

PLANNING BOARD MEETING

January 25, 2022

Present at the meeting: Chairman Samuel Kramer, Vice Chair Ian Calder-Piedmonte, Members Louis Cortese, Michael Hansen, Ed Krug, Sharon McCobb, and Randall T. Parsons, and Counsel Nancy Marshall, and Assistant Director Eric Schantz, Secretary Jodi Walker and several other interested persons.

The meeting was called to order at 6:30 PM.

WORK SESSION:

1. 395 PANTIGO ROAD AFFORDABLE HOUSING PRELIMINARY SUBDIVISION SCTM #300-189-1-4

Assistant Director Schantz gives an overview and presents plans. The Board agreed to assume lead agency status. The Board finds the general layout to be acceptable. Test hole data should be added to the map. An updated draft lease agreement should be provided once the Town Board agrees upon the provisions of this document. Topography should be added at 2' intervals on the northern most lots. Building envelopes excluding areas of 20% slopes or greater should be added to the preliminary map. Screening along the eastern boundary should be considered. The Planning Board encourages the Architectural Review Board to consider the design of the future residences. The Planning Board encourages reduced lane widths in order to reduce the amount of paving required for the access road.

REGULAR MEETING:

The following Board of Review by counsel, and upon motions duly made and seconded, were approved by the Board:

ADOPTED BY PLANNING BOARD: JANUARY 25, 2023

BOARD OF REVIEW: PLANNING BOARD

WHEREAS, the Town Engineer has brought before the Board of Review the request of **ADIOS HOLDINGS, LLC – STEPHEN BRETENBACH**, for a Building Permit on premises located in **89 BAY VIEW AVENUE, AMAGANSETT; LOTS 68-72 INLCUDING p/o PINEHURST AVENUE; MAP 316, SECTIONS A, B, and C; URP 24 in AM-1; AND SCTM #300-106-1-5.4**

WHEREAS, Report has been made on UR Form No. 2-1976 updated **JANUARY 6, 2023**, which is attached to and made a part of this Resolution;

Now, therefore, be it

RESOLVED, that upon completion of the work shown on UR Form No. 2-1976 dated **JANUARY 6, 2023**, the Building Inspector may issue a Building Permit on said premises, or, in the alternative, he may issue a Building Permit upon Town Board's approval of an

Undertaking secured by a Certified Check or other Surety acceptable to the Town Board, to secure road improvement units required. Said Undertaking to be in the amount of **\$20,000.00**. These requirements shall be subject to review one (1) year from the date of this Resolution or **JANUARY 25, 2024**.

ADOPTED BY PLANNING BOARD: JANUARY 25, 2023

BOARD OF REVIEW: PLANNING BOARD

WHEREAS, the Town Engineer has brought before the Board of Review the request of **15 8TH STREET, LLC, JORGE A. CRUZ**, for a Building Permit on premises located in **15 8TH STREET, SPRINGS; LOTS 45 - 48; BLOCK 12; MAP 365; URP 68 in SP-2-1; and S.C.T.M.#: 300-76-3-4**

WHEREAS, Report has been made on UR Form No. 2-1976 updated **JANUARY 6, 2023**, which is attached to and made a part of this Resolution;

Now, therefore, be it

RESOLVED, that upon completion of the work shown on UR Form No. 2-1976 dated **JANUARY 6, 2023**, the Building Inspector may issue a Building Permit on said premises, or, in the alternative, he may issue a Building Permit upon Town Board's approval of an Undertaking secured by a Certified Check or other Surety acceptable to the Town Board, to secure road improvement units required. Said Undertaking to be in the amount of **\$24,000.00**. These requirements shall be subject to review one (1) year from the date of this Resolution or **JANUARY 25, 2024**.

ADOPTED BY PLANNING BOARD: JANUARY 25, 2023

BOARD OF REVIEW: PLANNING BOARD

WHEREAS, the Town Engineer has brought before the Board of Review the request of **SANDRA KRASKIN**, for a Building Permit on premises located in **5 PROSPECT STREET-SPRINGS; LOTS 20-31; BLOCK 11; MAP 16; URP 50 IN SP 4-1; AND SCTM #**

300-77-6-14.

WHEREAS, Report has been made on UR Form No. 2-1976 updated **JANUARY 19, 2023**, which is attached to and made a part of this Resolution;

Now, therefore, be it

RESOLVED, that upon completion of the work shown on UR Form No. 2-1976 dated **JANUARY 19, 2023**, the Building Inspector may issue a Building Permit on said premises, or in the alternative, he may issue a Building Permit upon Town Board's approval of an Undertaking secured by a Certified Check or other Surety acceptable to the Town Board, to secure road improvement units required. Said Undertaking to be in the amount of **\$22,500.00**. These requirements shall be subject to review one (1) year from the date of this Resolution or **JANUARY 25, 2024**.

