

PLANNING BOARD MEETING

August 8, 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, Assistant Director JoAnne Pahwul, 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. WHITE PINE KNOLLS FINAL SUBDIVISION MODIFICATION SCTM #300-113-1-2

Planner Schantz gives an overview and presents plans. The board agrees to the modification request. Revegetation with white pines will be a condition of approval.

2. E.M.P. OVERHANG SITE PLAN SCTM 3300-189-1-1

Planner Schantz gives an overview and presents plans. The site plan should be amended as outlined in the planning department memo. The board will seek a determination from the building inspector as to whether or not the additional accessory structures constitute an expansion of a non-conformation use. A comprehensive lighting plan should be submitted.

3. OCEANSIDE BEACH RESORT RENOVATION SITE PLAN/SPECIAL PERMIT SCTM #300-47-2-10.1

Planner Schantz gives an overview and presents plans. The applicant should submit a detailed narrative that is consistent with the activities as outlined on the business' website.

4. 5 GOODFRIEND DRIVE SITE PLAN MODIFICATION SCTM #300-181-4-12

Assistant Director Pahwul gives an overview and presents plans. The planning department will review the latest submission. Revised building plans that depict the board's groundwater protection policy and dimensions of the building and outer areas of the various spaces within should be provided. The applicant has been made aware of the potential limitations on future uses given the proposed changes. Additional landscaping will not be required.

5. EAST HAMPTON PODS SITE PLAN SCTM #300-191-2-9

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

6. GONE FISHING OUTDOOR DINING SITE PLAN SCTM #300-6-2-27.1, 15.1

Assistant Director Pahwul gives an overview and presents plans. The board agrees to the phased site plan. The project is consistent with the LWRP and agrees with the Coastal Assessment Form.

7. HOME TEAM 668, LLC SITE PLAN

SCTM #300-49-1-12

Planner Schantz gives an overview and presents plans. The majority of the board prefers Scheme C. The applicant will need to provide details regarding exterior lighting along the new handicapped accessible route.

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

**GREATREX MINOR SUBDIVISION
SCTM #300-158-2-21.1**

**WAIVER OF
SUBDIVISION
APPROVAL**

ADOPTED: 8 / 8 / 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, and inspection of the subject property.

A. PROJECT DESCRIPTION

- 1. NATURE OF APPLICATION:** Application for waiver of subdivision approval pursuant to Chapter 220 (Subdivision of Land) of the East Hampton Town Code.
- 2. OWNER OF PROPERTY:** Karen Greatrex
- 3. SIZE OF PROPERTY:** 1.3 acres
- 4. NUMBER OF LOTS PROPOSED:** 2
- 5. SIZE OF PROPOSED RESERVED AREA:** Not proposed
- 6. SIZE OF PROPOSED AGRICULTURAL RESERVED AREA:** N/A
- 7. PREPARER OF PROPOSED MAP:** George Walbridge Surveyors, P.C.
- 8. DATE OF PROPOSED MAP:** Last revised June 14, 2018
- 9. DATE OF PUBLIC HEARING ON APPLICATION:** June 13, 2018

B. PROPERTY LOCATION AND DESCRIPTION

- 1. SUFFOLK COUNTY TAX MAP DESIGNATION:** #300-158-2-21.1
- 2. STREET LOCATION:** 109 Montauk Boulevard
- 3. CONTIGUOUS WATER BODIES:** N/A
- 4. HAMLET OR GEOGRAPHIC AREA:** East Hampton
- 5. SITE DESCRIPTION & EXISTING IMPROVEMENTS:** The parcel is currently vacant and zoned B: Residence. It is situated in a number of designated areas for groundwater protection including the South Fork Special Groundwater Protection Area, Pine Barrens, and the Town’s Water Recharge Overlay District (WROD). It is situated off of Montauk Boulevard (off of Route 114/Sag Harbor Turnpike) in East Hampton. Surrounding land uses and zoning are entirely residential in nature
- 6. EXISTING FILED MAP NAME:** Montauk Gardens
- 7. EXISTING FILED MAP NUMBER:** 268
- 8. FILING DATE OF EXISTING MAP:** March 7, 1911
- 9. BLOCK NUMBER IN EXISTING FILED MAP:** 4
- 10. LOT NUMBERS IN EXISTING FILED MAP:** 109, 110, 111A & 112 - 121

