

# **GMM LLC (Gerson)**

## **Baseline Documentation**



**Suffolk County Tax Map**

**300-155-1-6.1**

**125 Merchants Path**

**Area 6.745 Acres**

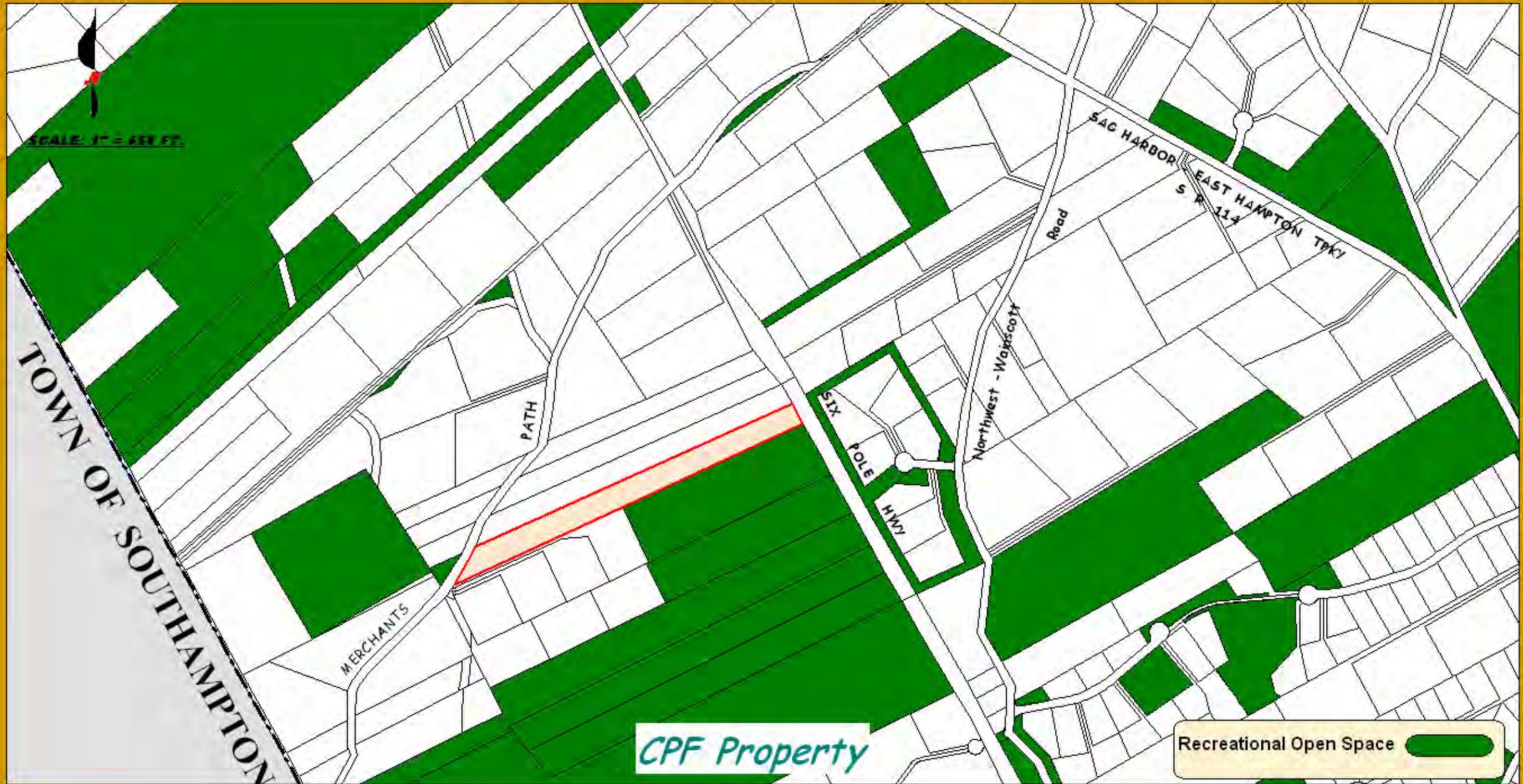
**Town of East Hampton**

**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.**

**The East Hampton Town Code categorizes a Nature Preserve as any area of land or water owned by the Town which is formally dedicated to being maintained as nearly as possible in its natural condition. These lands are chosen for preservation based on the unique and valuable ecological assets situated within their boundaries. They are protected not only as a means to preserve the land in its natural state, but to create a multi-use recreational resource to be enjoyed by all.**





Prepared by  
**THE TOWN OF EAST HAMPTON**  
 Suffolk County, New York

## LOCATION MAP

**TOWN OF EAST HAMPTON**  
**SCTM #300-155.000-0001-006.001**  
**GMM LLC (Gerson)**  
**125 Merchants Path**  
**Wainscott School District**

Resolution No. 367

Dated: March 4, 2005

**AUTHORIZE ACQUISITION**

**Properties of GMM LLC; Caddis Fly, LLC; RFG LLC; & MFH LLC (Gerson/Davis properties)**

**45 Slough Highway, 489 Hands Creek Road, Six Pole Highway, and 36 & 26 Slough Highway, East Hampton**

**SCTM #300-155-1-6.1; 113-2-3; 133-1-1; and 155-1-28.1 & 7.1**

The following resolution was offered by COUNCILMAN JOB POTTER,

seconded by Councilwoman P. Mansir, and adopted:

*WHEREAS*, pursuant to § 247 of the General Municipal Law of the State of New York, the Town Board held a public hearing on **March 4, 2005** to consider the acquisition of approximately **44.748** acres of land located as follows, **45 Slough Highway, 489 Hands Creek Road, Six pole Highway, and 36 & 26 Slough Highway, East Hampton**, which lands are further identified on the Suffolk County Tax Map as **SCTM ##300-155-1-6.1; 113-2-3; 133-1-1; and 155-1-28.1 & 7.1** and