By motions made, seconded, the following resolutions were approved by the Board:

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

In the Matter of the Application

of

**SCHEDULE
PUBLIC HEARING**

**MAP OF KATHLEEN DODGE
MINOR SUBDIVISION
SCTM # 300-144.1-1-84**

ADOPTED: 1 / 25 / 2023

1. 79 Middle Highway, LLC, owner, has made application for minor subdivision pursuant to Chapter 220 (Subdivision of Land) of the East Hampton Town Code, to divide a 46,444 square foot parcel into two (2) individual lots. Proposed Lot 1 will contain 24,157 square feet. Proposed Lot 2 will contain 22,287 square feet. The parcel is located on the east side of Middle Highway, East Hampton and are situated in a B-Residence zoning district as shown on the official Zoning Map of the Town of East Hampton. Premises are identified on the Suffolk County Tax Map as parcel SCTM #300-144.1-1-84.

2. Subject application is classified as an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA), Part 617 of the New York Code of Rules and Regulations, and Chapter 128 (Environmental Quality Review) of the Town Code.

3. A survey prepared by George Walbridge Surveyors, P.C. dated revised September 27, 2022 is available for inspection at the Planning Board offices, 300 Pantigo Place, Suite 103, East Hampton, New York.

4. A public hearing is hereby scheduled to be held at Town Hall, 159 Pantigo Road, East Hampton, on Wednesday, February 15, 2023 at 7:00 P.M. or as soon thereafter as this matter may be heard, to consider the said application.

5. The public hearing will be held live and in-person by the Planning Board and will be available electronically by video and teleconferencing, and will be televised on Local TV (LTV)

Channel 22, and available for livestream on the LTV website (<<https://www.ltveh.org>>). The public shall be permitted to appear in person but may also provide comments on the matter being heard by calling 351-888-6331.

6. Any person or party wishing to be heard with respect to the foregoing may do so, in person or by agent, or by attorney, or by call-in to the live stream, or by written comment addressed to the Planning Board, 300 Pantigo Place, Suite 103, East Hampton, New York 11937. Comments may also be submitted to the Planning Board by email to PlanningBoard@ehamptonny.gov. All comments must be received by the Planning Board by the date and time of the public hearing.

7. The applicant is hereby notified of the requirement that adjacent property owners as listed on the local assessment rolls, including those immediately across any public or private streets, be notified and that the subject property be posted, as required by § 255-9-23 of the Town Code.

DATED: January 25, 2023

cc: Diane LeVerrier, Esq.
257 Pantigo Road
East Hampton, NY 11937

Planning Department
Building Department

Result: Adopted
Mover: Louis Cortese
Secunder: Michael Hansen
Ayes: Samuel Kramer, Ian Calder-Piedmonte, Sharon McCobb, Randall T. Parsons,
Michael Hansen, Louis Cortese, Ed Krug

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

In the Matter of the Application

of

**SITE PLAN
APPROVAL**

**MONTAUK BEACH HOUSE III
SITE PLAN
SCTM #300-49-4-52.7**

ADOPTED: 1 / 25 / 2023

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 SITE PLAN:** Resort (no change)
3. **DESCRIPTION OF PROPOSED WORK:** To permit an already constructed 13' X 16' (210 sq. ft.) wood deck to remain
4. **SIZE OF PROPERTY:** 33,431 sq. ft
5. **OWNER OF PROPERTY:** Montauk Beach House, LLC
6. **APPLICANT:** Lighthouse Land Planning
7. **PROPOSED SITE PLAN:** Site Plan prepared by James P. Walsh, Land Surveyor, P.C. dated revised November 6, 2020
8. **DATE OF PUBLIC HEARING ON APPLICATION:** N/A

B. PROPERTY LOCATION AND DESCRIPTION

1. **SUFFOLK COUNTY TAX MAP DESIGNATION:** #300-49-4-52.7
2. **STREET LOCATION:** 55 South Elmwood Avenue
3. **CONTIGUOUS WATER BODIES:** N/A
4. **HAMLET OR GEOGRAPHIC AREA:** Montauk
5. **SITE DESCRIPTION & EXISTING IMPROVEMENTS:** The subject parcel is situated in downtown Montauk and is zoned CB: Central Business. It is surrounded by commercial uses and contains a legally pre-existing, non-conforming Resort use with an approved accessory bar and retail.

The property recently received site plan approval for a storage basement below an accessory building by the Planning Board in 2012, in 2013 for accessory bar and retail uses and again later in 2013 for a 1,450 sq. ft. open-air trellis, 24 sq. ft. barbecue grill and grease trap. Another subsequent site plan approval was granted in 2022 to construct a 297 sq. ft. covered outdoor grill area with a countertop on an existing portion of concrete patio covered by a 1,450 sq. ft. trellis (Montauk Beach House II Site Plan)

6. **FILED MAP NAME:** Fort Pond Business Section 1
7. **FILED MAP NUMBER:** 174
8. **DATE OF MAP FILING:** November 22, 1926
9. **BLOCK NUMBER IN FILED MAP:** 18
10. **LOT NUMBER IN FILED MAP:** 1 – 4, 20 – 22

C. ZONING CLASSIFICATION

1. **ZONING DISTRICT:** RS: Resort
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).

