TOWN OF EAST HAMPTON COMPREHENSIVE PLAN

MAY 6TH, 2005

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INTRODUCTION

Need for a New Comprehensive Plan

Between 1990 and 2000, East Hampton was the fastest growing Town in Suffolk County and subsequent growth trends give reason to project this high growth rate into the future. Under present zoning, the number of dwellings existing in 2004 in East Hampton Town can increase by 33% and the year-round population by almost 50%.

Accompanying this high amount and rate of residential growth have been pressures on East Hampton's roads, schools, infrastructure in general, and the environment. Growth in traffic and school age population has increased at a greater rate than the population and number of new households. Growth in traffic compared to houses, for example increases at a ten to one ratio. In other words, for every new house, there is projected to be ten new car trips on the roads every day[1]. Whereas Town-wide population in East Hampton increased by 22% between 1990 and 2000, enrollment in the East Hampton School District increased by 61%[2] during this same time frame.

Many studies document the fact that most residential development burdens the community with more expenses than the taxes it generates. Merely comparing the average 2004 East Hampton homeowner tax bill of approximately $5,000 to the 2004 East Hampton School District "per pupil expense" of $19,916 [3] shows how every new house with one or more school-aged children is a tax burden to the community. Bear in mind that approximately 58.5% of each tax bill in the East Hampton School District covers non-school expenses associated with County, Fire Districts, Town and other services[4].

Despite this high growth rate and the associated costs of development, East Hampton has the second lowest tax rate as a percentage of median value of real estate in all of Long Island. Only Shelter Island has lower than the 1.1% tax rate as a percent of median real estate value of East Hampton[5]. Three factors contribute to this low tax rate: a large number of second home owners (54 % according to Census 2000), a large percentage of seniors (approximately 20% are 65 or older according to US 2000 Census), and a high percentage (40%) of preserved open space and farmland. Second homeowners and seniors generally do not send children to school; farmland and protected open space require even fewer services and do not send children to school. While the age and seasonal composition of the Town are not factors that the Town controls, the desirability of the community as a second home and retirement area are affected by Town programs. The quality and quantity of the Town's protected open space contributes greatly to the natural beauty and the desirability of East Hampton Town.

East Hampton's natural and cultural resources have regional, statewide, national and even international significance. While East Hampton's long history of successful open space

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[1] From the Institute of Traffic Engineers (ITE) figures
[2] East Hampton Union Free School District Figures
[3] East Hampton Union Free School Figures
[4] Personal conversation with Roy Fedelem, Suffolk County Planning Department.
[5] Suffolk County Planning Department, Long Island Towns and Cities by Median Home Value and Median Taxes-2000 Report.

preservation is expected to continue, it is unlikely that all of the remaining land with important natural and cultural features meriting protection will be acquired.

In order to assess these changing conditions, to protect what is so special about East Hampton, and to prevent deterioration in living conditions and the natural environment, an updated comprehensive land use plan and zoning map has been prepared. This *Town of East Hampton Comprehensive Plan and Zoning Map* sets forth recommendations to reduce impacts to the Town's groundwater resources, natural resources (other than groundwater), scenic resources, historic and pre-historic resources and existing character. While protecting these features, the Plan will also help to reduce over-all residential build-out, which also will reduce ultimate impacts on the Town's roadways, schools, and infrastructure in general. Adopting the revised zoning is a necessary pre-requisite for determining revised potential build-out and the need for community services and infrastructure. It is anticipated that further planning and evaluation of the Town's community and infrastructure needs will be conducted immediately following the adoption of this *Town of East Hampton Comprehensive Plan* and *Zoning Map*. Subjects to be addressed include Transportation, Recreation, Infrastructure, Commercial Needs, Hamlet Studies and other topics identified in the Recommendations to Meet the Goals Section of this Plan. This further work may be considered Phase II of the Town of East Hampton Comprehensive Plan Update.

The last full overhaul of the East Hampton Town Comprehensive Plan was conducted and adopted in 1984, with 21 updates and amendments made during the intervening 20 years. All of these plans, as well as other documents have been reviewed in the preparation of this Comprehensive Plan and are listed as references. The following five plans which have previously been adopted as elements of the Town of East Hampton Comprehensive Plan, are incorporated by reference in their entirety, are summarized in the appendix, and will remain in effect as Components of this *Town of East Hampton Comprehensive Plan, May 2005:*

- Historic Preservation Report, Town of East Hampton, Phase One and Phase Two, 1989 and 1990, prepared by Robert Hefner
- Town of East Hampton Comprehensive Plan Transportation Element, 1997, prepared by L.K. McLean Associates
- Town of East Hampton Draft Local Waterfront Revitalization Program, 1999, prepared by East Hampton Planning Department and Waterfront Advisory Committee
- Town of East Hampton Final Wireless Master Plan, September 24, 2001, prepared by Kreines & Kreines, Inc.
- Town of East Hampton Community Preservation Project Plan, August 5, 2003, as amended, prepared by East Hampton Planning Department

The 1984 Plan together with 16 of the 21 amendments to the plan, are proposed to be superceded by the adoption of this Plan for one or more of the following reasons: they provide data which has now been updated by the new Plan; the recommendations have been implemented; the recommendations are contained within this new updated Comprehensive

Plan; the recommendations are no longer valid due to changed circumstances. The previously adopted Plans which are superceded by this Plan include the following:

- The Town of East Hampton Comprehensive Plan Update "A Guide for Public Action", 1984, prepared by the East Hampton Planning Department (including the 11 previously adopted plans incorporated by reference)
- Trails Plan, Town of East Hampton, 1983, prepared by Lisa M. Liquori
- Amendments to Chapter XII of the Comprehensive Plan, 1986, prepared by East Hampton Planning Department
- Montauk Traffic Study, 1986, prepared by L.K. McLean Associates
- Water Resources Management Report, 1987, prepared by East Hampton Planning and Natural Resources Departments
- Montauk Central Business Area Study and Downtown Design Concept Plan/Drainage Plan, 1987, prepared by East Hampton Planning Department
- Accabonac Harbor Area Study, 1988, prepared by Suffolk County Planning Department
- The Northwest Path, 1991, prepared by East Hampton Planning Department
- Flora and Fauna of the Waterfront, 1991, prepared by East Hampton Planning Department
- Public Access to the Waterfront, 1991, prepared by East Hampton Planning Department
- Southampton to East Hampton Bicycle Path, 1993, prepared by East Hampton Planning Department
- Amendment to the Future Land Use Plan Component, 1994, prepared by East Hampton Planning Department
- Superblock III Land Use Study, 1995, prepared by East Hampton Planning Department
- Open Space Plan, 1996, prepared by East Hampton Planning Department

Over the years, the 1984 Plan and updates have worked reasonably well to protect the character of the Town including its sensitive natural resources. However, every 10 to 20 years, it is important to conduct a comprehensive analysis of the existing and projected conditions to incorporate and evaluate new data, statistics, studies, regulations and conditions and to determine whether the community has adequate tools to protect what it deems is important. As described above, many conditions have changed since 1984, which help form the basis for this updated plan.

Brief Overview of Process to Develop this Plan

The *Town of East Hampton Comprehensive Plan,* May 2005 is the product of a four-and-a-half year effort involving two administrations of the Town Board, several planning consultants, the Town Planning Department, the Town Department of Natural Resources, the Town Office of Housing and Community Development, the Town Attorney's Office and special counsel, Seventeen Comprehensive Plan Subcommittees, numerous business, civic, citizen, professional and environmental organizations and the community at large. The extensive effort to obtain community input was done to prevent an "ivory tower" approach by consultant planners which can be insensitive to the needs of the community.

Numerous studies, reports and data have been incorporated into this report. In particular this report has built upon, developed and refined the concepts set forth in the 2002 Comprehensive Plan Recommendations of Dr. Lee E. Koppelman and the July 2003 Horne Rose LLC, Joel Russell & Lee Weintraub report, A Comprehensive Plan from 2003-2020 for the Town of East Hampton. During the summer of 2000, Dr. Koppelman developed and mailed a detailed survey questionnaire, including 112 questions to all the property owners and renters in East Hampton (more that 13,000). The overwhelming public response to these surveys indicated that the highest priority among all the issues in East Hampton was protecting East Hampton's water supply and the quality of the environment. This citizen input was important for the development of the Plan. In addition, seventeen citizen subcommittees were formed covering a wide spectrum of issues including: Agriculture, Business, Economic Development, Fishing, Environment, Historic Preservation, Recreation, Arts and Culture, Education, Families/Youth, Healthcare, Housing, Seniors, Emergency Services, Energy/Utilities/Communication, Transportation, and Villages and Hamlets. The reports, recommendations, meeting minutes and suggestions from these 17 Subcommittees (convened between 2000 and 2002) were also heavily relied upon.

In January 2004, the East Hampton Town Board established a Vision Statement and eleven goals which guided the development of this Plan. The Vision Statement and Goals established by the Town Board were a refinement of the ones developed by Horne Rose after numerous public workshops and public hearings conducted in 2003. Updates on the second Tuesday of each month in 2004 were conducted by the Town Board during public work sessions. A Draft Generic Environmental Impact Statement was prepared to evaluate the potential environmental impacts resulting from the adoption of the Plan and the Proposed Zoning Map.

Extensive efforts were made to obtain public and agency input not only during the preparation of the Plan, but on the draft Plan itself. Two separate town-wide mailings, dated September 1, 2004 and October 1, 2004 were made by the Town Board to every resident and property owner inviting comment on the Plan; the Draft Plan and Draft Generic Environmental Impact Statement (DGEIS) were posted on the Town of East Hampton website and were filed in all the local libraries; local newspapers carried several detailed articles covering sections of the Plan as they were presented in 2004; the Local TV station broadcast presentations of each of the sections of the Draft Plan as they were presented in 2004; legal adds were placed in the newspaper of record to announce the public hearings; direct mailings were sent to every property owner whose property was proposed to be rezoned; the Draft Plan and DGEIS were routed to over two dozen federal, state, county and local agencies, departments, commissions, boards and divisions.

Simultaneous public hearings on the Draft Plan, the DGEIS and the proposed rezonings were conducted during the day and in the evening of November 4, 2004. There was extensive public comment submitted both orally and in writing: 78 speakers during the over eight hours of public hearings and over 214 articles of written correspondence and e-mails. Over a five month time period, the Town Board collectively reviewed all the public comments and formulated responses recorded in the Final Generic Environmental Impact Statement and decided on modifications to the Draft Plan. All these deliberations were

conducted during public work sessions broadcast by the Local TV station and covered by the local newspapers.

Organization of the Plan

This *Town of East Hampton Comprehensive Plan* is comprised of six main sections, in addition to this introduction and the appendices.

- **Vision and Goals-** The Vision Statement articulates the overall image of what the community would like to be in the future. The Goals are the broad statements of intent which form the basis for the recommendations in the Plan.

- **Existing Conditions-** The Existing Conditions Section provides a summary of the geography, environment, history, demographics, land use and residential build-out.

- **Affordable Housing-** The Affordable Housing Section is a special, intensive study devoted solely to the subject of affordable housing in East Hampton. This section includes a description of existing housing conditions, affordable housing needs, existing affordable housing programs and existing legislation and programs for affordable housing. Recommendations suitable to East Hampton are offered to help meet these documented affordable housing needs.

- **Urban Renewal Map Study-** The Urban Renewal Map Study is a special, intensive study devoted solely to the 38 Urban Renewal Maps in East Hampton. This section provides an inventory and analysis of existing conditions, including land use and build-out and the existing Urban Renewal Program. Recommendations are offered to protect natural and cultural features, provide necessary roads and infrastructure, reduce ultimate density and provide affordable housing opportunities within these Urban Renewal Maps.

- **Water Plan-** The Water Plan is a special intensive study devoted solely to evaluating ground and surface waters in East Hampton. Only the 42 Recommendations and the Executive Summary of the East Hampton Town Water Resources Management Plan, prepared by Larry Penny, Natural Resources Director, and others, is included in this report.

- **Recommendations-** The Recommendations Section of the report includes a compilation of the Town-wide recommendations to meet the goals of the Plan. Two of the most significant means to meet several of the goals are proposed to be achieved through land acquisition and rezoning. Narrative text, charts and maps describing the proposed zoning and other land-based recommendations are provided for each of the five hamlets, also referred to as Planning Areas.

Five appendices, each providing an executive summary of a previously adopted component of the Comprehensive Plan, are included. These reports incorporated by reference in their

entirety into this *Town of East Hampton Comprehensive Plan* supplement and reinforce the findings and recommendations in the Plan pertaining to the following areas:

- Historic Preservation
- Transportation
- Coastal Management
- Wireless Service Facilities
- Open Space Preservation

The *Town of East Hampton Comprehensive Plan,* May 2005, will provide a guide for land use development in the Town for future years. Planning is a continuous process and all planning documents are subject to periodic review and revisions. Accordingly, it is anticipated that the Comprehensive Plan will be amended as needed over the next 10 to 15 years after which a complete overhaul will be conducted.

East Hampton is especially rich in its natural, scenic, historic and cultural character. Although dramatic changes have taken place since East Hampton was settled in 1648, many of the natural and cultural features, no longer evident in other places on Long Island, New York State and the Country, have been protected in East Hampton. East Hampton has a long history of innovative planning and was the first municipality in New York State to adopt open space subdivision regulations mandating clustering. Continued efforts are needed to protect and preserve East Hampton, both its land and its people.

A COMPREHENSIVE PLAN FOR THE TOWN OF

EAST HAMPTON

VISION STATEMENT

The Vision Statement for East Hampton articulates the overall image of what the community would like to be in the future.

East Hampton is defined by the unique character of its hamlets, villages and countryside. East Hampton's beaches are rated among the world's best. The land supports one of the highest concentrations of rare and endangered species in New York State. The farmland is rated the best in the state. The Nature Conservancy has designated the area as one of the "Last Great Places" in the Western Hemisphere. The woodlands are diverse and healthy where they are undisturbed. The harbors and bays are among the cleanest in the state. The Town is rich in historic and cultural resources. Development has not obliterated the natural and scenic characteristics once covering all of Long Island.

The Town treasures and is committed to sustaining this rich array of natural and cultural resources, authentic sense of place, rural character, and the people who make it unique. East Hampton is and will continue to be a "green" community, a leader in protecting the environment, saving energy and preserving open space.

Future development should be harmonious with the existing character of the community.

Residents and visitors should have the option to use alternative transportation (train, bus, shuttle, walk, bike, etc.) as an alternative to their cars for daily needs.

A diverse population should continue to have opportunities to engage in a variety of livelihoods ranging from traditional agriculture and fishing to clean technology and the arts.

The seasonal economy of second homeowners and visitors, based largely on the pristine natural and rich cultural resources, helps support a vibrant, diverse year-round community and should be encouraged to continue.

Although real estate continues to become very expensive, the Town's affordable housing programs strive to enable long-time residents to retire and year-round employees to live here.

East Hampton is and should continue to be a wonderful place to live, work, raise a family, enjoy life and connect with the natural environment.

GOALS

Goal One: Maintain, and restore where necessary, East Hampton's rural and semi-rural character and the unique qualities of each of East Hampton's historic communities.

Goal Two: Take forceful measures to protect and restore the environment, particularly groundwater. Reduce impacts of human habitation on ground water, surface water, wetlands, dunes, biodiversity, ecosystems, scenic resources, air quality, the night sky, noise and energy consumption.

Goal Three: Reduce the total build-out of the Town to protect the natural and cultural features identified in goals one and two.

Goal Four: Provide housing opportunities to help meet the needs of current year-round residents, their family members and senior citizens, seasonal employees, public employees, emergency services volunteers, and other local workers.

Goal Five: Encourage local businesses to serve the needs of the year-round population and reduce the environmental impacts of commercial and industrial uses.

Goal Six: Encourage and retain traditional local resource based fishing and agriculture industries that practice environmentally sensitive methods of operation.

Goal Seven: Protect historic buildings, hamlets, neighborhoods, landscapes and scenic vistas from incompatible development. Prevent further loss of the Town's cultural and archaeological resources.

Goal Eight: Coordinate with regional agencies, organizations and systems to reduce reliance on the automobile. Encourage investment in alternative transportation - including sidewalks, bikeways, rail, buses, shuttles, and "shared" cars - while maintaining the existing scale and character of community.

Goal Nine: Develop road, wastewater treatment, water, and power infrastructure, consistent with goals one through three, needed to reduce public health, safety and environmental risks.

Goal Ten: Provide adequate facilities, land and programs for schools, town offices and other functions, day care, senior care, families, and other educational, cultural, recreational and health care needs.

Goal Eleven: Commit to implementing the Comprehensive Plan.

EXISTING CONDITIONS

Geography and Environment

The Town of East Hampton covers the eastern half of Long Island's South Fork, a land area of approximately 74.3 square miles, according to the Federal Census, and includes the 3,314-acre Gardiner's Island. The physical area of the Town includes both the 4.76 square mile incorporated Village of East Hampton and a 0.78 square mile portion of the incorporated Village of Sag Harbor. It is noted that although these incorporated villages lie within the Town boundaries and share a common history, they each have separate planning and zoning laws. Descriptions and statistics regarding these areas are in some cases included in this plan for illustrative purposes.

East Hampton is separated from Southampton to the west by Town Line Road. The Town is bordered to the south by the Atlantic Ocean and to the north by Gardiner's Bay and Block Island Sound. The entire Town is surrounded by water, substantially defining its character.

The south shore from Wainscott to Amagansett is a flat coastal plain which has agricultural soils rated among the most productive in the country. One or several lines of dunes provide a barrier between the fertile coastal plain and the Atlantic Ocean. The Atlantic Double Dunes in Amagansett and Napeague Beach are among the largest remaining areas of undeveloped barrier beach and back dune ecosystems on Long Island, and these unique areas are important to many coastal wildlife species.

Near the middle of the peninsula is a ridge with heights of 100 to 180 feet. North of this ridge the land is lower but more undulating and the north coast is characterized by bluffs as well as marshland at the harbors and inlets. The soil north of the plain is sandy and the land is primarily forested. East of Amagansett the sandy isthmus of Napeague extends to the high lands of Montauk. Along the south shore are the coastal ponds, Georgica Pond and Hook Pond. A number of important harbors and inlets are along the north shore: Northwest Creek, Three Mile Harbor, Accabonac Harbor, Napeague Harbor, Northwest Harbor, Hog Creek and Lake Montauk. There are also a number of inland fresh water ponds.

The unique character of its hamlets, villages and countryside is one of the defining elements of East Hampton. Seven areas are traditionally identified as separate communities within the Town: Amagansett, East Hampton, Village of East Hampton, Montauk, Springs, Wainscott and the Village of Sag Harbor. Each one of these communities has unique geography, land-use, natural and built environments. People who live in each area are fiercely protective of the physical, social and cultural characteristics of their communities.

East Hampton's natural and environmental resources include access to water, open space, scenic vistas, star filled night skies, dunes and bluffs, beaches and wetlands, prime agricultural soils, lakes and ponds, estuaries and harbors, and a diversity of fisheries and indigenous flora and fauna. There is a great deal of passion for preservation of the

environment within the East Hampton community. Ground water protection was identified as the number one concern by the Environmental Committee and ranked as the most important issue in the community wide survey conducted as part of the 2002 Koppelman & Committee Recommendations. Maps contained within the Natural Resources Protection section of this report indicate the aquifer protection areas within the town: the Special Groundwater Protection Area (SGPA), and the Water Recharge Overlay District (WROD). These designations represent areas of special environmental concern because they provide recharge to the deep flow aquifer system. Human habitation of all types impacts the quality of the ground water. With the increase in population in the past decade the Town has reached a critical stage that requires aggressive measures to preserve and restore the quality of the ground water in all areas but with particular attention to the SGPA and WROD.

There are two landfill sites in East Hampton that operated from the early 1960's until the 1990's. The main concern is for the landfill on Springs-Fireplace road that has an identified contamination plume. Capping is underway, there are monitoring wells in place and the Town is closely following the results.

In June 2003 the Town released its draft Water Resource Management Plan, which was subsequently revised and is included as part of this Plan. Other previously completed plans have been reviewed and are incorporated by reference or are superseded by this Plan.

In addition to groundwater protection, there is growing concern in the Town for other environmental issues including: preservation of open space, protection of vegetation habitats and biodiversity, protection of scenic vistas, reduction of noise and light pollution, preservation of rural character, protection of surface water quality, coastal resource protection, park preserve designation for State and County Parks, appropriate cellular site location, renewable energy production, radiation handling, and wetland protection.

