



TOWN OF EAST HAMPTON

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East Hampton, New York 11937-2684

Planning Department
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Director

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September 3, 2019

To: Planning Board

From: JoAnne Pahwul, AICP
Planning Director

Re: Three Mile Harbor Vista Subwaiver
SCTM#300-94-2-1
182 Three Mile Harbor Road



2018 Aerial Photograph from Town's GIS system

Background Information:

Application has been made to subdivide a 2.848 acre parcel into three lots ranging in size from 35,780 sq. ft. to 40,000 sq. ft. The parcel is zoned A-Residence and is located on the east side of Three Mile Harbor-Hog Creek Highway. The parcel contains the historic John Dart House and accessory structures, designated by the Town as a Special Historic

Landmark and subject to the attached §E-1 Special Historic Landmark legislation in the Town Code.

Issues for Discussion:

The Zoning Board of Appeals has scheduled a public hearing on the lot area variance necessary to create the proposed three lot subdivision and will need a SEQRA declaration for the project prior to acting on the variance.

As a reminder, Lot 2 consists of 35,780 sq. ft., where the minimum lot area requirement in an A Residence zoning district is 40,000 sq. ft. As the project does not meet zoning, the Planning Board will not be able to deem the subject application complete until and unless the applicant first obtains a lot area variance for Lot 2 from the Zoning Board of Appeals.

The applicant has offered to grant the Town a historic preservation easement as a condition of the subwaiver approval that is more restrictive than the Special Historic Landmark legislation. This easement will result in limiting density to that allowed on the parcel without the lot area variance. The Planning Board has sent comments to the ZBA supporting the variance.

The Planning Department has prepared the attached Environmental Assessment Form. No significant adverse environmental impacts have been identified and a negative declaration pursuant to SEQRA and Chapter 128 of the Town Code is recommended.

Planning Board Consensus:

The Planning Board should make a SEQRA declaration on the project.

Additional comments:

Additional Board Comments:

JP

Short Environmental Assessment Form Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	X	
2. Will the proposed action result in a change in the use or intensity of use of land?	X	
3. Will the proposed action impair the character or quality of the existing community?	X	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	X	
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	X	
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	X	
7. Will the proposed action impact existing: <ul style="list-style-type: none"> a. public / private water supplies? b. public / private wastewater treatment utilities? 	X	
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	X	
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	X	
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	X	
i.i. Will the proposed action create a hazard to environmental resources or human health?	X	

Date: September 11, 2019

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for shorter-term, long-term and cumulative impacts.

Application has been made to subdivide a 2.848 acre parcel into three lots ranging in size from 35,780 sq. ft. to 40,000 sq. ft. The parcel is zoned A-Residence and is located on the east side of Three Mile Harbor-Hog Creek Highway between Harbor View Drive and Kingstown Avenue. The parcel contains the historic John Dart House and accessory structures, designated by the Town as a Special Historic Landmark and subject to §E-1 Special Historic Landmark legislation in the Town Code.

Lot 2 consists of 35,780 sq. ft., where the minimum lot area requirement in an A Residence zoning district is 40,000 sq. ft. The applicant has applied for and will need to obtain a lot area variance for Lot 2 from the Zoning Board of Appeals.

The applicant intends to grant the Town a historic preservation easement as a condition of subdivision approval. The easement would also require the house to remain in its present location and require that specific interior and exterior physical characteristics be retained. Robert Hefner, a historic consultant, has also recommended that the easement require removing existing trees in front of the house and limit future plantings in order to make the house more visible from the street. This is more restrictive than the existing Special Historic Landmark legislation in the Town Code.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation that the proposed action will not result in any significant adverse environmental impacts.

Planning Board

Name of Lead Agency

Samuel Kramer

September 11, 2019

Date

Chairman

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency


Signature of Preparer (if different from Responsible Officer)

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Routing List

Routing of material to be mailed by Choose an item.

Email copy to these Town Departments:

- Architectural Review Board
- Sanitation Inspector
- Natural Resources Director
- Planning Board
- East Hampton Town Trustees
- Town Board
- Building Department
- Fire Marshal
- Zoning Board of Appeals
- Planning Director
- Town Engineer
- Town Attorney
- Land Acquisition Director
- East Hampton Town Highway Department

Mail/email to:

<p>Suffolk County Planning Commission EAF's to be routed with full referrals</p> <p><input type="checkbox"/> Zoning, Attn: Chief Planner</p> <p><input type="checkbox"/> Subdivisions, Attn: Principal Planner</p> <p>PO Box 6100 Hauppauge, NY 11788-0099</p>	<p><input checked="" type="checkbox"/> Suffolk County Department of Health Services Division of Environmental Quality Office of Ecology 360 Yaphank Avenue, Suite 2B Yaphank, NY 11980</p> <p><input type="checkbox"/> New York State Department of Transportation, send to both: Eugene.Smith@DOT.NY.GOV Mtariq@DOT.NY.GOV</p> <p><input type="checkbox"/> Long Island Regional State Park and Recreation Commission PO Box 247, Belmont Lake State Park Babylon, NY 11702-0247</p> <p><input type="checkbox"/> NYS Department of State Division of Coastal Resources Attn: Consistency Review & Analysis CR@dos.ny.gov</p> <p><input type="checkbox"/> Suffolk County Department of Public Works, Attn: Chief Engineer Public.Works@suffolkcountyny.gov</p> <p><input type="checkbox"/> New York State Department of Environmental Conservation 625 Broadway Albany, NY 12233-1750</p> <p><input type="checkbox"/> New York State Department of Environmental Conservation Regional Permit Administrator 50 Circle Rd. SUNY @ Stony Brook Stony Brook, NY 11790-3409 DEC Permit # _____</p> <p><input type="checkbox"/> East Hampton Village Administrator rmolinaro@easthamptonvillage.org</p>	<p><input type="checkbox"/> New York State Department of Environmental Conservation Bureau of Marine Habitat Protection Building 40, SUNY Stony Brook, NY 11790-2356</p> <p><input type="checkbox"/> Federal Aviation Administration Airport District Office Manager Evelyn.Martinez@faa.gov</p> <p><input type="checkbox"/> State Clearinghouse New York State Division of Budget State Capital Albany, NY 12224</p> <p><input type="checkbox"/> Federal Emergency Management Agency Regional Administrator 1 World Trade Center New York, NY 10007</p> <p><input type="checkbox"/> US Army Corps of Engineers Chief of Eastern Permit Section Ronald.R.Pinzon@usace.army.mil</p> <p><input type="checkbox"/> Suffolk County Water Authority Assistant to General Counsel 4060 Sunrise Hwy Oakdale, NY 11769 Kimberly.Kennedy@SCWA.com</p> <p><input type="checkbox"/> USDA Natural Resource Conservation Service District Manager County Center Riverhead, NY 11901</p> <p><input type="checkbox"/> Sag Harbor Village Clerk P.O. Box 660 Sag Harbor, NY 11963</p> <p><input checked="" type="checkbox"/> Applicant</p>
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