

# PLANNING BOARD MEETING

February 16, 2022

Present at the meeting: Chairman Samuel Kramer, Members Louis Cortese, Michael Hansen, Ed Krug, 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. MARGOLIS LOT LINE MODIFICATION SCTM #300-185-2-24.1, 31.4**

Planner Hyland gives an overview and presents plans. The applicant should provide a scenic easement over the area of steep slopes or submit a draft declaration of covenants and restrictions which achieves the goal of protecting the steep slopes for review by the Board and Counsel.

### **2. 8 FIVE ROD HIGHWAY AGRICULTURAL BARN SITE PLAN SCTM #300-200-2-48.4**

Planner Wu gives an overview and presents plans. The application will be ready to be scheduled for public hearing after a revised survey that depicts utility lines that are placed outside the agricultural easement or under existing pathways is submitted.

### **3. CRYSTAL MEWS SITE PLAN MODIFICATION SCTM #300-188-2-5**

Assistant Director Schantz gives an overview and presents plans. The board agrees to the proposed modification request.

## **PUBLIC HEARING:**

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

## **TABLED – TO BE RENOTICED**

### **4. SPRINGS GENERAL STORE PRELIMINARY SITE PLAN SCTM #300-80-2-1**

Planner Wu gives an overview and presents plans. The applicant stated that they will not retain the existing kayak use. The applicant should provide ADA accessible parking spaces and an access. The applicant agrees to consider installing an updated IA sanitary system. The applicant should consider a more formalized parking layout while keeping the current rural characteristic.

### **5. ST. MICHAEL'S BASEMENT ALTERATION SITE PLAN SCTM #300-172-9.4**

Planner Wu gives an overview and presents plans. The applicant should address the Fire Marshal's comments. The applicant should submit an as-built survey. The applicant should contact the SCDHS as soon as possible with regard to the effect of the enlargement of the apartment on generated sanitary flow.

## **REGULAR MEETING:**

By motions made, seconded, the following resolutions were approved by the Board:

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

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**In the Matter of the Application**

**of**

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

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**LOT LINE  
MODIFICATION  
APPROVAL**

**ADOPTED: 2/16/2022**

**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. NATURE OF APPLICATION:** Application for lot line adjustment pursuant to § 220-2.18 et seq. of the East Hampton Town Code.
- 2. OWNERS OF PROPERTY:** Otis CMS Real Estate Holdings, LLC
- 3. SIZE OF AREA TO BE TRANSFERRED:** 10,692 sq. ft.
- 4. EXISTING SIZES OF PROPERTY:** Lot 1: 39,133 sq. ft., Lot 2: 18,533 sq. ft.
- 5. PROPOSED SIZES OF PROPERTY:** Lot 1: 28,441 sq. ft., Lot 2: 29,225 sq. ft.
- 6. PREPARER OF PROPOSED MAP:** David L. Saskas of Saskas Surveying Company, P.C.
- 7. DATE OF PROPOSED MAP:** Dated last revised December 11, 2020
- 8. DATE OF PUBLIC HEARING ON APPLICATION:** January 12, 2022

**B. PROPERTY LOCATION AND DESCRIPTION**

- 1. SUFFOLK COUNTY TAX MAP DESIGNATION:** SCTM# 300-176-8-22 & 23
- 2. STREET LOCATION:** 183 Marine Boulevard, 189 Marine Boulevard
- 3. CONTIGUOUS WATER BODIES:** Atlantic Ocean
- 4. HAMLET OR GEOGRAPHIC AREA:** Amagansett
- 5. SITE DESCRIPTION & EXISTING IMPROVEMENTS:** The parcels are situated in Amagansett off of Marine Boulevard and are Zoned B: Residence. They are also situated within the Coastal Erosion Overlay District (Zone 1) and Flood Hazard Overlay District. They are currently both improved with two-story single family residences as well as associated accessory structures. The properties front on the Atlantic Ocean and are roughly bisected by a primary dune. The parcels are also entirely seaward of the Coastal Erosion Hazard line and contain beach vegetation throughout.
- 6. EXISTING FILED MAP NAME:** Beach Hampton
- 7. EXISTING FILED MAP NUMBER:** 1238
- 8. FILING DATE OF EXISTING MAP:** May 20, 1939
- 9. BLOCK NUMBER IN EXISTING FILED MAP:** N/A
- 10. LOT NUMBERS IN EXISTING FILED MAP:** 4 - 17