History

The Town of East Hampton's history starts with the earliest settlements of Native Americans. Archaeological investigations in the Town have uncovered remains dating as far back as the Archaic Age (ca 4500-1300 BC). The history of Native American occupation in East Hampton appears in written records in the 17th century, when European settlers arrived. European settlement of the Town of East Hampton was preceded by Lion Gardiner's arrival on what is now known as Gardiner's Island in 1640. Gardiner purchased the island from the Montaukett Indians in 1639 and obtained a patent from the King of England, Charles First in 1640. The island remained a private manor and working farm until after the American Revolution, when it was annexed to East Hampton Town.

In 1648 the governors of the New Haven and Connecticut Colonies purchased 31,000 acres from Southampton Town eastward to the first highlands of the Montauk peninsula. Thirty-four original settlers (or proprietors) obtained full title to the land in 1651 from the governors and retaining their ties to Connecticut, united with that Colony in 1657. Annexed to New York Colony in 1664, East Hampton retained a cultural and commercial attachment to New England well into the nineteenth century.

The proprietors became interested in the rolling plains and fresh water ponds of the Montauk peninsula for pasturing their livestock, and pasturage rights were obtained from the Montauketts in 1658. From 1661 to 1687 different groups of East Hampton men acquired outright all of the land that is now Montauk, although the Montauketts retained certain rights to the land and continued to live at Indian Field, east of Lake Montauk. Montauk continued to be used as common pastureland until the late 19th century.

On December 9, 1686, the Dongan Patent, one of the earliest American documents to provide for representative government by elected officials, was signed. It established the Trustees as the original governing body of the Town of East Hampton. The Patent was signed under the authority of His Majesty James the Second, and designated to the Trustees "all Havens, Harbors, Creeks, Quarries, Woodlands, Meadows, Pastures, Marshes, Waters, Lakes, Rivers, Fishing, Hawking, Hunting, and Fowling and all other Profits, Commodities, Emoluments and hereaditaments, to the said tract of land and premises within the limits and bounds aforementioned" (much of East Hampton). The Trustees continue as a separately elected body within the Town to this day.

The early history of colonial settlement in East Hampton was governed to a great extent by its geography. The original 1648 settlement was on the fertile coastal plain adjacent to Hook Pond. Surrounding the core settlement of a commons or town square and dwellings were ample lands for cultivation and pasturage. Early roads led to meadows at the inlets and ponds, to the summer pastures at Montauk and to the harbors and landings for trade and travel. Each of the thirty-four proprietors owned a share in the 31,000 acres of land, harbors and ponds of the town, and the amount of that share would be the basis for all future allotments of valuable land. The prime economic activities of New England towns of the time were farming, raising of cattle, sheep, forestry, fishing and the proprietorship of small stores. Villages were located so that families could easily walk to these activities from the town center. As populations grew, new town centers sprang up.

Because the proprietors closely guarded their stake in the town, growth was slow and carefully planned. Many of the new residents in the town were granted only small parcels and did not share in the rights to the commonage. Tradesmen, for instance, were often granted quarter-acre lots within the proprietors' large home-lots for their dwellings. The proprietor's guarding of their interest in East Hampton's resources explains the slow and controlled growth of the town. Non-proprietors, who owned only small parcels, could not share in the common resources and found it difficult to improve their position.

This theme is an important one in tracing the history and development of the areas of the town outside of the present Incorporated Village of East Hampton. The land within the Village was owned primarily by the proprietors who built substantial houses on their Main Street home-lots. Many of the tradesmen, laborers, subsistence farmers, fishermen, and at a later date freed slaves and Montaukett Indians, lived on small lots on less desirable land outside the Village where they built relatively small houses.

North of the coastal plain at Northwest and Springs, the soil was less fertile and these settlements were characterized for the most part by small subsistence farms. Many of the residents of these regions, like the native tribes who preceded them, turned to the harbors and creeks to supplement their livelihood with fishing, shell fishing and hunting. Whaling

companies were formed and Montaukett Indians were among those who manned the early whaleboats. A major port became established at Northwest Harbor and as early as 1668 a collector was appointed to this harbor to keep track of taxes on whale oil shipped out. However, by the mid-eighteenth century the whaling and shipping activities at Northwest Harbor had been supplanted by the port of Sag Harbor.

The period from 1700 to 1870 was one of expansion in East Hampton. In the eighteenth century East Hampton matured as an agrarian township and communities at Wainscott, Northwest, Sag Harbor, Springs and Amagansett became well established. In the 1740s, three houses were erected in Montauk for the keepers who tended to the livestock on the common pasture land. In 1797, the lighthouse at Montauk Point was erected and served along with the lighthouse at Sandy Hook, New Jersey, to guide ships to New York Harbor. The most dramatic development in the Town during this period was the growth of Sag Harbor following the American Revolution and its development from 1820 to 1850 into a prosperous whaling port.

Following the Civil War East Hampton began to be discovered as a summer resort. With the extension of the Long Island Railroad to Bridgehampton in 1870, East Hampton's beaches, cool sea breezes and quiet, rural environment became more easily accessible to residents of New York City. Initially summer visitors stayed with local families on the Main Streets of East Hampton and Amagansett.

At the time of East Hampton's beginnings as a summer resort, the agricultural economy was waning. In the Village of East Hampton the fertile land of the Great Plain was sold in the 1870s for a development of summer cottages. A 250-year tradition of farming on Gardiner's Island ended in 1890 when the island was leased as a hunting preserve. Perhaps the most dramatic change was the 1879 sale of all of Montauk, excluding the lighthouse and life-saving station reservation, to a Brooklyn financier, Arthur W. Benson. Included in the purchase were the last of the lands reserved for the Montaukett Indians, and Benson moved the remaining members of the tribe from their home in Indian Field. Benson formed the Montauk Association in 1881 with seven friends for the purpose of constructing a small summer colony on 100 acres east of Ditch Plain. This marked the end of the common pasture system, which had been in effect for over 220 years, and the start of Montauk's first era as a summer resort.

The flowering resort economy of East Hampton brought with it jobs for the year-round population of tradesmen, storekeepers, and laborers. The period 1875 to 1910 saw a great expansion of year-round housing, which occurred along established roads spreading out from the cores of East Hampton and Amagansett. Throughout the period of East Hampton's development as a summer resort, the traditional lifestyles of farming and fishing generally continued to decline.

In the 1920s, Carl Fisher purchased 9,000 acres at Montauk and planned a complete resort community, which he hoped would be one of the most important resorts on the Atlantic seaboard. Although Fisher was ruined by the stock market crash of 1929, the short period during which he constructed buildings, laid roads and created residential subdivisions have made a lasting mark on the visual character of Montauk.

Following the lull in the resort economy during the Great Depression and the Second World War, building resumed in the form of small summer cottages in small-lot subdivisions. But beginning in the 1950s large-scale summer homes were again being built and East Hampton was revived as an affluent resort. Intense development, from the 1960s and continuing to the present, dominated by the construction of second homes in large subdivisions has completed East Hampton's transformation from an agrarian economy into a resort economy.

Demographics

Year-Round and Seasonal Population

The year round population in East Hampton Town in 2000, including both the incorporated Village of East Hampton and the portion of Sag Harbor that lies within the Town, was 19,719. The Town grew by 3,587 residents since 1990, representing growth of approximately 22 percent Town-wide. Population growth in the unincorporated areas of the Town (that is, excluding East Hampton village and Sag Harbor) was even greater. The population in 2000 was 17,437, representing a growth of approximately 26 percent since 1990 when the population in the unincorporated areas was 13,872.

East Hampton had the greatest increase in population of all the Towns in Suffolk County from 1990 to 2000. The neighboring Town of Southampton, including the Shinnecock Indian Reservation that falls within its borders, also had significant growth in population during this period, with a 21.8 percent increase since 1990. East Hampton's population growth was significantly greater than both Suffolk County's, which was 7.4 percent during this period, and New York State's, which grew by 5.5 percent.

The growth during the last decade was much more intense than the previous decade. East Hampton's Town-wide population increased by only 15 percent from 1980 to 1990, and the Countywide growth was just 2.9 percent during that period.

The following table indicates the growth in population in the different areas of Town from 1990 to 2000.

Table 1. Population Growth 1990 – 2000 East Hampton Town

Area	1990 Pop.	2000 Pop.	% Change
East Hampton Town	16,132	19,719	22.2
Sag Harbor Village (part)	858	948	10.5
East Hampton Village	1,402	1,334	(4.9)
Amagansett	894	1,067	19.4
East Hampton North	2,780	3,587	29.0
Montauk	3,001	3,851	28.3
Napeague	177	223	26.0
Northwest Harbor	2,167	3,059	41.2
Springs	4,355	4,950	13.7
Wainscott	487	628	29.0
Remainder of Town	11	72	NA

Source: U.S. Census 1990 and 2000

Notes:

1. In 1990 Amagansett, Napeague and Wainscott were not census-designated places; census tract and block group data from the 1990 census was used to determine 1990 population in these areas.
2. "Remainder of Town" is a category used to indicate areas of the Town not included in a census-designated place (CDP) in 2000. In 2000, there were two areas of Town not covered by a CDP: Gardiner's Island, and a small area between Gardiner Cove Road and Soak Hides Road at the base of Three Mile Harbor that was part of the Northwest Harbor CDP in 1990. The 1990 figure for "Remainder of Town" was derived by subtracting all other defined areas from the Town-wide total. It is noted that in both 1990 and 2000, Gardiner's Island had a population of 0.

As shown above, the greatest population growth occurred in Northwest Harbor, which grew by 41.2 percent since 1990.

Population information for East Hampton is difficult to assess with complete accuracy as it probably does not include all of the visitors, people who live in illegal housing or workers in group "summer shares". Because of the transient nature of the summer population, seasonal figures are likely to be less accurate than the year-round information.

Although the federal census does not include a count of the seasonal population, it does identify the number of vacant housing units used for "seasonal, recreational, or occasional use." Based on this information, as well as a count of campsites and motel capacity, the Suffolk County Planning Department has prepared seasonal population estimates for Towns throughout Suffolk County. The seasonal population estimates for East Hampton Town were reached by the Suffolk County Planning Department by estimating an average of 4.5 persons per household in seasonal homes throughout the Town, assuming a guest factor of 1.2 for year-round households in Town, and assuming four guests per motel room. The estimates of seasonal guests varied in different areas of Town; for example, seasonal homes in Amagansett had an estimated four persons per household, while in Montauk the estimate was 4.7 persons per household.

It is noted that the seasonal population estimate can vary greatly based on what guest factor is used. For example, if three rather than four guests per motel room is estimated, and 4.0 rather than 4.5 persons per seasonal household is estimated, the peak seasonal population estimate would be reduced by over 8,000.

The following table indicates the Town-wide population, both year-round and seasonal, as estimated by the Suffolk County Planning Department.

Table 2. Estimated Peak Seasonal Population, 2000 Town of East Hampton

Place	Estimated Pop. In Seasonal Homes	Estimated Seasonal Guest Pop.	Estimated Camping Pop.	Motel Capacity	Year Round Population	Estimated Additional Seasonal Population	Seasonal Plus Year Round Population
Amagansett	4,428	740	0	836	1,067	6,004	7,071
East Hampton Village	4,536	635	0	412	1,334	5,583	6,917
East Hampton North	3,230	1,445	0	296	3,587	4,971	8,558
Montauk	14,241	2,390	660	9,704	3,851	26,995	30,846
Napeague	2,142	105	0	1,068	223	3,315	3,538
Northwest Harbor	7,618	1,181	1,000	52	3,059	9,851	12,910
Springs	8,266	2,309	0	60	4,950	10,635	15,585
Sag Harbor Village (part)	1,600	517	0	28	948	2,145	3,093
Wainscott	1,945	260	0	148	628	2,353	2,981
Remainder of Town	21	34	0	0	72	55	127
East Hampton Town Total	**48,027**	**9,615**	**1,660**	**12,604**	**19,719**	**71,906**	**91,625**

Source: 2000 U.S. Census; Suffolk County Planning Department 2/20/03

As indicated above, in 2000 there were 19,719 year-round residents and an estimated 71,906 seasonal residents in East Hampton Town, totaling an estimated peak season population of 91,625 residents. These figures include the populations of the incorporated Village of East Hampton, as well as the portion of the incorporated Village of Sag Harbor that lies within East Hampton Town.

As indicated on the previous page, East Hampton's estimated seasonal population is more than three times as great as its year-round population. Montauk has the greatest number of seasonal residents, estimated at 26,995. Population in Montauk during the peak season is estimated to be 30,846, which accounts for about 34% of the total Town-wide population during the peak summer season. Occupants of motels account for 9,704 (about 36%) of Montauk's seasonal population. Town-wide, motels account for about 18% of the seasonal population.

The Long Island Regional Planning Board has projected that the Town of East Hampton will grow to 22,244 people by 2010 and to 25,272 by 2025, representing an increase in the year-round population of 28.2 percent from 2000 to 2025. However, since the population in the unincorporated part of Town increased by 26 percent from 1990 to 2000 alone, it is possible that the population increase will be significantly greater over the next 25 years if the current rate of growth continues.

The Long Island Regional Planning Board projects that average household size will increase by 0.2 persons in the next 25 years in eastern Suffolk Towns. This is based in part on the expectation that the high number of senior households in Eastern Suffolk will be replaced with younger, larger households. Based on a comparison of building permits issued to the number of year-round households from 1970 to 2000, this organization also projects that over the next 25 years; only 25% of the building permits issued in East Hampton will result in new year-round housing units.

Population by Age

The median age in the Town of East Hampton in 2000 was 41.6, which is higher than Suffolk County's median age of 36.3 years and the State's median of 35.9. This represents only a slight rise over the median age in East Hampton in 1990, which at that time was 40.1.

Although the general population, including school-aged children, increased in number overall since 1990, the percent of the population in the pre-school age (age 0-4) group in East Hampton declined slightly in 2000. The number of children in this age group in 2000 was 1,008, representing 5.1 percent of the population. In 1990, 997, or 6.2 percent of the population was in the under-five age group. The percent of school age children (age 5-17) Town-wide rose, from 13.3 percent of the population in 1990 to 16.1 percent of the population in 2000. In total, children under 18 made up 21.2 percent of the East Hampton population in 2000. Countywide, 26.1 percent of the population was under the age of 18.

The percent of East Hampton's population in the 55 and over age group in 2000 decreased slightly since 1990. In the year 2000, approximately 28 percent of East Hampton residents were 55 and over, as compared to about 30 percent in this age group in 1990. However, the percentage of seniors 55 and over in East Hampton is several percentage points higher than the County as a whole, where about 21 percent of the 2000 population was 55 and over, and New York State, where about 22 percent of the population was 55 and over.

The percent of the East Hampton population in the 45 to 54 age group increased since 1990. In 2000, approximately 16 percent of the population of East Hampton was between 45 and 54 years of age, whereas this age group comprised only about 12 percent of East Hampton's

1990 population. Countywide, about 14 percent of the population was between the ages of 45 and 54 in 2000.

The decline in the percentage of the population in the 65 and over age group is part of a national trend. Census 2000 was the first time in the history of the census that the 65 and over population did not grow faster than the total population. The trend is due to a relatively low birth rate in the late 1920s and early 1930s, resulting in a relatively smaller percentage of the population turning 65 in time for the 2000 Census. However, this trend is expected to reverse when the baby boomers reach 65 in about 2010.

In addition to general demographic trends, which point to the growth of the senior population in the coming decade, development of new senior residences in the Town could serve to draw even more seniors. A 1988 Suffolk County Planning Department study of the origins of residents moving to selected senior communities in Suffolk County revealed that a sizeable percentage of residents of these developments are drawn from areas outside Suffolk County. Data collected for the development of Founders Village in Southold, one of six developments studied, indicated that 46.3 percent of residents were from Southold, 19.5 percent came from other Suffolk County Towns, 13.4 percent came from Nassau County, 10.4 percent came from New York City, 1.5 percent came from other parts of New York Sate, and 9 percent came from outside New York State.

The East Hampton Department of Human Services noted that they are now dealing with two populations of seniors, "young seniors" and "older seniors". Young seniors tend to look to the Town to provide social and transportation services. Older seniors, often more frail, are looking for more in-home care. All seniors create a greater demand on the health care system. Due to changing family structures and the lack of traditional, informal support networks consisting of family members and neighbors, many seniors, especially women and minorities, live alone and can no longer manage their homes, or obtain or afford help. The Senior Committee identified health care, housing and social access as the primary needs of the senior population in East Hampton.

Existing senior residences in the Town include the two Windmill Village Apartment developments, comprising a total of 87 rental apartments for low-income senior citizens aged 55 and over.

Population Diversity

In 1990 the population in East Hampton was very homogeneous and about 94 percent of year-round residents were White. Hispanics and African Americans made up about five percent and four percent, respectively, of the 1990 population. The non-White population (which in 2000 includes the category of Two or More Races) increased from 6% in 1990 to 12% in 2000, and the percent of Hispanics sharply increased to 14.8 percent of the population, representing an increase of about 260 percent in this ethnic group Town-wide. The change in ethnic composition is not evenly distributed throughout the Town. For example, in the year 2000 Hispanics or Latinos accounted for approximately 24 percent of Montauk's population, approximately 16 percent of Springs' population, and approximately 4 percent of Amagansett's population.

A comparison to the other Suffolk County towns shows an increase in the Hispanic population of all towns from 1990 to 2000. In 2000, Islip had the highest percentage of Hispanics with this group comprising 20.2 percent of Islip's population, representing an increase of about 66 percent in this ethnic group since 1990. Although the Town of Southampton counted only 8.6 percent of its population as Hispanic in 2000, this represented an increase of 293 percent since 1990, when Hispanics accounted for only 2.6 percent of the population. Countywide, Hispanics accounted for 10.5 percent of the population in 2000, up from 6.6 percent in 1990. Statewide, Hispanics accounted for approximately 15 percent of the population in 2000, up from approximately 12 percent in 1990.

The rapid demographic changes are creating new strains in the Town, particularly concerning affordable housing. Because there is a scarcity of affordable housing for people who work in East Hampton (see Housing sub-section) people are living in illegal units or overcrowded conditions. Most of the Hispanic population arrived in the 1990's after housing prices escalated. As a result, a disproportionate number of Hispanics live in unsafe and substandard conditions. Owners of illegal units do not pay the appropriate level of taxes for the intensity of the use. An owner's failure to pay appropriate taxes is often blamed on tenants, many of them Hispanic. Cultural tensions have also arisen over shared facilities such as recreation areas. There are a number of groups that have formed to build bridges across the cultural divide between the Hispanic and non-Hispanic populations.

Housing Units and Households

The total number of housing units in East Hampton Town was 19,640 in 2000, including the incorporated Village of East Hampton the portion of Sag Harbor that lies within the Town. This represents an increase of 2,572 units, or 15 percent, between 1990 and 2000. By comparison, Suffolk County added 41,006 new housing units from 1990 to 2000, representing an increase of only 8.5 percent. The total number of households Town-wide in 2000 was 8,101 representing an increase of 1,219 since 1990, when there were 6,882 households. The number of housing units identified as vacant and used seasonally increased from 8,886 in 1990 to 10,693 in 2000.

The following table shows a breakdown of new housing units in the town by area.

Table 3.

Housing Units 1990–2000
East Hampton Town

Area	# Housing Units in 1990	# Housing Units in 2000	Additional Housing Units 1990-2000	% Change
East Hampton Town (entire)	**17,068**	**19,640**	**2,572**	**15%**
East Hampton Town (excluding villages)	**14,602**	**17,047**	**2,445**	**16.7%**
Sag Harbor Village (part)	782	848	66	8.4%
East Hampton Village	1,684	1,745	61	3.6%
Amagansett	1,504 (1)	1,664	160	10.6%
East Hampton North	1,889	2,251	362	19.2%
Montauk	3,996	4,815	819	20.5%
Napeague	803 (1)	624	-179 (4)	(22.3%)
Northwest Harbor	2,310	3,008	698	30.2%
Springs	3,459	3,878	419	12.1%
Wainscott	631 (1)	764	133	21.1%
Remainder of Town (2)	10 (3)	43	NA	NA

Source: U.S. Census 1990 and 2000

Notes:

1. In 1990 Amagansett, Napeague and Wainscott were not census-designated places; census tract and block group data from the 1990 census was used to determine 1990 housing units in these areas.
2. "Remainder of Town" is a category used to indicate areas of the Town not included in a census-designated place (CDP). In 2000, there were two areas of Town not covered by a CDP: Gardiner's Island, and a small area between Gardiner Cove Road and Soak Hides Road at the base of Three Mile Harbor that was part of the Northwest Harbor CDP in 1990. In 2000, only two housing units were counted on Gardiner's Island, indicating that the 41 housing units in the "Remainder of Town" category represents growth in the area defined as Northwest Harbor in 1990.
3. The 1990 figure for "Remainder of Town" was derived by subtracting the housing units in all other defined areas from the Town-wide total. It is noted that in 1990, three housing units were counted on Gardiner's Island.
4. The apparent loss of 179 housing units in Napeague may be due to the identification of units counted as housing units in 1990 as motel units in 2000. The 2000 census indicates that there were 197 less housing units in the category of structures containing ten or more units than in 1990.

