

# PLANNING BOARD MEETING

July 26, 2023

Present at the meeting: Chairman Samuel Kramer, Vice Chair Ian Calder-Piedmonte, Members, Louis Cortese, Michael Hansen, Ed Krug, Sharon McCobb, Randall T. Parsons and Counsel Nancy Marshall, and Director of Housing Eric Schantz, and Secretary Jodi Walker, and several other interested persons.

Via zoom: Planner Brian Frank

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

## **WORK SESSION:**

### **1. MONROE/OSBORNE MINOR SUBDIVISION SCTM #300-93-2-7.2**

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

### **2. 395 PANTIGO ROAD PRELIMINARY SUBDIVISION SCTM #300-189-1-4**

Housing Director Schantz gives an overview and presents plans for Assistant Director Vavilis LaGarenne. The board prefers, and will require the subdivision map that includes the 10' wide pedestrian easement. Although the Board would like the pedestrian easement established as part of the subdivision, it is recommended to the Town Board that the easement not be improved due to the potential proximity of houses. Upon submission of a final subdivision application, the board would like the southern reserved area(s) to include language that permits trails to like the subdivision road to the trial system proposed on the CPF portion of the property. The preliminary subdivision is ready for approval.

### **3. THREE MILE HARBOR MARINA, LLC II SITE PLAN SCTM #300-120-1-2, 3, 10**

Housing Director Schantz gives an overview and presents plans for Planner Frank. The board will contact the Chief Building Inspector to determine if the proposed retail shop is considered to be a Water-Dependent Use under the Town Code. The board will refer the drainage plans for review by the Town Engineer. Manufacturers' specification sheets for the proposed exterior lighting should be submitted. The applicant should clarify need for the proposed lighting fixture to be mounted at a height of 16'. The applicant should depict the two required truck delivery spaces and address the potential for additional parking spaces based upon the proposed gross floor area of the marine store. The applicant should submit a survey of the property updated to include dimensional setbacks of the proposed additions. The applicant should submit an EAF Part I before the board determines lead agency.

## **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: JULY 26, 2023**

**BOARD OF REVIEW: PLANNING BOARD**

**WHEREAS**, the Town Engineer has brought before the Board of Review the request of **SEAN MURPHY**, for a Building Permit on premises located on **17 SOUTH FLAGG STREET, MONTAUK; BLOCK 52; LOTS 8, FILED MAP 1013; URP 135 MN-2; and SCTM #300-28-6-16.2.**

**WHEREAS**, A revised report has been made on UR Form No. 2-1976 dated **JULY 20, 2023**, 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 **JULY 20, 2023**, 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 **\$12,000.00**. These requirements shall be subject to review one (1) year from the date of this Resolution or **JULY 26, 2024**.

**ADOPTED BY PLANNING BOARD: JULY 26, 2023**

**BOARD OF REVIEW: PLANNING BOARD**

**WHEREAS**, the Town Engineer has brought before the Board of Review the request of **BRENDAN MOFFITT & GIANCARLO BRUNO**, for a Building Permit on premises located on **174 QUEENS LANE, EAST HAMPTON; BLOCK 20; LOTS 1 -7, MAP 11; URP in EH-12; and SCTM #300-147-4-3.1.**

**WHEREAS**, A revised Report has been made on UR Form No. 2-1976 dated **JUNE 22, 2023**, 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 **JUNE 22, 2023**, 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 **JULY 26, 2024**.

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

**SITE PLAN  
APPROVAL**

**MAIDSTONE ACRES II  
SCTM #300-38-4-1 & 2**

**ADOPTED: 7 / 26 /2023**

**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:** Restaurant and single-family residence

**3. DESCRIPTION OF PROPOSED WORK:** Replace existing lights in their current locations with Dark Sky compliant lighting, remove an existing dumpster from the right of way and reconstruct it within the property boundary on a concrete slab with six foot fencing, regrade the sanitary leaching field, upgrade the sanitary system, provide landscape plantings in the north west corner of the site, construct a new retaining wall adjacent to an existing staircase and construct an enclosure over an existing brick landing.

**4. SIZE OF PROPERTY:** 6,899 sq. ft.

**5. OWNER OF PROPERTY:** D&R Family Realty Group, LLC

**6. APPLICANT:** Miller Brothers Hospitality LLC and D&R Family Realty Group LLC

**7. PROPOSED SITE PLAN:**

- Proposed sanitary plan, dated last revised February 1, 2023, by Spaces architecture
- Site Plan, dated last revised April 5, 2023 by Spaces architecture

**8. DATE OF PUBLIC HEARING ON APPLICATION:** June 7, 2023

**B. PROPERTY LOCATION AND DESCRIPTION**

1. **SUFFOLK COUNTY TAX MAP DESIGNATION:** #300-38-4-1 & 2
2. **STREET LOCATION:** 28 Maidstone Park Road
3. **CONTIGUOUS WATER BODIES:** N/A
4. **HAMLET OR GEOGRAPHIC AREA:** Springs
5. **SITE DESCRIPTION & EXISTING IMPROVEMENTS:** The subject parcel is situated in Springs and is zoned NB: Neighborhood Business. The parcel is cleared of natural vegetation and contains three attached pre-existing nonconforming buildings containing a restaurant use and a single-family residence. The applicant is proposing a sanitary system upgrade and accessory structures to the restaurant.
6. **FILED MAP NAME:** Maidstone Acres Section A
7. **FILED MAP NUMBER:** 664
8. **DATE OF MAP FILING:** June 25, 1931
9. **BLOCK NUMBER IN FILED MAP:** A
10. **LOT NUMBER IN FILED MAP:** 1-3

**C. ZONING CLASSIFICATION**

1. **ZONING DISTRICT:** NB: Neighborhood 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 September 12, 2022 the Fire Marshal found the proposed project to be ADA compliant.

**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:** Restaurant and single-family residence
3. **DESCRIPTION OF APPROVED WORK:** Replace existing lights in their current locations

with Dark Sky compliant lighting, remove an existing dumpster from the right of way and reconstruct it within the property boundary on a concrete slab with six foot fencing, regrade the sanitary leaching field, upgrade the sanitary system, provide landscape plantings in the north west corner of the site, construct a new retaining wall adjacent to an existing staircase and construct an enclosure over an existing brick landing.

## **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:**

Proposed sanitary plan, dated last revised February 1, 2023, by Spaces architecture  
Site Plan, dated last revised April 5, 2023 by Spaces architecture

**2. APPROVED BUILDING OR CONSTRUCTION PLANS: N/A**

**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 final written approval from the Architectural Review Board prior to the issuance of a building permit.

3.3 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. Applicant shall make a diligent effort to obtain SCDHS approval within a reasonable timeframe. In the event SCDHS approval will be delayed beyond 6 months, the applicant shall return to the Planning Board with an explanation as to the delay.

3.4 No outdoor storage of restaurant related materials or equipment may occur outside of the site's property boundaries or on the site.

3.5 An Administrative Transfer of Outdoor Dining Area permit will be required on an annual basis from the Planning Department to authorize outdoor dining on the premises. Otherwise, future site plan approval for permanent outdoor seating may be pursued.

3.6 Subject to the currently ongoing Article 78 proceedings regarding this site, index # 207190/2022 and any subsequent appeals thereof, there shall be no accessory catering or similar food service accessory uses for any business other than the on-site restaurant. Irrespective of the results of the Article 78 proceedings, such accessory uses shall not utilize the site or any of the adjacent rights-of-way for loading or unloading without site plan approval.

3.7 For use of areas outside the property's boundary for site improvements such as stairways, walls, decks, and awnings that are currently existing, the applicant shall apply to the Town for a license agreement within six (6) months and submit proof of application to the Planning Board.

3.8 The applicant shall apply for and obtain a building permit no later than six (6) months from the date of this resolution.