**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 AND 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 report dated August 16, 2021 the Fire Department 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 proposed lots conform to both lot area and lot width requirements for the B: Residence zoning district.
2. The application as approved satisfies the criteria for lot line adjustment set forth in § 220-2.18 of the Town Code.

**G. DISPOSITION OF APPLICATION**

Approval is hereby granted for the adjustment of lot lines between the aforementioned lots, in accordance with the Map described herein, subject to any conditions or modifications specified in § H below.

- 1. NAME OF APPROVED MAP:** CMP SJ Lot Line Modification
- 2. PREPARER OF APPROVED MAP:** David L. Saskas of Saskas Surveying, P.C.
- 3. DATE OF APPROVED MAP:** Dated Last Revised December 11, 2020

**H. CONDITIONS OF APPROVAL**

The lot line modification 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 property to be transferred from Lot 1 (SCTM#300-176-8-23) to Lot 2 (SCTM#300-176-8-22) shall be placed in the same record ownership as Lot 2 (SCTM#300-176-8-22), such that no new or additional parcels of land are created.
2. No transfer or conveyances of property may be made except in accordance with the approved Map. No such conveyances may be made until and unless the applicants have met the conditions contained in ¶5 and 6 below, which compliance shall be certified by the signing of the Map by the Planning Board Chair.
3. For the sole purpose of enabling the Planning Board Chair to sign the Map, the applicants shall have satisfied any condition of this approval which requires the applicants 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.

4. The applicants shall record any and all of the documents referred to in the preceding paragraph at the Office of the Suffolk County Clerk prior to the conveyance of either lot shown on 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 either of the lots shown on the Map.

5. A scenic easement shall be provided over portions of proposed Lot 2, as shown on the approved map. This easement shall be granted to and accepted by the Town of East Hampton and recorded in the Office of the Suffolk County Clerk

6. The applicant shall obtain Suffolk County Department of Health Services approval of the Map.

7. All utilities servicing the proposed lots shall be installed belowground, including electric, telephone, and, if available, cable television wiring, in accordance with the requirements of Chapter 131 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.

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

9. There shall be no further division of any of the lots shown on this Map.

10. The conveyance of land approved herein shall take place no later than eighteen (18) months from the date of this resolution.

11. 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 approval of lot line adjustment for the Map entitled Lot Line Modification of CMP SJ, LLC. If any condition of this resolution is not met, or is not met within the prescribed time period, the approval hereby granted shall become void and of no effect.

DATED: February 16, 2022

cc:

Britton Bistran  
PO Box 2756  
Amagansett, NY 11930

Planning Department  
Building Inspector  
Board of Assessors

Result: Adopted  
Mover: Louis Cortese  
Seconder: Ed Krug  
Ayes: Samuel Kramer, Ian Calder-Piedmonte, 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**

**SITE PLAN  
APPROVAL**

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

**ADOPTED: 2 / 16 / 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 SITE PLAN:** Community center

**3. DESCRIPTION OF PROPOSED WORK:** To abandon the existing sanitary system, and install a low-nitrogen, I/A septic system, add a bathroom, provide handicap access pursuant to the ADA and provide two parking spaces onsite at the Wainscott Chapel