The number of year-round households in the town of East Hampton has increased at a faster rate than for Suffolk County as a whole. As compared to the 1,219 new households in the Town of East Hampton added between 1990 and 2000, (an increase of 17.7 percent), Suffolk County households increased by only 10.5 percent between 1990 and 2000.

Average household size increased slightly during the last ten years in East Hampton while household size in Suffolk County decreased slightly. However, average household size in East Hampton is still lower than in Suffolk County. Average household size in East

Hampton in 2000 was 2.42, as compared to 2.32 in 1990. Average household size in Suffolk County in 2000 was 2.96, a decrease from 1990 when the size was 3.04. Further Countywide declines in household size are not expected. Due to the small existing household size combined with the potential for new houses with younger, larger families, regional planning agencies predict a slight increase in household size over the next 25 years.

In 2000, 29.4 percent of all households in East Hampton were single-person households, whereas single-person households made up just 18.3 percent of all households in Suffolk County. In East Hampton, 27.2 percent of all households had at least one person 65 years old and over, as compared to Suffolk County, where 20.7 percent of all households had at least one member 65 years old or older.

The number of households, housing units and the percentage of units classified as vacant and for seasonal use at the time of the Census is shown on the following table. The areas of Town are grouped into the five school districts serving residents of the Town.

Table 4. Housing Units, Households and Seasonal Housing By School District 2000

School District	Total Households	Total Housing Units	Occupied Housing Units	Total Vacant Housing Units	Vacant Seasonal Housing Units	Seasonal Housing as % of All Housing Units
Amagansett	598	2,288	598	1,690	1,617	70.7%
East Hampton (excluding incorporated Village)	2,660	5,302	2,660	2,642	2,393	45.1%
East Hampton Village	635	1745	635	1,110	1,031	59.1%
Montauk	1,593	4,815	1,593	3,222	3,030	62.9%
Springs	1,924	3,878	1,924	1,954	1,797	46.3%
Wainscott	260	764	260	504	442	57.9%

Notes:

1. Household and housing unit data included in the U.S. Census for "Remainder of Town" was included in the East Hampton School District.
2. Although Gardiner's Island is technically part of the Springs School District, it is not included in the above table since the U.S. Census only counted two housing units and no year-round residents on the island in 2000.

As indicated above, the Amagansett school district, which includes both the Amagansett and Napeague CDPs, has the highest percentage of seasonal housing units, at 70.7 percent. The Springs school district has the lowest percentage of seasonal homes, at 46.3%. These figures are indicative of the varying financial situations of the different school districts: those

with a higher percentage of seasonal homes reap greater tax benefits, since there are no education costs associated with these units.

The table below identifies the population and housing densities in the five school districts. The Springs school district has the highest densities and Wainscott has the lowest.

Table 5. Housing and Population Density 2000 By School District

School District	Population	Housing Units	Land Area in Square Miles	Population Per Square Mile	Housing Units Per Square Mile
Amagansett	1,290	2,288	10.17	126.8	225
East Hampton(excluding incorporated Village)	6,718	5,302	20.65	325.3	256.8
Village of East Hampton	1,334	1745	4.76	280.3	366.7
Montauk	3,851	4,815	17.49	220.1	275.2
Springs	4,950	3,878	8.46	585.1	458.4
Wainscott	628	764	6.80	92.3	112.3

Source: US. Census
Note: Although Gardiner's Island is part of the Springs School District, it is not included in the calculation of area, population and housing units in the above table since the U.S. Census only counted two housing units and no year-round residents on the island in 2000.

Income

The median income reported in the census represents the middle value arrived at by dividing the income distribution into two equal groups, one having incomes above the median, and other having incomes below the median. By contrast, the mean household income is obtained by dividing total household income by the total number of households.

The census distinguishes between income for all households, income for various types of family households, and income for non-family households. A family household consists of a householder living with one or more people related to him or her by birth, marriage, or adoption. A non-family household consists of a householder living alone or with non-relatives only.

According to the 2000 census, median household income in East Hampton in 1999 was $52,201, compared to $65,288 in Suffolk County. This is not evenly distributed across the Town, with a median household income of $42,329 in Montauk and $61,808 in Northwest

Harbor. The median income for family households was higher across the board than the median for all households combined, as shown in the table below.

Table 6. Income and Poverty Rate in East Hampton 1999

Place	Median Household Income ($)	Median Family Income ($)	Per Capita Income ($)	Percent of Households With Income $200,000 +	Percent of Families Below Poverty Level
East Hampton Town	52,201	60,743	31,300	6.0	6.7
Amagansett CDP	56,406	69,306	31,300	6.0	6.7
East Hampton Village	56,607	62,500	51,316	12.0	5.5
East Hampton North CDP	45,347	55,357	25,725	7.2	10.3
Montauk CDP	42,329	50,493	23,875	2.2	8.3
Napeague CDP	44,688	48,333	23,403	2.9	9.7
Northwest Harbor CDP	61,808	78,873	35,112	8.6	4.4
Sag Harbor Village	51,630	67,917	34,836	6.6	1.5
Springs CDP	57,038	66,607	29,910	3.9	6.7
Wainscott CDP	55,714	52,250	34,058	9.8	2.0
Suffolk County	65,288	72,112	26,577	4.1	3.9

It is noted that while the median household and family income is more than $10,000 lower in East Hampton than in Suffolk County, the per capita income is higher. Per capita income is an average obtained by dividing aggregate income by total population of an area. The higher per capita income is likely the result of the higher wages earned by a small segment of the East Hampton population that is averaged into the per capita income figure, as well as the fact that children under 18 made up a lesser percentage of the population in East Hampton than in the County. As shown above, 6 percent of the households in East Hampton have incomes of $200,000 or greater, whereas only 4.1 of households Countywide have incomes of $200,000 or greater. The lower median household income in East Hampton is in part a result of the higher number of single-person households in East Hampton than in Suffolk County, and the higher number of seniors in East Hampton, many of whom are on a fixed income.

Many people in East Hampton are very low income, a fact that is not necessarily obvious from looking only at median income figures. As shown in Table 6, 6.7 percent of families in East Hampton live below the poverty level[1], as compared to 3.9 percent Countywide. The 2000 census found 1,755 individuals in East Hampton, including 446 children under the age of 18, live below the poverty level. This is 9% of the total population, compared to the 6% level in Suffolk County. At the same time, the percent of households with incomes over $200,000 is greater in East Hampton than Countywide, reflecting more pronounced extremes in wealth and poverty in East Hampton than in the County in general. Living on a low income in East Hampton is particularly difficult as there is limited public transportation and the cost of housing is extremely high (see Housing and Transportation sub-sections).

62.8 percent of East Hampton's population 16 years and older are in the labor force. This is slightly less than the 65.5 percent of Suffolk County residents 16 years and older who are in the workforce, and reflects the greater percentage of retired seniors in East Hampton than Countywide. The table on the following page illustrates the various occupations and industries in which East Hampton residents were employed in 2000.

[1] Poverty level is defined according to the number of people per household, the number of children per household and other factors. The weighted average poverty threshold for a 4-person family in 1999 was an income of $17,029.

Table 7. Employment Status of Civilian Population 16 years and over In Town of East Hampton 2000

Subject	Number	Percent
Employed civilian population 16 years and over	9,495	100.0
Occupation		
Management, professional, and related occupations	2,874	30.3
Service occupations	2,116	22.3
Sales and office occupations	2,349	24.7
Farming, fishing and forestry occupations	216	2.3
Construction, extraction, and maintenance occupations	1,463	15.4
Production, transportation, and material moving	477	5.0
Industry		
Agriculture, forestry, fishing and hunting, and mining	215	2.3
Construction	1,438	15.1
Manufacturing	170	1.8
Wholesale trade	256	2.7
Retail trade	1,122	11.8
Transportation and warehousing, and utilities	154	1.6
Information	240	2.5
Finance, insurance, real estate, and rental and leasing	838	8.8
Professional, scientific, management, administrative, and waste management services	1,473	15.5
Educational, health and social services	1,346	14.2
Arts, entertainment, recreation, accommodation and food services	1,305	13.7
Other services (except public administration)	605	6.4
Public administration	333	3.5
Class of worker		
Private wage and salary workers	6,687	70.4
Government workers	1,090	11.5
Self-employed workers in own not incorporated business	1,689	17.8
Unpaid family workers	29	0.3

Source: U.S. census

In East Hampton, the occupation category with the highest percentage of workers was management, professional and related occupations, which claimed 30.3 percent of the

employed population. 24.7 percent of the East Hampton workforce occupied sales and office positions, 22.3 percent worked in service occupations and 15.4 percent had construction, extraction and maintenance occupations. Farming, fishing and forestry occupations accounted for 2.3 percent of the employed population. As in East Hampton, Countywide the management, professional and related occupations; sales and office occupations, and service occupations had the highest percentage of workers.

East Hampton residents are generally well educated. 41.7 percent of the population 25 years old and older have an Associates degree or higher, and another 14 percent have one or more years of college. Countywide, 35.3 percent of this segment of the population had an Associates degree or higher in 2000.

Existing Land Use

East Hampton is comprised of small residential hamlets with limited areas devoted to commercial, industrial and institutional land uses. Large blocks of open space help define East Hampton's sense of place and rural character.

The area of the unincorporated portion of the Town of East Hampton is 43,752.72 acres or 68.36 square miles[1]. Residential development, divided into three classifications, low, medium and high, together represent 37.66% of the total town area.[2] Although Gardiner's Island is largely undisturbed with only a handful of structures on 3,314 acres, it is included in the residential land use category. The second highest land use, covering 34.70% of the land is open space. This category includes public parks and nature preserves, privately owned park preserves, including, land owned by the Nature Conservancy and privately owned golf courses. Approximately 60% of the existing farmland has been permanently protected, bringing the total acreage of open space and protected farmland to 16,049.35 or 36.68% of the town land area. Approximately 11% of the total land area remains vacant. The remaining 14% of the land area is occupied by commercial, industrial, institutional, transportation, utilities or waste handling land uses.

East Hampton's commercial development closely reflects the road network. Characterized by the combination of the Montauk Highway Corridor and a radial street pattern, the road pattern reinforces the centrality, visibility and convenience of the two village centers, East Hampton and Sag Harbor. The radial road network combined with the location of Montauk Highway makes the Village of East Hampton the prime retailing location in town. Sag Harbor benefits from the convergence of secondary roads, but lacks Montauk Highway access. Amagansett, Wainscott and Montauk benefit from Montauk Highway access, but lack the convergence of secondary roads.[3] And Springs lacks both Montauk Highway access and road convergence.

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[1] This acreage figure, .58% smaller than reported by the US census, has been derived from the Town's computer mapping system. The land and water boundaries used for these two sources differ, which probably accounts for the slight discrepancy.

[2] Low density residential refers to less than or equal to 1 dwelling per acre; medium density residential refers to greater than one dwelling unit per acre but less than 5 dwellings per acre; and high density residential refers to greater than or equal to 5 dwelling units per acre both single family and attached units.

[3] Abeles, Phillips, Preiss and Shapiro and Land Ethics Amagansett Corridor Study p. 17

The town's largest area of industrial development is located on Springs Fireplace Road, in the vicinity of the former landfill site. The remaining industrial development is generally located in a discontinuous pattern, along the railroad tracks.

Over the past 20 years, the greatest change in land use has been the decrease of vacant land. Whereas 45.15% of the land was vacant in 1984, only 10.90% remains vacant in 2004. Through an aggressive land preservation program, the land use category which has increased the most is preserved open space, increasing from 18% to 34.7% of the land area. The second greatest increase is in residential land use. Commercial, industrial and institutional land uses continue to occupy approximately 3% of the land area, with slight variations over the 20-year time frame. Differences in the methodologies for computing land use over the 20-year time frame accounts for some of these variations. It should also be noted that the similar acreages devoted to these uses over the past 20 years does not mean no growth occurred in uses. Rather than developing in a sprawling, land consuming fashion, existing sites devoted to commercial, industrial and institutional uses have become more intensely developed, as allowed by zoning. The small increase in the transportation and utilities category is probably due to the increase in the area devoted to roads to serve the new residential development.

Table 8. Town Wide Land Use

Land Use	Acreage	% Area as a Sum of Hamlet Land Use Charts [1]	% Total Land Area [1]
Low Density Residential	10,642.66	25.52	24.32
Medium Density Residential	5,494.91	13.17	12.55
High Density Residential	346.56	.83	.79
Commercial	641.12	1.54	1.47
Industrial	308.96	.74	.71
Institutional	493.98	1.18	1.13
Open Space	15,183.92	36.40	34.70
Agriculture	1,395.15	3.34	3.19
Vacant	4,768.56	11.43	10.90
Transportation (airports only) [1]	319.24	.77	.73
Utilities	215.36	.52	.49
Waste Handling	104.15	.25	.24
Surface Water	1,796.81	4.31	
Subtotal	41,711.38	100.	
Subtotal excluding s. waters	39,914.57		
Transportation (other)	3,838.15		8.78
Total	43,752.72		100.

[1] Transportation includes roads, railroad tracks and stations, highway barns and airports. Due to the configuration of roadways and railroad tracks, computer-mapping queries cannot compute these areas per planning area. Therefore, the charts describing land use per hamlet or planning area on the following pages do not include the total land area devoted to transportation, except for the large areas devoted to the two airports. The second column in the chart depicting Town Wide Land Use (above) lists each land use as a percentage of the town land area used for the hamlet or planning area charts, with only airports included in the transportation category. The third column in the above chart lists each land use as a percentage of the total town land area, including the entire acreage devoted to the transportation land use category.

Table 9. Comparison of Land Use between 1984 and 2004 *

Land Use	% Of Land Area 1984	% Of Land Area 2004	% Change
Residential	**23.50**	**37.66**	**+14.16**
Commercial	**1.08**	**1.47**	**+ .39**
Industrial	**0.61**	**0.71**	**+ .10**
Institutional	**1.25**	**1.13**	**- .12**
Open Space	**16.61**	**34.70**	**+18.09**
Agriculture	**3.60**	**3.19**	**- .41**
Transportation and Utilities	**8.18**	**10.02**	**+ 1.84**
Vacant	**45.15**	**10.90**	**-34.25**

*Town of East Hampton Comprehensive Plan "A Guide for Public Action" Table 3-31 Existing Land Use Distribution Totals for Unincorporated Areas was used for the 1984 figures. However, to make a comparison between the land use figures in the 1984 Comprehensive Plan and the 2004 land figures, the acreage and land use of Gardiner's Island was added to the 1984 figures.

Land Use by Hamlet or Planning Area

With the exception of East Hampton, the school district boundaries will serve as the Hamlet or Planning Area boundaries described in the following existing land use section. The portion of the East Hampton school district, which is included in the Village of East Hampton, is not described.

Wainscott

Wainscott is the western gateway to the Town of East Hampton. It extends from the Village of Sag Harbor to the Atlantic Ocean. From its northerly boundary with Sag Harbor, the district extends along the south side of NYS Route 114 to Stephen Hands Path, south to the boundary with the Village of East Hampton.

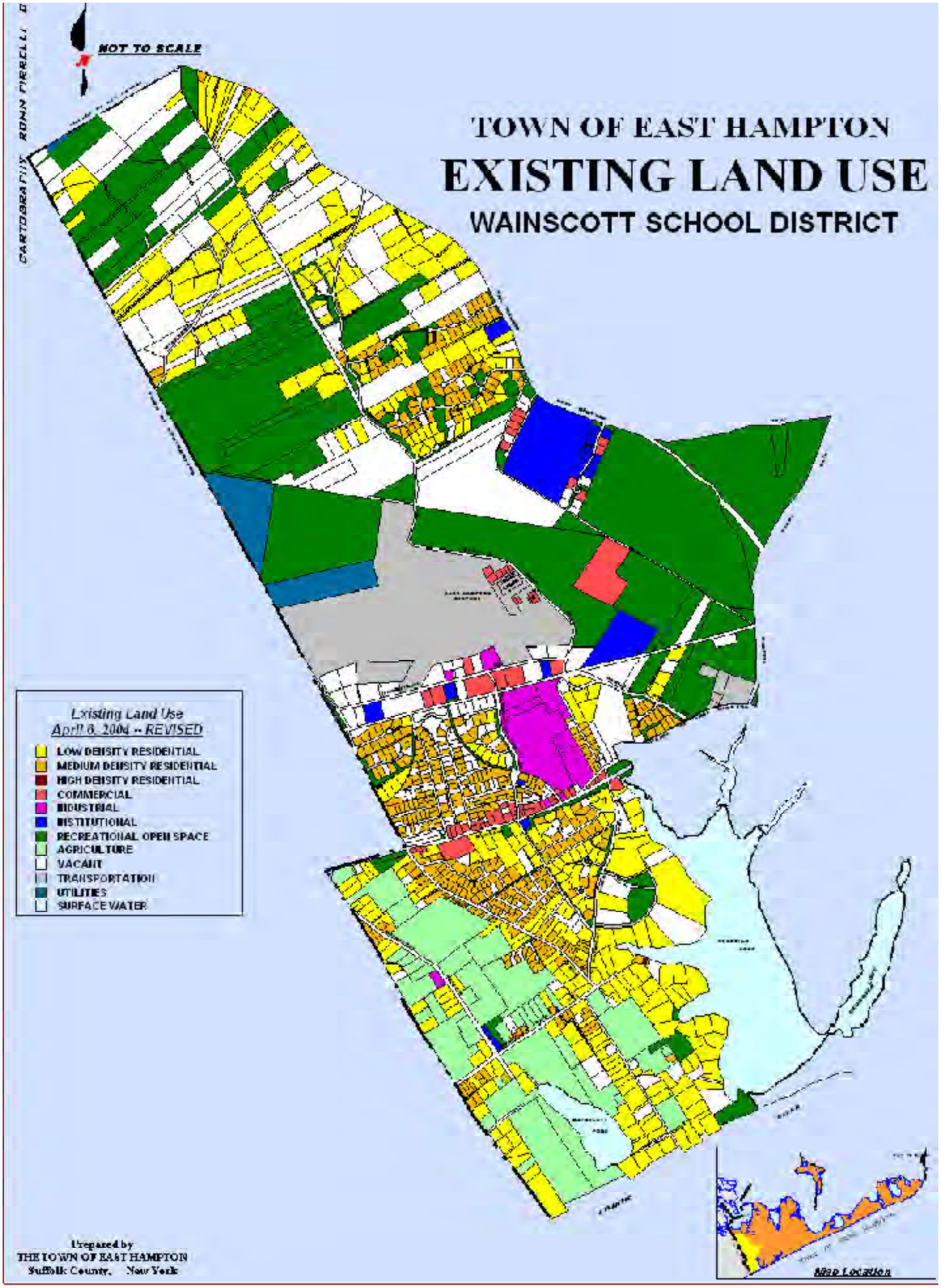
Wainscott is the smallest of all the school districts and planning areas in East Hampton and with 20.63% of its area vacant, has the highest percentage of vacant land. Residential and protected open space each comprises approximately 27% of the land area.

Table 10. **Wainscott Land Use**

Land Use	Acreage	% Planning Area
Low Density Residential	800.31	19.71
Medium Density Residential	294.41	7.25
High Density Residential	.42	.01
Commercial	81.49	2.01
Industrial	78.80	1.94
Institutional	106.93	2.63
Open Space	1,120.43	27.59
Agriculture	351.03	8.64
Vacant	837.92	20.63
Transportation * (Airport only)	281.5	6.93
Utilities	72.27	1.78
Waste Handling	0	0
Surface Water	35.82	.88
Total *	4,061.33	100

*The acreage devoted to roads, railroad tracks and stations, highway facilities and all other transportation uses except airports is not included in these figures

The greatest intensity of development is concentrated within a core area between the railroad tracks and Montauk Highway. Starting from the west, this core area contains Urban Renewal Map WA-1 (Old Filed Map 625), which is mostly developed with medium density, half acre residential lots bordered by additional medium to low density residential development. The Wainscott Business District, extending east from Westgate Road for approximately ¾ mile along the north side of Montauk Highway contains most of the 81.49 acres of commercial development including: restaurants, stores, offices, a gas station, and other commercial uses. Most of this commercial corridor is already developed and occurs within a narrow strip of land approximately 400 feet at its widest point from Montauk


NOT TO SCALE
TOWN OF EAST HAMPTON
EXISTING LAND USE
WAINSCOTT SCHOOL DISTRICT
Existing Land Use
April 8, 2004 -- REVISED
LOW DENSITY RESIDENTIAL
MEDIUM DENSITY RESIDENTIAL
HIGH DENSITY RESIDENTIAL
COMMERCIAL
INDUSTRIAL
INSTITUTIONAL
RECREATIONAL OPEN SPACE
AGRICULTURE
VACANT
TRANSPORTATION
UTILITIES
SURFACE WATER
Prepared by
THE TOWN OF EAST HAMPTON
Suffolk County, New York
Map Location

Map No.