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: Resort (no change in use)

3. DESCRIPTION OF APPROVED WORK: To permit an already constructed 13' X 16' (210 sq. ft.) wood deck to remain

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 prepared by James P. Walsh, Land Surveyor, P.C. dated revised November 6, 2020

2. APPROVED BUILDING OR CONSTRUCTION PLANS: N/A

3. ADDITIONAL CONDITIONS AND TIME LIMITATIONS:

3.1 The applicant shall obtain the final written approval from the Architectural Review Board prior to the issuance of a building permit.

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

3.3 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: January 25, 2023

cc: Lighthouse Land Planning
P.O. Box 5030
Montauk, NY 11954

Planning Department
Building Inspector
Architectural Review Board

Result: Adopted
Mover: Louis Cortese

Seconder: Michael Hansen
Ayes: Samuel Kramer, Ian Calder-Piedmonte, Sharon McCobb, Randall T. Parsons,
Michael Hansen, Louis Cortese, Ed Krug

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

In the Matter of the Application

of

**SITE PLAN
APPROVAL**

**PETE'S GARDEN CENTER AND SERVICE COMMERCIAL
SITE PLAN
SCTM #300-49-1-13.3**

ADOPTED: 1 / 25 / 2023

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 SITE PLAN: Garden center

3. DESCRIPTION OF PROPOSED WORK: Construct an outdoor storage yard with 3 on-site parking spaces, 7 parking spaces in the right-of-way, sidewalk, and additional fencing on a cleared parcel zoned CB: Central Business in downtown Montauk.

4. SIZE OF PROPERTY: 8,200 sq. ft

5. OWNER OF PROPERTY: Peter Joyce and Anne Joyce

6. APPLICANT: Lighthouse Land Planning

7. PROPOSED SITE PLAN: Site plan prepared by Edward Armus Engineering, PLC revised January 12, 2022

8. DATE OF PUBLIC HEARING ON APPLICATION: December 7, 2022

B. PROPERTY LOCATION AND DESCRIPTION

1. SUFFOLK COUNTY TAX MAP DESIGNATION: #300-49-1-13.3

2. STREET LOCATION: 93 South Euclid Avenue

3. CONTIGUOUS WATER BODIES: N/A

4. HAMLET OR GEOGRAPHIC AREA: Montauk

5. SITE DESCRIPTION & EXISTING IMPROVEMENTS: The subject parcel is situated in downtown Montauk and is zoned CB: Central Business. There is no principle building structure and the site is currently used for retail and the outdoor display of trees, shrubbery, and plants, and parking. The applicant is proposing a garden center use with an associated commercial landscaping use.

6. FILED MAP NAME: Fort Pond Business Section 1

7. FILED MAP NUMBER: 174

8. DATE OF MAP FILING: November 22, 1926

9. BLOCK NUMBER IN FILED MAP: 23A

10. LOT NUMBER IN FILED MAP: 28 and 29

C. ZONING CLASSIFICATION

- 1. **ZONING DISTRICT:** CB: Central Business
- 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 1, 2022 the Fire Marshal found the proposed project to be ADA compliant.
- 3. By resolution dated August 16, 2022, the ZBA approved a variance from Section 255-11-40 (Parking requirements) to allow 7 parking spaces in the right-of-way where on-site parking spaces are required

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: Garden center

3. DESCRIPTION OF APPROVED WORK: Construct an outdoor storage yard with 3 on-site parking spaces, 7 parking spaces in the right-of-way, sidewalk, and additional fencing on a cleared parcel.

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 prepared by Edward Armus Engineering, PLC dated

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

3.2 The applicant shall obtain the final written approval from the Architectural Review Board prior to the issuance of a building permit.

3.3 Sidewalk shall connect with neighboring sidewalks.

3.4 The coloring of the sidewalk shall match that existing within this area of Montauk as specified on the January 12, 2022, site plan (Red Brick Dye #160).

3.5 Drainage structures as shown on the site plan and as approved by the Town consulting engineer shall be installed prior to the issuance of a Certificate of Occupancy.

3.6 The applicant shall prepare a draft easement or highway dedication to provide for public use of the sidewalk on the subject property. This documentation shall be submitted to the Town Attorney' Office in a manner found acceptable as evidenced by a report to the Planning Board. Proof of filing of this document with both the Town Clerk and the Suffolk County Clerk's Office shall be submitted to the Planning Board prior to the issuance of a certificate of occupancy.

3.7 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.

3.8 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.

3.9 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.

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

3.11 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: January 25, 2023

cc: Richard A. Hammer, Esq.
P.O. Box 5030
Montauk, NY 11954

Planning Department
Building Inspector
Architectural Review Board

Result: Adopted
Mover: Louis Cortese
Second: Sharon McCobb
Ayes: Samuel Kramer, Ian Calder-Piedmonte, Sharon McCobb, Randall T. Parsons,
Michael Hansen, Louis Cortese, Ed Krug

Upon motion duly made and seconded the meeting was adjourned at 7:40 PM.