



TOWN OF EAST HAMPTON PLANNING DEPARTMENT

EXPEDITED NATURAL RESOURCES SPECIAL PERMIT INSTRUCTIONS

IMPORTANT: This application is to be used for coastal restoration projects and the in place and kind repair or reconstruction of coastal structures as authorized by § 255-4-28(A) of the Town Code. Prior to completing this form, an applicant may want to review the circumstances that are eligible for an emergency repair permit pursuant to § 255-4-29 of the Town Code. The Town Code can be viewed in its entirety at the Town's website (<http://ehamptonny.gov/>).

Projects or activities that are neither eligible for Emergency Repair pursuant to § 255-4-29 or Expedited Review pursuant to § 255-4-28 of the Town Code may be applied for using the conventional Natural Resources Special Permit and/or Variance application from the Zoning Board of Appeals.

This application may be used for any of the following:

- (1) The undertaking of a coastal restoration project as defined herein.
- (2) The repair or reconstruction, in-place and in-kind, of a lawfully preexisting coastal structure other than an erosion control structure.
- (3) The repair or reconstruction, in-place and in-kind, of a lawfully preexisting erosion control structure in Coastal Erosion Overlay Zone 4 of the Coastal Erosion Overlay District.

Pursuant to § 255-4-28 (C) and (D) of the Town Code, the following definitions apply:

B. Meaning of in-place and in-kind. For the purposes of this section, work which involves the relocation, enlargement, or extension of a coastal structure, or the replacement of any part of the structure with materially different components or materials, shall not be considered to be in-place and in-kind.

C. Meaning of lawfully preexisting. For the purposes of this section, a structure shall be deemed "lawfully preexisting" only if (i) it received all governmental approvals necessary at the time of its construction or any subsequent alteration, (ii) it is substantially complete and in existence, and (iii) it has not deteriorated to the point at which it is no longer functional for its intended purpose.

Coastal Restoration Project is defined in § 255-1-20 of the Town Code as the following: The deposit of sand or soil on a beach, dune, or the face of a bluff, in order to restore or replace similar material lost to erosion, and the stabilization of such material by planting beach vegetation. This definition shall include the installation of snow fencing or permeable mesh fencing, the placement of biodegradable fabric mesh or biodegradable gels, and the installation of drains and pipes for the control of water runoff, if these devices are designed and used to allow vegetation to grow upon and stabilize the deposited materials.

§ 255-4-70.2. Installation and maintenance of sand fencing.

A. (3) Sand shoreline fencing shall meet the following standards:

- (a) Fencing be constructed of untreated wood laths or slats constructed of spruce, pine, fir, locust, cedar or other wood of similar life and strength, connected to one another by

five or more twisted wires, until such time as an alternative is available that is degradable and/or more environmentally sensitive, and shall be no greater than four feet in height.

(b) Fencing shall be supported by untreated wooden (no metal or plastic) posts of not less than two inches by three inches in dimension, and at least six feet in length, which shall be driven into the sand so that the top of the posts are no higher than the top of the fencing. Such posts shall be spaced no more than every 10 feet of fence length.

(c) Fencing shall be secured to the posts by no less than two heavy-duty (at least 150 pounds tensile strength), UV-resistant plastic zip ties.

(d) At least one section of sand fencing shall display the permit number issued by the Parks Department or the Town Trustees after inspection and approval of the fence installation by the Parks Department and Natural Resources or Town Trustees.

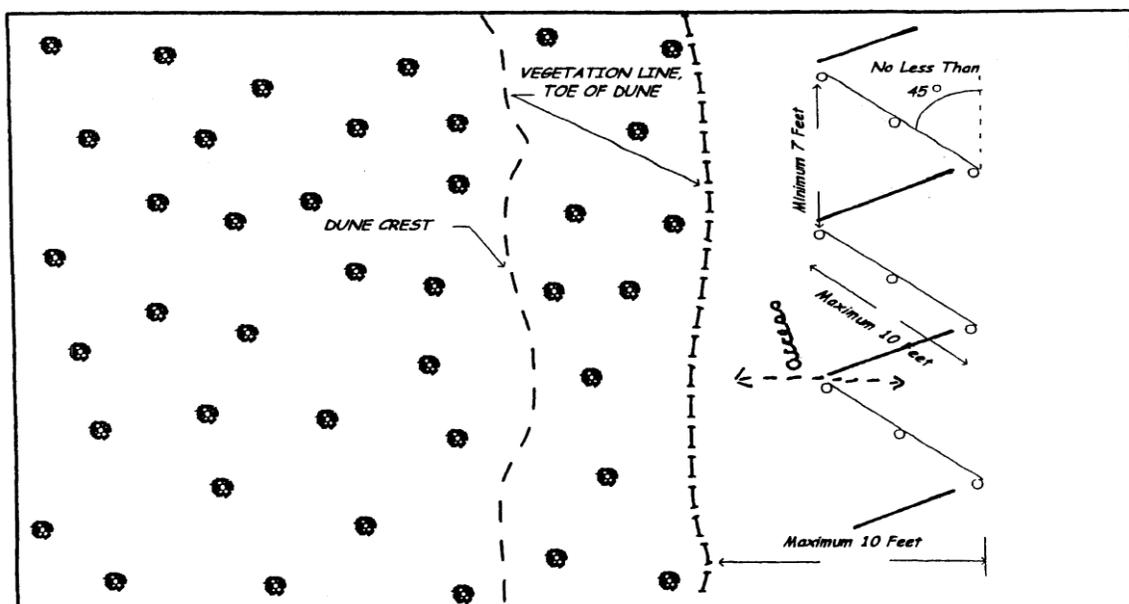
(4) Shoreline fencing shall be installed as follows (see illustration), Editor's Note: Said illustration of shoreline fencing is included at the end of this chapter. unless otherwise approved by the Parks Department, Natural Resources Department, and Town Trustees and noted on the permit:

(a) Shoreline fencing shall be installed seaward of the toe of most seaward dune, but in no event shall such fencing extend more than 10 feet seaward of either existing dune vegetation or the toe of such seaward dune, whichever is further seaward;

(b) Shoreline fencing shall be installed at an angle of at least 45° to the shoreline unless and until an alternative design is proven more effective;

(c) Individual sections of fence shall be no longer than 10 feet in length and shall be spaced no less than seven feet apart from one another (see diagram);

(d) Notwithstanding the foregoing, fencing shall not interfere with wildlife nesting areas, recreational or emergency vehicular access or in a manner that impedes or restricts established common law and statutory rights of public access and use of public trust lands and waters.



Example of Sand Fence Installation as depicted in § 255, Attachment 13:1 of the East Hampton Town Code.

SUBMISSION REQUIREMENTS FOR ALL APPLICATIONS:

- Application Fee for an Expedited Natural Resources Special Permits is two- hundred and fifty dollars (\$250.00).
- Provide four (4) copies of the completed application form.
- Include in your application package labeled color photographs of the work area prior to undertaking the restoration or reconstruction activity.

Additional Requirements:

- **Coastal Restoration Projects:**

- Four (4) prints of a survey or site plan of the subject property with the footprint of the proposed placement of fill
- Four (4) prints of a cross section that indicates the approximate height (elevation) of the proposed restoration and slope of the material to be placed
- Specify the volume in cubic yards, the type of sediment and source (origin) of the material to be used in the proposed restoration
- Location and limits of the proposed construction access to the project site
- The proposed construction protocol for the project
- Indicate if any plantings are proposed to stabilize the restoration project; please specify the sizes, species and spacing of all proposed vegetation

- **Coastal Structures, including Erosion Control Structures:**

Important Note: The Planning Department reserves the option to request more detailed drawings, including plans prepared by a licensed design professional for all coastal construction projects.

- Four (4) prints of a survey that includes the accurate location and dimensions of the coastal structure proposed for repair or reconstruction including the number and locations of existing and proposed pilings
- Four (4) prints of a cross section that indicates the existing and proposed elevations of the coastal structure and the depth of penetration of any new pilings, sheet pile, etc.
- Identify the dimensions and composition of all existing and proposed components of the structure, including any backing or anchoring system
- Specify the volume in cubic yards, the type of sediment and source (origin) of the material to be used (if applicable) for any backfill or cover material
- Indicate if any plantings are proposed and if so, specify the sizes, species and spacing of all proposed vegetation
- Provide a detailed construction protocol that includes all equipment to be used, the location and limits of construction access to the work area and any staging area for equipment or material



TOWN OF EAST HAMPTON PLANNING DEPARTMENT

EXPEDITED NATURAL RESOURCES SPECIAL PERMIT (ExANRSP) APPLICATION

DATE: _____

I. CONTACT INFORMATION:

B. Name of Applicant (if different than owner): _____

Address: _____

Phone Number: (____) _____ Fax:(____) _____

Email address: _____

B. Name of Owner _____

Address: _____

Phone Number: (____) _____ Fax:(____) _____

Email address: _____

C. Name of Agent (if applicable): _____

Address: _____

Phone Number: (____) _____ Fax:(____) _____

Email address: _____

Please specify who you wish correspondence to be sent to from those names listed above.
(Specify A - C above _____).

Contact Email (not required): _____

II. PROPERTY IDENTIFICATION AND LOCATION (Required Information):

All information in this section is required for the application and must be completed. If the applicant does not know a required answer, they should contact the Planning Department (631-324-2178) between 1 p.m. and 4 p.m. Monday through Friday and request the Planner of the Day to assist in answering the question.

(1) <i>Date Property Acquired:</i>
(2) <i>Tax Map Number: 300-</i>
(3) <i>Street, House number & Hamlet:</i>
(4) <i>Size of Parcel:</i>
(5) <i>School District:</i>
(6) <i>Zoning District:</i>

(7) Are there any right-of-ways, easements, or restrictive covenants which encumber the property? If so, please indicate the nature of the restrictions:

(8) Please indicate if applications have been made to any other involved agency (i.e. NYSDEC or the East Hampton Town Trustees). If so, provide any application identification number and comments from the involved agency.

III. PROJECT DESCRIPTION:

A. Type of Project:

Coastal Restoration as defined in § 255-4-20 of the Town Code

The repair or reconstruction, in-place and in-kind, of a lawfully preexisting coastal structure other than an erosion control structure.

The repair or reconstruction, in-place and in-kind, of a lawfully preexisting erosion control structure in Coastal Erosion Overlay Zone 4 of the Coastal Erosion Overlay District.

B. Describe Proposed Action:

C. Reference the date, preparer and number of pages of any construction plans submitted with the application:

IV. STATEMENT OF DISCLOSURE OF INTEREST

STATE OF _____)
SS.:
COUNTY OF _____)

_____, being duly sworn, deposes and says that he/she is the

- Owner of the Property
- Contract Purchaser of the Property
- Agent for Owner/Contract Purchaser of the Property

and that all statements made in this application are true to the best of his/her knowledge and belief; and that he/she has read the notices contained in this application and understands the same and agrees to abide thereby; and that the project which is the subject of this application, if approved, will be carried out in accordance with the terms and conditions set forth by the Planning Department in its decision and in accordance with all applicable laws.

Signature of Applicant

Sworn to before me this _____ day of _____, 20 ____.

NOTARY PUBLIC

**Officers or Employees of State, County, or Town Government
Required by § 809 of the New York General Municipal Law**

The following Statement must be signed by the following:

- (1) Every individual owner of any real property which is a subject of this application (hereafter, the "subject property");
- (2) An authorized representative of every corporation, partnership, company, trust, association, or other legal entity which has an ownership interest in the subject property;
- (3) Every individual who has a contract to purchase an interest in the subject property; and
- (4) An authorized representative of every corporation, partnership, company, trust, association, or other legal entity which has a contract to purchase an interest in the subject property.

NOTICE: A KNOWINGLY FALSE STATEMENT UNDER § 809 OF THE GENERAL MUNICIPAL LAW IS PUNISHABLE AS A MISDEMEANOR.

I make the following statements about interests in the real property which is the subject of this application (the "subject property"):

PART I: Except as otherwise set forth in Part II below –

A. Individuals with an ownership interest in the property.

1. No person having an ownership interest in the subject property is an officer or employee of New York State, Suffolk County, or the Town of East Hampton.
2. No person having an ownership interest in the subject property is a spouse, a brother, a sister, a parent, a child, or a grandchild of any individual who is an officer or employee of New York State, Suffolk County, or the Town of East Hampton.
3. No person having an ownership interest in the subject property is the spouse of a brother, a sister, a parent, a child, or a grandchild of any individual who is an officer or employee of New York State, Suffolk County, or the Town of East Hampton.

B. Individuals with an interest in a contract to purchase the property.

1. No person having an interest in a contract to purchase the subject property is an officer or employee of New York State, Suffolk County, or the Town of East Hampton.
2. No person having an interest in a contract to purchase the subject property is a spouse, a brother, a sister, a parent, a child, or a grandchild of any individual who is an officer or employee of New York State, Suffolk County, or the Town of East Hampton.
3. No person having an interest in a contract to purchase the subject property is the spouse of a brother, a sister, a parent, a child, or a grandchild of any individual who is an officer or employee of New York State, Suffolk County, or the Town of East Hampton.

C. Corporations or other entities with an ownership interest in the property.

1. No officer, director, partner, or employee of any corporation, partnership, company, trust, association, or other legal entity which has an ownership interest in the subject property is an officer or employee of New York State, Suffolk County, or the Town of East Hampton.
2. No officer, director, partner, or employee of any corporation, partnership, company, trust, association, or other legal entity which has an ownership interest in the subject property is a spouse, a brother, a sister, a parent, a child, or a grandchild of any individual who is an officer or employee of New York State, Suffolk County, or the Town of East Hampton.
3. No officer, director, partner, or employee of any corporation, partnership, company, trust, association, or other legal entity which has an ownership interest in the subject property is the spouse of a brother, a sister, a parent, a child, or a grandchild of any individual who is an officer or employee of New York State, Suffolk County, or the Town of East Hampton.

D. Corporations or other entities with an interest in a contract to purchase the property.

1. No officer, director, partner, or employee of any corporation, partnership, company, trust, association, or other legal entity having an interest in a contract to purchase the subject property is an officer or employee of New York State, Suffolk County, or the Town of East Hampton.
2. No officer, director, partner, or employee of any corporation, partnership, company, trust, association, or other legal entity having an interest in a contract to purchase the subject property is a spouse, a brother, a sister, a parent, a child, or a grandchild of any individual who is an officer or employee of New York State, Suffolk County, or the Town of East Hampton.
3. No officer, director, partner, or employee of any corporation, partnership, company, trust, association, or other legal entity having an interest in a contract to purchase the subject property is the spouse of a brother, a sister, a parent, a child, or a grandchild of any individual who is an officer or employee of New York State, Suffolk County, or the Town of East Hampton.

PART II: If any of the statements under A through D above is **not** true, please explain and set forth the name and the relationship to the subject property of any individual or person involved.

AUTHORIZATION

I, the owner, hereby authorize the Planning Department to enter the subject parcel to review the pending application for an Expedited Administrative Natural Resources Special Permit.

(Note – Each person required to sign this statement must have his/her signature separately attested before a Notary Public. Use additional pages if necessary.)

Signed: _____

ACKNOWLEDGEMENT

STATE OF _____)

ss:

COUNTY OF _____)

On the _____ day of _____, in the year _____, before
me personally appeared _____,
personally known to me or proved to me on the basis of satisfactory evidence to be the
individual(s) whose name(s) is/are subscribed to this instrument and acknowledged to me that
he/she/they executed the same in his/her/their capacity (ies), and that by his/her/their signature(s)
on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted,
executed the instrument.