Highway. However, the eastern section of this development corridor contains a scattering of industrial uses in and adjacent to a reclaimed sand pit, and extends north from the highway to the railroad tracks for a depth of over 2,500 feet. With only a few uses on approximately 70 acres of land, there is a large potential for new commercial and industrial development in this area. To the east of the reclaimed sand pit are several tracts of publicly owned land used for a variety of facilities including town and state highway barns and storage, a municipal playing field and park, a school and some passive parkland. A scattering of residential development exists in and around the eastern development core.

On the south side of Montauk Highway, most of the land is in agricultural or residential use. Limited by existing zoning, plans and policy, there are three small isolated pockets of pre-existing non-conforming commercial developments and the Post Office abutting the south side of the Highway. The highest density of residential development exists in the area generally close to the Highway between Sayers Path and Wainscott Stone Road. To the west and south of this residential area, lies the 351 acres of rich farmland corresponding to the glacial outwash plain. With a sprinkling of residential development, this area is characterized by the large blocks of intact farmland, some already permanently preserved. A few small community facilities including the Wainscott School, cemetery and Chapel (used as a community center) are located along Wainscott Main Street, reflecting the historic settlement pattern. Although still containing some farmland, Beach Lane is largely residentially developed. There is very low density, estate type residential development near and adjacent to Georgica Pond.

To the north of the development core, is the Town Industrial Park and Airport. Bordering the Southampton Town Boundary to the northwest of the airport is a public well field and water tower future site. Two active well field sites straddle the border of Wainscott: one at the boundary with the Village of Sag Harbor and the second along NYS Route 114 opposite Goodfriend Drive.

The land to the north of the airport represents the Town's largest block of intact Pine Barrens Woodlands. Most of Wainscott's preserved and vacant acres are within this area. These woodlands overlie the town's deepest and largest area of groundwater recharge. There are a handful of light commercial industrial uses situated in two subdivisions extending into this woodland block. Some of the land between and within one of these subdivisions contains a private school. There are a scattering of community facilities including churches and a cemetery along Rte. 114 as well.

East Hampton

The East Hampton Planning Area includes only the unincorporated portion of the East Hampton School District. Even without the area of the Village of East Hampton, it is the largest of the five planning areas. The boundaries extend from NYS Route 114 and Stephen Hands Path on the west; the Village of East Hampton boundary and the Atlantic Ocean on the south; a property line division from the ocean up to Abrahams Path and Three Mile Harbor on the east; and Gardiner's Bay and Northwest Harbor on the North.

Every category of land use is located in East Hampton, with approximately 45% of the area in residential land use. Low density is the largest subcomponent of the residential land use. However, the highest acreage of medium density residential in all five planning areas or 1,936.34 acres exists in the East Hampton planning area. Protected open space occupies the second highest percentage of the land area with 3,670.46 acres.

Table 11. **East Hampton Land Use**

Land Use	Acreage	% Planning Area
Low Density Residential	3,207.58	27.26
Medium Density Residential	1,936.34	16.46
High Density Residential	96.56	.82
Commercial	166.06	1.41
Industrial	190.32	1.62
Institutional	111.19	.95
Open Space	3,670.46	31.20
Agriculture	586.23	4.98
Vacant	1,635.58	13.90
Transportation *	0	0
Utilities	71.67	.61
Waste Handling	74.63	.63
Surface Water	19.17	.16
Total *	11,765.79	100

* The acreage devoted to roads, railroad tracks and stations, highway facilities and all other transportation uses except airports is not included in these figures

The density of residential development generally descends from medium to low as distance from the Village boundary increases. Bordering the low-density residential development farthest from the village is a pristine block of protected open space encircling Northwest Harbor and Northwest Creek. Some significant but smaller open space holdings border the perimeter of Three Mile Harbor. The open space holdings comprise 31.20% of the planning area. Exceptions to this development pattern generally correspond to the pockets of higher density residential development found in old filed and other subdivision maps filed prior to the mid 1970's.

The East Hampton Planning Area contains ten affordable single-family and attached housing projects, the largest number of projects and units in the entire town. One additional affordable apartment complex is in the planning stages.

Just north of the village boundary along Long Lane is the East Hampton High School. The school is at the southwestern boundary of the Town's largest block of intact farmland. Together with a second area of farmland south of Montauk Highway there are 586.23 acres of farmland with 376.59 acres permanently protected in this hamlet.

There are two commercial areas and one industrial area located along the hamlet's major arteries. The North Main Street commercial area abuts the Village boundary and commercial district. Central Business zoning district extends along the east side of North Main Street from the boundary with the Village for a length of approximately 1,300 liner feet and a width

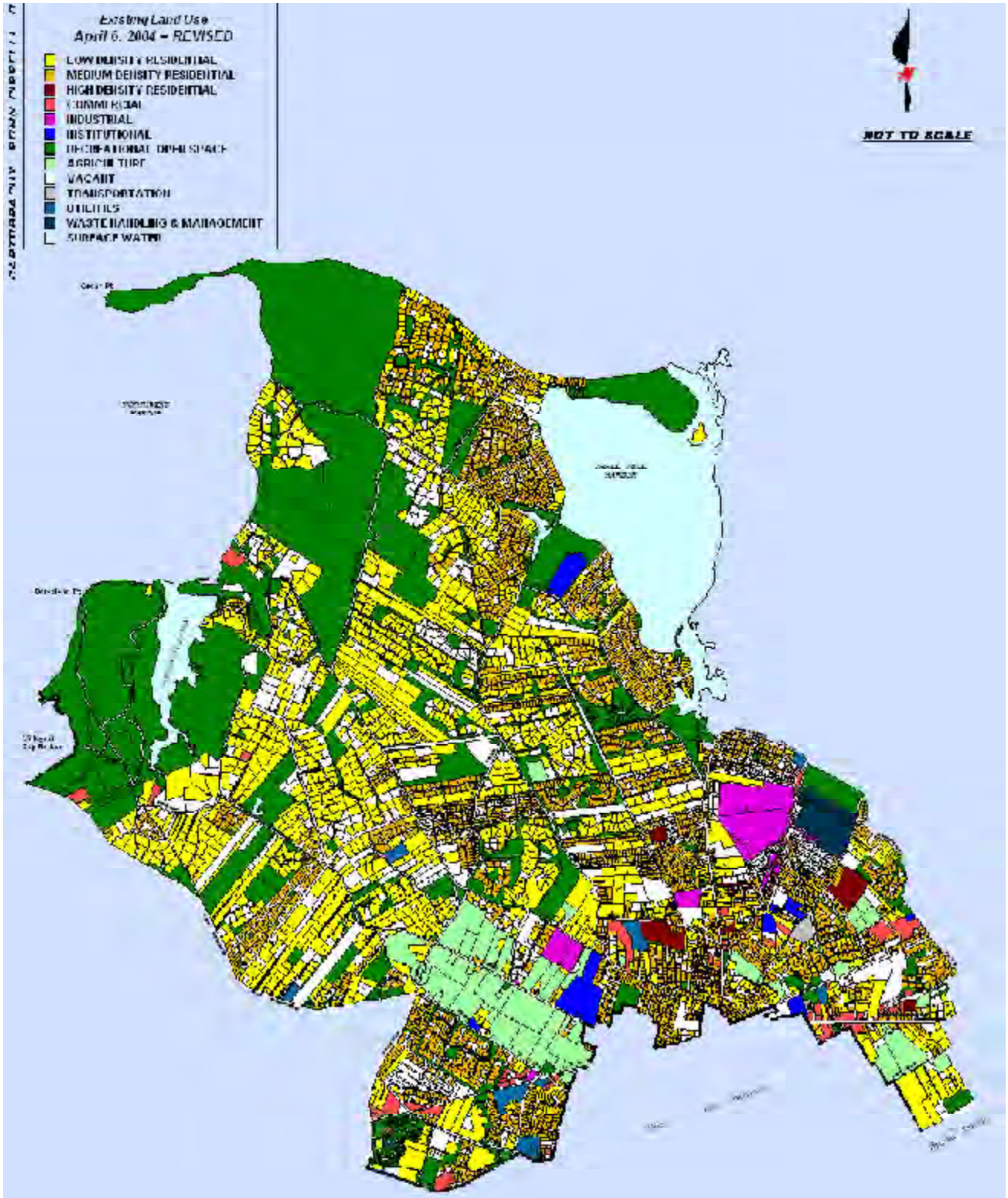
ranging from 250 to 350 feet. There is approximately the same number of lots improved with businesses as single-family homes within this Central Business District. The more intense area of development is the southerly 400 feet which consists of small lots, attached structures with little or no setbacks from the sidewalk, and a range of commercial uses including a food store, pharmacy, restaurants, dry cleaners and other stores, some with second story apartments. There are five detached single family homes in this block, generally setback and buffered from North Main Street. The northerly section of the Central Business Zoning District generally consists of larger lots with detached commercial buildings interspersed with residential land use. Except for the two gas stations, all of the buildings, whether commercial or residential have at least a 50-foot setback from North Main Street. A preserved horse farm adjoins the northern boundary of this Business District along Springs Fireplace Rd. A non-conforming junkyard, and gas station and two small pockets of commercial industrial zoning have frontage on Three Mile Harbor Road just to the north west of the North Main Street Central Business Zoning District. Two machine shops and one pre-existing non-conforming nightclub are located within these CI zones. There are a scattering of homes built on less than 1/5 of an acre in and adjacent to the North Main Street Central Business Zone interspersed with medium and low-density residential development. The East Hampton Fire Station and Village Police Station are located adjacent to this district within the incorporated Village. Due its geographic location and the confluence of two major arterial roads serving large populations living in Springs and East Hampton, a high volume of auto and truck traffic travel on North Main Street.

A little over a half mile to the north of the Central Business Zoning District along Springs Fireplace Road are two community facilities including a church and the Town Senior Center, interspersed with some existing and proposed affordable housing projects. Immediately north and west is the Town's largest industrial area including an asphalt plant, active mining operation, supply yards and work shops. This area contains both large and small lots straddling both sides of Spring Fireplace Road. The former municipal landfill, listed as waste handling rather than industrial on the land use charts, forms the northeast boundary of this heavy development area and is bordered by a private golf course. A pocket of retail business development is located along the western side of Spring Fireplace Road just to the south of a communications tower site at the corner of Springs Fireplace Road and Abrahams Path.

The eastern section of Montauk Highway within the East Hampton planning area[1] has a mix of commercial and residential uses with no clear sense of a center. The 7,000 linear feet of Highway frontage from Pantigo Place to Windmill Lane[2] have a checkerboard of uses including Town Hall and other community facilities on the west, bordered by delis, eateries low impact offices and shops. There are two additional retail development nodes on the south side of the highway, one at the traffic light at Abrahams Path/Cross Highway and the other just to the west. Most of the retail development is in the form of small, one story modern buildings. Two motels, two banks, a few restaurants and offices are scattered

[1] Except for a 700 linear foot stretch in the vicinity of Buckskill Road, the rest of Montauk Highway within the East Hampton school district is located within the incorporated Village. This small western section within the town contains a Suffolk County Water Authority office and well field, a house, veterinary hospital and two retail stores.

[2] The Montauk Highway frontage approximately between Handy Lane and Indian Wells Plain Highway, approximately 2,600 linear feet, is within Amagansett, but is described in this section on East Hampton in order to correspond to the Western Corridor land use sub -area in the Amagansett Corridor Study.

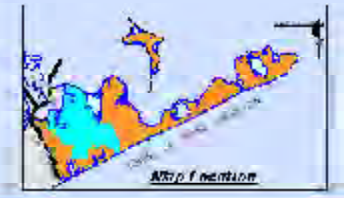


TOWN OF EAST HAMPTON

EXISTING LAND USE

EAST HAMPTON SCHOOL DISTRICT

(Excluding Incorporated Village)



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THE TOWN OF EAST HAMPTON
Suffolk County, New York

Map No. 1

throughout this area as well. There are a number of vacant lots and properties, the largest occupying the former Stern's Department store site. In acreage, the prevalent commercial use is comprised of four plant nurseries. The predominant land use, however, is single family housing. There is a delicate balance between residential and retail development along the Highway, which could be upset if more commercial development occurs. The land available for development and redevelopment could change the character of this area from intimate, small-scale developments to a congested retail auto strip. [1]

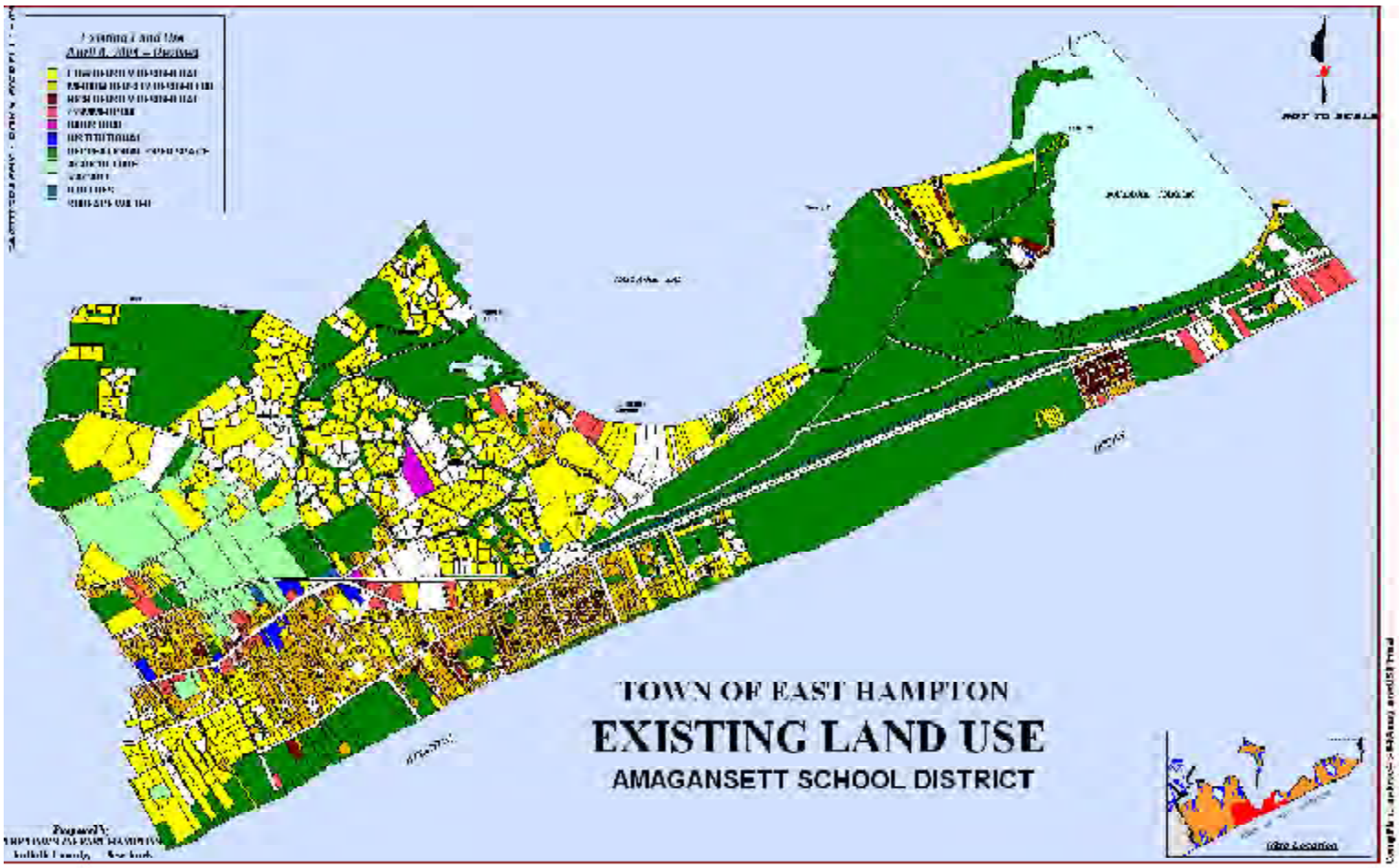
There are four active public well fields including one water tower and one future well field site in East Hampton. The active well fields are referred to as the Sag Harbor Turnpike location, the Bridgehampton Road site (actually located along Montauk Highway), the Oak View Highway site and the Maple Lane/Spring Close Highway site.

Amagansett

Amagansett is bordered by Abraham's Path on the west, Red Dirt Road and Barnes Hole Road on the north, the Atlantic Ocean on the south, and the western boundary of Hither Hills State Park on the east. Amagansett is the geographic center among the hamlets and is the median size of all the hamlets. With 2,668.60 acres or 44.75% of the hamlet preserved, open space comprises the largest area of Amagansett. Large blocks of waterfront parks and preserves owned by New York State, the Town and private not-for-profit organizations occupy the approximately seven miles of ocean frontage and larger area in bay frontage. Two blocks of farmland comprise 390.50 acres, the second largest acreage of existing farmland of all the hamlets. Approximately 85% of this existing farmland has been permanently preserved.

The second highest land use, comprising 34.1% of the land area, is residential. Approximately 10% of the land area is occupied with medium density residential development largely within the following areas: between the railroad tracks and Montauk Highway and west of Abraham's Path; the lanes south of the highway between Indian Wells, Atlantic Avenue and Bluff Road; several beach communities south of Bluff Road interspersed with Napeague State Park, and the Lazy Point community situated on Trustee Land in Napeague. There is a scattering of high-density residential development within these areas and additional high-density development in Napeague within and adjacent to the two mobile home parks. There are several areas of large estate-type lots in the vicinity of Further Lane, Stony Hill Road, and Ocean View Lane. Other low-density development is located between these estate areas, the parkland and farmland.

[1] Abeles Phillips Preiss and Shapiro, Inc. and Land Ethics, Inc Amagansett Corridor Study, 1997


TOWN OF EAST HAMPTON
EXISTING LAND USE
AMAGANSETT SCHOOL DISTRICT

Map No. 3

Table 12. **Amagansett Land Use**

Land Use	Acreage	% Planning Area
Low Density Residential	1,400.06	23.48
Medium Density Residential	569.396	9.55
High Density Residential	63.85	1.07
Commercial	116.76	1.96
Industrial	20.57	.34
Institutional	26.33	.44
Open Space	2,668.60	44.75
Agriculture	390.50	6.55
Vacant	652.59	10.94
Transportation *	0	0
Utilities	29.65	.50
Waste Handling	0	0
Surface Water	25.21	.42
Total*	5,963.516	100.00

* The acreage devoted to roads, railroad tracks and stations, highway facilities and all other transportation uses except airports is not included in these figures.

Amagansett center extends for approximately 5,000 linear feet along Montauk Highway between Windmill Lane on the west and Abraham's Landing on the east. Even within this core area, there are almost as many houses fronting on Montauk Highway as there are retail establishments. Institutional uses including a school, firehouse, library and churches, help define the center, which also contains a railroad station. Additional commercial areas flank both sides of the Amagansett center along Montauk Highway. The area to the west was described in the East Hampton school district as it functions as part of that area. The 5,000 linear feet of highway frontage to the east of the center extending to Bunker Hill Road contains several institutional uses, including the Post Office, church and a developing medical arts facility. Commercial uses include a lumber yard/building materials business, a supermarket, laundry service, gas station, realtor's office, salon and other retail stores. Several tracks of undeveloped or underdeveloped land make this area ripe for development. Although Bunker Hill Road is largely residential in land use, the Commercial Industrial zoning designation has promoted some new light industrial uses. A deli and an auto repair shop front Montauk Highway in this vicinity

Heading east along the Napeague stretch there are a handful of restaurants and resort establishments interspersed between parkland and other land uses.

There is one active well field site on Cross Highway and one future well field site along Accabonac Highway.

Springs

Springs is bordered by Three Mile Harbor on the west, Gardiner's Bay on the north and east and Abraham's Path, Accabonac Road, Red Dirt Road and Barnes Hole road on the south. In addition to having the highest density of residential development, residential land use

occupies almost three quarters of the land area, the highest of all the hamlets. Springs contains the lowest acreage and percentage of land area in commercial use. As the only hamlet with no frontage on Montauk Highway or the Atlantic Ocean, it lacks two of the main assets contributing to the prosperity of the Town's other commercial centers. Seasonal marinas, restaurants and boat shops along the east side of Three Mile Harbor occupy approximately 50 of the 66 acres of commercial land in Springs.