3.9 The applicant shall apply for and obtain a Certificate of Occupancy no later than eighteen (18) months 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: July 26, 2023

cc: James F. Vlahadamis  
148 E. Montauk Highway, Suite 3  
Hampton Bays, New York 11946

Planning Department  
Building Inspector  
Architectural Review Board

Mover: Ed Krug  
Seconder: Ian Calder-Piedmonte  
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**

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**In the Matter of the Application**

**of**

**SCHEDULE  
PUBLIC HEARING**

**219/221 PANTIGO ROAD  
SITE PLAN**

**SCTM # 300-188-1-11, 13.1 ADOPTED: 7 / 26 / 2023**

1. 221 Pantigo Road, LLC, owner, has made application for site plan approval pursuant to Article VI of Chapter 255 of the East Hampton Town Code, to facilitate several site improvements and a lot merger at 219 and 221 Pantigo Road. The proposed project involves demolition of the existing structure at 219 Pantigo Road followed by construction of a new two-story structure with a 1,333 square foot basement utilized for storage, a 1,446 square foot first-floor with staff breakroom, new back of house office space and relocated baking kitchen, and 1,194 square foot second-floor, three-bedroom apartment to provide staff housing. The proposed building addition would be 25', 1" in height and function as an addition to the existing Carissa's restaurant. Demolition of an existing shed currently located in the 219 property's eastern side yard setback is also proposed. Additional site improvements include a reconfigured parking area, and enhances landscaping, stormwater drainage and sanitary management facilities. The property contains 16,396 square feet (0.376 acre) and is located on the north side of Pantigo Road, East Hampton and is situated in a Neighborhood Business (NB) zoning district as shown on the official Zoning Map of the Town of East Hampton. Premises are identified on the Suffolk County Tax Map as parcel SCTM #300-188-1-11, 13.1.

2. Subject application is classified as an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA), Part 617 of the New York Code of Rules and Regulations, and Chapter 128 (Environmental Quality Review) of the Town Code.

3. A site plan prepared by George Walbridge Surveyors, P.C. dated revised October 17, 2022; a set of plans prepared by Alexander Kruhly, Architect, dated received December 21, 2022 including: Existing Site Plan (A0.0) , Site Plan (A0.1), Zoning Analysis (A0.2), Existing Plan (A1.0), Demolition Plan (A1.1), Basement Plan (A1.2), Ground Floor Plan (A1.3), Second Floor Plan (A1.4), North/South Elevations (A2.0), East/West Elevations (A2.1); a set of plans prepared by D.B. Bennett, P.E., P.C. dated revised April 24, 2023 including: Sanitary Plan (C1)

and Sanitary Details (C2); and a Landscape Plan (L-1) prepared by Whitmores dated revised February 6, 2023 are available for inspection at the Planning Board offices, 300 Pantigo Place, Suite 103, East Hampton, New York.

4. A public hearing is hereby scheduled to be held at Town Hall, 159 Pantigo Road, East Hampton, on Wednesday, August 23, 2023 at 6:30 P.M. or as soon thereafter as this matter may be heard, to consider the said application.

5. The public hearing will be held live and in-person by the Planning Board and will be available electronically by video and teleconferencing, and will be televised on Local TV (LTV) Channel 22, and available for livestream on the LTV website (<<https://www.ltveh.org>>). The public shall be permitted to appear in person but may also provide comments on the matter being heard by calling 351-888-6331.

6. Any person or party wishing to be heard with respect to the foregoing may do so, in person or by agent, or by attorney, or by call-in to the live stream, or by written comment addressed to the Planning Board, 300 Pantigo Place, Suite 103, East Hampton, New York 11937. Comments may also be submitted to the Planning Board by email to [PlanningBoard@hamptonny.gov](mailto:PlanningBoard@hamptonny.gov). All comments must be received by the Planning Board by the date and time of the public hearing.

7. The applicant is hereby notified of the requirement that adjacent property owners as listed on the local assessment rolls, including those immediately across any public or private streets, be notified and that the subject property be posted, as required by § 255-9-23 of the Town Code.

DATED: July 26, 2023

cc: Alex Kruhly  
22 Grove Street, 4F  
New York, NY 10014

Planning Department  
Building Department  
Architectural Review Board

Mover: Randall T. Parsons  
Secunder: Louis Cortese  
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 9:30 PM.