

# PLANNING BOARD MEETING

February 28, 2018

Present at meeting: Chair Joseph B. Potter, Vice Chair Nancy Keeshan, Members Ian Calder-Piedmonte, Kathleen Cunningham, Ed Krug, Patti Leber, and Randall T. Parsons. Also present were Director Marguerite Wolffsohn, Planner Eric Schantz, Counsel John Jilnicki, Secretary Jodi Walker, and several other interested persons.

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

## **WORK SESSION:**

### **1. BECKMANN COMMERCIAL BUILDING SITE PLAN/SPECIAL PERMIT SCTM #300-49-1-14**

Planner Schantz gives an overview and presents plans. The board agrees with the Coastal Assessment Form. The application is ready for approval.

### **2. FORT POND NATIVE PLANTS ADDITIONS SITE PLAN SCTM #300-49-3-5.1**

Planner Schantz gives an overview and presents plans. The board agrees with the Coastal Assessment Form. The application is ready for approval.

### **3. NEW CINGULAR WIRELESS AT SCWA GENERATOR SITE PLAN SCTM #300-16-2-13**

Planner Schantz gives an overview and presents plans. The application is ready for approval.

### **4. NEW CINGULAR WIRELESS AT ST. PETER'S CHAPEL SITE PLAN/PWSF SCTM #300-103-6-23**

Member Krug recuses himself.

Planner Schantz gives an overview and presents plans. The board could not form a consensus on the proposed design and the applicant's attorney stated that he would consult with his client before the application proceeds further.

## **PUBLIC HEARINGS:**

### **INLET SEAFOOD BAR, RESTAURANT AND ICEHOUSE SITE PLAN/SPECIAL PERMIT SCTM #300-6-1-3.1, 36**

Vice Chair Keeshan reads public hearing notice. Counsel states affidavit of posting and service is in order. Planner Schantz gives an overview. No public comments were heard. A motion is made to close hearing, seconded and approved.

### **5. OCEANSIDE BEACH RESORT RENOVATIONS SITE PLAN/SPECIAL PERMIT SCTM #300-47-2-10.1**

Planner Schantz gives an overview and presents plans. The board will request a determination from the building inspector regarding what is the proper method for determining the parking requirement. The board will determine if or where areas on-site food and beverage service be limited to. The proposed landscaping plan is acceptable. The applicant will revise the plans to include low-nitrogen sanitary system(s).

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

approved by the Board:

**ADOPTED BY PLANNING BOARD: FEBRUARY 28, 2018**

**BOARD OF REVIEW: PLANNING BOARD**

WHEREAS, the Town Engineer has brought before the Board of Review the request of **BLAIR KATHERINE GAZZA** for a Building Permit on premises located in **S.C.T. M. 300-123-3-2.2** and

WHEREAS, Report has been made on UR Form No. 2-1976 dated **FEBRUARY 15, 2018** 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 **FEBRUARY 15, 2018**, 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 **\$8,700**. These requirements shall be subject to review one (1) year from the date of this Resolution or **FEBRUARY 28, 2019**.

**ADOPTED BY PLANNING BOARD: FEBRUARY 28, 2018**

**BOARD OF REVIEW: PLANNING BOARD**

WHEREAS, the Town Engineer has brought before the Board of Review the request of **KAREN GREATREX** for a Building Permit on premises located in **S.C.T. M. 300-158-2-21.1** and

WHEREAS, Report has been made on UR Form No. 2-1976 dated **FEBRUARY 21, 2018** 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 **FEBRUARY 21, 2018**, 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 **\$8,100**. These requirements shall be subject to review one (1) year from the date of this Resolution or **FEBRUARY 28, 2019**.

**ADOPTED BY PLANNING BOARD: FEBRUARY 28, 2018**

**BOARD OF REVIEW: PLANNING BOARD**

WHEREAS, the Town Engineer has brought before the Board of Review the request of **GEORGE PETKANAS** for a Building Permit on premises located in **S.C.T. M. 300-76-7-6** and

WHEREAS, Report has been made on UR Form No. 2-1976 dated **FEBRUARY 21, 2018** 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 **FEBRUARY 21, 2018**, 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 **\$9,900**. These requirements shall be subject to review one (1) year from the date of this Resolution or **FEBRUARY 28, 2019**.