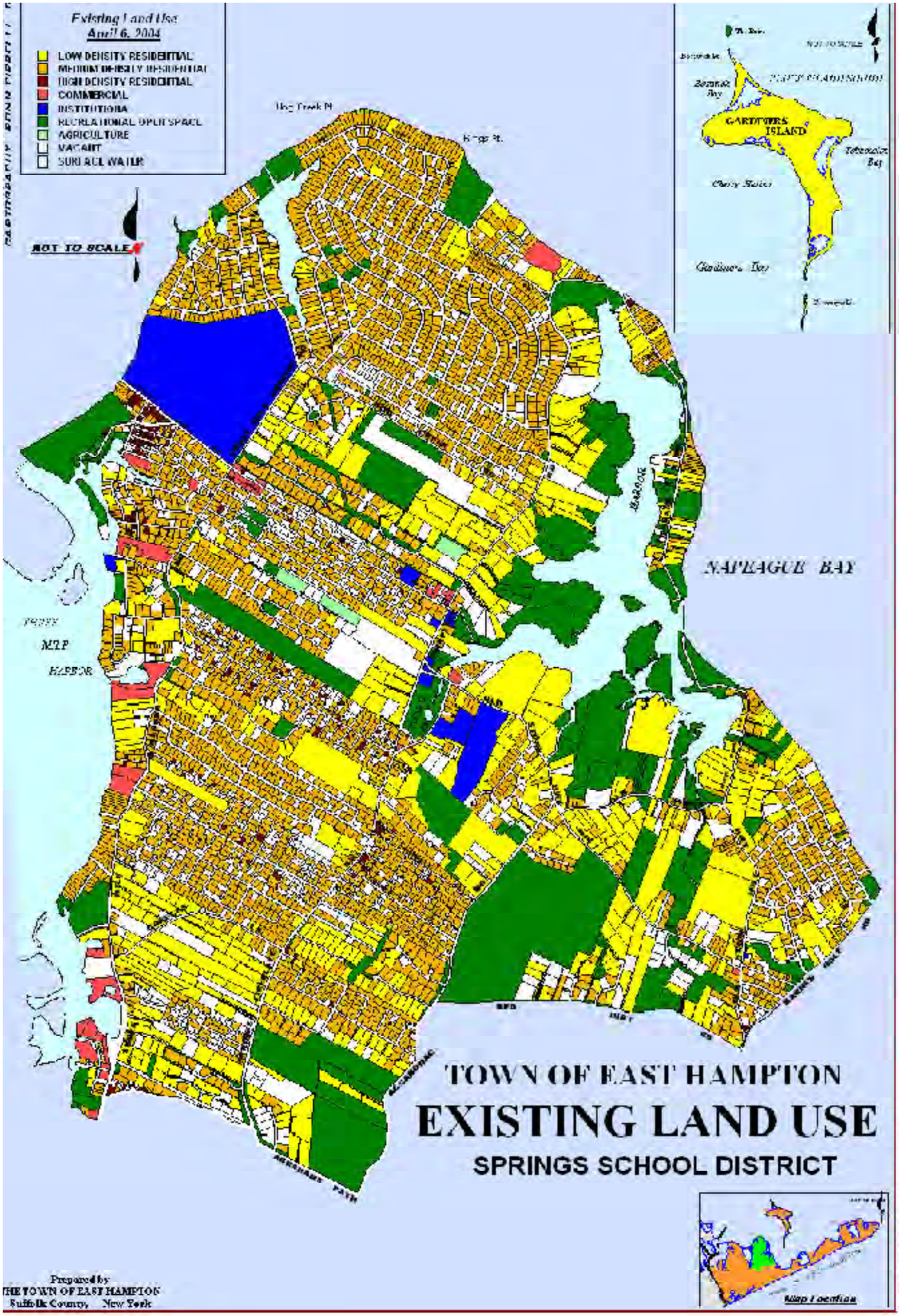
Table 13. **Springs Land Use**

Land Use	Acreage	% Planning Area
Low Density Residential	1,172.21	13.82
Gardiner's Island	3,314.	39.06
Medium Density Residential	1,667.78	19.66
High Density Residential	33.83	.40
Commercial	66.02	.78
Industrial	0	0
Institutional	217.64	2.57
Open Space	949.61	11.19
Agriculture	13.91	.16
Vacant	704.08	8.30
Transportation *		
Utilities	0	0
Waste Handling	0	0
Surface Water	344.33	4.06
Total *	8,483.41	100

*The acreage devoted to roads, railroad tracks and stations, highway facilities and all other transportation uses except airports is not included in these figures.

Although only 8.3 percent land area remains vacant, this figure is somewhat misleading. Since the land use categories generally list only one use per tax map parcel, the 3,314-acre Gardiner's Island containing only a handful of residential buildings, is listed as low density residential. With natural and historic features ranked highest in New York State and unique in the country, one of the main attributes of Gardiner's Island is the lack of development and human disturbance. If the land use percentages were to be recalculated to represent most of Gardiner's Island as vacant, almost 4,000 acres or approximately 48% of Springs would be classified as vacant. This would rank the Springs as having the largest area of vacant land remaining in the Town. The future disposition of Gardiner's Island cannot be overstated for Springs, the town or the region as a whole.

Although Springs has the lowest acreage and percentage protected open space of any school district, these areas are not lacking in distinction. Accabonac Harbor, one of the major undeveloped coastal wetland ecosystems of Long Island, is ringed with protected open space, low-density residential development and vacant land with commercial development limited to one small country store. Additional open space is located along the west side of Three Mile Harbor, the entrance to Hog Creek and several woodlands tracts including the165.4 acre Jacob's Farm nature preserve parcel.


Existing Land Use
April 6, 2004
LOW DENSITY RESIDENTIAL
MEDIUM DENSITY RESIDENTIAL
HIGH DENSITY RESIDENTIAL
COMMERCIAL
INSTITUTIONAL
RECREATIONAL OPEN SPACE
AGRICULTURE
VACANT
SURFACE WATER
NOT TO SCALE
NAPEAGUE BAY
MONTAUK HARBOR
GARDINERS ISLAND
Gardiners Bay
TOWN OF EAST HAMPTON
EXISTING LAND USE
SPRINGS SCHOOL DISTRICT
Map Location
Prepared by
THE TOWN OF EAST HAMPTON
Suffolk County, New York

Map No. 4

Springs has the largest acreage in institutional land uses, with 217.64 acres. Comprised of a school, Community House, Fire House, church, museum and camp, the largest block is part of the 170.8 acre Nassau County Girl Scout Camp located along Gardiner's Bay.

Springs is the only hamlet without public water, public well fields or industrial uses.

Montauk

Montauk extends from the Amagansett boundary to the eastern tip of New York State. Montauk has the largest expanses of ocean and bay frontage and preserved open space in the entire town. The 6,774.82 acres of open space cover large blocks of sensitive lands flanking the central development core.

Table 14. **Montauk Land Use**

Land Use	Acreage	% Planning Area
Low Density Residential	748.50	6.60
Medium Density Residential	1,026.98	9.06
High Density Residential	151.90	1.34
Commercial	210.79	1.86
Industrial	19.27	.17
Institutional	31.89	.28
Open Space	6,774.82	59.78
Agriculture	53.48	.47
Vacant	938.39	8.28
Transportation (Airport only) *	37.74	.33
Utilities	41.77	.37
Waste Handling	29.52	.26
Surface Water	1,268.13	11.19
Total *	11,333.18	99.99

*The acreage devoted to roads, railroad tracks and stations, highway facilities and all other transportation uses except airports is not included in these figures.

With only 17% of the land area in residential land use, Montauk has the largest area of high-density residential development. High density residential development corresponding to five houses per acre are located in neighborhoods known as Ditch Plains and the Montauk Shores Mobile home park located to the east of the business district; Culloden Shores to the north of the business district; the presidential street section to the west of the business district; and some neighborhoods in and around the public school, also west of the business district. Not included in this high-density residential category are the high-density motels and resort facilities enumerated as part of the commercial land holdings. With more than 2,300 year-round or seasonal hotel/motel rooms, Montauk has by far the largest number and concentration of hotel/motel rooms of any single community on Long Island.[1] Despite these high densities, no development in Montauk has sewerage treatment except for the Montauk Manor and the Rough Riders Condominiums. The highest concentration and

[1] Suffolk County Planning Commission, Analysis of Hotels and Motels, Nov. 1998 P. 5

number of motel and resort units are located in downtown Montauk with the second highest located in the Montauk Dock area. Motel/resort facilities are also located along Old Montauk Highway, Fort Pond Bay and Harbor, Ditch Plains and other areas.

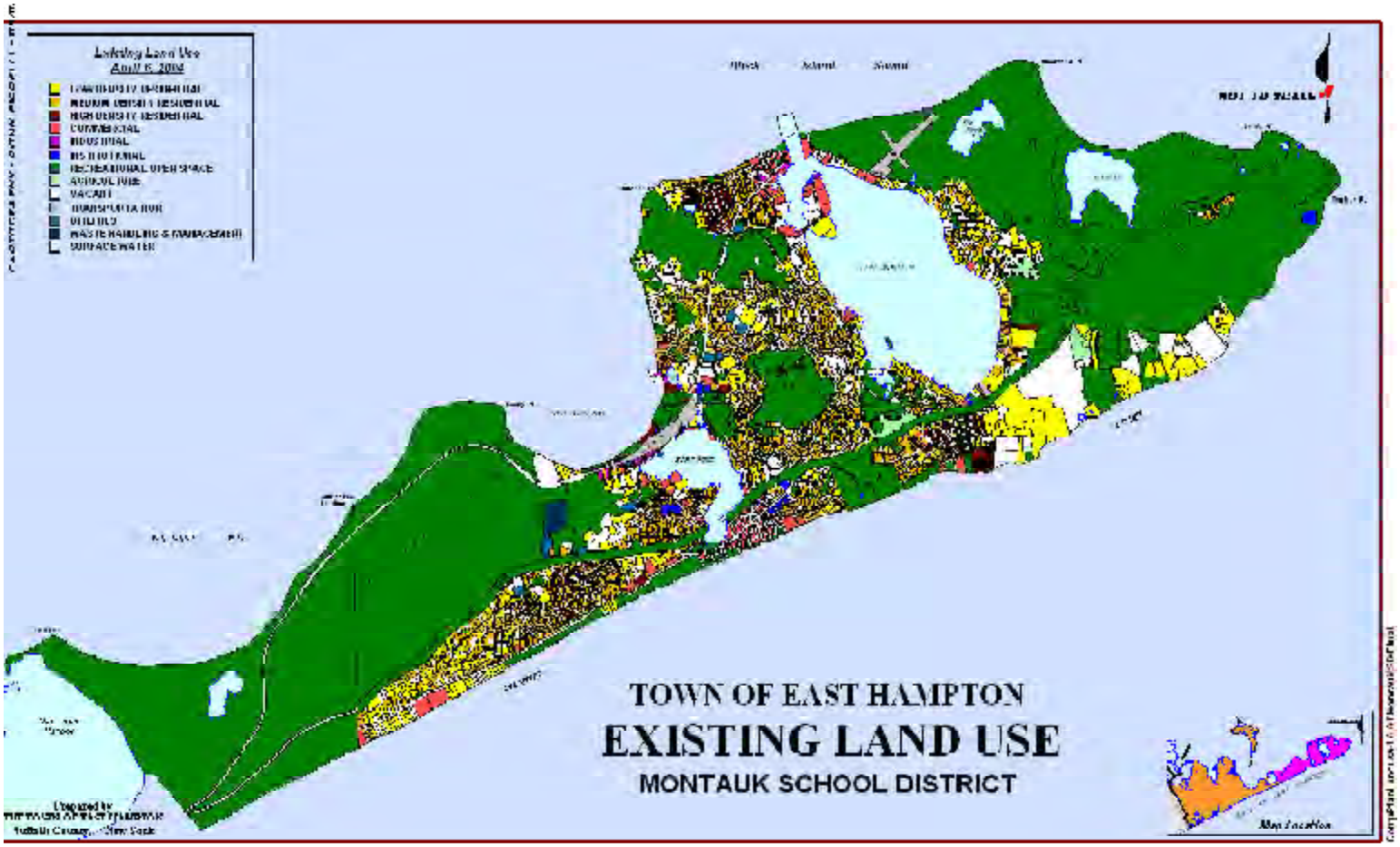
Downtown Montauk is the largest business area. Bisected by Montauk Highway and extending south to the Atlantic Ocean, this area contains a wide variety of year round commercial establishments in addition to seasonal motels and resort units. This multi-purpose business district includes supermarkets, banks, clothing stores, gas stations, restaurants, bars, pharmacies, repair shops and other uses traditionally found in business centers. Institutional uses, including churches and a library border Montauk Highway in the eastern portion of the business district and a municipal ball field complex borders northern portion of the downtown area. In addition to the influence of it's unique ocean-side location, the layout of the downtown area is governed by the configuration of old filed Map 174, comprised of 40 foot by 100 foot lots separated by wide public roads and alleyways. Development on single or a small grouping of these lots has resulted in a dense development pattern. While this density contributes to Montauk's appeal as a "walk-able community" convenient for summer tourists as well as year round residents, the high density has associated issues with sewerage waste, parking and traffic circulation.

Montauk is the largest commercial fishing port in New York State in terms of landed value and number of vessels. The largest area of support facilities for the commercial fishing industry is at the Montauk Dock area along the western side of Lake Montauk. This area is also a tourist destination for many visitors to Montauk and a major recreational fishing area. There are a number of restaurants, shops and motels in the Dock area. Smaller nodes of commercial development including support facilities for the fishing industry exist along the northern end of East Lake Drive and along for Pond Bay adjacent to Tuthill Pond.

The train station, firehouse and proposed community center (former Montauk Playhouse building) are located almost midway between the dock area and the downtown business area along with a few small commercial establishments.

A firehouse substation as well as the public elementary school are located in a medium to high-density residential area in the vicinity of Second House Road. There is a small node of industrial land bordering the railroad tracks and Fort Pond Bay. The former landfill, (now transfer station), and a number of communication towers, are surrounded by Hither Woods and large tracks of preserved woodlands.

There are eleven public well fields in Montauk at the following locations: Edison Drive; Montauk State Point Blvd. (just east of the former landfill); South Davis Ave.; Edgemere Road; South Fulton; Flamingo Avenue; Fairmont Avenue; Flanders Road; Farrington Road; Flamingo Ave. North and Madison Hill.


TOWN OF EAST HAMPTON
EXISTING LAND USE
MONTAUK SCHOOL DISTRICT

Map No. 5

Residential Build-Out

Background

Residential build-out refers to the total number of residential units that can be built if all available land were developed according the existing zoning. Total build-out is the sum of existing residences plus the number of additional potential new residences. Over the past four years, there have been several calculations made of the number of additional potential new residences that could be constructed in East Hampton Town. The 2002 Comprehensive Plan Recommendations of Dr. Lee E. Koppelman report incorporated a 1999 Suffolk County Planning Department analysis to project that 7,794 additional residential units could be built. The Town Planning Department conducted a separate build-out analysis in June 2002, which revealed that 6,057 additional residential parcels could be constructed in East Hampton Town[1]. The decline between the Koppelman and the Planning Department figures was attributable to the separate databases and methods used, particularly as it related to the UR Map estimates. In addition, differences were due to the acreage that had been preserved and developed during the time between the two calculations.

Due to limitations in the existing databases, neither of these build-out numbers provided an accurate count of the potential residential lots within the Town's Urban Renewal Maps. The 7,794 figure in the Koppelman plan included 3,183 potential new residences within the Urban Renewal Maps, as determined by the number of tax map parcels within these areas. However, a tax map parcel within an Urban Renewal Map is not the same as a potential building parcel. Using the authority granted by Article 15 of the General Municipal Law, the Town requires tax map parcels in Urban Renewal Maps, which are of a substandard size to combine before becoming eligible to obtain a building permit. Therefore, the actual number of potential residences that could be constructed in the Urban Renewal Maps in the year 1999 was considerably lower than the 3,183 vacant lots estimated in the Koppelman report. The Planning Department calculation was made by dividing the total vacant acreage within each Urban Renewal Map by the average lot size prescribed by each Map, a more accurate method than counting tax map parcels. But, due to time constraints, build-out within the Urban Renewal Maps still reflected an estimate rather than an actual count. A potential for 1,382 new residences in the Urban Renewal Maps were reported in the 2002 Planning Department build-out figure or 1,801 fewer than calculated in the 1999 estimate reported in the Koppelman Plan.

Although projecting a build-out number is important for determining infrastructure and other needs, the Town Board recognized early in 2004 that all build-out numbers are estimates based on a series of assumptions that will be modified by actual developments and conditions. For example, neither of the build-out numbers described above incorporated affordable housing initiatives such as attached dwelling units or apartments over stores currently allowed by the East Hampton Town Zoning Code. Nor do these build-out numbers reflect the reduction in build-out that will occur when all the physical and legal constraints are considered, such as large lot easements and wetlands. Reductions due to

[1]East Hampton Planning Dept. Land Available for Development "Build Out" Analysis June 2002.

open space acquisitions are not included either. These are typical limitations of any projected build-out number. However, since the Town's Urban Renewal Maps had not undergone a comprehensive update in 27 years and the projected build-out from these maps varied widely, the Town Board commissioned a special intensive study and analysis of the Town's Urban Renewal Map, as part of this plan. One finding from this study is the revised estimate of potential build-out in UR Maps. The 2004 count reveal a potential of only 889 new residences within UR Maps, compared to the estimated 3,183 figure in the Koppelman report and the 1,382 figure in the 2002 Planning Department report. Substituting the 3,183 UR number in the Koppelman report with the actual 889 count reduces the build-out computation, using the 1999 method and database to 5,500. Conducting this same substitution using the 2002 Planning Department numbers and methodology yields a build-out number of 5,564. Although the Koppelman report and the 2002 Planning Department build-out estimates were computed using separate databases and methods, the difference between the two numbers, correcting for the UR Map count, is only 64 units. Using updated Planning Department figures[1], a third estimate of additional residential units that could be built according to zoning in 2004 reveals 5,323.

A fourth potential new residential build-out estimate of 5,386 has been computed using a mathematical analysis incorporating the Town's computer mapping software and existing databases. The narrative and tables provided on the Insert "A" pages explain the methodology employed to calculate this number.

Limitations of the Estimates

All build-out numbers should be regarded as well documented estimates rather than actual forecasts or predictions. Each of the estimates described above contain errors and limitations.

Three of the estimates, the 2002 Planning Department estimate, the 2004 Planning Department estimate and the 2004 Map Info estimate, under-enumerate the potential build-out by an unknown quantity. Due to time constraints, these calculations failed to include the potential build-out from developed residential lots, except for Gardiner's Island. Therefore, the number of new potential residences that could be constructed under zoning in the year 2004 is higher than 5,386, the highest estimate using 2004 data.

Corrections to incorporate the revised build-out projections within the UR Maps have been made to the Koppelman 7,794 estimate. However, a further analysis conducted using Map Info suggests that the 3,183 number reported in the Koppelman plan was too high even for a count of tax map parcels within UR Maps at the time of the analysis. A 2004 Map Info query revealed there were 1,425 tax map parcels within the UR Maps. Adjusting the Koppelman estimate using the Map Info estimate of tax map parcels, correcting for the four year difference in date of the data indicates approximately 7,000 additional residential units

[1] EH Planning Department Land Available for Development "Build Out" Analysis January 2004. This report employed the same methodology as the P. Dept. 2002 report. The 2004 report updated the 2002 numbers by subtracting the number of building permits issued in the intervening time period between the two reports.

could be built in East Hampton in the year 2000[1]. Subtracting the number of building permits issued outside UR Maps since the 1999 Koppelman estimate was made, this figure drops to approximately 6,000.[2] This estimate of approximately 6,000 new residences includes potential new units from already developed land as well as vacant land. Although several adjustments have been made to this arrive at this estimate, it is probably a more accurate number than the other three numbers discussed in this report, as the other estimates failed to include potential new residences from already developed, but still subdividable land.

Revised Build-out Estimate

The number of potential new residences, 6,000, added to the number of existing residences is the total potential build-out for East Hampton under zoning in 2004.

The number of existing residences in East Hampton Town, excluding the incorporated villages, according to the U.S. Census 2000 is 17,047. Adding 1,099, the number of building permits for new residences issued in East Hampton Town between since April 1, 2000 (the date of the 2000 Census Count) and May 2004 to 17,047, the number of existing residences counted in the 2000 Census, yields 18,146 existing residences. According to these figures and analyses, total potential residential build-out or saturation build-out according to 2004 zoning is 24,146 units. Saturation build-out represents a 33% increase over the current number of residential units. Compared to the number of housing units reported in the year 2000, an additional 7,099 residential units could be built, representing a 42% increase.