C. ZONING CLASSIFICATION

- 1. ZONING DISTRICT:** B: Residence
- 2. ZONING OVERLAY DISTRICT:** Water Recharge Overlay District

D. SEQRA REVIEW

- 1. SEQRA CLASSIFICATION:** Unlisted
- 2. LEAD AGENCY:** Planning Board
- 3. DETERMINATION OF SIGNIFICANCE:** Negative declaration
- 4. DATE OF DETERMINATION:** May 10, 2018

E. COUNTY COMMISSION REVIEW/ADDITIONAL FINDINGS OF FACT

1. By letter dated May 6, 2016 the Suffolk County Planning Commission found this application to be a matter for local determination.
2. By memo dated May 10, 2018 the Town Engineer stated that there were outstanding issues with assigning road improvement requirements. However, this issue is not directly related to the minor subdivision and can be resolved during the urban renewal map modification process.
3. By letter dated October 2, 2017 the Office of Fire Prevention has stated that no further review for fire-fighting purposes is 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 meets all standards contained in Articles X, XI, and XII of Chapter 220 of the Town Code for waiver of subdivision approval.
2. The application satisfies the general policy and standards of §§ 220-1.05 (A) through (N) of the Town Code.

G. DISPOSITION OF APPLICATION

Subdivision approval is hereby waived in accordance with the Map described herein, subject to any conditions or modifications specified in § H below.

- 1. NAME OF APPROVED MAP:** Minor Subdivision Greatrex
- 2. PREPARER OF APPROVED MAP:** George Walbridge Surveyors, P.C.
- 3. DATE OF APPROVED MAP:** Survey dated last revised June 14, 2018
- 4. OTHER APPROVED MAPS:** N/A

H. CONDITIONS OF APPROVAL

The minor subdivision approval hereby granted is contingent upon full compliance with the conditions set forth in this section. No property may be transferred, nor any improvements made, except in accordance with this conditional approval.

1. The applicant shall file this Map at the Office of the Suffolk County Clerk in accordance with the procedures for the filing of subdivision maps.
2. No conveyances may be made of any of the lots shown on the Map (except as part of a conveyance of the entire premises comprising the Map) until and unless the Map has been signed by the Planning Board Chair and recorded at the Office of the Suffolk County Clerk.

3. The Planning Board Chair shall not sign the Map until and unless the applicant has met the conditions contained in ¶ 4 and 5 below.
4. The applicant shall obtain a modification of the Old Filed Map (No. 268) from the Town Board.
5. The applicant shall obtain Suffolk County Department of Health Services approval of the Map.
6. The applicant shall install belowground all utilities servicing the proposed lots, including electric, telephone, and, if available, cable television wiring, in accordance with the requirements of Chapter 220 of the Town Code. Any electric transformers placed, installed, erected, or constructed on this property or on the adjacent highway rights-of-way shall be located below natural grade.
7. In order to prevent over-clearing in the Water Recharge Overlay District no clearing, grading, or construction may occur on the lots shown on this Map until and unless a project-limiting fencing has been installed along the perimeter of the area proposed to be cleared. This fencing shall remain in place until all clearing, grading, or construction work on the lot has been completed.
8. All stormwater run-off resulting from the development of the lots shown on the Map shall be contained within the said lots.
9. There shall be no further division of any of the lots shown on this Map.
10. All conditions prerequisite to the signing of the Map by the Planning Board Chair shall be met within six (6) months of the date of this resolution.

I. VALIDITY OF APPROVAL

The foregoing constitutes this Board's conditional waiver of subdivision approval for the "Minor Subdivision Greatrex". If any condition of this resolution is not met, or is not met within the prescribed time period, the minor subdivision approval hereby granted shall become void and of no effect.