**ADOPTED BY PLANNING BOARD: FEBRUARY 28, 2018**

**BOARD OF REVIEW: PLANNING BOARD**

WHEREAS, the Town Engineer has brought before the Board of Review the request of **TIMOTHY O'BRIEN** for a Building Permit on premises located in **S.C.T. M. 300-58-9-5.3** and

WHEREAS, Report has been made on UR Form No. 2-1976 dated **FEBRUARY 22, 2018** 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

**FEBRUARY 22, 2018**, 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 **\$12,000**. These requirements shall be subject to review one (1) year from the date of this Resolution or **FEBRUARY 28, 2019**.

**URBAN RENEWAL MODIFICATION:**

**Adopted by Planning Board: FEBRUARY 28, 2018**

**Old Filed Map Modification:**

**WHEREAS**, application has been submitted for modification of Urban Renewal Map # 16,

Sheet SP-4, Blk 17, URP # 67, Lots # 1 -10, 11-18, 33-38 & 39-40 in the Old Filed Map Subdivision

Section 1 MONTAUK VIEW - SPRING, SCTM #300-77-8-5, 6 &11.3

**URBAN RENEWAL MAP NUMBER**

**OLD FILED MAP MODIFICATION**

**URP # 67, Lots # 1-10, 11-18, 33-38 & 39-40**

**URP #67, Lots # 12-18, 33-39  
URP #68, Lots # 1-4, 40  
URP #69 Lots # 5-11,**

**WHEREAS**, the applicant has been advised to receive Town Board approval of this Modification,

**WHEREAS**, the Planning Board discussed the application and found it to be satisfactory

**with conditions..**

**RESOLVED**, the Planning Board recommends the Town Board approve this modification.

**BE IT FURTHER RESOLVED**, except for the above modifications the map is reaffirmed in all other respects.

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

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

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**In the Matter of the Application**

**of**

**SULLIVAN  
MINOR SUBDIVISION  
SCTM #300-32-5-19**

**EXTENSION  
OF TIME**

**ADOPTED: 2 / 28 / 18**

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1. By resolution adopted June 5, 2013, and subsequently extended March 26, 2014, February 4, 2015, January 13, 2016, and January 25, 2017, (the "Resolution"), the Planning Board granted minor subdivision approval to the above-mentioned application, subject to various conditions.

2. By letter dated January 26, 2018, Nancy Marshall, attorney for the applicant, has informed the Planning Board that additional time is needed in order meet the conditions of the Planning Board Resolution prior to the signing of the map, and has requested an extension of time.

3. Based upon the foregoing, the Planning Board hereby extends the time within which the applicant must comply with the conditions of the Board's resolution of approval for a period of one (1) year, or until December 5, 2018.

4. In all other respects, the original Resolution of approval as extended is hereby reaffirmed.

DATED: February 28, 2018

cc: Nancy Marshall, Esq.  
Biondo & Hammer, LLP  
P.O. Box 5030  
Montauk, NY 11954

Planning Department  
Building Department

Result: Adopted  
Mover: Nancy Keeshan  
Seconded: Kathleen Cunningham  
Ayes: Joseph B. Potter, Nancy Keeshan, Patti Leber, Randall T. Parsons, Ian Calder-Piedmonte, Kathleen Cunningham, Ed Krug

**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  
APPROVAL**

**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:** Site plan approval pursuant to Article VI of Chapter 255 (Zoning) of the East Hampton Town Code.
- 2. DESCRIPTION OF PROPOSED WORK:** To construct an 8' X 3' (24 sq. ft.) emergency diesel generator on a 4' X 10' (40 sq. ft.) concrete pad along with fencing to provide emergency power to New Cingular Wireless' (AT&T) existing Personal Wireless Service Facility
- 3. SIZE OF PROPERTY:** 17,560 sq. ft
- 4. OWNER OF PROPERTY:** Suffolk County Water Authority
- 5. APPLICANT:** Re, Nielsen, Huber & Coughlin, LLP
- 6. PROPOSED SITE PLAN:** Set of plans prepared by Ramaker & Associates, Inc., dated revised September 26, 2017, including: Title Sheet (T-1), General Notes (N-1), Existing Site Plan (A-1), Proposed Site Plan (A-2), Proposed Compound Layout (A-3), Required Signage (A-4), Foundation Details (5-1), Generator Tank Details (5-2), Generator Installation Details (5-3), Generator Sound Data (5-4), Fence Details (5-5), Wiring Details (E-1), Panel and Penetration Details (E-2), ATS, Conduit & Ground Rod Details (E-3), Generac Generator Specifications (E-4), and Generac ATS Specifications (E-5)
- 7. DATE OF PUBLIC HEARING ON APPLICATION:** February 7, 2018