**4. SIZE OF PROPERTY:** 14,985 sq. ft

**5. OWNER OF PROPERTY:** Wainscott Sewing Society, Inc.

**6. APPLICANT:** Wainscott Sewing Society, Inc. by Hilary Osborn Malecki Pres.

**7. PROPOSED SITE PLAN:** Site plan prepared by F. Michael Hemmer, LS, P.C., dated last revised August 27, 2021

**8. DATE OF PUBLIC HEARING ON APPLICATION:** January 12, 2022

**B. PROPERTY LOCATION AND DESCRIPTION**

**1. SUFFOLK COUNTY TAX MAP DESIGNATION:** #300-200-1-12

**2. STREET LOCATION:** 65 Main Street

**3. CONTIGUOUS WATER BODIES:** N/A

**4. HAMLET OR GEOGRAPHIC AREA:** Wainscott

**5. SITE DESCRIPTION & EXISTING IMPROVEMENTS:** (1) two story frame building community center, (1) existing outhouse in back of building, (1) brick walk porch & back deck entrance

**6. FILED MAP NAME:** N/A

**7. FILED MAP NUMBER:** N/A

**8. DATE OF MAP FILING:** N/A

**9. BLOCK NUMBER IN FILED MAP:** N/A

**10. LOT NUMBER IN FILED MAP:** N/A

**C. ZONING CLASSIFICATION**

**1. ZONING DISTRICT:** A2: 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).

**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:** Community center (no change in use)

**3. DESCRIPTION OF APPROVED WORK:** To abandon the existing sanitary system, and install a low-nitrogen, I/A septic system, add a bathroom, provide handicap access pursuant to the ADA and provide two parking spaces onsite at the Wainscott Chapel

**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:** Site plan prepared by F. Michael Hemmer, LS, P.C., dated last revised August 27, 2021

**2. ADDITIONAL CONDITIONS AND TIME LIMITATIONS:**

2.1 No building permits may issue, nor may clearing, grading, or construction activities be commenced, until and unless the conditions enumerated in sub¶ 2.2 and 2.3 below have been met, as evidenced by the report of the Planning Board Chair.

2.2 The applicant shall obtain final approval of the Architectural Review Board

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

2.4 The applicant shall obtain the approval of the Suffolk County Department of Health Services. A copy of the approved plan containing an original stamp of approval from that agency, not a photocopy, shall be submitted.

2.5 The applicant shall apply for and obtain a building permit no later than three (3) years

from the date of this resolution.

2.6 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 16, 2022

cc: Thomas J. Osborne, Esq.  
P.O. Box 5011  
East Hampton, NY 11937

Planning Department  
Building Inspector  
Architectural Review Board

Result: Adopted  
Mover: Randall T. Parsons  
Seconder: Ed Krug  
Ayes: Samuel Kramer, Ian Calder-Piedmonte, 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**

**SITE PLAN  
APPROVAL**

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

**ADOPTED: 2 / 16 / 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 SITE PLAN:** Storage and equipment barn, greenhouse

**3. DESCRIPTION OF PROPOSED WORK:** to create a 68' X 24' (1,632 sq. ft.) storage/equipment barn, a 16' X 26' 8" (428 sq. ft.) greenhouse, 71,503 sq. ft. of cultivated space, an accessory driveway, and walkway

**4. SIZE OF PROPERTY:** 90,386 sq. ft

5. **OWNER OF PROPERTY:** Ann Tittle Carmo
6. **APPLICANT:** David E. Eagan & Associates PLLC
7. **PROPOSED SITE PLAN:** Site plan prepared by Richard Searles Architect, P.C., dated last revised September 29, 2021
8. **DATE OF PUBLIC HEARING ON APPLICATION:** January 12, 2022

**B. PROPERTY LOCATION AND DESCRIPTION**

1. **SUFFOLK COUNTY TAX MAP DESIGNATION:** #300-193-2-9.7
2. **STREET LOCATION:** 5 Green Hollow Road
3. **CONTIGUOUS WATER BODIES:** N/A
4. **HAMLET OR GEOGRAPHIC AREA:** East Hampton
5. **SITE DESCRIPTION & EXISTING IMPROVEMENTS:** 12' x 8' Greenhouse and fencing
6. **FILED MAP NAME:** N/A
7. **FILED MAP NUMBER:** N/A
8. **DATE OF MAP FILING:** N/A
9. **BLOCK NUMBER IN FILED MAP:** N/A
10. **LOT NUMBER IN FILED MAP:** N/A