DATED: August 8, 2018

cc: Tara Burke
9 South Devon Place
Montauk, NY 11954

Planning Department
Building Inspector
Board of Assessors

Result: Adopted
Mover: Ian Calder-Piedmonte
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

In the Matter of the Application

of

**RESOLUTION
AMENDING
APPROVAL**

**EAST DECK MOTEL MINOR SUBDIVISION
SCTM #300-32-6-14 & 16**

ADOPTED: 8 / 8 / 18

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: Subwaiver approval dated May 11, 2016 entitled “In the Matter of the Application of East Deck Motel Minor Subdivision, SCTM #300-32-6-14 & 16” to amend as hereafter set forth.

PROPERTY LOCATION: 40 DeForest Road. Montauk.

PROPOSED AMENDMENT: Revisions to Conditions of Approval to correct notation errors and properly number these conditions.

MODIFICATION AS APPROVED: Section H, “Conditions of Approval” is hereby amended to read as follows:

H. CONDITIONS OF APPROVAL

The minor subdivision approval hereby granted is contingent upon full compliance with the conditions set forth in this section. No property may be transferred, nor any improvements made, except in accordance with this conditional approval.

1. The applicant shall file this Map at the Office of the Suffolk County Clerk in accordance with the procedures for the filing of subdivision maps.
2. No conveyances may be made of any of the lots shown on the Map (except as part of a conveyance of the entire premises comprising the Map) until and unless the Map has been signed by the Planning Board Chair and recorded at the Office of the Suffolk County Clerk.
3. The Planning Board Chair shall not sign the Map until and unless the applicant has met the conditions contained in ¶ 6, 7, 10, 15, 18, 19, & 20 below.
4. 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.
5. 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.

6. The applicant shall prepare and submit a revised final Map containing the following additional notations:

(a) "A Declaration of Covenants and Restrictions has been filed in the Office of the Suffolk County Clerk which affects the lots shown on this Map. The Covenants and Restrictions contained in that Declaration are binding upon all lot owners and, where a conflict exists, are controlling over the statements made on the face of this Map and over all less restrictive provisions of the Town's Zoning Laws."

(a) "No buildings or structures, except fences, shall be constructed within ten (10) feet of a conservation easement boundary."

(b) "No clearing, grading, or construction may occur on Lot 1 on this Map until and unless a project-limiting fencing and straw bales have been installed along the perimeter of the area proposed to be cleared."

It is suggested that the above notations be shown on the Map in numbered form, along with the standard notations regarding the installation of utilities belowground in accordance with Public Service Commission regulations.

7. The applicant shall obtain Suffolk County Department of Health Services approval of the Map.

8. The applicant shall install public water to serve the lots shown on the Map.

9. The applicant shall install belowground all utilities servicing the proposed lots, including electric, telephone, and, if available, cable television wiring, in accordance with the requirements of Chapter 220 of the Town Code. Any electric transformers placed, installed, erected, or constructed on this property or on the adjacent highway rights-of-way shall be located below natural grade.

10. The applicant shall grant to and have accepted by the Town of East Hampton scenic and conservation easements, in standard form acceptable to counsel to this Board, covering the portions of Lots 1, 2, 3, and 4 shown on the Map to be so encumbered. The applicant shall record these easements with the Office of the Suffolk County Clerk simultaneously with the filing of the Map and shall return copies of the same, with proof of recordation shown thereon, to the Town Clerk in accordance with the provisions of ¶ 5 above.

11. No buildings or structures may be placed, installed, erected, or constructed within the areas depicted on the Map as "conservation easement" nor may any clearing, grading, or filling occur within these areas, and the said areas shall be left in their natural state forever.

12. No buildings or structures, except fences, shall be constructed within ten (10) feet of the boundary of any scenic and conservation easement.

13. "No clearing, grading, or construction may occur on Lot 1 of this Map until and unless a project-limiting fencing and straw bales have been installed along the perimeter of the area proposed to be cleared." This fencing shall remain in place until all clearing, grading, or construction work on the lot has been completed.

14. In accordance with the provisions of Section 255-2-60 A (5) of the Town Code proposed Lots 1, 2, 3 & 4 shall be allowed to be 100% cleared of naturally-occurring vegetation with the exception of the areas covered by the conservation and pedestrian easements.