**B. PROPERTY LOCATION AND DESCRIPTION**

- 1. SUFFOLK COUNTY TAX MAP DESIGNATION:** #300-16-2-13
- 2. STREET LOCATION:** Flamingo Road & Fairmont Avenue
- 3. CONTIGUOUS WATER BODIES:** N/A
- 4. HAMLET OR GEOGRAPHIC AREA:** Montauk
- 5. SITE DESCRIPTION & EXISTING IMPROVEMENTS:** The subject parcel is situated in the PC: Parks and Conservation Zoning District as well as the Water Recharge Overlay District (WROD). The parcel is already improved and contains a Suffolk County Water Authority water tower as well as a number of existing personal wireless service facilities for other carriers and their associated equipment shelter(s).
- 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:** PC: Parks & Conservation
- 2. ZONING OVERLAY DISTRICT:** Water Recharge Overlay District

**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. This application was referred to the Town Engineer who offered no comments.
3. This application was referred to the Office of Fire Prevention who offered no comments.

**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:** Site plan approval pursuant to Article VI of Chapter 255 of the Town Code.
- 2. NATURE OF APPROVED USE:** Public utility & Personal wireless service facility
- 3. DESCRIPTION OF APPROVED WORK:** To construct an 8' X 3' (24 sq. ft.) emergency diesel generator on a 4' X 10' (40 sq. ft.) concrete pad along with fencing to provide emergency power to New Cingular Wireless' (AT&T) existing Personal Wireless Service Facility

**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 PLANS:** Set of plans prepared by Ramaker & Associates, Inc., dated revised September 26, 2017, including: Title Sheet (T-1), General Notes (N-1), Existing Site Plan (A-1), Proposed Site Plan (A-2), Proposed Compound Layout (A-3), Required Signage (A-4), Foundation Details (5-1), Generator Tank Details (5-2), Generator Installation Details (5-3), Generator Sound Data (5-4), Fence Details (5-5), Wiring Details (E-1), Panel and Penetration Details (E-2), ATS, Conduit & Ground Rod Details (E-3), Generac Generator Specifications (E-4), and Generac ATS Specifications (E-5)

**2. ADDITIONAL CONDITIONS AND TIME LIMITATIONS:**

2.1 No building permits may issue, nor may clearing, grading, or construction activities be commenced, until and unless the condition enumerated in sub¶ 3.2 below has been met, as evidenced by the report of the Planning Board Chair.

3.2 The applicant shall obtain final approval of the Architectural Review Board (ARB).

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

3.4 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 28, 2018

cc: John Huber  
Re, Nielsen, Huber & Coughlin, LLP  
36 North New York Avenue  
Huntington, NY 11743

Planning Department  
Building Inspector  
Architectural Review Board

Result: Adopted  
Mover: Nancy Keeshan  
Seconder: Kathleen Cunningham  
Ayes: Joseph B. Potter, Nancy Keeshan, Patti Leber, Randall T. Parsons, Ian Calder-Piedmonte, Kathleen Cunningham, Ed Krug

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

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**In the Matter of the Application**

**SITE PLAN/  
SPECIAL PERMIT  
APPROVAL**

of

**HAMPTON RACQUET AT  
GREEN HOLLOW  
SITE PLAN/SPECIAL PERMIT  
SCTM#300-184-3-11 & 14**

ADOPTED:   2   /   28   /   18  

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**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 (day camp)**

**3. DESCRIPTION OF PROPOSED WORK:** To legalize a number of already-built structures used in conjunction with the pre-existing tennis club use of the subject parcel, including legalizing one already-built tennis court and removing another, to keep the total number of tennis



courts approved for the site the same (13). Also, proposed is to legalize an ongoing children's tennis camp which represents a "semi-public facility", a special permit use and to provide additional parking and a second access point

