

PLANNING BOARD MEETING

March 1, 2023

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

Via zoom: Member Randall T. Parsons

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

WORK SESSION:

1. NEW CINGULAR WIRELESS AT ST. PETER'S CHAPEL SITE PLAN/SPECIAL PERMIT/PWSF SCTM #300-103-6-24.1

Assistant Director Schantz gives an overview and presents plans. The Board agreed to assume lead agency status pursuant to SEQRA. The Board would like the applicant to consider an alternative design for the driveway leading to the equipment compound with associated landscaping. The Planning Department will prepare an EAF Parts II and III for the next work session. All exterior lighting must be made compliant with the Town Code and the Planning Board's Guidelines for Exterior Lighting. The applicant should clarify the noise output of the proposed generator and any screening, baffling, or other noise attenuating measures. The Planning Board will defer to the Architectural Review Board regarding the color and style of fencing for the equipment compound. The applicants should clarify what existing mature trees, quantities, and locations, will need to be removed for the proposed facility.

2. 219/221 PANTIGO ROAD SITE PLAN SCTM #300-188-1-11, 13.1

Vice Chair Calder-Piedmonte recuses himself.

Assistant Director Schantz gives an overview and presents plans. The board agrees to assume lead agency status pursuant to SEQRA.

3. CILVAN REALTY, LLC SITE PLAN SCTM #300-161-4-9

Assistant Director Schantz gives an overview and presents plans. The Board finds the proposed lighting plan to be acceptable. The Board agreed to a negative declaration pursuant to SEQRA. The application is complete and ready to be scheduled for public hearing.

4. MAIDSTONE ACRES II SITE PLAN SCTM #300-38-4-2.1

Assistant Director Schantz gives an overview and presents plans. The applicant should submit the outstanding site plan elements as outlined in the attached memo. A comprehensive site septic plan should be submitted providing all design details for the required low nitrogen sanitary system upgrade. The outdoor seating and parking areas should be removed from the site plan.

URBAN RENEWAL MODIFICATION

**59 GARDINER'S LANE
SCTM #300-95-3-20**

The board agreed to send a recommendation to the Town Board to grant the modification if the applicant agrees to revegetate to already cleared areas and provide an easement.

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: MARCH 1, 2023

BOARD OF REVIEW: PLANNING BOARD

WHEREAS, the Town Engineer has brought before the Board of Review the request of **BROOKLYN TIMBER LLC**, for a Building Permit on premises located in **59 GARDINERS LANE, SPRINGS; LOTS 11-18; BLOCK 47; MAP 16; URP 27 IN SP 4-2; SCTM #300-95-3-20.**

WHEREAS, Report has been made on UR Form No. 2-1976 updated **FEBRUARY 20, 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 **FEBRUARY 20, 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 **MARCH 1, 2024**.

ADOPTED BY PLANNING BOARD: MARCH 1, 2023

BOARD OF REVIEW: PLANNING BOARD

WHEREAS, the Town Engineer has brought before the Board of Review the request of **CARLOS BERMEO**, for a Building Permit on premises located in **26 3RD STREET-**

SPRINGS; LOTS 32-36; BLOCK 7; MAP 365; URP 27 IN SP-2-1; AND SCTM #300-60-5-15.1.

WHEREAS, A revised report has been made on UR Form No. 2-1976 updated **FEBRUARY 21, 2023**, which is attached to and made a part of this Resolution;

Now, therefore, be it

RESOLVED, that upon completion of the revised work shown on UR Form No. 2-1976 dated **FEBRUARY 21, 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 **MARCH 1, 2024**.

