

PLANNING BOARD MEETING

January 12, 2022

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, Counsel Nancy Marshall, Assistant Director Eric Schantz, Planners Marco Wu and William Hyland, Secretary Jodi Walker and several other interested persons.

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

Chair introduces new member Michael Hansen and Town Attorney Nancy Marshall and announces Ian Calder-Piedmonte replaces Kathleen Cunningham as Vice Chair. Kathleen Cunningham has been appointed ARB Chair.

WORK SESSION:

1. LOT 72, LLC MINOR SUBDIVISION SCTM #300-118-1-44

Planner Hyland gives an overview and presents plans. The Planning Department will prepare an EAF for an upcoming meeting.

2. GOTTLIEB RENOVATION UNIT #11 SITE PLAN SCTM #300-49-6-21

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

3. NICK COHEN ARTIST STUDIO SCTM #300-94-2-10

Planner Wu gives an overview and presents plans. A probation on outdoor storage of works will be made a condition of approval. The applicant shall submit manufacturer's specification sheets for proposed light fixtures. The board will not hold a hearing on the site plan aspect of the artist studio. The application is ready for approval.

REGULAR MEETING:

PUBLIC HEARINGS

WAINSCOTT SEWING SOCIETY, INC. SITE PLAN SCTM #300-200-1-12

Member Parsons reads public hearing notice. Counsel states affidavit of posting and service is in order. Planner Hyland gives an overview. Wainscott resident Gluck supports the project and states improvements will benefit the community. Dennis D'Andrea states the project is needed. A motion is made to hold record open until January 19, 2022 for written comments, or within one (1) week of posting of the transcript on the Town's website, whichever is later, seconded and approved.

TWINKEL FARM SITE PLAN SCTM #300-193-2-9.7

Member Cortese reads public hearing notice. Counsel states affidavit of posting and service is in order. Planner Hyland gives an overview. No public comments were heard. A motion is made to hold record open until January 19, 2022 for written comments, or within one (1) week of posting of the transcript on the Town's website, whichever is later, seconded and approved.

92 SOUTH EUCLID AVENUE SITE PLAN

SCTM #300-49-1-15

Member McCobb reads public hearing notice. Counsel states affidavit of posting and service is in order. Planner Wu gives an overview. No public comments were heard. A motion is made to hold record open until January 19, 2022 for written comments, or within one (1) week of posting of the transcript on the Town’s website, whichever is later, seconded and approved.

**CMP SJ LOT LINE MODIFICATION
SCTM #300-176-8-22, 23**

Member Cortese reads public hearing notice. Counsel states affidavit of posting and service is in order. Planner Hyland gives an overview. Naomi Saltz reads letter from Rona Klopman giving history of the two properties. Jaine Mehring states property owner is not a full-time resident. She has concerns with lack of transparency over the redevelopment process, intensity of usage and density, precedent potential and impacts on the neighborhood. She disputes the stated use of the cottage. Jack Hassid, neighbor, states project does not meet Town Code. Richard Whalen states he was the attorney when the house was built and gives an explanation of the house’s current location. Richard Hammer, attorney for the applicant, states public comments are irrelevant to the application. He states the Zoning Board of Appeals gave the project a hard look. He states the project will have not environmental impact and offers an updated sanitary system as mitigation. Hassid offers ZBA did not look at the project as a whole. A motion is made to hold record open until January 19, 2022 for written comments, or within one (1) week of posting of the transcript on the Town’s website, whichever is later, seconded and approved.

**4. 403 SPRINGS FIREPLACE ROAD MINOR SUBDIVISION
SCTM #300-119-4-4**

Planner Wu gives an overview and presents plans. The board agrees to assume lead agency status. The application should provide details regarding an existing grant of common driveway easement or right-of-way. The applicant has agreed to a covenant to restrict building on a portion of Lot 2. The Town Attorney will research any potential information regarding the information to the subject lot.

URBAN RENEWAL:

**GRECCO UR MAP MODIFICATION
SCTM #300-58-6-1.1**

The Planning Department does not recommend the proposed modification on the grounds that Bay View Avenue residents use the road as beach access. And, the road is in a flood-prone location and further developments should not occur in this area.

Therefore, the Board will send comments to the Town Board recommending the proposed modification not move forward.