4. **SIZE OF PROPERTY:** 259,022 sq. ft.
5. **OWNER OF PROPERTY:** Green Hollow Real Estate, LLC
6. **APPLICANT:** Britton Bistran
7. **PROPOSED SITE PLAN:** A site plan prepared by George Walbridge Surveyors, P.C. dated revised July 28, 2017; a set of plans TF Engineering, PLLC, dated May 26, 2016 including: Overall Site Plan (C-1), Horizontal Control Plan (C-2), Grading Plan (C-3), and Details (C-4)
8. **DATE OF PUBLIC HEARING ON APPLICATION:** November 15, 2017

#### **B. PROPERTY LOCATION AND DESCRIPTION**

1. **SUFFOLK COUNTY TAX MAP DESIGNATION:** #300-184-3-11 & 14
2. **STREET LOCATION:** 172 Buckskill Road
3. **CONTIGUOUS WATER BODIES:** Not applicable
4. **HAMLET OR GEOGRAPHIC AREA:** East Hampton
5. **SITE DESCRIPTION & EXISTING IMPROVEMENTS:** The parcel is currently improved with a clubhouse building, numerous sheds, fourteen (14) playing courts (including one (1) practice court), a basketball court, various playing fields and associated parking and landscaping. The subject parcel contains 259,022 square feet (5.946 acres) and is located on the west side of Green Hollow Road, East Hampton and is situated in an A3-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 #300-184-3-11.
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:** A3: Residence
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. By letter dated January 24, 2018 the Suffolk County Planning Commission (SCPC) found the application to be a matter for local determination.
2. By letter dated September 22, 2017 the Office of Fire Prevention stated that no further information was required
3. By letter dated September 29, 2016 the Town Engineer found the engineering elements satisfactorily addressed.

#### **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 broadcast facility use 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 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 (day camp)**

**3. DESCRIPTION OF APPROVED WORK:** To legalize a number of already-built structures used in conjunction with the pre-existing tennis club use of the subject parcel, including legalizing one already-built tennis court and removing another, to keep the total number of tennis courts approved for the site the same (13). Also, proposed is to legalize an ongoing children's tennis camp which represents a "semi-public facility", a special permit use and to provide additional parking and a second access point

### **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 & BUILDING PLANS:** A site plan prepared by George Walbridge Surveyors, P.C. dated revised July 28, 2017; a set of plans TF Engineering, PLLC, dated May 26, 2016 including: Overall Site Plan (C-1), Horizontal Control Plan (C-2), Grading Plan (C-3), and Details (C-4)

#### **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 condition enumerated in sub¶ 3.2 below has 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 Prior to the issuance of a certificate of occupancy, the applicants shall have performed all re-vegetation required, as illustrated and quantified on the approved site plan (prepared by George Walbridge Surveyors, P.C. dated revised July 28, 2017). The applicants shall submit a detailed re-vegetation plan (including the species of plants, number of plants, height of plants & spacing of plants to be found acceptable by the Planning Department.

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

3.5 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 28, 2018

cc: Britton Bistran  
PO Box 2756  
Amagansett NY 11930

Planning Department  
Building Inspector  
Architectural Review Board

Result: Adopted  
Mover: Nancy Keeshan  
Seconded: Kathleen Cunningham  
Ayes: Joseph B. Potter, Nancy Keeshan, Patti Leber, Randall T. Parsons, Ian Calder-Piedmonte, Kathleen Cunningham, Ed Krug

**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  
APPROVAL**

**FORT POND NATIVE PLANTS  
ADDITIONS  
SITE PLAN  
SCTM #300-49-3-5.1**

**ADOPTED: 2 / 28 / 18**

**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:** Site plan approval pursuant to Article VI of Chapter 255 (Zoning) of the East Hampton Town Code.
- 2. DESCRIPTION OF PROPOSED WORK:** To construct two (2) additions (one @ 14' X 17' or 238 sq. ft. and one @ 14' X 14' or 196 sq. ft. for a total of 434 sq. ft.) to an existing garden center building as well as to add a new 1,260 sq. ft. greenhouse/head house building, an extension of an existing brick-in-sand patio, and a 28' X 28' (784 sq. ft.) wooden arbor, along with four (4) new parking spaces.
- 3. SIZE OF PROPERTY:** 17,560 sq. ft
- 4. OWNER OF PROPERTY:** James Grimes
- 5. APPLICANT:** Tara Powers c/o Lighthouse Land Planning, LLP
- 6. PROPOSED SITE PLAN:** Site Plan prepared by James, C. Grimes Land Design dated February 6, 2014
- 7. DATE OF PUBLIC HEARING ON APPLICATION:** February 7, 2018