ADOPTED BY PLANNING BOARD: MARCH 1, 2023

BOARD OF REVIEW: PLANNING BOARD

WHEREAS, the Town Engineer has brought before the Board of Review the request of **CHRIS & JULIE MILLER**, for a Building Permit on premises located in **SIX FORT LANE, MONTAUK; LOT P/O 46 & 47; MAP 496; SCTM #300-27-4-23.2**

WHEREAS, Report has been made on a 280-A application updated **JANUARY 23, 2023**, which is attached to and made a part of this Resolution;

Now, therefore, be it

RESOLVED, the Town's Consulting Engineer's report provides that the present roadway conditions are sufficient to provide access to the property and existing conditions meet the requirements of Chapter 220 "Subdivision Standards", for road serving 5 to 23 lots, and no road work is required; and be it further,

RESOLVED, that as existing clearing and improvements widths have been met, and no road improvement assignment is required, no undertaking or security is required, and if all other applicable conditions have been met, the Building Inspector may issue a Building Permit for improvements to the property.

ADOPTED BY PLANNING BOARD: MARCH 1, 2023

BOARD OF REVIEW: PLANNING BOARD

WHEREAS, the Town Engineer has brought before the Board of Review the request of **GLENN GLASSER**, for a Building Permit on premises located in **ONE FORT LANE, MONTAUK; LOT P/O 44; MAP 496; SCTM #300-48-3-2.2.**

WHEREAS, Report has been made on a 280-A application updated **JANUARY 23, 2023**, which is attached to and made a part of this Resolution;

Now, therefore, be it

RESOLVED, the Town’s Consulting Engineer’s report provides that the present roadway conditions are sufficient to provide access to the property and existing conditions meet the requirements of Chapter 220 “Subdivision Standards”, for road serving 5 to 23 lots, and no road work is required; and be it further,

RESOLVED, that as existing clearing and improvements widths have been met, and no road improvement assignment is required, no undertaking or security is required, and if all other applicable conditions have been met, the Building Inspector may issue a building permit for improvements to the property.

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

**351 PANTIGO SUBWAIVER
SCTM #300-189-1-2**

**RESOLUTION
AMENDING
APPROVAL**

ADOPTED: 3 / 1 / 2023

The Planning Board has reviewed a prior determination of the Board and desires to modify certain provisions of the approval as set forth below. Except as modified herein, the determination is reaffirmed in all respects.

REQUEST TO MODIFY: Resolution adopted December 14, 2022 granting subwaiver

approval.

PROPERTY LOCATION: 351 Pantigo Road, East Hampton

PROPOSED AMENDMENT: To add conditions of approval requiring a covenant to prevent future commercial development on Lot 2

MODIFICATION AS APPROVED: To add the following conditions of approval:

- The applicant shall prepare a declaration of covenants and restrictions which prohibits any future commercial uses or structures on proposed Lot 2. A draft of this document shall be submitted to the Planning Board in a manner to be found acceptable by the Town Attorney's Office.
- For the sole purpose of enabling the Planning Board Chair to sign the Map, the applicant shall have satisfied any condition of this approval which requires the applicant to record one or more easements, declarations, or other legal instruments at the Office of the Suffolk County Clerk either *(a)* for easements or other conveyances which must be accepted by the Town Board, whether or not pursuant to the provisions of § 247 of the General Municipal Law, when these easements or other conveyances have been actually accepted by the Town Board, or *(b)* for all other easements, declarations, or legal instruments, when the form of these easements, declarations, or other instruments has been approved by counsel to this Board.
- The applicant shall record any and all of the documents referred to in the preceding paragraph at the Office of the Suffolk County Clerk simultaneously with the filing of the Map, and shall return three (3) copies of each such recorded document, with proof of recordation shown thereon, to the Town Clerk before building permits will be issued on any of the lots shown on the Map.

REASONS SUPPORTING MODIFICATION: The Planning Board had its initial review of the application on November 4, 2021. At that time, the Planning Board stated that "The board will send comments in support of the variance due to the fact that the applicant is willing to provide a covenant prohibiting any future commercial uses on the rear lot containing the residence."

