

PLANNING BOARD MEETING

February 2, 2022

Present at the meeting: Chairman Samuel Kramer, 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.

WORK SESSION:

1. GLEN VALLEY ASSOCIATES, LTD. PRE-PRELIMINARY SUBDIVISION SCTM #300-136-1-17 THRU 30

Planner Hyland gives an overview and presents plans. A Preliminary Subdivision application should be submitted as an Open-Space Subdivision with a 25% reserved area as required by the Town Code. The submission should also illustrate all steep sloped areas of 15-20% and greater than 20% area, details of access for both lots and the location of surrounding walls and sanitary systems. An Urban Renewal Map modification that addresses the proposal's potential changes to parcel #60 in the Old Filed Map Study. The applicant should consider offering mitigation measures to protect groundwater such as limiting clearing.

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

Planner Hyland gives an overview and presents plans. A visual inspection of the revegetation will be undertaken prior to the Board voting on a resolution. The application is ready for approval.

3. PANTIGO MAPLE LOT LINE MODIFICATION SCTM #330-188-1-16.2, 17.1, 21

Planner Hyland gives an overview and presents plans. The applicant states that the proposed access easement is necessary as a service access. The applicant states that a variance will not be needed for the proposed pool. The applicant should submit maps titled "Pantigo Maple Lot Line Modification".

4. GURNEY'S YACHT CLUB, PHASE I EXTERIOR RENOVATIONS SITE PLAN SCTM #300-6-4-9

Planner Hyland gives an overview and presents plans for Planner Wu. The applicant should submit a revised survey and building plans to accurately reflect the proposed improvements. The applicant should address the comments submitted by the Chief Fire Marshal regarding ADA compliance. The applicant will be required to obtain a Natural Resources Special Permit for the 100 square foot restroom.

INLET SEAFOOD AWNING SITE PLAN – TABLED

New attorney for the application has not submitted authorization letter to the file.

OTHER:

**MONTAUK SKATE PARK AND LION'S FIELD COMFORT STATION
RENOVATIONS**

Assistant Director Schantz gives an overview and presents plans. The board is in support of the project. The board will send comments to the Town Board regarding storm water control structures, proper lighting and preserving mature trees on the hillside.

**LITTLE LEAGUE BALLFIELDS AND RECREATION AREA AT STEPHEN HANDS
PATH
SCTM #300-192-3-30/193-1-3**

Assistant Director Schantz gives an overview and presents plans. The board is in support of the project. The board will send comments to the Town Board regarding repurposing of the vacant Child Development Center of the Hamptons building, adequate parking, groundwater mitigation measures, limiting use of fertilizers and fertilizer dependent grasses.

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: FEBRUARY 2, 2022

BOARD OF REVIEW: PLANNING BOARD

WHEREAS, the Town Engineer has brought before the Board of Review the request of **FARRELL BUILDING COMPANY AND KM FARRELL REAL ESTATE LLC**, for a Building Permit on premises located in section **280-A; 26 CENTRAL AVE, EAST HAMPTON; LOTS 60-69; MAP #597; and S.C.T.M. 300-167-1-8, 9.2**

WHEREAS, report has been made on **SECTION 280-A** form dated **JANUARY 24, 2022** which is attached to and made a part of this Resolution;

Now, therefore, be it

RESOLVED, that upon completion of the work shown on **SECTION-280A** form dated **JANUARY 24, 2022**, 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 **\$0.00**. These requirements shall be subject to review one (1) year from the date of this Resolution or **FEBRUARY 2, 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

**SITE PLAN
APPROVAL**

**NICK COHEN ARTIST STUDIO
SITE PLAN
SCTM#300-94-2-10**

ADOPTED: 2/ 2/ 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, 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: To allow for a portion of clearing conducted on a residential lot to remain, ultimately in order to accommodate an artist studio. The applicant is to revegetate roughly 2,000 sq. ft. with native vegetation and plantings. The applicant owns a single-family residence on an adjoining parcel.

4. SIZE OF PROPERTY: 25,222 square feet (0.58 acres)

5. OWNER OF PROPERTY: Nick Cohen

6. APPLICANT: Mark Catalano

7. PROPOSED SITE PLAN: Plan prepared by James P. Walsh dated November 17, 2021

8. DATE OF PUBLIC HEARING ON APPLICATION: Waived by Planning Board

B. PROPERTY LOCATION AND DESCRIPTION

1. SUFFOLK COUNTY TAX MAP DESIGNATION: #300-94-2-10

2. STREET LOCATION: 10 Lafayette Place, Springs

3. CONTIGUOUS WATER BODIES: N/A

4. HAMLET OR GEOGRAPHIC AREA: Springs

5. SITE DESCRIPTION & EXISTING IMPROVEMENTS: Vacant residential parcel, partially cleared of native vegetation.

6. FILED MAP NAME: Montauk View

7. FILED MAP NUMBER: 16

8. DATE OF MAP FILING: June 23, 1911

9. BLOCK NUMBER IN FILED MAP: 1

10. LOT NUMBER IN FILED MAP: 51 - 57

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 May 6, 2021, the Office of Fire Prevention has informed the Board that no additional fire protection devices are needed for this project.

