

PLANNING BOARD MEETING

May 6, 2020

Attending remotely via teleconferencing: Chair Samuel Kramer, Vice-Chair Kathleen Cunningham, Members Ian Calder-Piedmonte, Louis Cortese, Ed Krug, Sharon McCobb, and Randall T. Parsons, Counsel Thomas Crouch, Director JoAnne Pahwul, Planners Eric Schantz, Fabiha Mubassirah, and Marco Wu and Secretary Jodi Walker and several other interested persons.

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

Please note, this meeting was broadcast to the public over LTV and a call-in number was provided.

WORK SESSION:

1. EEB FARM, LLC FINAL SUBDIVISION SCTM #300-166-4-3.2

Director Pahwul gives an overview and presents plans. The applicant should discuss the language of the Agricultural Easement with town counsel. The application is complete and ready for approval. The board agrees to waive the public hearing requirement.

2. STARTOP RANCH SECTION II FINAL SUBDIVISION MODIFICATION SCTM #300-13-2-39.57

Planner Schantz gives an overview and presents plans. The board did not find a change of circumstance to be present. The board did not find an additional driveway for Lots 3 to be acceptable due to steep slopes.

3. BELOW THE BRIDGE INDUSTRIAL PARK LOT LINE MODIFICATION SCTM #300-145-3-9.4, 11.1, 12.1, 21.1, 22.1/145-5-4.1, 14.1

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

4. TT'S BEER GARDEN PRELIMINARY SITE PLAN SCTM #300-6-3-9

Planner Schantz gives an overview and presents plans. The applicant should submit a detailed narrative regarding the nature of the proposed use and operation of the beer garden upon submission of a formal application. Detailed information regarding the design of the proposed beer garden should be submitted upon a formal application. The seating will need to conform to zoning. A seating chart indicating indoor and outdoor seating should be submitted. Parking calculations, including all of the merged parcels should be submitted. The applicant should consider an updated, low-nitrogen sanitary system. The applicant should also consider a permeable reactive barrier on-site.

5. ACCABONAC GROVE CEMETERY EXPANSION II SITE PLAN SCTM #300-103-2-4.10

Chair Kramer recuses himself.

Planner Mubassirah gives an overview and presents plans. The proposed layout of the additional plots is acceptable. The applicant should consider providing a scenic easement over the uncleared portions of the parcel. The board will take this into consideration in determining whether to relax the clearing restrictions. The planner will review the recent submission. An Archaeological Study covering the area of the two new fingers of the posed cemetery expansion should be submitted.

**6. HELLMAN HANGAR SITE PLAN
SCTM #300-181-2-6**

Planner Wu gives an overview and presents plans. The board agrees to a negative declaration pursuant to SEQRA. The application is ready to be scheduled for public hearing. The board would like written comments from Jim Brundige, Airport Manager, in the form of a letter to be submitted to the file.

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**

**In the Matter of the Application
of**

**LOT LINE
MODIFICATION
APPROVAL**

**LONG AND EDWARDS
LOT LINE MODIFICATION
SCTM #300-165-5-19/166-5-11**

ADOPTED: 5/ 6/ 2020

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:** Stephen Long & Mark Edwards
- 3. SIZE OF AREA TO BE TRANSFERRED:** 4,356 sq. ft.
- 4. EXISTING SIZES OF PROPERTY:** SCTM#300-165-5-19: 12,007 sq. ft., SCTM#300-166-5-11: 35,885 sq. ft.
- 5. PROPOSED SIZES OF PROPERTY:** Lot 1 - (SCTM#300-165-5-19): 16,363 sq. ft., Lot 2 – (SCTM#300-166-5-11): 31,529 sq. ft.
- 6. PREPARER OF PROPOSED MAP:** Gary Benz, L.S. Surveying and Land Planning
- 7. DATE OF PROPOSED MAP:** Dated last revised January 10, 2020
- 8. DATE OF PUBLIC HEARING ON APPLICATION:** N/A