**B. PROPERTY LOCATION AND DESCRIPTION**

- 1. SUFFOLK COUNTY TAX MAP DESIGNATION:** #300-49-3-5.1
- 2. STREET LOCATION:** 30 South Erie Avenue
- 3. CONTIGUOUS WATER BODIES:** N/A
- 4. HAMLET OR GEOGRAPHIC AREA:** Montauk
- 5. SITE DESCRIPTION & EXISTING IMPROVEMENTS:** The subject parcel is zoned CB: central Business and is situated on South Erie Avenue and South Embassy Street in downtown

Montauk. The parcel is 100% cleared and contains a garden center use. It is not within any overlay zones and the distance to any wetlands associated with Fort Pond is greater than 150'.

**6. FILED MAP NAME:** Fort Pond Business Section I

**7. FILED MAP NUMBER:** 174

**8. DATE OF MAP FILING:** November 16, 1926

**9. BLOCK NUMBER IN FILED MAP:** 14

**10. LOT NUMBER IN FILED MAP:** 1, 2, 3 & 4

### **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. This application was referred to the Town Engineer who stated in a memo dated December 8, 2017 that the parking was not ADA compliant. The applicants have since addressed this issue. It is further noted that the Town Engineer will inspect the property before a certificate of occupancy can be issued.

3. By memo dated November 15, 2017 the Office of Fire Prevention stated that ADA compliant parking was not provided. The applicants have since addressed this issue. It is further noted that the Town Engineer will inspect the property before a certificate of occupancy can be issued.

### **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:** 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:** To construct two (2) additions (one @ 14' X 17' or 238 sq. ft. and one @ 14' X 14' or 196 sq. ft. for a total of 434 sq. ft.) to an existing garden center building as well as to add a new 1,260 sq. ft. greenhouse/head house building, an extension of an existing brick-in-sand patio, and a 28' X 28' (784 sq. ft.) wooden arbor, along

with four (4) new parking 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:** Site Plan prepared by James, C. Grimes Land Design dated February 6, 2014

**2. APPROVED ADDITIONAL PLANS:** A survey prepared by James P. Walsh, Land Surveyor, PC, dated revised November 3, 2016; north/south elevations prepared by James C. Grimes Land Design dated February 8, 2014

### **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 final approval of the Architectural Review Board (ARB).

3.3 The applicant shall obtain final approval of the Suffolk County Department of Health Services (SCDHS) which includes the installation of a Low- Nitrogen Sanitary System pursuant to Chapter 210 of the Town Code.

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

3.5 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 28, 2018

cc: Tara Powers  
Lighthouse Land Planning  
PO Box 5030  
Montauk, NY 11954

Planning Department  
Building Inspector  
Architectural Review Board

Result: Adopted

Mover: Nancy Keeshan

Seconder: Kathleen Cunningham

Ayes: Joseph B. Potter, Nancy Keeshan, Patti Leber, Randall T. Parsons, Ian Calder-Piedmonte, Kathleen Cunningham, Ed Krug

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

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**In the Matter of the Application**

**SITE PLAN/  
SPECIAL PERMIT  
APPROVAL**

of

**BECKMANN COMMERCIAL BUILDING  
SITE PLAN/SPECIAL PERMIT  
SCTM#300-49-1-14**

**ADOPTED:   2   /  28  /  18**

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**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:** Veterinary Office

**3. DESCRIPTION OF PROPOSED WORK:** To construct a two-story 2,066 sq. ft. (footprint) building with a 1,811 sq. ft. first floor to contain a veterinary office use and a 583 sq. ft. second floor to contain an office use.

