

VIRGILIO

Baseline Documentation



**Suffolk County Tax Map
300-92-6-25
36 Oyster Shores Rd.
Area .46 Acres
Town of East Hampton, New York**

The Community Preservation Fund Law was enacted to help protect and preserve open and undeveloped lands in the Town of East Hampton and the Incorporated Villages, including wetlands, woodlands, agricultural lands, shorelands and the other natural resources of the town; for the purposes of protecting historic places and properties within the town; and for the purpose of providing the town's visitors and residents with outdoor recreational opportunities.



LOCATION MAP

Recreational Open Space 

CPF PROPERTY

Suffolk County Real Property Tax Service
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Prepared by
THE TOWN OF EAST HAMPTON
Suffolk County, New York

TOWN OF EAST HAMPTON
SCTM #300 - 092.000 - 0006 - 025.000
Virgilio Property
36 Oyster Shores Road
East Hampton School District



**Town of East Hampton
Long Island, NY**

**Resolution
RES-2013-568**

Adopted May 16, 2013 7:00 PM

IV.F.9 Virgilio CPF Addition After Hearing

Virgilio CPF Addition After Hearing

WHEREAS, a public hearing was held by the Town Board of the Town of East Hampton on **May 16, 2013 at 7:00 p.m.**, regarding a Local Law adopting a revised "Community Preservation Project Plan," pursuant to Section § 64-e of the New York Town Law, which provides for the preservation of open space, historic places, and recreational areas within the Town of East Hampton, including the incorporated villages therein, to include lands reputedly owned by Edward Virgilio Irrevocable Trust & Louise Virgilio Irrevocable Trust, and identified on the Suffolk County Tax Map as **300-92-6-25**, all as more fully set forth in the text of the Local Law; and

WHEREAS, the Town Board has considered the comments of all persons regarding this Local Law, both as submitted in writing and as presented orally at the public hearing; and

WHEREAS, the Town Board has prepared and considered Environmental Assessment Forms which evaluate the potential environmental impacts of the proposed Local Law; and

WHEREAS, the Board has determined that the adoption of this Local Law will not have a significant negative impact upon the environment; and

WHEREAS, the acquisition of this property is considered an unlisted action pursuant to the New York State Environmental Quality Review Act (SEQRA) and chapter 128 Environmental Review, of the Town Code; and

NOW, THEREFORE, BE IT RESOLVED, that a negative declaration is hereby made pursuant to the State Environmental Quality Review Act (SEQRA); and

BE IT FURTHER RESOLVED, that the said Local Law is hereby enacted to read as follows:

LOCAL LAW NO. 3 OF 2013
INTRODUCTORY NO. 7 OF 2013

A Local Law providing for the adoption of a revised "Community Preservation Project Plan," pursuant to Section § 64-e of the New York Town Law, which provides for the preservation of open space, historic places, and recreational areas within the Town of East Hampton, including the incorporated villages therein, to include lands reputedly owned by Edward Virgilio Irrevocable Trust & Louise Virgilio Irrevocable Trust, and identified on the Suffolk County Tax Map as **300-92-6-25**, all as more fully set forth in the text of the Local Law, said Local Law to read as follows:

BE IT ENACTED by the Town Board of the Town of East Hampton as follows:

SECTION I. - FINDINGS AND OBJECTIVES:

This local law adopts a revised "Community Preservation Project Plan" pursuant to Section § 64-e of the New York Town Law. The revised plan supplants the Community Preservation Project Plan which was first adopted by the Town Board on August 4, 1998 and adopted as revised on July 7, 2011 and which continues to list all properties whose preservation is necessary to the preservation of the community character of the Town of East Hampton.

The Town Board would like to amend the plan as most recently adopted on July 7, 2011 to add approximately .46 Acres of land reputedly owned by Edward Virgilio Irrevocable Trust & Louise Virgilio Irrevocable Trust located on 36 Oyster Shores Rd., East Hampton and identified on the Suffolk County Tax Map as 300-92-6-25, for the following reasons: This parcel contains freshwater wetlands and shore line, is within the Harbor Protection Overlay District and allows scenic views. This parcel meets a number of the criteria set forth in Town Law 64-e (4) that establishes and helps define what the preservation of community character involves.

SECTION II. - COMMUNITY PRESERVATION PROJECT PLAN ADOPTED:

For the reasons set forth in Section I hereof, the Town Board hereby approves and adopts the addition of **approximately .46 Acres** of land at **36 Oyster Shores Rd., East Hampton and identified on the Suffolk County Tax Map as 300-92-6-25** to the list of Open Space Recommendations in the "Community Preservation Project Plan" prepared by the Town Planning Department and dated July 7, 2011, said plan being intended to constitute, in its revised form, the community preservation project plan which is required by Section § 64-e of the New York Town Law and Article I ("Community Preservation Fund") of the East Hampton Town Code.

SECTION III. - SEVERABILITY:

Should any part or provision of this Local Law be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole nor any part thereof other than the part so decided to be unconstitutional or invalid.