15. The applicants shall submit a re-vegetation plan covering the areas within the conservation easement to be found acceptable by the Planning Department. This re-vegetation plan shall utilize native, non-invasive species. The re-vegetation plan must be submitted prior to the Chair signing the map. No certificate of occupancy may be issued on Lots 1, 2, 3 or 4 until the re-vegetation has been performed in accordance with the approved plan.

16. All stormwater run-off resulting from the development of the lots shown on the Map shall be contained within the said lots.

17. There shall be no further division of any of the lots shown on this Map.

18. The applicant shall prepare and submit a declaration of covenants and restrictions, incorporating the provisions of ¶ 10, 11, 12, 13, 14, 15, and 16 above and in standard form acceptable to and approved by Counsel to this Board. The said declaration shall provide for its modification or termination only upon the approval of the East Hampton Town Planning Board, after a public hearing held on ten (10) days' notice. Said declaration, after approval by counsel, shall be recorded at the Office of the Suffolk County Clerk simultaneously with the filing of the Map. Copies of the same, with proof of recordation shown thereon, shall be returned to the Town Clerk in accordance with the provisions of ¶ 5 above.

19. The applicant shall grant to and have accepted by the Town of East Hampton pedestrian access easements, in standard form acceptable to counsel to this Board, covering the portions of Lots 1, 2, 3, and 4 shown on the Map to be so encumbered. The applicant shall record these easements with the Office of the Suffolk County Clerk simultaneously with the filing of the Map and shall return copies of the same, with proof of recordation shown thereon, to the Town Clerk in accordance with the provisions of ¶ 5 above.

20. The applicant shall grant to and have accepted by the Town of East Hampton large lot scenic easements, in standard form acceptable to counsel to this Board, covering Lots 1, 2, 3, and 4 shown on the Map. The applicant shall record these easements with the Office of the Suffolk County Clerk simultaneously with the filing of the Map and shall return copies of the same, with proof of recordation shown thereon, to the Town Clerk in accordance with the provisions of ¶ 5 above.

21. All conditions prerequisite to the signing of the Map by the Planning Board Chair shall be met within six (6) months of the date of this resolution.

REASONS SUPPORTING MODIFICATION: The modification corrects notation errors in the conditions of approval. No conditions of approval are to be removed. The modification adds paragraphs requiring large lot scenic easements and a pedestrian access easement, both of which were noted during the review process and which copies of both have already been submitted to the Planning Board file.

NAME OF APPROVED MAP: Minor Subdivision East Deck Motel, prepared by George Walbridge Surveyors, P.C., survey dated revised April 7, 2016

CONDITIONS TO MODIFICATION: Conditions as set forth in original Resolution, as amended above.

DATED: August 8, 2018

cc: Ackerman, O'Brien, Pachman & Brown
34 Pantigo Road
East Hampton, NY 11937

Planning Department
Building Inspector
Board of Assessors

Result: Adopted
Mover: Nancy Keeshan
Seconder: Randall T. Parsons
Ayes: Joseph B. Potter, Nancy Keeshan, Patti Leber, Randall T. Parsons, Ian

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

In the Matter of the Application

of

**SITE PLAN/
SPECIAL PERMIT
APPROVAL**

**EAST HAMPTON PODS
SITE PLAN/SPECIAL PERMIT**

SCTM#300-191-2-9

ADOPTED: 8 / 8 / 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:

(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: Warehouse

3. DESCRIPTION OF PROPOSED WORK: To construct a 43,757 sq. ft. warehouse building along with associated parking, access, outdoor storage, drainage, lighting and sanitary system. The warehouse would not be accessible to the public as would a “self-storage” facility and is proposed to store Portable On-Demand (POD) storage containers, which would be transported to and from the site.