REGULAR MEETING:

The following Board of Review by counsel, and upon motions duly made and seconded, were approved by the Board:

ADOPTED BY PLANNING BOARD: JANUARY 12, 2022
BOARD OF REVIEW: PLANNING BOARD

WHEREAS, the Town Engineer has brought before the Board of Review the request of **PATRICK FALLON, MEMBER OF FALLON FAMILY PARTNERS LLC**, for a Building Permit on premises located in **33 WASHINGTON AVENUE, SPRINGS; LOTS: 1 THROUGH 15 INCLUDING P/O HAWTHORNE STREET RIGHT-OF-WAY; BLOCK# 27; URP #9 MAP# 455; SP 1-2 AND S.C.T.M. 300-58-6-1.1**

WHEREAS, report has been made on UR Form No. 2-1976 dated **DECEMBER 13, 2021** which is attached to and made a part of this Resolution;

Now, therefore, be it

RESOLVED, that upon completion of the work shown on UR Form No. 2-1976 dated **DECEMBER 13, 2021**, the Building Inspector may issue a Building Permit on said premises, or, in the alternative, he may issue a Building Permit upon Town Board's approval of an Undertaking secured by a Certified Check or other Surety acceptable to the Town Board, to secure road improvement units required. Said Undertaking to be in the amount of **\$20,000.00**. These requirements shall be subject to review one (1) year from the date of this Resolution or **JANUARY 12, 2023**.

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**

**WAIVER OF
SUBDIVISION
APPROVAL**

**HAND LANE SOUTH SUBWAIVER
SCTM #300-172-3-20**

ADOPTED: 1/12/2022

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:** Harvey L. Reid
- 3. SIZE OF PROPERTY:** 0.9838 Acres
- 4. NUMBER OF LOTS PROPOSED:** 2

5. **SIZE OF PROPOSED RESERVED AREA:** N/A
6. **SIZE OF PROPOSED AGRICULTURAL RESERVED AREA:** N/A
7. **PREPARER OF PROPOSED MAP:** Steven Barylski
8. **DATE OF PROPOSED MAP:** Last revised May 20, 2021
9. **DATE OF PUBLIC HEARING ON APPLICATION:** August 4, 2021

B. PROPERTY LOCATION AND DESCRIPTION

1. **SUFFOLK COUNTY TAX MAP DESIGNATION:** #300-172-3-20
2. **STREET LOCATION:** 115 Hand Lane
3. **CONTIGUOUS WATER BODIES:** N/A
4. **HAMLET OR GEOGRAPHIC AREA:** Amagansett
5. **SITE DESCRIPTION & EXISTING IMPROVEMENTS:** The property is zoned “B” residence and is situated off Hand Lane in Amagansett. The lot is partially cleared and contains one single family residence and gravel driveway.
6. **EXISTING FILED MAP NAME:** N/A
7. **EXISTING FILED MAP NUMBER:** N/A
8. **FILING DATE OF EXISTING MAP:** N/A
9. **BLOCK NUMBER IN EXISTING FILED MAP:** N/A
10. **LOT NUMBERS IN EXISTING FILED MAP:** N/A

C. ZONING CLASSIFICATION

1. **ZONING DISTRICT:** B: Residence
2. **ZONING OVERLAY DISTRICT:** N/A

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 April 7, 2021 the Fire Marshal has informed the Board that no additional fire protection devices are required for this application.

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:** Subdivision Map of Hand Lane South
2. **PREPARER OF APPROVED MAP:** Steven Barylski
3. **DATE OF APPROVED MAP:** Last revised May 20, 2021

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 and 12 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 obtain Suffolk County Department of Health Services approval of the Map. One copy of the approved map containing an original stamp of approval from this agency, not a photocopy, shall be submitted to the Planning Board.
7. The applicant shall install public water to serve the lots shown on the Map.
8. 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.
9. Lots 1 & 2 shall take driveway access from Hand Lane in the locations shown on the Map.
10. Lots 1 & 2 shall take access from Hand Lane by way of a single common driveway as shown on the Map.
11. The Building Inspector shall not issue a Certificate of Occupancy for any construction which may take place on Lots 1 & 2 unless and until access to the said lot or lots from 1 & 2 is in accordance with the terms of this resolution.

12. The applicant shall prepare and submit a common driveway declaration (or easement) for Lots 1 & 2, including course descriptions of the common driveways, in form acceptable to and approved by counsel to this Board. The said declaration shall provide for its modification or termination only with the written consent of the East Hampton Town Planning Board and 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.

13. Lots 1 & 2 shown on the Map shall not be used for the construction or erection of more than one (1) single family residence, plus accessory buildings and structures on each lot, and may never be further subdivided.

14. Before the start of clearing, grading, or construction work on any of the lots shown on the Map project-limiting fencing shall be installed along the perimeter of the areas proposed to be cleared. This fencing shall remain in place until all clearing, grading, or construction work on the particular lot or lots has been completed.

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

16. 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 "Map of Hand Lane South Subwaiver." 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: January 12, 2022

cc: Michael Frank
PO Box 1251
Wainscott, NY 11975

Britton Bistran Land Use Solutions
PO Box 2756
Amagansett, NY 11930

Planning Department
Building Inspector
Board of Assessors

Result: Adopted
Mover: Ian Calder-Piedmonte
Secunder: Sharon McCobb
Ayes: Samuel Kramer, Ian Calder-Piedmonte, Randall T. Parsons, Louis Cortese, Ed Krug, Michael Hansen

Upon motion duly made and seconded the meeting was adjourned at 9:50 PM.