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:

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

2. NATURE OF APPROVED USE: N/A

3. DESCRIPTION OF APPROVED WORK: To allow for a portion of clearing conducted on a residential lot to remain, ultimately in order to accommodate an artist studio. Revegetation of roughly 2,000 sq. ft. with native vegetation and plantings.

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: Plan prepared by James P. Walsh dated November 17, 2021

2. APPROVED BUILDING OR CONSTRUCTION PLANS: Revegetation plan prepared by Nick Cohen dated August 9, 2021

3. ADDITIONAL CONDITIONS AND TIME LIMITATIONS:

3.1 No building permits may issue, nor may clearing, grading, or construction activities, with the exception of those necessary to re-vegetate the property in accordance with

this approved re-vegetation plan shall 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 revegetate a 25 ft. buffer with a split rail fence as shown on the approved site plan and approved building or construction plans described above.

3.3 All revegetation and landscaping shall be maintained by the applicant in accordance with the approved site planting plan for so long as the improvements approved as part of this site plan are in use. This requirement shall be a continuing condition of this approval, and the applicant and any successors in interest shall replace and replant the landscaping on the site as may be necessary to satisfy this condition.

3.4 The parking, access, and drainage improvements required by this site plan approval (including any devices for delineating parking spaces or directing traffic flow) shall be maintained by the applicant for so long as the improvements approved as part of this site plan are in use. This requirement shall be a continuing condition of this approval, and the applicant and any successors in interest shall repair, replace, and maintain these improvements as may be necessary to satisfy this condition.

3.5 The applicant shall install all utilities servicing the proposed lots, including electric, telephone, and, if available, cable television wiring below grade. 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.

3.6 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. Upon completion of the re-vegetation required in condition 3.2 of this resolution, a member of the Planning Board or their delegate shall inspect the site and notify the Planning Board of compliance with the approved re-vegetation plan.

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

3.8 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: February 2, 2022

cc: Mark Catalano
10 Pantigo Road
East Hampton, NY 11937

Planning Department
Building Inspector

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

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

In the Matter of the Application

of

**80 FIRESTONE-BLUFF CREST COTTAGES
SITE PLAN/SPECIAL PERMIT
SCTM #300-17-1-05**

**RESOLUTION
AMENDING
APPROVAL**

ADOPTED: 2 / 2 / 2022

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: Site plan/special permit approval dated September 1, 2021

PROPERTY LOCATION: 80 Firestone Road, Montauk

PROPOSED AMENDMENT: To modify the conditions of approval to allow for the approved staircase over the bluff to be constructed prior to obtaining approval of the Suffolk County Department of Health Services (SCDHS)

MODIFICATION AS APPROVED: To change the condition of approvals as follows:

Conditions of approval #4.1, 4.2, 4.3 and 4.4 currently read:

“4.1 No building permits may issue, nor may clearing, grading, or construction activities be commenced, until and unless the conditions enumerated in sub¶ 4.2, 4.3 and 4.4 below have been met, as evidenced by the report of the Planning Board Chair.

4.2 The applicant shall obtain final approval of the Suffolk County Department of Health Services (SCDHS).

4.3 The applicants shall obtain final approval of the Architectural Review Board

4.4 The applicants shall obtain approval from the New York State Department of Environmental Conservation (NYSDEC).”

The modification would change condition of approval 4.1 to read as follows:

“4.1 No building permits may issue, nor may clearing, grading, or construction activities be commenced, with the exception of those required for construction of the staircase over the bluff, until and unless the conditions enumerated in sub¶ 4.2, 4.3 and 4.4 below have been met, as evidenced by the report of the Planning Board Chair. No building permits may issue, nor may clearing, grading, or construction activities be commenced for construction of the staircase over the bluff until and unless the conditions enumerated in sub¶ 4.4 below has been met, as evidenced by the report of the Planning Board Chair.”

REASONS SUPPORTING MODIFICATION: The proposed staircase from the subject property, over the bluff and down to the beach adjacent to Fort Pond Bay has received the required Natural Resources Special Permit (NRSP) from the Zoning Board of Appeals (ZBA). This structure requires approval of the New York State Department of Environmental Conservation (NYSDEC) but does not require approval of the Architectural Review Board (ARB) or the Suffolk County Department of Health Services (SCDHS). Accordingly, the condition that approvals from these involved agencies be obtained prior to the issuance of a building permit for the staircase (only) is unnecessary.

APPROVED PLAN AS MODIFIED: N/A

CONDITIONS TO MODIFICATION:

1. The applicants shall obtain approval from the New York State Department of Environmental Conservation (NYSDEC) prior to the issuance of a building permit for the staircase over the bluff.
2. The applicant shall apply for and obtain a building permit no later than three (3) years from the date of this resolution.
3. The applicant shall apply for and obtain a Certificate of Occupancy no later than four (4) years from the date of this resolution.