4. SIZE OF PROPERTY: 108,798 sq. ft.

5. OWNER OF PROPERTY: Town of East Hampton

6. APPLICANT: Linda Riley, Esq.

7. PROPOSED SITE PLAN: Site Plan/Survey (Sheet SP2.0) prepared by R & W / Engineers, P.C. dated revised June 21, 2018

8. DATE OF PUBLIC HEARING ON APPLICATION: June 6, 2018

B. PROPERTY LOCATION AND DESCRIPTION

1. SUFFOLK COUNTY TAX MAP DESIGNATION: #300-191-2-9

2. STREET LOCATION: 86 Industrial Road

3. CONTIGUOUS WATER BODIES: Not applicable

4. HAMLET OR GEOGRAPHIC AREA: Wainscott

5. SITE DESCRIPTION & EXISTING IMPROVEMENTS: The subject site is a 2.5 acre parcel located on Industrial Road that is owned by the Town of East Hampton. The parcel is located in the Suffolk County Pine Barrens, South Fork Special Groundwater Protection Area, and Suffolk County Groundwater Management Zone V. The property is 100% un-cleared and is characteristic of the South Fork Pine Barrens with mixed deciduous/evergreen forest, predominantly pitch pine (*Pinus rigida*).

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: CI: Commercial Industrial

2. ZONING OVERLAY DISTRICT: N/A

D. SEQRA REVIEW

1. SEQRA CLASSIFICATION: Unlisted

2. LEAD AGENCY: Planning Board

3. DETERMINATION OF SIGNIFICANCE: Negative declaration

4. DATE OF DETERMINATION: August 8, 2018

E. COUNTY COMMISSION REVIEW/ADDITIONAL FINDINGS OF FACT

1. By letter dated June 28, 2018 the Suffolk County Planning Commission found the project to be a matter for local determination. However, they recommended that best management practice for development within the Suffolk County Pine Barrens is to limit clearing of naturally occurring vegetation to 65% and have no more than 15% of fertilizer dependent vegetation. The application proposes 75% clearing and no fertilizer dependent vegetation.

2. By memo dated January 19, 2018 the Town Engineer stated that the engineering elements were satisfactorily completed.

3. The Planning Department contacted the Chief Fire Marshal as concerns had been raised over access to the site. The Chief Fire Marshal stated that the site would need to have a second access point for emergency vehicles. Accordingly, the plans have been amended to add an emergency exit with grass pavers. The Chief Fire Marshal reviewed the plans and found this acceptable.

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 warehouse 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 "warehouse" 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: Warehouse

3. DESCRIPTION OF APPROVED WORK: To construct a 43,757 sq. ft. warehouse building along with associated parking, access, outdoor storage, drainage, lighting and sanitary system. The warehouse would not be accessible to the public as would a "self-storage" facility and is proposed to store Portable On-Demand (POD) storage containers, which would be transported to and from the site.

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: Set of plans prepared by R & W / Engineers, P.C. dated revised June 21, 2018 including – Existing Conditions & Clearing Plan (SP1.0), Layout & Dimension Plan (SP2.0), Grading & Drainage Plan (SP3.0), Utility Coordination Plan (SP4.0), Landscape & Lighting Plan (SP5.0), Erosion & Sediment Control Plan (SP6.0), Construction Details (DET1.0)

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 & 3.4 below have 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 obtain final approval of the Director of the East Hampton Airport and/or the Town Attorney’s Office in order to insure that the proposed principal building will not impede any future alterations to the Airport or Airport runways.

3.4 The applicant shall obtain final approval of the Architectural Review Board.

3.5 Prior to the issuance of a certificate of occupancy the applicants shall apply for an inspection by the Town Engineer to insure that the Planning Board’s Groundwater Protection Policy has been met.

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

3.7 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: August 8, 2018

cc: Linda Riley, Esq.
235 Hampton Road
Southampton, NY 11968

Planning Department
Building Inspector
Architectural Review Board

Result: Adopted
Mover: Randall T. Parsons
Seconder: Nancy Keeshan
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**

In the Matter of the Application

**SITE PLAN/
SPECIAL PERMIT
APPROVAL**

of

**MOBIL GENERATOR
SITE PLAN/SPECIAL PERMIT
SCTM#300-172-6-4**

ADOPTED: 8 / 8 / 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:

(a) Site plan approval pursuant to Article VI of Chapter 255 (Zoning) of the East Hampton Town Code.