**C. ZONING CLASSIFICATION**

1. **ZONING DISTRICT:** A3: Residence
2. **ZONING OVERLAY DISTRICT:** South Fork Special Groundwater Protection Area (SGPA)

**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).

**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:** Storage and equipment barn, greenhouse



**3. DESCRIPTION OF APPROVED WORK:** to create a 68' X 24' (1,632 sq. ft.) storage/equipment barn, a 16' X 26' 8" (428 sq. ft.) greenhouse, 71,503 sq. ft. of cultivated space, an accessory driveway, and walkway

**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:** Site plan prepared by Richard Searles Architect, P.C., dated last revised September 29, 2021

**2. ADDITIONAL CONDITIONS AND TIME LIMITATIONS:**

2.1 No building permits may issue, nor may clearing, grading or construction activities be commenced, until and unless the conditions enumerated in sub 2.2 & 2.3 below have been met, as evidenced by the report of the Planning Board Chair.

2.2 The applicant shall obtain the final written approval of the Architectural Review Board.

2.3 The applicant shall obtain the approval of the Suffolk County Department of Health Services.

2.4 The applicant shall obtain the approval of the Suffolk County Department of Health Services. A copy of the approved plan containing an original stamp of approval from that agency, not a photocopy, shall be submitted.

2.5 The applicant shall perform the parking, access, drainage, and landscaping improvements shown on the approved site plan and approved building or construction plans described above prior to the issuance of a certificate of occupancy.

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

2.7 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 16, 2022

cc: David Eagan  
David Eagan & Associates, PLLC  
P.O. Box 249  
Wainscott, NY 11975

Planning Department  
Building Inspector  
Architectural Review Board

Result: Adopted  
Mover: Louis Cortese

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

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

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**In the Matter of the Application**

of

**SITE PLAN/  
SPECIAL PERMIT  
APPROVAL**

**92 SOUTH EUCLID AVENUE  
SCTM# 300-49-1-15**

**ADOPTED: 2 / 16 / 2022**

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**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.
- (b) Issuance of a special permit pursuant to Article V of Chapter 255 of the Town Code.

**2. USE REQUIRING SPECIAL PERMIT:** Apartment within commercial structure.

**3. DESCRIPTION OF PROPOSED WORK:** To construct a two-story 1,058 sq. ft. commercial building with a second floor affordable apartment, and basement. The building is to consist of a 1,058 sq. ft. first floor dry retail, a 1,058 sq. ft. apartment, and a 945 sq. ft. basement.

**4. SIZE OF PROPERTY:** 4,100 sq. ft.

**5. OWNER OF PROPERTY:** Michael O'Connell

**6. APPLICANT:** Andrew Strong Law, East End Land Planning Inc.

**7. PROPOSED SITE PLAN:** Site plan prepared by Walbridge dated October 13, 2021

**8. DATE OF PUBLIC HEARING ON APPLICATION:** January 12, 2022

**B. PROPERTY LOCATION AND DESCRIPTION**

**1. SUFFOLK COUNTY TAX MAP DESIGNATION:** #300-49-1-15

**2. STREET LOCATION:** 92 South Euclid Avenue

**3. CONTIGUOUS WATER BODIES:** N/A

**4. HAMLET OR GEOGRAPHIC AREA:** Montauk

**5. SITE DESCRIPTION & EXISTING IMPROVEMENTS:** Vacant parcel with native and invasive vegetation.

**6. FILED MAP NAME:** N/A

**7. FILED MAP NUMBER:** N/A

**8. DATE OF MAP FILING:** N/A

**9. BLOCK NUMBER IN FILED MAP:** N/A

**10. LOT NUMBER IN FILED MAP:** N/A

**C. ZONING CLASSIFICATION**

**1. ZONING DISTRICT:** CB: Central Business

**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 November 19, 2021, the Office of Fire Prevention has informed the Board that no additional fire protection devices are needed for this project.
3. The application required the approval of two variances from the Zoning Board of Appeals for parking 3 spaces within the right-of-way where on-site parking is required, and for a side yard setback variance of 7 ft. reducing to 3 ft. where 10 ft. is required. A ZBA determination was granted in August 11, 2021 where the application was granted both variances.