**4. SIZE OF PROPERTY:** 8,919 sq. ft.

**5. OWNER OF PROPERTY:** Rhett M. Beckmann

**6. APPLICANT:** Tara Powers, Lighthouse Land Planning LLP

**7. PROPOSED SITE PLAN:** A set of plans prepared by D. B. Bennett, PE, PC, dated revised March 30, 2017, including: Civil Site Plan (C1), Floor Plan (A1), Elevations (A2), and a Landscape Plan (C2) dated revised April 7, 2017

**8. DATE OF PUBLIC HEARING ON APPLICATION:** February 7, 2018

**B. PROPERTY LOCATION AND DESCRIPTION**

**1. SUFFOLK COUNTY TAX MAP DESIGNATION:** #300-49-1-14

**2. STREET LOCATION:** 94 South Euclid Avenue

**3. CONTIGUOUS WATER BODIES:** Not applicable

**4. HAMLET OR GEOGRAPHIC AREA:** Montauk

**5. SITE DESCRIPTION & EXISTING IMPROVEMENTS:** The parcel is currently vacant and is situated in downtown Montauk on the corner of Essex Street and South Euclid Avenue and is zoned CB: Central Business. It is 100% cleared of natural vegetation.

**6. FILED MAP NAME:** Fort Pond Business Section I

**7. FILED MAP NUMBER:** 174

**8. DATE OF MAP FILING:** November 16, 1926

**9. BLOCK NUMBER IN FILED MAP:** 23

**10. LOT NUMBER IN FILED MAP:** 7 & 8

**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. This application was referred to the Town Engineer who outlined a number of issues in a memo dated October 31, 2013, which have since been addressed.
3. By memo dated January 8, 2018 the Office of Fire Prevention stated that no further information was required.
4. By resolution dated November 28, 2017 the Zoning Board of Appeals granted the required parking variances.
5. By resolution dated June 8, 2017 the Architectural Review Board granted approval of the application.

**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 broadcast facility use 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 "Veterinary Office" 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 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: Veterinary Office & Office**

**3. DESCRIPTION OF APPROVED WORK:** To construct a two-story 2,066 sq. ft. (footprint) building with a 1,811 sq. ft. first floor to contain a veterinary office use and a 583 sq. ft. second floor to contain an office use.

## **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 & BUILDING PLANS:** A set of plans prepared by D. B. Bennett, PE, PC, dated revised March 30, 2017, including: Civil Site Plan (C1), Floor Plan (A1), Elevations (A2), and a Landscape Plan (C2) dated revised April 7, 2017

### **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 condition enumerated in sub 3.2 below has been met, as evidenced by the report of the Planning Board Chair.

3.2 The applicant shall obtain final approval of the Suffolk County Department of Health Services (SCDHS) which includes the installation of a Low- Nitrogen Sanitary System pursuant to Chapter 210 of the Town Code.

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

3.4 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 28, 2018

cc: Tara Powers  
Lighthouse Land Planning  
PO Box 5030  
Montauk, NY 11954

Planning Department  
Building Inspector  
Architectural Review Board

Result: Adopted  
Mover: Nancy Keeshan  
Seconder: Kathleen Cunningham  
Ayes: Joseph B. Potter, Nancy Keeshan, Patti Leber, Randall T. Parsons, Ian Calder-Piedmonte, Kathleen Cunningham, Ed Krug

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

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**In the Matter of the Application**

**of**

**PRISTINE PROPERTIES, LLC**

**EXTENSION  
OF TIME**

**SITE PLAN/SPECIAL PERMIT  
SCTM #300-145-5-3.1**

**ADOPTED: 2 / 28 / 18**

1. By resolution adopted October 6, 2010; and subsequently extended February 25, 2015 and modified September 14, 2011, (the "Resolution"), the Planning Board granted site plan/special permit approval to the above-mentioned application, subject to various conditions.

2. By letter dated February 14, 2018, Britton Bistran, agent for the applicant, has informed the Planning Board that additional time is needed within which to obtain a certificate of occupancy and has requested an extension of time.

3. Based upon the foregoing, the Planning Board hereby extends the time within which the applicant must comply with the conditions of the Board's resolution retroactively in one (1) year increments within which to obtain a building permit, or until April 6, 2018.

4. In all other respects, the original Resolution of approval as extended is hereby reaffirmed.

DATED: February 28, 2018

cc: Britton Bistran  
P.O. Box 2756  
Amagansett, NY 11930

Planning Department  
Building Department

Result: Adopted  
Mover: Kathleen Cunningham  
Seconder: Nancy Keeshan  
Ayes: Joseph B. Potter, Nancy Keeshan, Patti Leber, Randall T. Parsons, Ian Calder-Piedmonte, Kathleen Cunningham, Ed Krug

Adoption of Minutes: February 7, 2018

Upon motion duly made and seconded the meeting was adjourned at 8:30 PM.