B. PROPERTY LOCATION AND DESCRIPTION

- 1. SUFFOLK COUNTY TAX MAP DESIGNATION:** SCTM#300-165-5-19, SCTM#300-166-5-11.
- 2. STREET LOCATION:** 38 Maple Lane & 23 Spring Close Highway
- 3. CONTIGUOUS WATER BODIES:** N/A
- 4. HAMLET OR GEOGRAPHIC AREA:** East Hampton
- 5. SITE DESCRIPTION & EXISTING IMPROVEMENTS:** Proposed Lot 1 is developed with a single-family residence and associated accessory structures. Proposed Lot 2 is vacant. Both lots are zoned A: Residence. They are situated off of Spring Close Highway and Maple Lane in East Hampton. Proposed Lot 1 is 100% cleared of naturally-occurring

vegetation and proposed Lot 2 is partially cleared.

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:** A: 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 March 11, 2020 the Fire Department has informed the Board that no additional fire protection devices are required for this application.
3. Stephen Long, owner of SCTM#300-165-5-19 and Mark Edwards, owner of SCTM#300-166-5-11, seek approval of a lot line adjustment, in order to permit the transfer of 4,356 sq. ft. of land from SCTM#300-166-5-11 to SCTM#300-165-5-19.
4. The proposed lot line adjustment would increase the area of SCTM#300-165-5-19 to 16,363 sq. ft. and would decrease the area of STCM#300-166-5-11 to 31,529 sq. ft.

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 do not conform to lot area and lot width requirements for the A: Residential zoning district. However, SCTM#300-165-5-19 will be made more conforming. SCTM#300-166-5-11 has received a lot area variance from the Zoning Board of Appeals (ZBA) by resolution dated September 10, 2019.
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:** Lot Line Modification Map of Long - Edwards
2. **PREPARER OF APPROVED MAP:** Gary Benz, L.S.
3. **DATE OF APPROVED MAP:** January 10, 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 SCTM#300-166-5-11 to SCTM#300-165-5-19 shall be placed in the same record ownership as SCTM#300-165-5-19 such that no new or additional parcels of land are created.
2. The applicant shall obtain Suffolk County Department of Health Services approval of the map.
3. 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.
4. 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.
6. All stormwater run-off resulting from the development of the lots shown on the Map shall be contained within the said lots.
7. There shall be no further division of any of the lots shown on this Map.
8. The conveyance of land approved herein shall take place no later than eighteen (18) months from the date of this resolution.
9. 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 Long and Edwards. 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: May 6, 2020

cc:

Jeffrey Freireich
PO Box 2759
Amagansett, NY 11930

Planning Department
Building Inspector
Board of Assessors

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

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

In the Matter of the Application

of

**EXTENSION
OF TIME**

**BELOW THE BRIDGE
LOT LINE MODIFICATION**

SCTM #300-145-3-9.4, 11.1, 12.1, 21.1/145-5-4.1, 14.1

ADOPTED: 5 / 6 / 2020

1. By resolution adopted October 28, 2015, and subsequently extended January 11, 2017, May 17, 2017, May 2, 2018, and May 15, 2019, (the "Resolution"), the Planning Board granted lot line modification approval to the above-mentioned application, subject to various conditions.

2. By letter dated April 16, 2020, Madeline VenJohn, attorney for the applicant, has informed the Planning Board that additional time is needed to meet the conditions of the Planning Board Resolution in order that the map may be signed, and has requested an extension of time.

3. Based upon the foregoing, the Planning Board hereby extends the time within which the applicant must comply with the conditions of the Board's resolution for a period of one (1) year, or until April 28, 2021.