Proposed Lot 2 is to be for the construction of one single-family residence and associated accessory structures. As Lot 2 would be partially within the Limited Business Overlay District (LBO) under the current zoning boundary configuration, it would also otherwise be permitted to contain uses approved within the LBO, provided all other applicable approvals are obtained. However, it is the intention of the Planning Board to prevent such future development on Lot 2 through requiring a covenant and restriction over the property.

APPROVED PLAN AS MODIFIED: N/A

CONDITIONS TO MODIFICATION: N/A

DATED: March 1, 2023

cc: Dan Weaver
Walbridge Surveyors
300 Pantigo Place, Suite 116
East Hampton, NY 11937

Planning Department
Building Inspector

Result: Adopted
Mover: Sharon McCobb
Secunder: Ed Krug
Ayes: 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

**SCHEDULE
PUBLIC HEARING**

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

ADOPTED: 3 / 1 / 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, March 22, 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: March 1, 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: 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

**MARGOLIS
LOT LINE MODIFICATION
SCTM #300-185-2-24.1 & 31.4**

**RESOLUTION
AMENDING
APPROVAL**

ADOPTED: 3 / 1 / 2023

The Planning Board has reviewed a prior determination of the Board and desires to modify certain provisions of the approval as set forth below. Except as modified herein, the determination is reaffirmed in all respects.

REQUEST TO MODIFY: Resolution adopted 8/10/2022 granting an adjustment of lot lines pursuant to § 220 (Subdivision of Land) of the East Hampton Town Code.

PROPERTY LOCATION: 20 Buell Lane Extension, 21 Route 114

PROPOSED AMENDMENT: Modifying the approval to reflect the revised map approved by the Suffolk County Department of Health Services.

MODIFICATION AS APPROVED: The approved map is modified to reflect the date in the “approved plans as modified” below.

REASONS SUPPORTING MODIFICATION: The modification involves no substantive changes to the Planning Board’s previous determination. It merely reflects a correction for administrative records to reference the final map which has obtained approval of the Suffolk County Department of Health Services.

APPROVED PLAN AS MODIFIED: Survey prepared by Saskas Surveying, P.C., dated last revised August 3, 2022.

CONDITIONS TO MODIFICATION: None

DATED: March 1, 2023

cc: Jack Brierley
Due East Planning
PO Box 4144
East Hampton, NY 11937

Planning Department
Building Inspector
Board of Assessors

Result: Adopted

Mover: Ian Calder-Piedmonte

Secunder: Sharon McCobb

Ayes: 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
**THREE MILE HARBOR VISTA II
MINOR SUBDIVISION
SCTM #300-94-02-01**

**RESOLUTION
AMENDING
APPROVAL**

ADOPTED: 2 / 1 / 2023

The Planning Board has reviewed a prior determination of the Board and desires to modify certain provisions of the approval as set forth below. Except as modified herein, the determination is reaffirmed in all respects.

REQUEST TO MODIFY: Resolution adopted 2/11/2020 granting a minor subdivision pursuant to § 220 (Subdivision of Land) of the East Hampton Town Code.

PROPERTY LOCATION: 182 Three Mile Harbor Road

PROPOSED AMENDMENT: Modifying the approval to reflect the revised map approved by the Suffolk County Department of Health Services.

MODIFICATION AS APPROVED: The approved map is modified to reflect the date in the “approved plans as modified” below.

REASONS SUPPORTING MODIFICATION: The modification involves no substantive changes to the Planning Board’s previous determination. It merely reflects a correction for administrative records to reference the final map which has obtained approval of the Suffolk County Department of Health Services.

APPROVED PLAN AS MODIFIED: Survey prepared by Hands on Surveying dated last revised January 13, 2023.

CONDITIONS TO MODIFICATION: None

DATED: March 1, 2023

cc: Mark J. Catalano
10 Pantigo Road
East Hampton, NY 11937

Planning Department
Building Inspector
Board of Assessors

Result: Adopted
Mover: Ed Krug
Seconder: Michael Hansen
Ayes: 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 9:35 PM.