2. USE REQUIRING SPECIAL PERMIT: N/A

3. DESCRIPTION OF PROPOSED WORK: Installation of an emergency generator on a 7.1' x 3.7' concrete pad to be enclosed by a 6' high stockade fence for screening purposes and with sound panels mounted on the inside of the fence; a below grade propane tank associated with the emergency generator; and installation of a 5' high fence around an existing dumpster.

4. SIZE OF PROPERTY: 7,545 sq. ft.

5. OWNER OF PROPERTY: Blue Hills Fuels, LLC

6. APPLICANT: Bohler Engineering

7. PROPOSED SITE PLAN: C-1 Emergency Generator Plan prepared by Bohler Engineering and dated revised May 9, 2018.

8. DATE OF PUBLIC HEARING ON APPLICATION: July 11, 2018

B. PROPERTY LOCATION AND DESCRIPTION

1. SUFFOLK COUNTY TAX MAP DESIGNATION: #300-172-6-4

2. STREET LOCATION: 130 Main Street

3. CONTIGUOUS WATER BODIES: N/A

4. HAMLET OR GEOGRAPHIC AREA: Amagansett

5. SITE DESCRIPTION & EXISTING IMPROVEMENTS: The site is cleared and contains a 1,404 sq. ft. service station with a repair shop, four pump islands, and a below grade fuel tanks.

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: Central Business

2. ZONING OVERLAY DISTRICT: Amagansett Historic 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. By letter dated February 9, 2018, the Chief Fire Marshal has informed the Board that no additional fire protection devices are needed for this project.
3. By memorandum dated July 19, 2018, the Town Engineer found the engineering aspects of the project to be satisfactory.

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: Generator powered by a propane tank to provide emergency power for gas pumps at an existing service station

3. DESCRIPTION OF APPROVED WORK:

Installation of an emergency generator on a 7.1' x 3.7' concrete pad to be enclosed by a 6' high stockade fence for screening purposes and with sound panels mounted on the inside of the fence; a below grade propane tank associated with the emergency generator; and installation of a 5' high fence around an existing dumpster.

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: C-1 Emergency Generator Plan prepared by Bohler Engineering and dated revised May 9, 2018.

2. APPROVED BUILDING OR CONSTRUCTION PLANS:

- Kohler Generator Model 38RCLB as per specification sheets stamped received December 29, 2017.
- Acoustiblok All Weather Sound Panels as per specification sheets stamped received December 29, 2017.

3. ADDITIONAL CONDITIONS AND TIME LIMITATIONS:

3.1 No building permits may issue, nor may 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 of the Architectural Review Board.

3.3 The applicant shall perform the improvements shown on the approved site plan and install the generator and sound panels in accordance with the approved specification sheets above prior to the issuance of a certificate of occupancy.

3.4 No Certificate of Occupancy shall be issued for this site or for the improvements thereon until and unless all of the foregoing conditions have been met.

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

3.6 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: August 8, 2018

cc: Joseph A. Deal, Bohler Engineering NY, PLLC
2929 Expressway Drive North, Suite 120
Hauppauge, NY 11749

Planning Department
Building Inspector
Architectural Review Board

Result: Adopted
Mover: Patti Leber
Second: Randall T. Parsons
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**

In the Matter of the Application
of

RESOLUTION
AMENDING
APPROVAL

HOSTWAY INN SITE PLAN
SCTM #300-166-6-2, 3

ADOPTED: 8/ 8/ 18

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 September 11, 2002, granting a site plan approval to construct a 1,345 sq. ft., one-story building containing three motel units and a 1,704 sq. ft. building containing an indoor pool with bathrooms and showers on a 21,944 sq. ft. parcel located on the east side of Montauk Highway. The four (4) parking spaces serving the three units will be constructed on an adjoining lot consisting of 25,009 sq. ft. containing a 3,600 sq. ft., two-story building utilizes as the Dutch Motel.

On September 12, 2012, the approval was modified to delete Condition 3.3 of this approval that required the submission of a revised site plan and landscaping plan depicting the emergency access along the eastern property line relocated to preserve the 36" diameter street tree, together with a letter or other approval from the East Hampton Fire Department for the altered emergency access route.