4. In all other respects, the original Resolution of approval as extended is hereby reaffirmed.

DATED: May 6, 2020

cc: Madeline VenJohn, Esq.
Tarbet & Lester, PLLC
132 North Main Street, 1st Floor
East Hampton, NY 11937

Planning Department
Building Department

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

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

**In the Matter of the Application
of**

**MINOR SITE PLAN
APPROVAL**

**ARF DOG RUN ENCLOSURE
SITE PLAN
SCTM #300-192-3-4**

ADOPTED: 5 / 6 / 2020

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. DESCRIPTION OF PROPOSED WORK: Enclose and convert a 104.2 sq. ft. dog run attached to the west side of the medical building to an x-ray room and enclose and convert three covered dog pens, two 148 sq. ft. and one 136.5 sq. ft., attached to the east side of the building to holding and intake areas

3. SIZE OF PROPERTY: 22.5 acres

4. OWNER OF PROPERTY: Animal Rescue Fund of the Hamptons, Inc. (ARF)

5. APPLICANT: Karen A. Hoeg, Esq., Twomey, Latham, Shea

6. PROPOSED SITE PLAN: Survey prepared by Walbridge Surveyors, P.C. dated March 30, 2020

8. DATE OF PUBLIC HEARING ON APPLICATION: Determined to be a minor site plan; no public hearing required.

B. PROPERTY LOCATION AND DESCRIPTION

1. SUFFOLK COUNTY TAX MAP DESIGNATION: #300-192-3-4

2. STREET LOCATION: 90 Daniels Road

3. CONTIGUOUS WATER BODIES: N/A

4. HAMLET OR GEOGRAPHIC AREA: Wainscott

5. SITE DESCRIPTION & EXISTING IMPROVEMENTS: The site is located in an A5 Residence/Water Recharge Overlay zoning district and is within the Pine Barrens and South Fork Special Groundwater Protection Area. It is partially cleared in southwest corner and contains improvements utilized as an animal rescue center. The site has a certificate of occupancy for a 9,565 sq. ft. dog kennel and office space and a 4,411 sq. ft. roofed over dog run on the first floor and a 1,313 sq. ft. second floor addition with a care taker apartment. The latest certificate of occupancy approved for 2065 sq. ft. first floor interior alterations including new HVAC system, 2668 sq. ft. lower level interior alterations to create 28 kennels and holding areas; 192 sq. ft. exterior entrance to lower level at existing animal shelter; 8' x 12' leaching ring; fire escape

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: A5 Residence

2. ZONING OVERLAY DISTRICT: Water Recharge Overlay District

D. SEQRA REVIEW

1. **SEQRA CLASSIFICATION:** Type 1
2. **LEAD AGENCY:** Planning Board
3. **DETERMINATION OF SIGNIFICANCE:** Negative declaration
4. **DATE OF DETERMINATION:**

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

2. NATURE OF APPROVED USE: Minor addition to an animal rescue facility.

3. DESCRIPTION OF APPROVED WORK: Enclose and convert a 104.2 sq. ft. dog run attached to the west side of the medical building into an X-ray room and convert three covered dog pens, two 148 sq. ft. and one 136.5 sq. ft. in size attached to the east side of the building into holding and intake areas.

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 Walbridge Surveyors dated March 30, 2020

2. APPROVED BUILDING OR CONSTRUCTION PLANS:

- D.4-100 Demolition First Floor Plan
- D.4-101 Demolition Basement Plan
- D.4 -102 Demolition Section
- A.4-101 Basement Plan
- A.4-102 Attic Plan
- A.4-200 Reflected Ceiling Plan
- A.4-510 and A.4-511 Wall Sections
- A.4-512 Building Section

- A.4-513 and A.4-514 Stair Sections
- A.4-600 Construction Details, all prepared by Richard Bacon, Architect, dated December 09, 2019
- A.4-100 First Floor Plan- Door and Window Types, A.4-400 and A.4-401 Exterior Elevations prepared by Richard Bacon, Architect, revised on March 06, 2020
- Lighting Specifications received February 27, 2020
- Exterior Wall Light Narrative by DLI Animal Facility received April 13, 2020

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 of 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: May 6, 2020

cc: Karen Hoeg, Esq.
Twomey, Lathan, Shea
P.O. Box 9398
West Second Street
Riverhead, NY 11901

Planning Department
Building Inspector
Architectural Review Board

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

Upon motion duly made and seconded the meeting was adjourned at 9:40 PM.