyors, P.C., dated revised January 24, 2019

Conditions of Approval:

- Approval of the SCDHS
- Covenant for Lot 1 limiting building and total lot coverage to that allowed for the lot's current lot area (59,124 sq. ft.)

ES

Negative Declaration?

Additional comments: _____

Will the application be ready for approval once a response from the Suffolk County Planning Commission is received?

Additional comments: _____

Additional Board Comments:

Project:	Seeler/Zohn Lot Line Modification
Date:	03/13/2019

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: Seeler/Zohn LLM

Date: 03/13/2019

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

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Both lots are currently 100% cleared of naturally-occurring vegetation and are used for storage of vehicles and materials for a garden center, which has its principal building on a lot to the east of the two subject parcels.

These lots were created as part of a minor subdivision approved in 2005 which also included a lot line modification. That application ("further Court Minor Subdivision") was recently modified to change the location of a common driveway to prevent the removal of mature trees.

The proposed lot line modification would create two more regularly-shaped lots, however, these lots will now both contain areas of commercial and residential zoning. The Planning Board discussed this issue and decided that it would be up to the applicants to approach the Town Board for a re-zoning if such is desired. Additionally, as the (primarily) commercially-zoned lot is increasing in size, allowing greater building and total lot coverage under current Code requirements, the applicants have agreed to a covenant which would use the existing area of lot 1 (59,124 sq. ft.) to determine allowable building and total lot coverage.

For the reasons listed above the Planning Board does not see the potential for any significant adverse environmental impacts and makes a negative declaration accordingly.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

East Hampton Town Board <hr/> <p style="text-align: center;">Name of Lead Agency</p> Samuel Kramer <hr/> <p style="text-align: center;">Print or Type Name of Responsible Officer in Lead Agency</p> <hr/> <p style="text-align: center;">Signature of Responsible Officer in Lead Agency</p>	<hr/> <p style="text-align: center;">Date</p> East Hampton Town Planning Board Chairman <hr/> <p style="text-align: center;">Title of Responsible Officer</p> Eric Schantz <small>Digitally signed by Eric Schantz DN: cn=Eric Schantz, o=ny, email=eschantz@hamptonny.gov, c=US Date: 2019.03.07 16:13:57 -0500</small> <hr/> <p style="text-align: center;">Signature of Preparer (if different from Responsible Officer)</p>
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