SECTION IV. - EFFECTIVE DATE:

This Local Law shall take effect immediately upon filing with the Secretary of State as provided by law.

AND BE IT FURTHER RESOLVED, that, as required by Town Law Section § 64-e (6), the Town Clerk is directed to forward copies of this resolution together with copies of the revised Community Preservation Project Plan dated **May 16, 2013** to the following State agencies:

Commissioner, New York State Office of Parks, Recreation, and Historic Preservation,
20th Floor, Agency Bldg. #1, Empire State Plaza, Albany, New York 12238;

Commissioner, New York State Department of Environmental Conservation,
625 Broadway, Albany, New York 12233-1010; and

Commissioner, New York State Department of Agriculture and Markets,
1 Winner's Circle, Albany, New York 12235.

DATED: **May 16, 2013**

BY ORDER OF THE TOWN BOARD
TOWN OF EAST HAMPTON, NEW YORK

FRED L. OVERTON, TOWN CLERK

RES-2013-722 AUTHORIZE CPF ACQUISITION AMEND THE 2013 MANAGEMENT AND STEWARDSHIP PLAN

Purported Owner: Edward Virgilio Irrevocable Trust & Louise Virgilio Irrevocable Trust

Location: 36 Oyster Shores Rd., East Hampton

SCTM #: 300-92-6-25

WHEREAS, pursuant to § 247 of the General Municipal Law of the State of New York, the Town Board held a public hearing on **June 20, 2013** to consider the acquisition of approximately **.46 Acres** of land located on **36 Oyster Shores Rd., East Hampton**, Which land is identified on the Suffolk County Tax Map as **SCTM #300-92-6-25**, and to amend the 2013 Management and Stewardship Plan to add this property; and

WHEREAS, the purported owner has expressed a willingness to sell the above referenced property in fee simple to the Town for the proposed purchase price of **\$240,000.00**, plus survey, title, prorated tax, and recording charges; and

WHEREAS, the purpose of said acquisition is to preserve community character through the preservation of Open Space; and

WHEREAS, the acquisition of the subject property is classified as a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town Board finds, pursuant to § 64-e (8) of the New York Town Law, that acquisition of the subject property by purchase is the best alternative, of all reasonable alternatives available to the Town, for protection of the community character of the Town of East Hampton, and that such acquisition would be in the best interests of the Town; and

WHEREAS, on January 3, 2013, the Town Board adopted the 2013 Management & Stewardship Plan (M&S Plan) for CPF properties pursuant to Town Law 64-e (6) which requires a property to be included in this Plan in order to expense any management and stewardship costs to the Community Preservation Fund; and

WHEREAS, said M&S Plan shall be in effect for one (1) year with updates permitted from time to time at the discretion of the Town Board after a public hearing; and

WHEREAS, this interest in real property may require management and stewardship activities; and

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized and directed to enter into a contract of sale with the record owner of the subject property, reputedly **Edward Virgilio Irrevocable Trust & Louise Virgilio Irrevocable Trust**, For the purpose of acquiring said property at a cost to the Town of East Hampton not to exceed **\$240,000.00**, plus reasonable survey, title, prorated tax, and recording charges; and be it further

RESOLVED, that pursuant to contract the Supervisor is authorized and directed to execute any documents and the Town Budget Officer is directed to pay the purchase price and any and all reasonable survey, title, prorated tax, and recording charges, as may be necessary to effect the transfer of title; and be it further

RESOLVED, that the 2013 Management and Stewardship Plan is amended to include the above referenced property; and be it further

RESOLVED, that pursuant to § 64-e of the New York Town Law, the acquisition of subject property also includes the acquisition of development rights and the right of the Town Board to transfer such rights at a future date; and be it further

RESOLVED, the monies to be expended for purchase of the foregoing property shall be drawn from the Town of East Hampton **Community Preservation Fund** Budget Account.

Adopted Jun 20, 2013 7:00 PM

INVASIVE PLANT ASSESSMENT ON TOWN OF EAST HAMPTON NATURE PRESERVES

Nature Preserve:

Name: Virgilio Date of Survey: A. Gaites
 SCTM No. 92-6-25 Surveyed by: 4/3/14
 Size: 0.45 acres

Plants present:	Present	On road edge	Along trail(s)	Interior	Scattered	Dense	Confined area	Comments
Autumn Olive	X			X				
Black Pine								
Garlic Mustard	X	X		X				
Japanese barberry								
Japanese Honeysuckle								
Japanese Knotweed	X	X						
Miscanthus								
Mugwort								
Multiflora Rose	X			X		X		
Norway Maple								
Oriental Bittersweet	X	X		X		X		
Phragmites	X						X	on water's edge
Poison Ivy								
Porcelain Berry								
Privet hedge	X			X			X	
Spotted Knapweed								
Tartarian Honeysuckle								
Tree of heaven								
Vinca								
Wisteria								
Others:								

General description: