

# PLANNING BOARD MEETING

August 28, 2019

Present at meeting: Chair Samuel Kramer, Vice Chair Kathleen Cunningham, Members Ian Calder-Piedmonte, Louis Cortese, Ed Krug, and Sharon McCobb. Also present were Director JoAnne Pahwul, Counsel Jameson McWilliams, Secretary Jodi Walker, and several other interested persons.

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

## **WORK SESSION:**

### **1. LAKEVIEW CONDOMINIUMS SITE PLAN/SPECIAL PERMIT SCTM #300-11-1-3**

Director Pahwul gives an overview and presents plans. The previous request for a cement pad to be placed under the trash bin is no longer required. The board will wait until after the public hearing before deciding whether to relax the side yard setback for the trash bin. A single site plan should be submitted that replaces the site plan, landscaping plan, and lighting plan that addresses the issues in the planning department memo.

### **2. T-MOBILE NORTHEAST, LLC HOME SWEET HOME WAINSCOTT SITE PLAN/SPECIAL PERMIT/PWSF SCTM #300-192-2-3.2**

Director Pahwul gives an overview and presents plans for Planner Schantz. Neither the applicant nor a representative of the applicant was present at the meeting; the Planning Board had a number of comments regarding the application which are identified below, and which would have been the subject of discussion with the applicant or its representative. The board would like to see a plan that depicts the equipment shelter in a more conforming location. The applicant should provide a landscaping plan that indicates the species and common name, height at planting and number of each. The board would like the cupola to be located more symmetrical with the existing cupola. The lighting should be revised to conform with the town code. The ease and north elevations appear to be identical. This should be addressed. The site lines drawings 1 and 2 and 3 and 4 appear to demonstrate the same building profile. The applicant should explain.

## **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:**

**August 28, 2019**

**BOARD OF REVIEW:**

**PLANNING BOARD**

**WHEREAS**, the Town Engineer has brought before the Board of Review the request of **STEPHEN PUGLIA** for a Building Permit on premises located In **41 SOUTH FABER STREET - MONTAUK, MAP 1013, BLOCK: 41, LOTS: 3 & 4 URP 59** in

MN-2 ,S.C.T. M. 300-28-6-24.1 and

WHEREAS, Report has been made on UR Form No. 2-1976 dated **AUGUST 13, 2019** 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 **AUGUST 13, 2019**, 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 **\$7,200**. These requirements shall be subject to review one (1) year from the date of this Resolution or **AUGUST 28, 2020**.

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

**SCHEDULE  
PUBLIC HEARING**

**FIELD PROPERTY SECTION II  
LOT LINE MODIFICATION  
SCTM # 300-171-2-10, 9.4, 9.6**

**ADOPTED: 8 / 28 / 19**

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1. Thomas Field and the Estate of Herbert Field, owners, have made application for lot line modification pursuant to Chapter 220 (Subdivision of Land) of the East Hampton Town Code, to modify the lot lines of three (3) parcels. Lot 1 (SCTM #300-171-2-9.6) is currently improved with a single-family residence and is zoned A-Residence. Lot 2 is currently vacant and is owned by the Town and intended to be used as an extension of the existing municipal parking lot. It is zoned Central Business (CB). Lot 3 contains a barn and associated accessory agricultural structures as well as a large farm field. Lot 3 consists of three tax map parcels which have merged according to Town records. Lot 3 is zoned A2-Residence and is within the Agricultural Overlay District. Proposed Lot 1 will contain 38,662 square feet (0.888 acre). Proposed Lot 2 will contain 108,900 square feet (2.5 acres). Proposed Lot 3 will contain 211,560 square feet (4.857 acres). The properties are both located on the north side of Montauk Highway, Amagansett as shown on the official Zoning Map of the Town of East Hampton. Premises are identified on the Suffolk County Tax Map as parcels #300-171-2-10, 9.4, 9.6.