Saturation Population

Total population under saturation development conditions is particularly difficult to assess with accuracy for East Hampton due to the large percentage of housing devoted to seasonal rather than year round households. Therefore, this *Town of East Hampton Comprehensive Plan* relies predominantly on the saturation total number of residential units rather than on saturation population. To help exemplify this point, the following calculations have been made. If all the 7,099 potential new residences that could be built since the year 2000 were occupied by the average 2.42[3] year round household size, the population could increase by 17,180 representing almost a doubling of the 17,437 year round population in 2000. However, the percentage of housing units that are seasonal in East Hampton has remained fairly constant over the past three decades, and was reported as 54% in the 2000 Census. Applying this percentage to the saturation population calculation reduces year round

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[1] Approximately 225 building permits were issued within UR Maps between 1999 and 2004. Assuming approximately 1 to 2 tax map parcels were needed to obtain each of these 225 building permits, the number of tax map parcels within UR Maps in 1999 is estimated to have been 1,763. Correcting the Koppelman build-out estimate substituting 889 for 1,763 as the potential of units within UR Maps reveals 6,920.

[2] Approximately 953 building permits were issued outside of UR Maps between 1999 and May 2004 - - subtracting 953 from 6,920 yields 5,967.

[3] U.S. Census 2000 average household size in East Hampton

saturation population to 26,714 or a 53% increase over the population in the year 2000[1].

The range of population projections varies even more widely when incorporating the seasonal population. As explained in the Existing Conditions Section of this report, numbers representing even the existing population including the seasonal population varies according to the seasonal guest factor used. For the year 2000, the Suffolk County Planning Department estimated the year round plus seasonal population in East Hampton Town (including the incorporated Villages) to be 62,491 in June 2001[2] and 91,625 in a subsequent Feb 2003 report. The difference between these numbers is attributed to the estimated seasonal population. A total saturation population (year round plus seasonal) of 89,566 or a 43% increase over the estimated 62,491 population in 2000 was projected by the Suffolk County Planning Department.[3]

Assessing all of these numbers, the potential residential growth for East Hampton town is quite large: a potential 42% increase in the number of housing units representing a potential 53% increase in the year round population compared to the year 2000. Providing the necessary services and infrastructure to serve this development may be difficult particularly given the limited availability of vacant land remaining, approximately 11%.

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[1] A 48% increase in saturation population was projected in the June 2001 Saturation Population Analysis Eastern Suffolk County report prepared by the Suffolk County Department of Planning. However, this estimate included the villages of East Hampton and Sag Harbor, which have comparatively little land left for development. Therefore, the total growth projection for the Town excluding the incorporated villages is higher than the 48% reported.

[2] S. C. Planning Dept. Saturation Population Analysis Eastern Suffolk County p. 12

[3] Ibid

Insert "A"

Methodology Employed to Compute a Fourth New Residential Build-out Estimate

Ronn Pirrelli, the Drafter/Illustrator with the Town Planning Department has prepared, and continuously updates, a land use map of the town using Map Info computer mapping software. A May 2004 query of this system conducted by Theresa Goergen of the Town Planning Department revealed there are 4,217 vacant lots within all the residential zoning districts in East Hampton Town. This number coincides with the 4,200 vacant residential lot estimate based on Suffolk County data. [1] A vacant residential lot is the same as a tax map parcel. However, as already explained, using tax map parcels to count building lots within the UR Maps could reveal a build-out number significantly higher than the actual count. A second computer query revealed there are 2,792 vacant residential lots, excluding the UR Maps. Table 15 depicts the total number of vacant residential lots, the number excluding UR Maps and the number within UR Maps as reported in the draft UR plan.

Table 15: Number of Vacant Residential Lots within the Town of East Hampton.

	Number of Vacant Res. Lots* (Including UR Maps)	Number of Vacant Res. Lots* (Excluding UR Maps)	Res. Units (including divisible) within UR Maps+
Wainscott	240	185	27
East Hampton	1,422	838	365
Springs	1,147	667	209
Amagansett	448	413	28
Montauk	960	689	260
Total	4,217	2,792	889

* Derived from May 2004 Map Info. Query of Land Use Map prepared by Ronn Pirrelli continuously updated with building permit information.
+Derived from the 2004 Draft UR Plan

The vacant lots excluding UR Maps were sorted by existing zoning and lot size to determine that there are currently 2,576 non-divisible vacant lots and 216 lots capable of further subdivision according to existing zoning. Figures from the Planning Department 2002 report were used to estimate the number of potential new residential lots that can be created through the subdivision of vacant land.[2]

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[1] According to the 4/22/04 EH Star Editorial, Suffolk County data revealed approximately 4,600 vacant privately owned residential lots in 2002. Subtracting for building permits issued in the intervening time period, the number of vacant residential parcels was estimated to be 4,200 in the year 2004.

[2] The 2002 Land Available for Development "Build Out" Analysis was the only available report which provided an estimate of new residential lots from vacant divisible land. Since there have been Town wide moratoria in place on most types of subdivisions between 2002 and 2004, this 2002 figure does not need to be adjusted for the time frame difference.

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Table 16 depicts the number of vacant divisible residential lots and the total potential lots from this divisible land.

Table 16: Number of Potential Units from Divisible Vacant Parcels (Excluding UR Maps).

	Number of Vacant Divisible*	Number of Potential units from Vacant Divisible+
Wainscott	41	177
East Hampton	80	460
Springs	28	829
Amagansett	36	353
Montauk	31	102
Total	216	1,921

* Derived from Map Info. Query conducted May 2004
\+ Derived from the East Hampton Planning Department's
Land Available for Development "Build-Out" Analysis June 2002

As depicted in Table 17, the total number of additional residential units that can be built, using the above described methodology is 5,386. This number reflects the sum of: 2,576, the vacant non-divisible residential lots; plus 1,921, the number of potential residential lots from vacant divisible land; plus 889, the number of potential residential lots from UR Maps.

Table 17: Total Number of Potential Units

	Non-Divisible Vacant Units*	Number of Potential Units from UR Maps+	Number of Potential Units from Vacant Divisible#	Total of Potential Residential Buildout°
Wainscott	144	27	177	348
East Hampton	758	365	460	1,583
Springs	639	209	829	1,677
Amagansett	377	28	353	758
Montauk	658	260	102	1,020
Total	2,576	889	1,921	5,386

* Derived from Map Info Query Conducted May 2004
\+ Taken from Table 15
\# Taken from Table 16
° Sum of Non-Divisible Vacant Units, Potential Units from UR Maps & Potential Unit from Vacant Divisible Lots

AFFORDABLE HOUSING PLAN

Existing Conditions

Population, Rate of Home-ownership, and Housing Costs

The Town of East Hampton has a year-round population of 19,719, according to the 2000 federal census. Excluding the incorporated Villages of East Hampton and Sag Harbor, the Town's population is 17,437. It has been estimated that the Town accommodates an additional population of 64,178 during the summer months, again excluding the incorporated villages. With the seasonal population comes a seasonal demand for employees necessary to service the resort economy.

The total number of housing units in 2000 in East Hampton was 19,640, including the incorporated Village of East Hampton and the portion of Sag Harbor that lies within the Town. This represents an increase of 2,572 units, or 15 percent, between 1990 and 2000. When excluding the areas of the incorporated Villages, the increase is slightly more pronounced, with an increase of 16.7 percent. By comparison, Suffolk County added 41,006 new housing units from 1990 to 2000, representing an increase of only 8.5 percent.

Housing Units 1990 –2000

The total number of occupied housing units Town-wide in 2000 was 8,101, representing an increase of 1,219 since 1990, when there were 6,882 occupied housing units. The number of vacant housing units identified as for seasonal use grew from 8,886 in 1990 to 10,693 in 2000.

According the 2000 Census, of all occupied housing units in the Town, 76.1 percent were owner-occupied and 23.9 percent were renter-occupied. This represents a slight shift in the homeownership versus rental rate since 1990, when 21 percent of housing units were renter-occupied and 79% were owner-occupied. The change since 1970 is more dramatic, when 18.6 percent of year-round housing units were renter occupied and 81.4 percent were owner occupied.

Table 18. East Hampton Town

Area	# Housing Units in 1990	# Housing Units in 2000	Additional housing units 1990-2000	% Change
East Hampton Town (entire)	**17,068**	**19,640**	**2,572**	**15%**
East Hampton Town (excluding villages)	**14,602**	**17,047**	**2,445**	**16.7%**
Sag Harbor Village (part)	782	848	66	8.4%
East Hampton Village	1,684	1,745	61	3.6%
Amagansett	1,504 (1)	1,664	160	10.6%
East Hampton North	1,889	2,251	362	19.2%
Montauk	3,996	4,815	819	20.5%
Napeague	803 (1)	624	-179 (4)	(22.3%)
Northwest Harbor	2,310	3,008	698	30.2%
Springs	3,459	3,878	419	12.1%
Wainscott	631 (1)	764	133	21.1%
Remainder of Town (2)	10 (3)	43	NA	NA

Source: U.S. Census 1990 and 2000

Notes:

1. In 1990 Amagansett, Napeague and Wainscott were not census-designated places; census tract and block group data from the 1990 census was used to determine 1990 housing units in these areas.
2. "Remainder of Town" is a category used to indicate areas of the Town not included in a census designated place (CDP). In 2000, there were two areas of Town not covered by a CDP: Gardiner's Island, and a small area between Gardiner Cove Road and Soak Hides Road at the base of Three Mile Harbor that was part of the Northwest Harbor CDP in 1990. In 2000, only two housing units were counted on Gardiner's Island, indicating that the 41 housing units in the "Remainder of Town" category represents growth in the area defined as Northwest Harbor in 1990.
3. The 1990 figure for "Remainder of Town" was derived by subtracting the housing units in all other defined areas from the Town-wide total. It is noted that in 1990, three housing units were counted on Gardiner's Island.
4. The apparent loss of 179 housing units in Napeague may be due to the identification of units counted as housing units in 1990 as motel units in 2000. The 2000 census indicates that there were 197 less housing units in the category of structures containing ten or more units than in 1990.

According to the 2000 Census, the median value of occupied housing units Town-wide was $293,300. Of the unincorporated areas of Town, Amagansett had the highest median value, at $489,600 and Springs had the lowest median value at $230,300. It is noted that the median value determined in the Census is based on the respondent's estimate of how much the property would sell for if it were for sale, is not based on actual sales or professional appraisals, and does not take into account the price of seasonal homes (since these are not usually occupied at the time of the census). Notwithstanding the likely possibility that the 2000 median value was low due to homeowners undervaluing their homes, this figure

represents a 32 percent increase since 1990, when the median value of occupied housing units in East Hampton was $222,200. Based on the Census, East Hampton had the highest median value for occupied housing units of all Suffolk County Towns in 2000, and the increase in value from 1990 to 2000 also represented the greatest increase of all Suffolk County Towns. The median asking price for vacant, for-sale housing units Town-wide, according to the 2000 Census, was $432,400 in 2000, significantly higher than the median value of housing units occupied year round. More recent data indicates a significant increase in median values since 2000. According to the Suffolk Research Service, Inc., the median sales price for homes in 2003 in East Hampton Town was $590,000, which, in the first two months of 2004 has risen to $630,000.

The median gross rent for renter-occupied units in East Hampton Town was $1,061 in 2000 according to the census. The median gross rent in Suffolk County in 2000 was $945. Gross rent is defined in the census as the amount of the contract rent plus the estimated average monthly cost of utilities (electricity, gas, and water and sewer) and fuels. Due to the timing of the census, some winter rental rates, which can be significantly lower than year-round rental rates, would be factored into the median gross rent. Summer rentals, which are significantly higher than year-round or winter rates, would not be reflected in the median gross rent.

Median Income, Poverty Level and Cost-Burdened

While the Census-generated median value of occupied housing units in East Hampton was $293,300 in 2000 (which, as discussed above, is significantly lower than the $630,000 which is the current median based on actual sales), and median monthly owner costs for mortgaged property was $1,670, the median household income in East Hampton was only $52,201. Comparatively, the median value of occupied housing units in all of Suffolk County was $185,200 in 2000 and the median monthly owner costs for mortgaged property was $1,663, while the median household income in the County was $65,288. Median family income in East Hampton (which does not include single-person households) was $60,743 in 2000, as compared to the Countywide median family income of $72,112. The extreme disparity between the median income and the median house price in East Hampton reveals the significant obstacle to home ownership for many East Hampton residents.

The 2000 census identified the median household income in the various areas of Town, showing the Northwest Harbor CDP as the area with the highest median household income, at $61,808. Montauk CDP had the lowest median household income, at $42,329 (see Table 6 in Demographics Section of Comprehensive Plan). The Census also identified the percentage of families living below the poverty level, which was 6.7% Town-wide. East Hampton North CDP had the highest percentage of families living below poverty at 10.3 percent. The next highest was Napeague at a rate of 9.7 percent, followed by Montauk at 8.3 percent.

According to the Comprehensive Housing Affordability Strategy (CHAS) data, which is provided by the United States Department of Housing and Urban Development (HUD), more than half (54.5 percent) of all East Hampton renter households are cost-burdened or have other housing problems (i.e., living in substandard conditions). Cost burdened is defined as paying more than 30 percent of income for housing costs. For family households

of five or more, the percentage of renter households in East Hampton that are cost-burdened or have other housing problems is 79.8 percent (see CHAS data sheets in Appendix B of "Housing Report for the Town of East Hampton"). Comparatively, in Suffolk County less than half (46.5 percent) of all renter households and 64 percent of large family renter households are cost burdened or have other housing problems. The percentage of all owner households in Town that are cost burdened or have other housing problems was 35.6 percent.

The CHAS data indicates that while renters are afflicted with more housing problems overall, the cost burden on owner households is more severe than on renter households. In the lowest income category (households making less than or equal to 30 percent of the median family income) 80.3 percent of owners were cost burdened as compared to 51.3 percent of renters. Among the other low and moderate-income household categories, the percentage of owners and renters who are cost burdened is more closely aligned, with slightly more owners than renter's cost burdened.

In comparison, sample data from the 2000 Census indicates that 47 percent of renter-occupied housing units in all income categories have a gross rent that is 30 percent or more than the household's income, and 35.8 percent of owner-occupied units have monthly owner costs that are 30 percent or more than the household's income. It is noted that these figures include households that are paying 30 percent of income on housing costs, whereas the CHAS data identifies the cost burdened as those households paying greater than 30 percent. Since households receiving Section 8 rental subsidies pay 30 percent of their income towards rent, those households are represented in the census figures noted above. However, these figures exemplify the comparative numbers of renters and owners that are living on the edge of the cost-burden definition. According to the census, almost a quarter (24.1 percent) of all renter-occupied households Town-wide spent 50 percent or more of their household income on rent in 2000. 16.13 percent of owner households Town-wide spent over 50 percent of household income on housing costs.

The CHAS data also indicates, predictably, that the percentage of households that are cost-burdened or has other housing problems increases as the household income decreases. Of renters in East Hampton Town with household incomes less than 30 percent of the median family income, about two-thirds (74.5 percent) had housing problems, and more than half (51.3 percent) were cost burdened. For renters that had household incomes greater than 80 percent of the median family income, only 30.3 percent had housing problems, and 19.4 percent were cost burdened.

Substandard conditions

The East Hampton Town Code Enforcement Office has received over 230 complaints regarding substandard housing conditions since 1999. Springs had the highest number of complaints of all the hamlets, with over 100 confirmed housing violations. Violations included overcrowding, electrical hazards, failure to provide heat, illegal basement living quarters, and lack of emergency access. Motels, some in a deteriorated state, have been converted to year round residences.

The 2000 census provides sample data regarding housing conditions. In 2000, 40 occupied housing units (0.5 percent of all occupied housing units) lacked complete plumbing facilities, 49 occupied housing units lacked complete kitchen facilities, and 135 units lacked telephone service. Of the 40 units lacking complete plumbing facilities, 32 were renter-occupied; of the 49 units lacking complete kitchen facilities, 37 were renter-occupied; and of the 135 units lacking telephone service, 102 were renter-occupied. The CHAS data also indicates that renter-occupied housing units have more inadequate facilities than owner-occupied units.

Seasonal Labor Housing Needs

Because of the seasonal nature of the economy, especially in Montauk, there is a high demand for seasonal employees. The labor force is needed mostly in the summer months when the Town is at its highest occupancy. The lack of adequate affordable rentals to house the labor force is exacerbated by the demand for rentals by those seeking to summer in the Town. There are no reliable numbers regarding the amount of seasonal worker housing required. The best source of information regarding numbers of seasonal workers are the businesses that employ them.

Affordable Housing Need

The need for affordable housing is exemplified by the above statistics, which indicate a cost-burdened population of both renters and homeowners. Census data regarding the median price of homes reveal that home-ownership for those who make the median income is an unlikely prospect. Census 2000 sample data indicates that about 900 renter-occupied households are cost-burdened, and CHAS data provides an indication of other housing problems relating to substandard conditions. Additionally, it is estimated that 400 people who work in East Hampton rent elsewhere (2,100 people work in East Hampton but don't live in Town, of which 20% are likely to be renters according to Suffolk County averages.) This indicates that 1,300 people, renters who live or work in East Hampton, need affordable housing in East Hampton.

The need for affordable housing is also exemplified by the number of people on the Town-maintained waiting lists for affordable housing developments and rental programs.

There are currently 271 households on the home ownership waiting list who live or work in the Town of East Hampton. As of October 27, 2003 a total of 270 people are on the waiting list for Section 8 Rental Assistance applications, of which 110 are residents of the Town of East Hampton, 148 are non-residents, and twelve are Sag Harbor residents.

The Housing Authority of the Town of East Hampton, which manages the Accabonac and Avallone apartments, has, as of July 18, 2003, a total of 752 applicants on the Accabonac waiting list, 228 of which are Town residents.

The Windmill I Senior Housing facility, as of October 27, 2003 had 50 names on the waiting list and an additional 61 inquiries; and as of November 6, 2003, Whalebone Village had 308 names on its waiting list, 184 of whom are currently Town residents.

Affordable Housing Programs

East Hampton Town has a full time department created in 1990, the Office of Housing and Community Development (OHCD) with seven staff members devoted to the provision of affordable housing. The OHCD oversees programs involving the sale of affordable units or lots, as well as the operation of rental assistance and community development programs.

There is also a Housing Authority created by the State Legislature in 1983. The board members are appointed by the East Hampton Town Board. The Housing Authority develops and manages affordable rental housing. The Housing Authority employs a full time executive director and two other staff members.

Chapter 160 of the East Hampton Town Code establishes a "Community Housing Opportunity Fund." A fifteen-member Advisory Board provides advice to the Town Board regarding expenditures from this fund. As per Chapter 160, the fund may be used for the provision of no-interest or low-interest loans to eligible residents of the town for the purchase of a first home; the actual production of community housing for sale to eligible residents of the Town, which may be done in conjunction with a private/public partnership; the actual production and maintenance of rental housing for rent to eligible residents of the Town; the rehabilitation of existing buildings and structures for use as community housing for sale or rental to eligible residents; and the provision of housing counseling services by not-for-profit corporations. Chapter 160 also provides for the adoption of a Town housing implementation plan for the provision of community housing opportunities by the Fund.

The Town of East Hampton has undertaken a number of home-ownership projects since the 1980s.

In 1980, Olympic Heights was developed through the sale of fourteen half-acre lots at reduced prices to eligible buyers. The buyers were required to build their own houses, with the Town retaining a 78% interest in the value of the land. There is no right of first purchase.

In 1984, Camp Hero Estates was developed in Montauk through the acquisition by the Town of 27 houses from the federal government. The houses were rehabilitated and sold to eligible buyers for $41,500 with the Town retaining the right of recapture. After 30 years from the date of sale, the owners will own them free of restriction or recapture. People who refinanced and paid off their HUD subsidies are permitted to rent their properties.

In 1986, Whalebone Woods was created by the Town using its urban renewal powers. A 78-lot affordable subdivision was created on properties within old-filed maps. The Town built 32 single-family affordable houses and rehabilitated two existing houses. The houses were sold to qualified buyers. The price of the houses was reduced by the New York State Affordable Housing Corporation (AHC) subsidies of $15,000 per house. The remaining 44 lots were sold to eligible buyers who then had to build their own homes. All lots have been sold. The Town retains a right of first purchase and a recapture interest equal to 60% of the

value of the land. In the past, the Town has been able to keep the homes in the affordable housing program. However, recently the recapture amount has been returned to the Town when the house is sold because values have increased to a point where they cannot be kept affordable.

In 1989 Whalebone Woods North was created, consisting of 32 three-bedroom traditional style single-family houses built on half-acre lots, ranging from $47,600 to $73,700. Eligible low and moderate-income families were chosen by lottery. The sales price of each house was reduced by $25,000 AHC grants. The Town also retains the right of first purchase and 60% of the value of the land has to be returned to the Town when sold.

In 1991, the Town sold five lots to eligible moderate-income families through a lottery, and each family built their own home. Similar to Whalebone Woods, the Town retains right of first purchase and 35 percent of the value of the land is returned to the Town when the house is sold.