**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.
3. The application meets the general standards required for the issuance of a special permit by § 255-5-40 of the Town Code, in that:
  - (A) Nature of use. The use proposed will be in harmony with and promote the general purposes of Chapter 255 of the Town Code as the same are set forth in § 255-1-11 thereof.
  - (B) Lot area. The lot area is sufficient, appropriate, and adequate for the use, as well as reasonably anticipated operation and expansion thereof.
  - (C) Adjacent properties. The proposed use will not prevent the orderly and reasonable use of adjacent properties.
  - (D) Compatibility. The site of the proposed use is a suitable one for the location of a Retail Store with a second floor affordable apartment in the Town, and the proposed use will be compatible with its surroundings and with the character of the neighborhood and of the community in general, particularly with regard to visibility, scale, and overall appearance.
  - (E) Effect on specific existing uses. The characteristics of the proposed use are not such that its proposed location would be unsuitably near to a church, school, theater, recreational area, or other place of public assembly.
  - (F) Use definition. The proposed use conforms to the Town Code's definition of "Retail Store," as that definition is used in § 255-1-20 of the Town Code.

(G) Circulation. Access facilities are adequate for the traffic estimated to be generated by the proposed use on public streets and sidewalks, so as to assure the public safety and to avoid traffic congestion; and vehicular entrances and exits are clearly visible from the street and are not within seventy-five (75) feet of the intersection of street lines at a street intersection.

(H) Parking. The three (3) off-street parking spaces proposed for this application satisfy the requirements of the applicable provisions of Chapter 255 of the Town Code, and are in any case more than adequate for the actual anticipated number of occupants of the proposed use. Furthermore, the layout of the spaces and related facilities will be convenient and conducive to safe operation.

(I) Buffering and screening. Adequate buffer yards and screening have been provided to protect adjacent properties and land uses from possible detrimental impacts of the proposed use.

(J) Runoff and waste. Adequate provision has been made for the collection and disposal of stormwater runoff, sewage, refuse, and other liquid, solid, or gaseous waste which the proposed use will generate.

(K) Environmental protection. The natural characteristics of the site are such that the proposed use may be introduced there without undue disturbance or disruption of important natural features, systems, or processes and without significant negative impact to groundwater and surface waters on or off the site.

(L) Compliance with other laws. The proposed use can and will comply with all provisions of the Town Code which are applicable to it, and can meet every other applicable federal, state, county, and local law, ordinance, rule, or regulation.

## **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.
- (b) Issuance of a special permit pursuant to Article V of Chapter 255 of the Town Code.

### **2. NATURE OF APPROVED USE:** Retail store with a second floor affordable apartment

**3. DESCRIPTION OF APPROVED WORK:** Construct a two-story 1,058 sq. ft. commercial building with a second floor affordable apartment, and basement. The building is to consist of a 1,058 sq. ft. first floor dry retail, a 1,058 sq. ft. apartment, and a 945 sq. ft. basement.

## **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:** Prepared by George Walbridge Surveyors P.C. and dated October 13, 2021

**2. APPROVED BUILDING OR CONSTRUCTION PLANS:** Lighting and Building plans prepared by Jeffrey Sands Architect dated October 12, 2021 (Sheet A010 – Site Lighting Plan); (Sheet A-100 Foundation Plan); (Sheet A110 First Floor Plan); (Sheet A120 – Second Floor Plan); (Sheet A200 – Elevations); (Sheet A210 Elevations); (Sheet A220 – Elevations); and (Sheet A300 Section); Sanitary Plans prepared by Ed Armus P.E. dated October 14, 2021; Landscaping Plan prepared by East End Land Planning dated October 13, 2021.

### **3. ADDITIONAL CONDITIONS AND TIME LIMITATIONS:**

3.1 No building permits may issue, nor may clearing, grading, or construction activities be commenced, until and unless the conditions enumerated in sub¶ 3.2 and 3.3 below have been met, as evidenced by the report of the Planning Board Chair.