The site plan prepared by George Walbridge Surveyors, P.C. and dated revised June 22, 2002 remained the approved site plan and the approved landscaping plan prepared by Douglas P. Herrlin, Architect and dated revised June 21, 2002 remained the approved landscaping plan.

PROPERTY LOCATION: 490 & 492 Montauk Highway

PROPOSED AMENDMENT:

- Closure of the existing access that is utilized by both sites on the Dutch Motel site and the creation of a new access on the Hostway Inn site;
- Creation of a new parking area with 14 parking spaces on the Hostway Inn site;
- Reorientation of 17 existing parking spaces and the addition of one space on the Dutch Motel site;
- Addition of a dumpster;
- Elimination of the previously approved fire lane consisting of grass pavers;
- Construction of an outdoor pool in place of the indoor pool approved in 2002;
- Construction of a deck in place of the patio approved around the swimming pool;
- Revisions to configuration of walkways;
- Revisions to the approved landscaping plan;
- Revisions to the approved lighting plan;
- Revisions to the approved floor plans and elevation drawings.

MODIFICATION AS APPROVED: As proposed

REASONS SUPPORTING MODIFICATION:

The existing access on the subject Hostway property, 490 Montauk Highway (SCTM#300-166-6-2) is also utilized by a number of businesses located on the parcel to the east, 476 Montauk Highway (SCTM#300-166-6-1). The owner of the subject property states that this has resulted in a number of conflicts between the uses and seeks to eliminate the ability of the adjoining owner to continue to utilize this access. The adjoining owner has not demonstrated a legal right to continue to utilize the access on the subject site.

Closing off the access on the subject Hostway parcel from the adjoining property will result in the necessity for that property owner to create a second access on that lot for proper ingress and egress. The Hostway site consists of two parcels, 490 & 492 Montauk Highway (SCTM#300-

166-6-2 & 3) that are to share a joint access. Moving the access to the subject Hostway parcels to the westerly parcel (SCTM#300-166-6-3) will better facilitate the creation of a second access for 476 Montauk Highway (SCTM#300-166-6-1) by increasing the distance between the two access points and further separating potential conflict points.

By memo dated May 18, 2018, the Town Engineer found the engineering elements to be satisfactory subject to the change of the asphalt detail. The Grading and Drainage Plan (C-1) prepared by TF Engineering, PLLC dated June 6, 2018 was revised to address this.

By memo dated March 7, 2018, the Chief Fire Marshal found that further review for fire protection purposes was not required.

APPROVED PLAN AS MODIFIED:

- Site plan prepared by George Walbridge Surveyors dated revised April 18, 2018;
- Grading & Drainage Plan (C-1) prepared by TF Engineering, PLLC dated revised June 9, 2018;
- Cottages-Floor Plan & Elevations (A-101) sealed by David Rhoades and dated received May 4, 2018;
- Pool House-Floor Plan & Elevations (A-103) sealed by David Rhoades and dated received May 4, 2018;
- Landscape Plan (Sheet 1) prepared by Marders dated revised June 11, 2018;
- Landscape Lighting Plan prepared by Hamptons Landscape Lighting dated April 10, 2018 and received on June 20, 2018;
- Footcandle chart prepared by Hamptons Landscape Lighting dated June 11, 2018;
- Lighting Specifications dated received June 20, 2018.

CONDITIONS TO MODIFICATION:

- Obtaining a curb cut permit and approval from the New York State Department of Transportation for the landscaping proposed to be planted in the right of way of Montauk Highway as screening and the continued maintenance of this screening unless otherwise prohibited by the NYSDOT.
- The two subject parcels shall be merged. A copy of a recorded deed evidencing the incorporation of both parcels into a single described parcel under common ownership shall be filed with the Planning Board prior to the issuance of a certificate of occupancy.

DATED: August 8, 2018

cc: Land Planning Services, LTD
PO Box 1313
East Hampton, NY 11937

Planning Department
Building Inspector

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

Adoption of Minutes: July 25, 2018

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