*WHEREAS*, the proposed purchase price for fee simple acquisition of the subject properties is **\$5,500,000.00**, plus survey, title, prorated tax, and recording charges; and

*WHEREAS*, the Town of East Hampton agrees to a closing date on the first two parcels, 300-155-1-6.1 and 300-113-2-3, in 2005 and the remaining three parcels, 300-133-1-1 and 300-155-1-28.1 & 7.1 will close by the agreed upon February 15, 2006 closing date; and

*WHEREAS*, the following values are attributed to each of the five parcels totaling \$5,500,000.00:

300-155-1-6.1	45 Slough Highway	\$645,000
300-113-2-3	489 Hands Creek Rd.	\$1,752,000
300-133-1-1	Six Pole Highway	\$1,184,000
300-155-1-28.1 & 7.1	36 & 26 Slough Hwy.	\$1,919,000

*WHEREAS*, the purpose of said acquisition is preservation of open space; and

*WHEREAS*, the acquisition of the subject properties 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 properties 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;

***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 properties, reputedly, **GMM LLC; Caddis Fly, LLC; RFG LLC; & MFH LLC** for the purpose of acquiring said properties at a cost to the Town of East Hampton not to exceed \$ **5,500,000.00**, 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 pursuant to § 64-e of the New York Town Law, the acquisition of subject properties 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 properties shall be drawn from the Town of East Hampton **Community Preservation Fund** Budget Account; and be it further

***RESOLVED***, that copies of this resolution shall be forwarded to:

Assistant Town Attorney Elizabeth L. Baldwin;  
Town Budget Officer Ted Hults;  
Planning Department;  
Ms. Melanie Donaldson, The Nature Conservancy P.O. Box 5125,  
East Hampton, New York 11937; and  
Leonard Ackerman, Esq., 34 Pantigo Road, East Hampton, NY 11937.

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## RESOLUTION 2009-899

ADOPTED

Item # 5.F.2

DOC ID: 7584

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### **Adopt Town Code Amendment - Chapter 182 - "East Hampton Town Nature Preserve"**

WHEREAS, a public hearing was held by the Town Board of the Town of East Hampton on August 7, 2009, regarding a proposed Local Law amending Chapter 182 "East Hampton Town Nature Preserve" in order to add six (6) additional properties to the register of lands dedicated to the Town Nature Preserve; and

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

WHEREAS, the adoption of the Local Law is an unlisted action pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town Board has prepared and considered an Environmental Assessment Form which evaluates the potential environmental impacts of the proposed amendment; and

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

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

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

LOCAL LAW NO.        OF 2009  
INTRODUCTORY NO. 18   OF 2009

A Local Law providing for the amendment of Chapter 182 ("East Hampton Town Nature Preserve") of the East Hampton Town Code in order to add six (6) additional properties to the register of lands dedicated to the Town Nature Preserve, 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 amends Chapter 182 of the Town Code to add six (6) additional properties to the Town Nature Preserve. The six (6) parcels proposed for dedication to the Nature Preserve consist of a diverse group of ecologically significant parcels acquired by the Town for the purpose of open space preservation. The properties proposed to be added to the Nature Preserve are as follows:

<b>SCTM</b>	<b>Location</b>	<b>Acreage</b>	<b>Characteristics</b>
155-1-6.1	45 Slough Highway, Wainscott	6.8	Prime groundwater recharge
113-2-3	489 Hands Creek Road, EH	11.6	Adjoins existing nature preserve with similar habitat.
110-1-3.1	Napeague Harbor Road, Amagansett	1.95	CPF purchase which adjoins existing preserves with similar habitats
177-1-24	57 Beach Lane, Amagansett	0.27	Environmentally sensitive wetlands
64-2-9	Gerard Drive, Springs	0.54	Restored wetland in HPOD
64-2-10	Gerard Drive, Springs	0.27	Restored wetland in HPOD

SECTION II. - TOWN CODE AMENDED:

Chapter 182 ("East Hampton Town Nature Preserve") of the East Hampton Town Code is hereby amended at Article IV, with respect to Table I, II, III and IV of the Register of Properties, said tables to be amended as follows (all additions are in bold print):

Table I

Town of East Hampton-Owned Lands Parcels within Wainscott School District

<b>SCTM No. 300-</b>	<b>Parcel Description/Wainscott School District</b>	<b>Acreage</b>
155-1-6.1	45 Slough Highway	6.8

Table II

Town of East Hampton-Owned Lands  
Parcels within East Hampton School District

<b>SCTM No. 300- Acreage</b>	<b>Parcel Description/East Hampton School District</b>	
113-2-3	489 Hands Creek Road	11.6

Table III

Town of East Hampton-Owned Lands Parcels within Springs School District

<b>SCTM No. 300-</b>	<b>Parcel Description/Springs School District</b>	<b>Acreage</b>
64-2-9	Gerard Drive	0.54
64-2-10	Gerard Drive	0.27

Table IV  
Town of East Hampton-Owned Lands Parcels within Amagansett School District

<b>SCTM No. 300- Acreage</b>	<b>Parcel Description/Amagansett School District</b>	
110-1-3.1	Napeague Harbor Road	1.95
177.1.24	57 Beach Lane	0.27

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.

DATED: August 7, 2009

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

FRED L. OVERTON, TOWN CLERK

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Brad Loewen, Councilman
<b>SECONDER:</b>	Pat Mansir, Councilwoman
<b>AYES:</b>	Prince, Hammerle, Mansir, Loewen, McGintee