In 1996, the Town sold five new homes in Accabonac Woods to low- and moderate-income families. The houses ranged in price from $69,884 to $88,984. The purchase price was reduced by HOME subsidies from HUD through Suffolk County in the amount of $34,000. The Town retains the right of first purchase. Fifty percent of the land value is returned to the Town when the house is sold.

In 1999 the Town sold five new homes to low- and moderate-income families in the Maidstone Homes development. The houses ranged in price from $86,000 to $98,000. The Town retains the right to first purchase. Fifty percent of the land value is returned to the Town when the house is sold. The house prices were reduced through HOME grants of $25,000 per house and AHC grants of $20,000 per house.

To date a total of 166 single-family homes have been made available to residents who were low to moderate-income households. The bulk of the housing is in the East Hampton school district. Camp Hero is in Montauk and three of the Maidstone Homes are in Springs. None have been built in Amagansett or Wainscott.

Currently, a subdivision, known as Green Hollow, is proposed that would create 20 to 25 half-acre lots in East Hampton. Residents will be chosen through a prescreening and lottery process. In addition, the Town is securing approvals to develop ten scattered lots throughout the Town.

In addition to home ownership housing programs, the Town is authorized to issue 189 HUD Section 8 Housing Choice Vouchers to eligible low-income families. Current lease-up in Town is at approximately 150 residents. All of the Windmill II and some of the residents of Whalebone, Accabonac and Avallone receive Section 8 subsidies from the Town.

Under this program, eligible families must locate their own rental units, which must then pass HUD inspection guidelines. To qualify, a family's income cannot exceed the HUD's very low-income guidelines. HUD defines very low-income families as those with incomes less than or equal to 50 percent of the median family incomes. (HUD factors in other data in

addition to the federal census when estimating median family income). A family pays approximately 30% of their income for rent. The balance of the rent is paid directly to the landlord from HUD funds as long as the rent remains at or below payment standards.

The Town has also facilitated the development of several affordable rental housing developments in Town.

Windmill Village Apartments, built in 1987, consists of 40 studios and one-bedroom rental units for low-income senior citizens and handicapped persons. Eligible residents pay only 30 percent of their income for rent. The complex is owned and managed by the Windmill Housing Development Fund Co., Inc. A mortgage subsidy is provided by HUD.

Whalebone Village Apartments, built in 1989, are owned and managed by the Whalebone Housing Development Fund Co., Inc. and consists of 45 units comprising 1, 2, and 3 bedroom apartments for eligible low-income families. Families pay approximately 30% of their income for rent. The mortgage subsidy is provided by the United States Department of Agriculture and some units receive Section 8 subsidies from the State of New York.

Avallone Apartments, built in 1992, consist of 17 rental units in Montauk. The project is owned and managed by the East Hampton Housing Authority. Funds for the project were provided by the New York State Housing Trust Fund.

Accabonac Apartments, built in 1999 consist of 50 rental units in East Hampton. The East Hampton Housing Authority manages the project for the Seymour Schutz Limited Partnership. The bonds are guaranteed by the Town and tax credit financing was received from New York State. Section 8 vouchers were obtained through the Community Development Corporation of Long Island.

Windmill II Apartments, built in 2002, consist of 47 rental units for senior citizens 55 and older. Five of the units were designated for the mobility impaired. All residents are participants of the Town's Section 8 Rental Assistance Program. The complex is owned and managed by the Windmill Housing Development Fund Co., Inc. Bond financing is provided by the Suffolk County Industrial Development Agency, and Federal Tax Credits financing is through the State of New York.

Plans are currently being developed by the Town OHCD and the Housing Authority to create 26 affordable apartments adjacent to the Town's Senior Center and the Windmill II Senior Facility.

Town Code Provisions

The Town of East Hampton Code provides guidelines for affordable housing that includes the identification of an Affordable Housing Overlay District, and requirements for affordable housing units.

The purpose of the Affordable Housing Overlay District is to identify areas in the Town that are most appropriate for the creation of affordable housing, while assuring that the development is compatible with its surroundings and the character of the Town. Lots within

the Affordable Housing Overlay District are developed with affordable housing through a Special Permit process. Among the special permit provisions are a minimum site size of 125,000 square feet (170,000 square feet for multiple residences), a maximum unit count of 60, and a maximum permitted density of eight units per acre for apartments and one unit per 20,000 square feet for single-family residences or lots. All units or lots created are to be for the use of moderate-income families. The applicant/owner of the affordable housing development is required to execute legal agreements that ensure, among other things, that the price of lots, residences or apartments sold and resold or the rentals charged for the units fall within previously agreed-upon minimum and maximum guidelines, that leases provide for year-round rentals, and that the development continues to house residents of the income class for which it was originally developed.

Another means of affordable housing provided for in the Code by means of a special permit is apartments over stores, and apartments in single-family residences. All such units are required to be for the use of and available to moderate-income families.

For apartments over stores, written approval from the Town Fire Prevention Inspector is required, and certain locations (such as over filling stations) that pose safety or health hazards are prohibited. In addition, only the second story of the building shall be occupied by apartments, and a maximum of three is permitted per building. The habitable floor area of the apartment is required to have a minimum of 450 square feet and a maximum of 1,000 square feet. A separate access distinct from the store entrance must be provided for the tenants. Every apartment is required to have at least one on-site parking space. As a condition of approval of such apartments is the requirement that legal agreements be executed that will insure that the apartments are not sold to any party except as part of the sale of the entire building, that the rental charged remains within the previously agreed upon minimum and maximum guidelines, and that the apartment be available for year round rental. In addition, the apartment must continue to be used by residents of the income class for which it was originally created.

Apartments created in single-family residences have the same dimensional requirements as apartments in stores, but also must have no more than two bedrooms. Such apartments require the same executed legal agreements as those over stores, and require approval by the Town Fire Prevention inspector. In addition, the house in which the apartment is proposed must have a valid certificate of occupancy as of December 31, 1984 and shall be owner-occupied. Use of the apartment is tied to the continued owner-occupancy of the house. The house in which the apartment is located must have at least 1,600 square feet of livable floor area above the ground. The provisions also require that no more than one apartment shall be created in a single-family house, and at the time that the apartment is rented, there shall be no rental of guest rooms within the residence. On site parking is to be provided for the family occupying the apartment for no more than two cars.

As defined by the Code, an affordable rental unit is one in which the monthly rent (including heat and hot water) does not exceed 110 percent of the Fair Market Rent for Existing Housing for the Nassau-Suffolk area, as established annually by the U.S. Department of Housing and Urban Development (HUD). The rent of the affordable unit may be adjusted thereafter in accordance with the "Annual Adjustment Factor" published annually by HUD. The sales price of an affordable multiple residence dwelling unit must not exceed 250

percent of the maximum annual aggregate family income for a moderate-income family, nor 300 percent of this income figure for single-family residences. The Town Code defines moderate income as 80 percent of the median income in Nassau and Suffolk Counties.

The Town Code also establishes minimum bedroom count for affordable units based on family size. For example, an affordable unit can consist of an efficiency apartment for a one-person household, while a family of six requires a 3-bedroom unit.

In addition to establishing requirements for housing units, the code also specifies requirements for the sale of unimproved affordable house lots. To date this has never been used.

Proposed Affordable Housing Implementation Techniques

1. Seasonal Employees Housing Overlay District-

Existing conditions and problem: Montauk has the largest number of motel rooms of any community in Suffolk County. Some of the older, less desirable motels have been purchased by restaurant and resort business owners to house their seasonal employees. Many of these motels, built at a density of 40 units per acre or more with little or no sewage treatment are in need of extensive repair. Given their condition and the intended change of use from motel to seasonal housing, some owners have asked the town if they could tear down these structures and build new seasonal housing from scratch. But the existing densities of these facilities far exceed current Suffolk County Health Department and municipal zoning regulations. In Montauk, using standard septic systems, Suffolk County Health Department regulations allow a maximum of six units per acre where public water is available. Where the units have kitchenettes, have more than 400 sq. ft., or there is no public water available, the maximum density permitted is even lower.

Municipal zoning has classified most of these facilities as Resort Zone, which allows for 12 units/acre for motel units and six units per acre for the larger, more luxurious resort units. The combined affect of the Town and County Health Department regulations has been to prevent motel owners from making desirable renovations and conversions from substandard facilities to suitable seasonal housing.

Simply changing the municipal zoning code to allow motels to completely rebuild at their current densities will raise problems with parking shortages, sewage waste, drinking water supplies and overcrowding in general. Further, this provision could encourage investors to buy up dilapidated motels in order to create new expensive motel units rather than employee housing and add to the existing shortage of decent affordable housing.

Proposal to allow conversion of existing motels to provide for seasonal housing:

Revise regulations to allow motels in certain locations, delineated by an overlay district to rebuild at their existing density provided that all units are for seasonal housing or all units

which exceed that allowable by Resort zoning are for seasonal housing. The seasonal housing must be closed for a portion of the year, must have common bathroom facilities, common cooking facilities, and small bedrooms. If we assume that seasonal employees do not own cars or have fewer cars than motel users, the conversion from motel to dormitory should not increase parking needs. The design of the units will help target these units for seasonal employees rather than for expensive tourist units. Site plan approval will be required but the parking requirements are to be left to the discretion of the Planning Board on a case-by-case basis. The seasonal requirement will help address the overcrowding and infrastructure impacts. In order to assure that the units remain available for seasonal employees, a covenant and restriction will have to be filed with the Town and attached to the deed to the property. This provision is designed to assure that the property remains affordable and seasonal in perpetuity and to assure that a purchaser of the property in the future will have notice of these requirement that the units remain for seasonal employees.

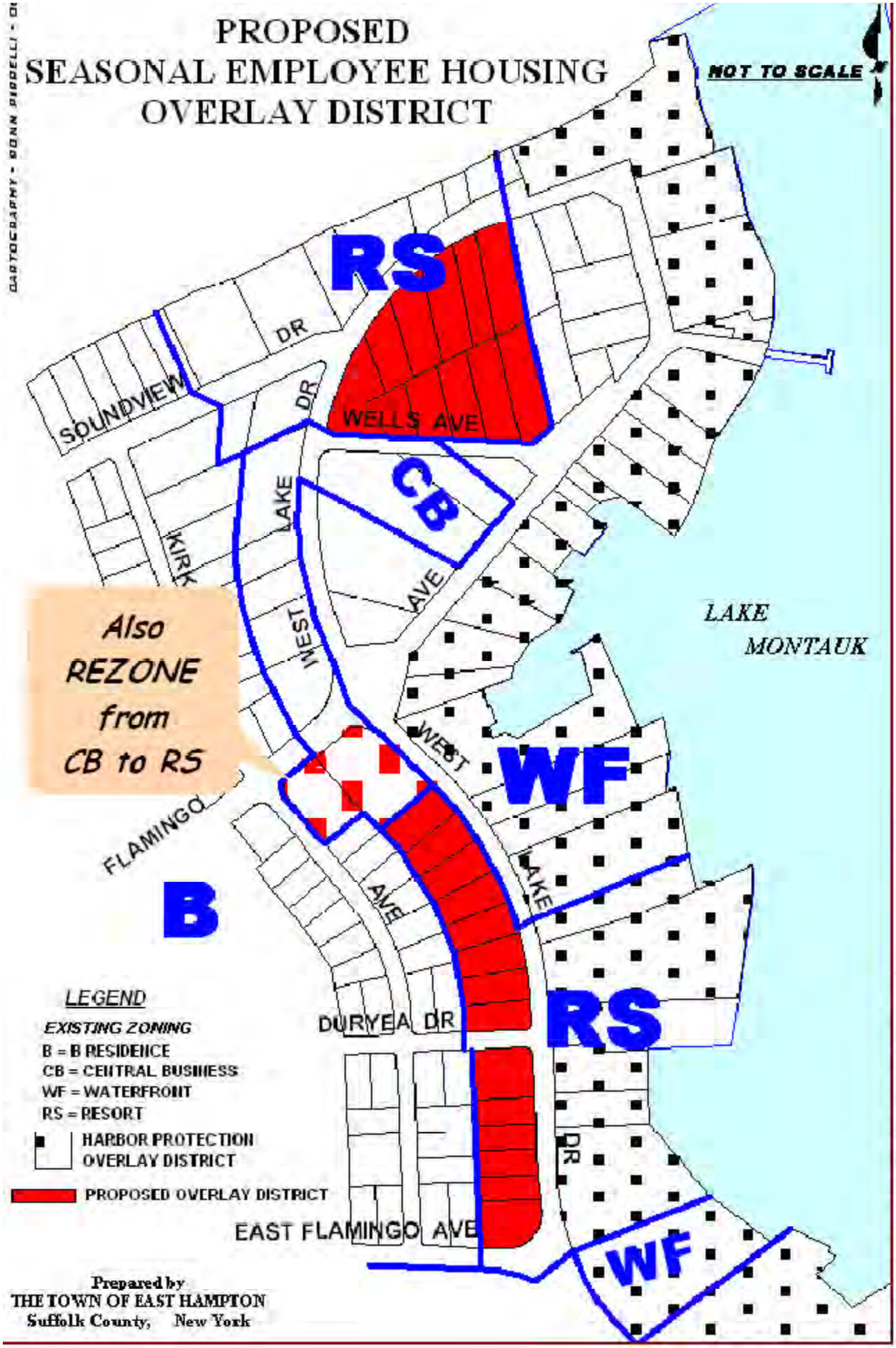
The Suffolk County Health Department has five grandfathering provisions, which allow motels that exceed current Health Department standards to be rebuilt at their existing, nonconforming density. First, the operation of the motel must not have ceased or been abandoned for a period of two years or more. Second, the motel must not exceed the number of units on record with the Division of Public Health as of 1984. Third, the use must remain the same. Fourth, the rebuilt motel must actually install a system to meet current septic flow standards. Fifth, the lot must be served by public water.

To illustrate how the provisions of the overlay district would work, let's use the example of a 19-unit motel with an accessory office, in downtown Montauk, on a 25,000 sq. ft. lot, having an average room size of 325 sq. ft.

The sanitary design flow for this facility is based on 100 gallons per day per unit or 1,900 gallons per day. To meet current Health Department standards, this facility would need to install a septic tank, which holds two days storage capacity, or 3,800 gallons plus a leaching field to accommodate 1,900 gallons per day. To accommodate this waste, two ten foot diameter by four-foot liquid depth septic tanks and two 10-foot diameter by 20-foot effective depth leaching rings would be required.

A larger septic system capacity may be needed if there are some kitchenettes installed for the seasonal housing. On the other hand, if the rebuilt facility is classified as a dormitory/ rooming house, the septic system design flow can be reduced from 100 to 75 gpd per unit. However, the facility will need approval from the Suffolk County Health Department Board of Review if there is a change of use. For the purposes of calculating the number of dormitory beds allowed each motel room shall be presumed to house two adults. Therefore a twenty-unit motel would be entitled to forty dormitory beds.

Downtown Montauk, as well as other locations in town, has a very limited depth to groundwater and leaching rings must maintain a minimum two-foot separation between the bottom of the ring and groundwater plus a one-foot separation between the top of the ring and the ground surface. If the conditions are such that there is only a five-foot separation to groundwater, 20 two foot deep leaching rings would be required .To provide the minimum eight-foot separation between leaching rings and the ten-foot property boundary separation, an area approximately 8,000 sq. ft., or one third of the entire site area would be required just


PROPOSED
SEASONAL EMPLOYEE HOUSING
OVERLAY DISTRICT
NOT TO SCALE
RS
CB
WF
B
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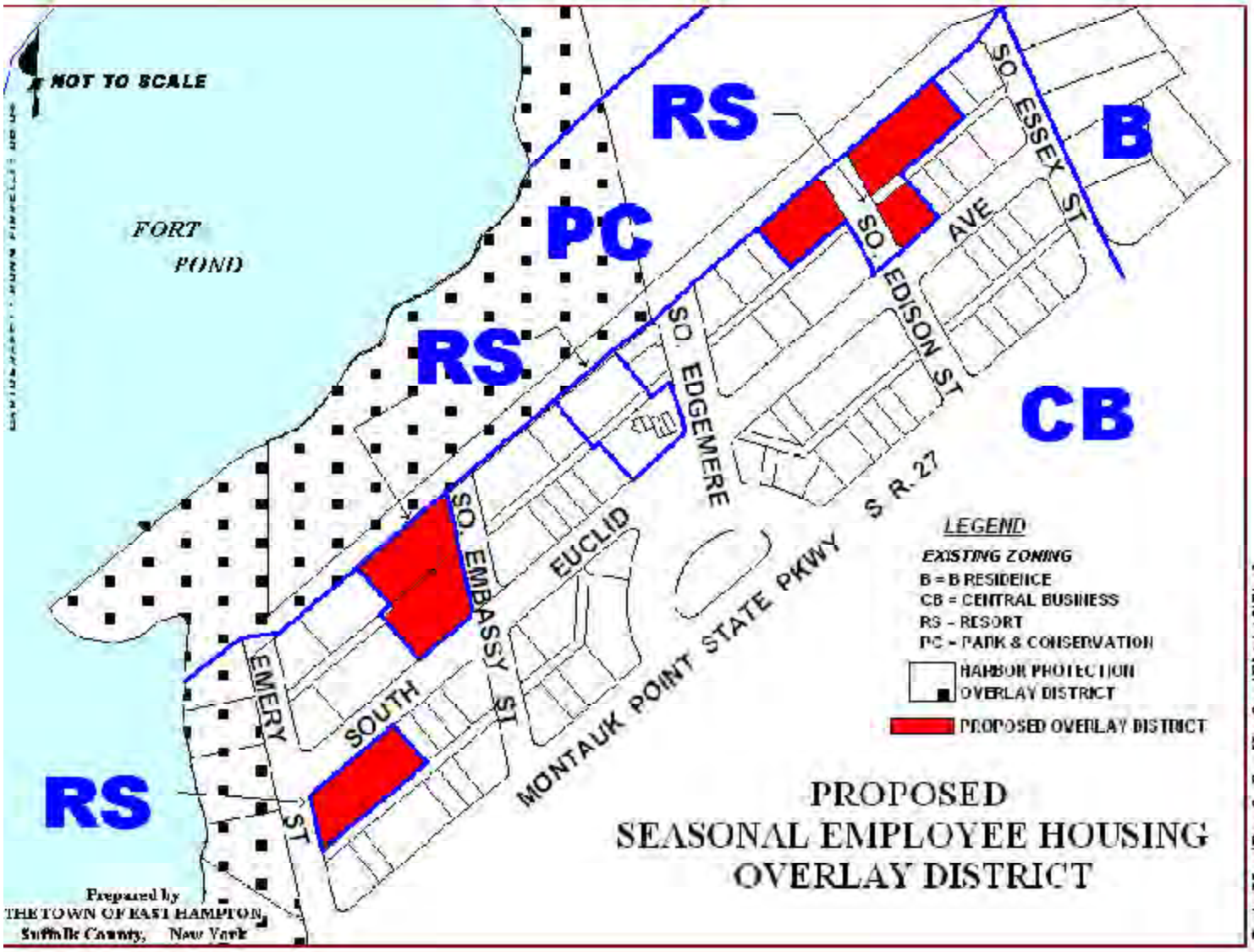
WF
SOUNDVIEW DR
WELLS AVE
LAKE AVE
KIRK DR
WEST LAKE AVE
WEST LAKE DR
FLAMINGO AVE
DURYEA DR
EAST FLAMINGO AVE
LAKE MONTAUK
Also REZONE from CB to RS
LEGEND
EXISTING ZONING
B = B RESIDENCE
CB = CENTRAL BUSINESS
WF = WATERFRONT
RS = RESORT
HARBOR PROTECTION OVERLAY DISTRICT
PROPOSED OVERLAY DISTRICT
Prepared by
THE TOWN OF EAST HAMPTON
Suffolk County, New York
ZoningMaps\PropSeaEmpHouOver\District 1\Final

Map A


NOT TO SCALE
FORT POND
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SO. ESSEX ST
SO. EDISON ST
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SO. EDGEMERE
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SO. EMBASSY ST
SOUTH
EMERY ST
MONTAUK POINT STATE PKWY
S.R. 27
LEGEND
EXISTING ZONING
B = B RESIDENCE
CB = CENTRAL BUSINESS
RS - RESORT
PC - PARK & CONSERVATION
HARBOR PROTECTION OVERLAY DISTRICT
PROPOSED OVERLAY DISTRICT
PROPOSED
SEASONAL EMPLOYEE HOUSING
OVERLAY DISTRICT
Prepared by
THE TOWN OF EAST HAMPTON
Suffolk County, New York
ZoningMaps\PropSeaEmpHouOver\District2Final

Map B

for leaching. Additional area would be needed to accommodate the septic tank. To meet these minimum health department standards, it is unlikely that small lots with pre-existing motels will be able to rebuild at 40 units per acre. However, densities which exceed current standards can be rebuilt provided all the necessary health department requirements are met on site.

