

PLANNING BOARD MEETING

June 10, 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 PM.

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

WORK SESSION:

1. BLUE LINE COFFEE SITE PLAN SCTM #300-49-4-2

Planner Wu gives an overview and presents plans. The applicant should contact Ann Glennon, PBI, regarding the proposed rental use and the installation of a walk-up ATM. The applicant should provide floor plans for the existing basement and proposed first and second floors, along with the existing and proposed north/east facing elevations. The applicant should clarify on their submitted floor plans of whether or not there is an existing retail on the second floor. (Specifically, the shaded section of the plans that indicate existing retail above the first-floor retail.) A revised site plan should be submitted that demonstrates that 60% of all entrances for each retail use will be ADA compliant. A landscaping/lighting plan with manufacturer's specifications and hours of operation should be submitted. The applicant should submit parking calculations of the number of spaces provided and number of spaces required. (Such calculations can be found within the Town Code.) Existing and proposed sanitary system details and flow calculations should be submitted. All plans should reflect the proper title "Blue Line Coffee Site Plan".

180 SB LLC SITE PLAN SCTM #300-74-5-30.5

TABLED

PUBLIC HEARING:

224 AND 228 SPRINGS FIREPLACE LLC SITE PLAN/SPECIAL PERMIT SCTM #300-145-3-8.1, 10.1

Member McCobb reads public hearing notice. Counsel states affidavit of posting and service is in order. Planner Schantz gives an overview for Planner Schantz. Trevor Darrell, attorney for the applicant, gives an overview and history of the application. David Buda, Springs resident, has comments about two undersized lots being utilized as one commercial use. He questions ownership of the stockade fence. He also has concerns with drainage and pavement. A motion is made to hold record open until July 10, 2020 for written comments, or within one (1) week of posting of the transcript on the Town's website, whichever is later, seconded and approved.

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

**WAIVER OF
SUBDIVISION
APPROVAL**

of

**COHEN-TEPPER
LOT LINE MODIFICATION
SCTM #300-167-3-3, 14, 15, 16, 17**

ADOPTED: 6 / 10 / 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, 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:** David Cohen & Lewis Tepper
- 3. SIZE OF PROPERTY:** 14,778 sf., 4,000 sf., 10,000 sf., and 6,090 sf.
- 4. NUMBER OF LOTS PROPOSED:** Two
- 5. SIZE OF PROPOSED RESERVED AREA:** N/A
- 6. SIZE OF PROPOSED AGRICULTURAL RESERVED AREA:** N/A
- 7. PREPARER OF PROPOSED MAP:** Saskas Surveying Co., P.C.
- 8. DATE OF PROPOSED MAP:** March 12, 2020
- 9. DATE OF PUBLIC HEARING ON APPLICATION:** N/A

B. PROPERTY LOCATION AND DESCRIPTION

- 1. SUFFOLK COUNTY TAX MAP DESIGNATION:** #300-167-3-3, 14, 15, 16, 17
- 2. STREET LOCATION:** Town Lane & Royal Street
- 3. CONTIGUOUS WATER BODIES:** N/A
- 4. HAMLET OR GEOGRAPHIC AREA:** Amagansett
- 5. SITE DESCRIPTION & EXISTING IMPROVEMENTS:** SCTM#300-167-3-14 is improved with a single-family residence; the other four lots are vacant
- 6. EXISTING FILED MAP NAME:** Montauk Villa Park
- 7. EXISTING FILED MAP NUMBER:** 501
- 8. FILING DATE OF EXISTING MAP:** April 5, 1912
- 9. BLOCK NUMBER IN EXISTING FILED MAP:** 10
- 10. LOT NUMBERS IN EXISTING FILED MAP:** 1-11 & 17-23

C. ZONING CLASSIFICATION

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

D. SEQRA REVIEW

1. **SEQRA CLASSIFICATION:** Unlisted
2. **LEAD AGENCY:** Planning Board
3. **DETERMINATION OF SIGNIFICANCE:** Negative declaration
4. **DATE OF DETERMINATION:** June 3, 2020

E. COUNTY COMMISSION REVIEW/ADDITIONAL FINDINGS OF FACT

1. Review by the Suffolk County Planning Commission is not required.
2. By letter dated April 7, 2020 the East Hampton Fire Marshal 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:** Map of Cohen-Tepper
2. **PREPARER OF APPROVED MAP:** Saskas Surveying Co., P.C.
3. **DATE OF APPROVED MAP:** March 12, 2020

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, 11, and 13 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. A copy of the approved map containing an original stamp of approval from that agency, not a photocopy, shall be submitted.
7. 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.
8. The applicant shall install public water to serve the lots shown on the Map.16.
9. Lot 2 shall take driveway access from Royal Street over the 15' wide access strip shown on the Map.
10. No buildings or structures may be placed, installed, erected, or constructed within the areas depicted on the Map as "scenic easement" nor may any clearing, grading, or filling occur within these areas, and the said areas shall be left in their natural state forever.
11. In order to best effectuate and make permanent the foregoing condition, the applicant shall grant to and have accepted by the Town of East Hampton a scenic easement, in standard form acceptable to counsel to this Board, covering the portions of Lot 1 shown on the Map to be so encumbered.
12. No buildings or structures, except fences, shall be constructed within ten (10) feet of the boundary of any scenic easement.
13. A 10' wide road widening easement across Lots 1 and 2 along Royal Street shall be granted to the Town of East Hampton in standard form acceptable to counsel to this Board.
14. The road widening easement shall be recorded with the Office of the Suffolk County Clerk simultaneously with the filing of the Map and copies of the same, with proof of recordation shown thereon, shall be returned to the Town Clerk.
15. The applicant shall record these scenic and road widening easements with the Office of the Suffolk County Clerk simultaneously with the filing of the Map and shall return copies of the same, with proof of recordation shown thereon, to the Town Clerk in accordance with the provisions of ¶ 5 above.
16. 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.
17. All stormwater run-off resulting from the development of the lots shown on the Map shall be contained within the said lots.
18. There shall be no further division of any of the lots shown on this Map.
19. The applicant shall prepare and submit a declaration of covenants and restrictions, incorporating the provisions of ¶ 7, 10, 12, 16, 17, and 18 above and in standard form acceptable to and approved by Counsel to this Board. The said declaration shall provide for

its modification or termination only upon the approval of the East Hampton Town Planning Board, after a public hearing held on ten (10) days' notice. 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.

20. The Building Inspector shall not issue a Certificate of Occupancy for any construction which may take place on Lot 2 unless and until access to the said lot from Royal Street is in accordance with the terms of this resolution.

21. 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. RECOMMENDATION TO AMEND OLD FILED MAP STUDY

This resolution shall constitute the Planning Board's recommendation that the Town Board amend the Old Filed Map Study to reflect the modification of lot lines for Lots 1-11 and 17-23 in Block 10 in the Map Montauk Villa Park in accordance with the terms of this minor subdivision approval.

J. VALIDITY OF APPROVAL

The foregoing constitutes this Board's conditional waiver of subdivision approval for the "Map of Cohen-Tepper." 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: June 10, 2020
cc: Due East Planning
Planning Department
Building Inspector
Board of Assessors

Result: Adopted
Mover: Sharon McCobb
Seconded: 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 7:50 PM.