

# PLANNING BOARD MEETING

April 12, 2023

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, Planner Tina Vavilis LaGarenne, Secretary Jodi Walker, and several other interested persons.

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

## **WORK SESSION:**

### **1. HOME SWEET HOME SITE PLAN/SPECIAL PERMIT SCTM #300-197-2-16, 3.2**

Planner Vavilis LaGarenne gives an overview and presents plans. The board did not find the proposed reduction in building area to be acceptable to achieve adequate parking and circulation, considering the modified types of operation the proposed project would entail. The applicant clarified policies made regarding the disposal of abandoned items. The board did not find the parking to be sufficient to handle seasonal demand and meet special permit standards. The board did not agree with the opinion of the applicant's consultant with respect to the potential for seasonal traffic impacts. The proposed lighting plan is acceptable. The applicant should provide additional native landscaping to screen the property more adequately.

### **2. GARDINER'S MARINA SITE PLAN SCTM #300-93-1-8**

Planner Vavilis LaGarenne gives an overview and presents plans for Assistant Director Schantz. The quantity and configuration of the parking is acceptable. The lighting plan is acceptable. The landscaping plan is acceptable. The application will be complete once a complete application has been submitted to the ZBA.

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

Assistant Director Schantz gives an overview and presents plans. The application is complete and ready to be scheduled for public hearing.

## **PUBLIC HEARINGS:**

### **CIVLAN REALTY, LLC SITE PLAN SCTM #300-161-4-9**

Member McCobb reads public hearing notice. Counsel states affidavit of posting and service is in order. Assistant Director Schantz gives an overview and presents plans. David Buda, Springs resident, is concerned with the condition of the structure and the ability to renovate it. He feels the location and size of the building are inappropriate and the applicant should consider relocating it. He has concerns with the large trucks being able to maneuver within the property. Jane Mehring, Amagansett resident, believes the project is too large and not compliant. She states that a nightclub use would operate less hours than a what is currently proposed. She questions the affordability of the proposed apartments. Betsy Petroski, East Hampton resident, has concerns regarding traffic, scale of the building, and basement usage. She states the project is not in keeping with the neighborhood. Buda would like to see a sketch of the projecting conforming to town code. He has concerns regarding setbacks and circulation. And believes the project would be better without the affordable apartments. Mehring states the need for a traffic study and would like assurance that the proposed apartments will be affordable. She

feels the project should be put on hold until a Corridor Study is complete. Richard Whalen, attorney for the applicant, gives a history of the property. He states that the foundation is sound and the basement will be used for storage, mechanicals, and passageway. He compares the project to other recently approved site plans in the area. He states that the apartments will be affordable. The applicant submits a letter for the file. A motion is made to close, seconded and approved.

**NEW CINGULAR AT ST. PETER'S CHAPEL II SITE PLAN  
SCTM #300-103-6-24.1**

Member Krug recuses himself.

Member Parsons reads public hearing notice. Counsel states affidavit of posting and service is in order. Assistant Director Schantz gives an overview and presents plans. Karen Simon, Springs resident, states that the project does not meet the zoning code. She is opposed to the project as it will only provide services for AT&T and not emergency service. She feels that the gate is an eyesore and has concerns regarding the fall zone. Rameshwar Das, Shore Ridge resident, is opposed to the project and has concerns with visibility, lack of coverage, and feels that the project is not appropriate for neighborhood. He states that there is no systematic plan for wireless in place. Valerie Coster, Springs resident, is opposed to the project and questions AT&T's gap coverage data. David Buda, Springs resident, is concerned with visibility and the proposed height of the monopole. Peter Corbett, Springs resident, is opposed to the project. Sarah Kautz, Huntington resident, would like to board to hold off on a decision as an FAA process is still in progress. Christopher Katsaros, Springs resident, is opposed to the project. Charles Riggi, Shore Ridge resident, is concerned with public safety. Simon believes the project will not improve emergency services. She would like to protect the property. Das has concerns with the proposed generator impacting the wetlands. Coster feels that fundraising for the church would be a better alternative than a monopole. Buda believes would like to see Section 106 settlement before proceeding with the application. Corbett would like to see a rendering of parking due to the proposed gate. Krae Van Sickle is opposed to the project and would like to see an alternate way for fundraising. Matthew Fitzgerald, attorney for the applicant, disputes public comments. He explains all cell phones can call 911. He states that the balloon float is accurate and that there is a gap in coverage. He states that due to the settlement if the board denies the monopole, they are allowed to construct the campanile. A motion is made to close, seconded and approved.