2. Subject application is classified as a Type II 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 survey prepared by George Walbridge Surveyors, P.C., dated revised July 1, 2019 is available for inspection at the Planning Board office, 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, September 25, 2019 at 7:00 P.M. or as soon thereafter as this matter may be heard, to consider the said application.

5. 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: August 28, 2019

cc: Tina Piette, Esq.  
P.O. Box 697  
Amagansett, NY 11930

Planning Department  
Building Department

Result: Adopted  
Mover: Sharon McCobb  
Seconder: Kathleen Cunningham  
Ayes: Samuel Kramer, Kathleen Cunningham, Sharon McCobb, Ian Calder-  
Piedmonte, 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**

**GANGSEI EXISTING DECKING  
AND HOT TUB SITE PLAN  
SCTM #300-71-2-13**

**ADOPTED: 8 / 28 / 19**

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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 SPECIAL PERMIT:** Single family residence in a Resort zoning district is classified as a special permit use in §255-11-10 of the Town Code. The two residential uses on the site represent pre-existing, nonconforming uses. A special permit was issued to the site on November 29, 2001 for a dormer, outdoor shower and extension of the front porch on one of the residences. A special permit is not required for the work

under review in the subject application.

3. **DESCRIPTION OF PROPOSED WORK:** Approval of an existing 291 sq. ft. deck containing a 7' x 7' or 49 sq. ft. hot tub
4. **SIZE OF PROPERTY:** 9,539.72 sq. ft.
5. **OWNER OF PROPERTY:** Paul Gangsei & Susan N. Herman
6. **APPLICANT:** Land Planning Services, Ltd.
7. **PROPOSED SITE PLAN:** Prepared by James Pl Walsh Land Surveyor P.C. and dated surveyed October 3, 2018 and received May 17, 2019.
8. **DATE OF PUBLIC HEARING ON APPLICATION:** July 24, 2019

#### **B. PROPERTY LOCATION AND DESCRIPTION**

1. **SUFFOLK COUNTY TAX MAP DESIGNATION:** #300-71-2-13
2. **STREET LOCATION:** Old Montauk Highway & School Lane
3. **CONTIGUOUS WATER BODIES:** N/A
4. **HAMLET OR GEOGRAPHIC AREA:** Montauk
5. **SITE DESCRIPTION & EXISTING IMPROVEMENTS:** 1 ½ story, frame, one family residence, having 1 kitchen only & one story, 1 family residence having 1 kitchen only, both erected before the adoption of zoning; shed, outdoor shower, pump shed
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:** 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).
2. By letter dated March 12, 2019, the Fire Department has informed the Board that the project is adjacent or within 1000 feet of public water and fire hydrants that provide adequate water supply for firefighting purposes. 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:** Site plan approval pursuant to Article VI of Chapter 255 of the Town Code.
- 2. NATURE OF APPROVED USE:** Accessory structures related to a residential use
- 3. DESCRIPTION OF APPROVED WORK:** 291 sq. ft. deck and 49 sq. ft. hot tub located on said deck

### **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 James P.I. Walsh Land Surveyor P.C. and dated surveyed October 3, 2018 and received May 17, 2019.
- 2. APPROVED BUILDING OR CONSTRUCTION PLANS:** Elevation drawings prepared by Hollenbeck & Smith Architects P.c. and dated revised April 2, 2019 and received May 17, 2019.

#### **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 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.

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

3.5 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: August 28, 2019

cc: Laurie Wiltshire  
Land Planning Services, Ltd.  
P.O. Box 1313  
East Hampton, NY 11937

Planning Department  
Building Inspector  
Architectural Review Board

Result: Adopted  
Mover: Louis Cortese  
Seconded: Ian Calder-Piedmonte  
Ayes: Samuel Kramer, Kathleen Cunningham, Sharon McCobb, Ian Calder-Piedmonte, Louis Cortese, Ed Krug

**ADOPTION OF MINUTES:** August 14, 2019

Upon motion duly made and seconded the meeting was adjourned at 7:45 PM.