DATED: February 2, 2022

cc: Joel Halsey
 Lighthouse Land Planning
 The Plaza
 PO Box 5030
 Montauk, NY 11954

Planning Department
 Building Inspector
 Architectural Review Board

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

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

In the Matter of the Application

**ARTIST STUDIO
APPROVAL**

of

**NICK COHEN ARTIST STUDIO
 SCTM #300-94-2-10**

ADOPTED: 2 / 2 / 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, comments taken at any public hearing on the application, and inspection of the subject property.

A. PROJECT DESCRIPTION

1. TYPE OF APPROVAL SOUGHT:

(a) Artist Studio approval pursuant to Article XI of Chapter 255 (Zoning) of the East Hampton Town Code.

2. USE REQUIRING SPECIAL PERMIT: N/A

3. DESCRIPTION OF PROPOSED WORK: To construct a 26' x 40' or 1,040 sq. ft. artist studio with associated landscaping on a vacant 25,222 sq. ft. parcel situated on Lafayette Place in Springs in a B Residence zoning district. The applicant owns and resides on an adjoining parcel containing a single family residence.

4. SIZE OF PROPERTY: 25,222 square feet (0.58 acres)

5. OWNER OF PROPERTY: Nick Cohen

6. APPLICANT: Mark Catalano

7. PROPOSED SITE PLAN: Plan prepared by James P. Walsh dated November 17, 2021

8. DATE OF PUBLIC HEARING ON APPLICATION: November 17, 2021

B. PROPERTY LOCATION AND DESCRIPTION

1. SUFFOLK COUNTY TAX MAP DESIGNATION: #300-94-2-10

2. STREET LOCATION: 10 Lafayette Place, Springs

3. CONTIGUOUS WATER BODIES: N/A

4. HAMLET OR GEOGRAPHIC AREA: Springs

5. SITE DESCRIPTION & EXISTING IMPROVEMENTS: Vacant residential parcel, partially cleared of native vegetation.

6. FILED MAP NAME: Montauk View

7. FILED MAP NUMBER: 16

8. DATE OF MAP FILING: June 23, 1911

9. BLOCK NUMBER IN FILED MAP: 1

10. LOT NUMBER IN FILED MAP: 51 - 57

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. The parcel had been cleared without receiving a valid building permit. The applicant has submitted a site plan application to rectify the cleared areas by proposing a split rail fence, and multiple native plantings as revegetation.

3. The parcel does not contain the applicant's principal residence. The applicant resides on an adjoining parcel to the southwest containing a single family residence. §255-11-20 (C) of the Town Code sets standards for constructing an accessory building or structure on a vacant contiguous lot. In addition to the artist studio's declaration, the applicant shall meet §255-11-20 (C) and should common ownership of the contiguous lots cease, either the accessory building or structure must be removed within nine months or the owner of the lot without a principal structure must obtain a building permit for a principal building or structure within nine

months.

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 an Artist Studio as enumerated in §255-11-88 of the Town Code.
2. The application meets the standards enumerated for review of Artist Studios in § 255-11-88 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) Artist Studio approval pursuant to Article XI of Chapter 255 of the Town Code.

2. NATURE OF APPROVED USE: Artist Studio

3. DESCRIPTION OF APPROVED WORK: To construct a 26' x 40' or 1,040 sq. ft. artist studio with associated landscaping on a vacant 25,222 sq. ft. parcel.

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: Survey prepared by James P. Walsh dated November 17, 2021.

2. APPROVED BUILDING OR CONSTRUCTION PLANS: Submitted Nick Cohen dated November 17, 2021

3. ADDITIONAL CONDITIONS AND TIME LIMITATIONS:

3.1 No building permits may issue, nor may clearing, grading, or construction activities with the exception of those necessary to re-vegetate the property in accordance with the approved site plan dated February 2, 2022 shall be commenced, until and unless the conditions enumerated in sub § (3.2 & 3.3) below have been met, as evidenced by the report of the Planning Board Chair.

3.2 The applicant shall agree to the Artist's Studio Declaration in pursuant to Article XI of Chapter 255 of the Town Code. The applicant shall record the Artist Studio Declaration at the Office of the Suffolk County Clerk, and shall return three (3) copies, with proof of recordation shown thereon, to the Town Clerk before building permits will be issued.

3.3 The property shall be revegetated in accordance with a Planning Board site plan approval.

3.4 The property shall meet the standards of §255-11-20 (C) for an accessory structure to be constructed on a vacant contiguous lot.

3.5 No bath, shower, toilet, or other plumbing, excluding a slop sink, is permitted and will not contain any kitchen appliances, but may have a microwave and coffee maker. A slop sink shall be connected to a dry well.

3.6 No hazardous materials or chemicals shall be disposed in the proposed slop sink.

3.7 The applicant shall not conduct work in the artist studio at night without having the doors closed in order to meet the noise ordinances of Chapter 185 of the Town Code.

3.8 No outdoor storage of art works on the property shall be permitted.

3.9 The artist studio shall meet the general lighting standards of Chapter 255-1-83 of the Town Code.

3.10 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.

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

3.12 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: February 2, 2022

cc: Mark Catalano
10 Pantigo Road
East Hampton, NY 11937

Planning Department
Building Inspector

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

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