**WORK SESSION:**

**4. ELITE TOWERS SPRINGS FIRE DEPARTMENT PRELIMINARY SITE PLAN/SPECIAL PERMIT/PWSF  
SCTM #300-62-8-18.2**

Assistant Director Schantz gives an overview and presents plans. The applicant should withdraw the pending tower application, promptly. The board prefers the current proposal over the currently pending application. Upon formal site plan application, extensive visual renderings should be provided.

**5. LAND'S END MARINA SITE PLAN/SPECIAL PERMIT  
SCTM #300-12-1-1, 2, 14, 15**

Planner Vavilis LaGarenne gives an overview and presents plans. The applicant should submit in writing how the four-slip reduction was achieved. The applicant should submit the requested dock construction information regarding the number and location of pilings and materials both for the Planning Board and ZBA. The applicant stated that no dredging will be performed and was directed to submit additional information about boat size and correlating draft sizes to confirm that assertion as well as confirm no impact to bottom sediments. The board will contact the Harbormaster to request comments on the

potential impacts upon navigation that may result from the proposed dock extension. Information pertaining to the status of the current lease and future lease negotiation should be provided. The planning department will require clarification regarding the proposed structures being classified as water dependent uses. Information pertaining to the design of the sanitary system as outlined in the planning department memo should be provided, including additional groundwater monitoring well data. The applicant should submit in writing the proposed pump out methods. The proposed parking layout is acceptable. The applicant should amend the stormwater design plan to confirm Town of East Hampton design standards are met and confirm the area is less than one acre to determine that MS4 requirements do not apply. The applicant should confirm all variances required.

**REGULAR MEETING:**

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**

**EXTENSION  
OF TIME**

**MOSSWOOD  
PRELIMINARY SUBDIVISION  
SCTM #300-157-2-15.3, 16**

**ADOPTED: 4 / 12 / 2023**

1. By resolution adopted October 3, 2007, and subsequently extended May 12, 2010, October 20, 2010, April 13, 2011, November 16, 2011, April 18, 2012, June 5, 2013, May 7, 2014, April 22, 2016, April 6, 2016, April 26, 2017, April 11, 2018, March 27, 2019, July 8, 2020, March 10, 2021, and March 16, 2022; (the "Resolution"), the Planning Board granted preliminary subdivision approval to the above-mentioned application, subject to various conditions.

2. By form dated received March 1, 2023, Kenneth Schwenk, applicant, has informed the Planning Board that additional time is needed in order meet the conditions of the Planning Board Resolution, 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 for a period of one year, or until April 3, 2024.

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

DATED: April 12, 2023

cc: Kenneth Schwenk  
P.O. Box 402  
Bridgehampton, NY 11932

Planning Department  
Building Department

Mover: Ian Calder-Piedmonte  
Seconded: 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

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**In the Matter of the Application**

of

**WALSH MINOR SUBDIVISION  
SCTM# 300-92-2-38**

**RESOLUTION  
AMENDING  
APPROVAL**

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**ADOPTED: 4 / 12 / 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 April 27, 1977 granting a subdivision and amended in June 1, 1977 allowing an existing driveway to remain pursuant to § 220 (Subdivision of Land) of the East Hampton Town Code.

**PROPERTY LOCATION:** 2 Duke Drive

**PROPOSED AMENDMENT:** Modifying the referenced approvals to reflect a revised driveway location for the subject property and a modified scenic easement.

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

**REASONS SUPPORTING MODIFICATION:** The modification is granted in recognition that there has been a change in circumstances; specifically, a CO was issued for the property in 2019 showing the property’s driveway accessing Duke Drive as opposed to the location of the driveway approved at the time of subdivision which was on Springy Banks Road. In addition to the change of circumstance being established, the Duke Drive access location is superior to the one located on Springy Banks Road from a planning perspective due to the latter’s limited site distance.