3.2 The applicant shall obtain the approval of the Suffolk County Department of Health

Services. A copy of the approved plan containing an original stamp of approval from that agency, not a photocopy, shall be submitted.

3.3 The applicant shall obtain the final written approval of the Architectural Review Board.

3.4 The applicant shall perform the parking, access, drainage, and landscaping improvements shown on the approved site plan and approved building or construction plans described above prior to the issuance of a certificate of occupancy.

3.5 All 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.

3.6 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.

3.7 The applicant is to construct the sidewalk in accordance with the notation illustrated on the approved Site Plan. The sidewalk is to align with the built property of SCTM#300-49-1-16. Should the eastern property of SCTM#300-49-1-14 is to be constructed prior to the subject site, the proposed sidewalk shall be constructed to connect accordingly.

3.8 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.

3.9 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.

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

3.11 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 16, 2021

cc: Andrew Strong, Esq.  
P.O. Box 2006  
Amagansett, NY 11930

Planning Department  
Building Inspector  
Architectural Review Board

Result: Adopted

Mover: Samuel Kramer  
Seconded: Ed Krug  
Ayes: Samuel Kramer, Ian Calder-Piedmonte, Randall T. Parsons, Michael Hansen,  
Louis Cortese, Ed Krug

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

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**In the Matter of the Application**

of

**SITE PLAN  
APPROVAL**

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

**ADOPTED: 2 / 16 / 2022**

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**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 SITE PLAN:** Resort

**3. DESCRIPTION OF PROPOSED WORK:** Proposed renovation to enclose existing open atrium with new exterior walls where needed and windows. Infill roofing and add a skylight to new roofed area.

**4. SIZE OF PROPERTY:** 333,633 sq. ft

**5. OWNER OF PROPERTY:** Surf Club at Montauk Corp.

**6. APPLICANT:** Adam Gottlieb

**7. PROPOSED SITE PLAN:** Site Plan prepared by F. Michael Hemmer, LS, P.C., dated August 11, 2017

**8. DATE OF PUBLIC HEARING ON APPLICATION:** Waived

**B. PROPERTY LOCATION AND DESCRIPTION**

**1. SUFFOLK COUNTY TAX MAP DESIGNATION:** #300-49-6-21

**2. STREET LOCATION:** 20 Surfside Ave

**3. CONTIGUOUS WATER BODIES:** Atlantic Ocean

**4. HAMLET OR GEOGRAPHIC AREA:** Montauk

**5. SITE DESCRIPTION & EXISTING IMPROVEMENTS:** (8) two story multiple residential buildings with a total of 92 units, swimming pool with fencing, bath house, office and two tennis courts.

**6. FILED MAP NAME:** N/A

**7. FILED MAP NUMBER:** N/A

**8. DATE OF MAP FILING:** N/A

**9. BLOCK NUMBER IN FILED MAP:** N/A

**10. LOT NUMBER IN FILED MAP:** N/A

**C. ZONING CLASSIFICATION**

**1. ZONING DISTRICT:** RS: Resort

**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).

**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:** Resort (no change in use)

**3. DESCRIPTION OF APPROVED WORK:** Proposed renovation to enclose existing open atrium with new exterior walls where needed and windows. Infill roofing and add a skylight to new roofed area.

**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:** Site Plan prepared by F. Michael Hemmer, LS, P.C., dated August 11, 2017

**2. APPROVED BUILDING OR CONSTRUCTION PLANS:** Building plans, dated November 18, 2021 and stamped by John J. Condon PE

**3. ADDITIONAL CONDITIONS AND TIME LIMITATIONS:**

3.1 No building permits may issue, nor may clearing, grading, or construction activities 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 obtain the final written approval from the Architectural Review Board.

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

3.4 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 16, 2022

cc: Laurie Wiltshire  
LPS  
P.O. Box 1313  
East Hampton, NY 11937

Planning Department  
Building Inspector  
Architectural Review Board

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

Upon motion duly made and seconded the meeting was adjourned at 8:40 PM.