**APPROVED PLAN AS MODIFIED:** Survey prepared by Saskas Surveying, P.C., dated last revised June 26, 2020.

**CONDITIONS TO MODIFICATION:**

- The applicant shall record an updated scenic easement with Suffolk County formally relinquishing access to the approved driveway location on Springy Banks Road and formally establishing the new driveway location to Duke Drive. Proof of recording must be submitted to the Planning Board prior to an updated CO being issued for the property. Once easements are recorded, the applicant shall submit an updated survey showing the revised easements on the property accurately.
- The applicant shall revegetate the relinquished driveway location subject to Planning Department approval of the revegetation plan prior to CO being granted.

DATED: April 12, 2023

cc: Tara Burke  
PO Box 5030  
Montauk, NY 11954

Planning Department  
Building Inspector  
Board of Assessors

Mover: Sharon McCobb  
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**

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**In the Matter of the Application**

of

**EXTENSION  
OF TIME**

**MEGRON REALTY  
SITE PLAN/SPECIAL PERMIT  
SCTM #300-49-3-16**

**ADOPTED: 4 / 12 / 2023**

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1. By resolution adopted February 15, 2012, and subsequently extended September 12, 2018, September 18, 2019, November 4, 2020, and September 1, 2021; (the "Resolution"), the Planning Board granted site plan/special permit approval to the above-mentioned application, subject to various conditions.

2. By form dated received March 15, 2023, Land Planning Services, agent for the applicant, has informed the Planning Board that additional time is needed within which to obtain a building permit and has requested an extension of time.

3. A revised site plan with an updated stamp of approval from the Suffolk County Department of Health Services for a low nitrogen I/A sanitary system shall be submitted and a modification of the site plan approval obtained prior to the issuance of a building permit.

4. 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 for a period of one (1) year within which to obtain a building permit, or until August 15, 2023.

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

DATED: April 12, 2023

cc: Land Planning Services  
P.O. Box 1313  
East Hampton, NY 11937

Planning Department  
Building Department

Mover: Ian Calder-Piedmonte  
Seconder: Ed Krug  
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**

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**In the Matter of the Application**

of

**MacGARVA BARN  
SITE PLAN  
SCTM #300-118-1-63**

**EXTENSION  
OF TIME**

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**ADOPTED: 4 / 12 / 2023**

1. By resolution adopted September 19, 2007, and subsequently extended March 12, 2008, June 16, 2010, October 9, 2013, June 24, 2015, and September 14, 2022; (the "Resolution"), the Planning Board granted site plan approval to the above-mentioned application, subject to various conditions.

2. By letter dated received March 15, 2023, David MacGarva, owner, has informed the Planning Board that additional time is needed within which to obtain a building permit 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 September 19, 2023.

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

DATED: April 12, 2023

cc: David MacGarva  
181 Middle Highway  
East Hampton, NY 11937

Planning Department  
Building Department

Mover: Ian Calder-Piedmonte  
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**

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**In the Matter of the Application**

**SCHEDULE**

of

PUBLIC HEARING

**MAIDSTONE ACRES II  
SITE PLAN**

**SCTM # 300-38-4-2.1** \_\_\_\_\_ **ADOPTED: 4 / 12 / 2023**

1. D & R Realty Group, LLC, owner, has made application for site plan approval pursuant to Article VI of Chapter 255 of the East Hampton Town Code, to add minor accessory structures including a walk-in refrigerator. The property contains 6,899 square feet (0.1584 acre) and is located on the corner of Maidstone Park Road, Fanning Avenue and Richardson Avenue, Springs and is situated in a Neighborhood Business (NB) 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 #300-38-4-2.1.

2. Subject application is classified as a Type II 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 Saskas Surveying Company, P.C., dated revised March 3, 2022; a Site Development prepared by Spaces Architecture, dated revised April 5, 2023; and a Proposed Sanitary Plan prepared by Spaces Architecture, dated revised February 1, 2023 are 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, May 3, 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](mailto: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: April 12, 2023

cc: James F. Vlahadamis  
Vlahadamis & Hillen, LLP  
148 E. Montauk Highway, Suite 3  
Hampton Bays, NY 11946

Planning Department  
Building Department  
Architectural Review Board

Mover: Ed Krug  
Seconder: Randall T. Parsons  
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 10:10 PM.