The Town Board should consider zoning some land in the Dock Area and the Downtown Montauk Area for the Proposed Seasonal Employee Housing Overlay District as depicted on the Maps A and B, Proposed Seasonal Employee Housing Overlay District. Provided the provisions of the Seasonal Employee Housing Overlay District only applies to land zoned for Resort, the Town Board should also consider rezoning from Central Business to Resort the two tax map parcels between West Lake Drive, Flamingo Ave. and Kirk Ave., as noted on Map A.

2. Apartments over stores-

Existing conditions and problems- There seems to be general agreement that affordable apartments over stores can be good for hamlet centers by allowing additional, but not overwhelming, development. There are a number of apartments over stores which pre date zoning. Many existing stores throughout the town are only one story high, possibly due to the greatly reduced commercial value on the second floor combined with the large expense for the installation of required elevators.

The existing zoning code allows for apartments over stores in the business districts (Limited Business Overlay District, Neighborhood Business and Central Business) provided the units are available for moderate-income families and certain other conditions are met (Sect. 255-5-50). While several new building projects have taken advantage of these regulations and have been constructed with apartments over stores, few existing buildings have been renovated to add a second story addition. The barriers seem to be the ability to meet the Suffolk County Department of Health Services requirements and the town parking requirements.

Some existing buildings just meet or already exceed Suffolk County Health Department standards for on-site treatment of sewage. Without advanced sewerage treatment, these buildings cannot meet the additional sewerage requirements needed to construct apartments on the second story. The Suffolk County Health Department will allow these sites to construct second story apartments provided they conform to the transfer the development rights standards promulgated by the Health Department. However, this has not provided enough of an incentive to build second story affordable apartments, probably due to the costs associated with purchasing development rights in East Hampton.

Proposal to facilitate the construction of apartments over stores:

East Hampton has an aggressive open space acquisition program, which successfully protects environmentally sensitive land. To facilitate the construction of second story affordable apartments, the Town should allow the development rights from the environmentally sensitive land it purchases to be transferred to applicants for apartments over stores for the purpose of meeting the Suffolk County Health Department standards.

The Town will provide these development rights to an applicant in exchange for the applicant agreeing to provide affordable housing in perpetuity.

Another problem identified with constructing apartments over stores is the town zoning requirement that one parking stall be provided for each apartment. While this is a reasonable provision for new construction, sites with existing one-story retail buildings often do not have the land area needed to meet this requirement. Yet, existing on-site parking may be adequate to meet the parking need for the apartment. To solve this problem it is recommended that the schedule of off-street parking (Sec. 255-11-45) be amended to grant the Planning Board discretion in deciding the parking requirement for apartments over existing stores.

It is recommended that the zoning code be clarified to correspond to the existing Planning Board policy regarding apartments over stores. Accordingly, apartments over stores should be explicitly classified as an accessory use to the main business rather than a separate use. The requirement that only the second story of a commercial building can be occupied by an apartment should remain but the limit of three apartments per building should be deleted.

Provisions of Suffolk County Health Department TDR program

The TDR program allows the population density equivalents (300 or 600 gpd per acre) to be doubled provided certain additional standards are met. In order for the density to be transferred from one parcel to another, the sending parcels must be permanently sterilized by a legal covenant and must remain as open space. Actively farmed land is not considered open space. Ownership of the sending parcel is flexible. It is acceptable for the sterilized parcel to be donated to the Town, a bona fide non-profit land trust such as The Nature Conservancy or the Peconic Land Trust, or a private landowner. Whatever the ownership, the Health Department wants to prevent the future potential problem whereby the ultimate owner of the sending parcel defaults on payment of property taxes, leaving the county the option to sell the land for back taxes, even though the development rights have been extinguished.

A covenant must also be filed for the receiving parcel, acknowledging the transfer of development rights.

To compute density, the Health Department accepts either a yield map or a mathematical calculation. The yield map actually depicts roadways, solutions to drainage, avoidance of unbuildable areas etc. The mathematical calculation assumes 25% of every parcel will be needed for these unbuildable areas and adjusts the yield accordingly.

In downtown areas such as Amagansett and Montauk where existing buildings occupy most of the site, an overall plan using an area greater than the individual lots can be incorporated into an acceptable TDR plan. In Amagansett, for example, a plan can be developed incorporating the municipal parking lot, formerly part of the individual lot areas, and even adjacent farmland to calculate the overall maximum sewage flow. This issue could be addressed in a future hamlet study.

With all TDR's the on-site septic system must be upgraded to accommodate the additional development. In other words, if a site containing a store is allowed to double its density to create apartments on the second floor using a TDR plan, the site with the store must upgrade its septic system to accommodate the sewage flow from the apartments. Where possible and consistent with good planning practices, the Town will allow the use of road rights of way and alley ways in order to accommodate sewerage structures where necessary.

Town acquisitions using CPF and other funds could be used for TDR's. To advance this technique and facilitate the TDR process, the Town Attorney's Office will work with the County Attorney's Office to develop a protocol.

3. Apartments in Residences-

Apartments within residences have been allowed by special permit and site plan approval from the Planning Board for approximately 20 years. Although few people have applied for these permits, there are existing apartments within homes that are providing housing in East Hampton. Many of these units do not meet current health, safety and welfare requirements. Eliminating review and permits now required for the construction of apartments within residences could create hazardous new conditions. Further, without town controls, the provision of apartments within residences could allow for the doubling of East Hampton's density without providing for affordable housing.

Changes to the existing legislation coupled with aggressive code enforcement could help to legalize existing apartments within residences, ensure that they are safe and encourage the construction of new affordable apartments.

All of the existing requirements pertaining to safety, health hazards, habitable floor area, access, affordability, and parking should be retained. All provisions of the New York State Uniform Fire Prevention Code, Building Code and Suffolk County Sanitary Code must be met. The residence in which the apartment is proposed shall have a valid certificate of occupancy and shall be the primary residence of the owner. Only the owner of the residence can apply for the permit. All apartments created must be for year round use for people who live or work in East Hampton. The apartment must be attached to or part of the primary dwelling unit and any new clearing or construction for the apartment must meet all clearing, coverage and primary structure setback requirements. No more than one apartment will be permitted in any single-family house. During the period in which the apartment is being occupied, the rental of guest rooms within the primary residence will not be allowed. A survey depicting two parking stalls for the primary residence and two parking stalls for the apartment must be submitted for review to determine that the parking does not harm a natural feature. The owner of the residence must file a private covenant, enforceable by the town, to assure the apartment remains affordable and meets the conditions outlined above. No variances from these conditions will be allowed.

However, the requirement for obtaining site plan and special permit approval from the Planning Board should be replaced with the requirement for obtaining a permit from the Division of Public Safety. Input from the Building Inspector, Housing Office, Health Department and Planning Department should be obtained before a permit is granted, but no public hearing or Planning Board review would be required. The regulation which restricts

apartments within residences to homes built before the year 1984 should be changed to the year 2004 to allow more of the existing housing stock to be eligible, while assuring that the residence is owner occupied. However, this provision should be periodically revisited to allow owner occupied homes built after 2004 to be eligible for an apartment within the residence. The restriction, which limits the expansion of a residence to 200 square feet to accommodate an apartment, should also be eliminated but all clearing, coverage and setback regulations should still apply. The Office of Housing and Community Development will be granted permission to conduct regular inspections to determine the conditions of the permit are being met.

Without limits, this technique could potentially allow for East Hampton's year round housing units and population to double, which could rapidly overwhelm the ability of East Hampton's schools, infrastructure and services to meet the needs of the community. To prevent these potential impacts, the construction of apartments within residences should be allowed without Planning Board approval, in accordance with an overall town growth management plan. The school districts should be consulted in the preparation of the growth management plan.

In a case where an owner wishes to create an apartment in an existing structure but lacks the resources necessary to make the changes necessary to meet code, the Town could provide financial assistance in the form of deferred loans to make it possible for the apartment to be created. Funds for this could come from Community Development block grant allocations.

4. Town purchase of Existing Homes-

By far, the single largest land use in East Hampton is single-family homes. The problem isn't so much that there are not enough homes, but that the housing stock is not affordable for even moderate-income families. By developing a program to make some of the existing housing stock affordable for East Hampton residents and employees, the town would be tapping into one of the largest resources currently available. While East Hampton citizens have overwhelmingly supported the protection of open space and the reduction of potential build-out, some have argued that these programs have resulted in exclusionary practices. By making a program of affordable homeownership for the existing housing stock in all zoning districts, in all parts of town, the program would have a beneficial, inclusionary impact, while not increasing build-out or harming the environment.

Proposal to facilitate home ownership by moderate-income families using existing housing stock:

Augment the ability for moderate-income families to purchase existing houses in East Hampton Town with a municipal equity-sharing program to purchase an equity interest in the property. Here's how it would work:

- Homebuyers would be pre-screened to determine eligibility by the Town Housing Office;
- Homebuyer then looks to buy a house on the open market;

- Once a suitable house has been found, the sales price must be verified as fair market value by a third party appraisal and both the sales price and appraised value cannot exceed 80 percent of the mean value of homes as recently sold in the Town of East Hampton as determined by the Town or a lesser amount determined by the Town;
- The purchase price to the homebuyer will be no more than three times the purchaser's income with the town purchasing an equity interest in the property in perpetuity to make up the difference between actual sales price and the ability of the homebuyer to pay, thus effectively reducing the effective purchase price.
- In the event of resale of the house, the town's equity interest will help to keep the house permanently within the affordable housing inventory because the Town will not seek repayment of its interest but rather will assign it to a qualified purchaser.

The potential funding source for this program could be the one half percent addition proposed transfer tax to the Community Preservation Fund tax, a yearly budget allocation, private donations, other Federal, State County or municipal funds or a municipal bond. The Town could use the approach most cost-efficiently repurchasing homes built in prior affordable housing programs such Whalebone Woods where the Town has a right of first purchase.

5. Equity Interest in New Residential Construction-

Similar to the program described above, the town could develop a program to purchase an equity interest in new residential construction. Since the price of vacant land and new residential construction has soared, this program may not be as cost effective as the one sited above. However, this program could target the homebuilder who already owns the land or has found a reasonably priced property. The builder would receive fair value, yet have an opportunity to provide housing for the year round population.

6. Inclusionary Zoning-

Currently, a bill which has passed the New York State Assembly and is likely to be adopted, will mandate on a subdivision or site plan of five or more lots that 10% percent of the lots be set aside for the provision of affordable housing (rounding up) and further provides for density bonuses to developers to accomplish this goal. It also allows for under certain circumstances payments into a trust fund in lieu of the provision of affordable housing. Once the final version is adopted, the Town should develop guidelines on how this program will be implemented.

As East Hampton approaches Buildout, the number of subdivisions involving 5 or more lots has already substantially declined. The Town should conduct additional legal research to determine whether payments into a trust fund for affordable housing, or an affordable housing impact fee, could be imposed on all subdivisions regardless of size.

7. Tax Incentives-

There is a myriad of different tax exemption programs the Town can develop to promote new affordable housing and to help keep housing affordable. One program could target

existing homeowners. As home values continue to rise every year, some homeowners may be interested in selling or donating a permanent affordable deed restriction on their home in exchange for property tax relief while they live in their home. Another program could offer reduced property tax options for low and moderate-income housing projects, depending on how they are financed.

8. Donations-

Encourage people to donate property, houses and/or money to the "East Hampton Community Housing Opportunity Fund" which will be segregated from regular town funds. In addition, the Town can help facilitate the creation of a community land trust to privately raise money for affordable housing.

9. Expedited Planning Review-

Require all town agencies and departments to give an expedited, priority review to all affordable housing projects.

Existing successful programs to be continued and/or expanded

10. New Affordable Single Family Housing Developments-

Over the past 24 years, the town has developed several successful affordable home ownership programs including: Olympic Heights, Camp Hero Estates, Whalebone Woods, Whalebone Woods North, Accabonac Woods, and Maidstone Homes. The Town Board is currently developing a new program at Green Hollow. The Town should continue to purchase land to develop additional home ownership programs.

It is imperative that the Town develops restrictions to maintain the long-term affordability of new ownership opportunities.

11. New Attached Dwelling Housing Developments-

The Town Housing Authority and several non-profit housing organizations have developed and now manage 199 affordable attached rental units. The town should continue to work with these agencies to develop additional rental properties.

Currently the Town and Housing Authority have a proposal to develop twenty-six units of moderate-income rental apartments adjacent to the Town's Senior Citizens Center, which should be completed.

New construction whether by the Town or nonprofits could incorporate a variety of prototypes and layouts including multiple apartments in single-family homes, designed to look like a Manor House wherein scattered site three and four family houses are interspersed.

12. Section 8 Rental Assistance-

Currently the Town operates a Section 8 rental assistance program, which is funded by the United States Department of Housing and Urban Development. It is recommended that the program participation be maximized to the largest extent practicable consistent with evolving Federal regulations.

13. Room rentals-

For some seasonal and other workers in East Hampton, housing needs can legally be met by renting a single room in a house. The Town Code allows owner occupied houses to rent up to two rooms per house, without any town approvals or conditions (Section 255-11-63). Although there are a handful of rooms for rent advertised in the local weekly papers, many people in the community are unaware that this is legal housing. This technique has the potential to have additional benefits for senior citizens, who own their homes coupled with the single 20-35 age group, looking for starter housing. Alternatively, this technique can help meet the seasonal housing needs.

In the past the Montauk Chamber of Commerce has maintained a registry of these rooms especially targeted to seasonal workers. Other organizations in the other hamlets could also maintain registries like this. It would also be possible for the Town to maintain a list either at its Housing Office or on its website. A public information campaign should be undertaken to inform the public of this permitted use.

14. Tax default and surplus properties-

The Town should continue to aggressively pursue tax defaulted parcels owned by the County and other surplus government property for use as affordable housing or open space on a case-by-case basis. In the past this has proven to be a source of property for the Town, which has been developed for affordable housing.

15. Affordable Housing overlay districts-

Since 1984, an eight unit per acre Affordable Housing Overlay District (AHO) has allowed non-profit groups, governmental and quasi-governmental agencies to build higher density affordable housing than that which would otherwise have been possible under the underlying zoning. Affordable Housing Overlay districts have been incorporated on the zoning map in accordance with the following location and site characteristics criteria:

- Public water is available to the site.
- The site is reasonably convenient to public transportation.
- The site is not within a flood hazard or erosion area.
- The size and shape of the site is reasonably suited to the proposed development.
- Development of the site is reasonably compatible with the surrounding use.

The AHO eight unit per acre density exceeds the current Suffolk County Health Department regulations without advanced sewerage treatment. In recent years, the Town has obtained approval for five unit per acre affordable housing development without on-site sewerage treatment by incorporating density credits from a nearby preserved land parcel. As discussed in the Apartments over Stores subsection, the Town should establish a Transfer of Development Rights Bank and Program to help meet the Suffolk County Health Department density requirements for acceptable affordable housing sites including those designated in the Affordable Housing Overlay Districts. In order to harmonize the Town's density regulations with those of the Health Department the maximum overall density should be set at five units per acre without sewerage treatment.

The Town should retain the Affordable Housing Overlay zoning designation, should seek to zone additional areas that meet the eligibility criteria accordingly, and should consider allowing additional land to be rezoned AHO upon application of a prospective developer.

URBAN RENEWAL MAP STUDY

Description of Existing Program

Prior to the adoption of zoning and the establishment of the Planning Board in East Hampton Town, subdivision maps were filed with the Suffolk County Clerk's Office without municipal review, requirements for making physical improvements, or consideration of the existing natural and cultural features. As a result, some subdivision maps created 20' by 100' lots, similar to city town house lots, which allowed for high density, urban development. These maps were filed without any provisions for making the necessary improvements to serve the development such as roads, public water mains, sewerage treatment, drainage structures, utilities, street trees and fire protection devices. Further, these maps were filed over East Hampton's natural landscape, regardless of the steep slopes, wetlands, significant groundwater recharge areas, archaeologically significant areas and other existing conditions.

In 1976, the East Hampton Town Board determined that development in accordance with some of these Old Filed Maps (maps filed in the Office of the County Clerk without Town of East Hampton Planning Board approval) represented a severe threat to the environmental and economic well being of the Town. Development according to these maps would create substandard and unsanitary conditions and could create: excessive land coverage and drainage problems; excessive population density; poorly or improperly designed street patterns and intersections; inadequate access; unsafe drinking water and sanitary disposal conditions; traffic congestion hazardous to public safety; lack of suitable off-street parking; impractical street widths and configurations; blocks and lots of insufficient or inadequate size, shape, width or depth; development covering unsuitable topography, subsoil or other physical conditions. To mitigate these concerns, the Town Board, pursuant to the authority granted by Article 15 of the General Municipal Law, devised a system to modernize and redesign the Old Filed Maps posing the most serious problems and/or those with the potential to be upgraded. At the same time, individual lot owners within these Old Filed Maps were assured continued reasonable economic value for their land. Briefly described, the system required that vacant nonconforming parcels be assembled into one larger building lot and that certain infrastructure improvements be completed or bonded for by each upgraded lot owner before a Building Permit be issued.

Sixty-five (65) Old Filed Maps underwent a comprehensive system of redesign and modernization in 1976[1] and were combined into 38 Urban Renewal Maps. Each Urban Renewal map is contained within the T*own of East Hampton Old Filed Map Study* and has been assigned a sheet number beginning with the following hamlet location key: AM for Amagansett; EH for East Hampton; MN for Montauk; SP for Springs; WA for Wainscott. These maps, which have been officially adopted by the Town Board depict all or some of the following: roads to be improved, widened, partially opened or abandoned; drainage areas and improvements; areas to be dedicated or over which easements are to be given; placement of fire hydrants, fire wells, cisterns or other similar improvements; important

[1] Only one additional area, the Three Mile Harbor Senior Citizens Park, has been given Urban Renewal status since 1976. This area was added to the list of UR Maps in the late 1990's but no plans were added to the *Town of East Hampton Old Filed Map Study*.

natural and cultural features; mandated scenic easements and open space; individual parcels to be combined into one building parcel; assigned road improvement units and other pre-building requirements for lot owners.

The numbers of Urban Renewal Maps in each hamlet are: 2 in Amagansett; 21 in East Hampton; 7 in Montauk; 6 in Springs and 1 in Wainscott. Residential sites within these maps continue to be developed privately according to the 1976 plans, as modified from time to time after approval by the Planning and Town Boards. These plans, with their modifications have generally worked well over the past 27 years and have fostered an orderly pattern of development within these Old Filed Map Areas.

Comprehensive Plan Update, Urban Renewal Map Goals and Objectives

The 2002 *Comprehensive Plan Recommendations of Dr. Lee E. Koppelman* indicated there were 3,183 vacant lots within the 38 Urban Renewal Maps, representing 40% of the then projected residential build-out potential. The Planning Department conducted an independent analysis of the potential residential build-out in 2002[1] using a different method. The number of vacant lots within UR Maps estimated by the Planning Department in 2002 was 1,801 lots less than the Koppelman estimate. However, due to time constraints, no comprehensive review of the Urban Renewal Maps has been undertaken since the maps were first prepared in 1976.

The first three goals of this *Town of East Hampton Comprehensive Plan* are to maintain, protect, and restore where necessary, East Hampton's unique cultural and environmental quality, and to reduce residential build-out in order to achieve these goals. The fourth goal is to provide affordable housing opportunities. In the past, lots within the Urban Renewal Maps have been among the lowest priced parcels within the Town and have helped to provide affordable housing opportunities for year-round working families. In recent years, however, these areas have been targeted for the more expensive seasonal and luxury home market. Further, one of the shortcomings of the urban renewal system has been the development of roadways, which can be accepted into the Town Highway system. Given these goals and conditions the Town Board determined that a comprehensive review of the Town's Urban Renewal System was necessary.

The goals and objectives of the Urban Renewal Study are:

- Identify opportunities and programs for affordable housing
- Identify methods to reduce density and to protect natural and cultural features, incorporating current planning, environmental and engineering studies
- Provide for an improved system for development of roads and infrastructure

General Findings and Analysis

Starting in January 2004, L.K. McLean Associates, P.C. and the Town Planning Department consulted aerial photographs, Town Building Department and other official records; conducted field work to verify the land use and conditions; and prepared maps and data

[1] TOEH Planning Dept. **Land Available for Development "Build Out" Analysis**, June 2002

sheets depicting existing land use and environmental conditions within the Urban Renewal Maps. A similar effort was undertaken by the Town Engineer who conducted a study of the existing road conditions within all the Urban Renewal Maps and provided preliminary recommendations for modifications to the proposed road systems within the maps. Under the supervision of the Town Engineer, the Town Drafter Illustrator converted the 38 Urban Renewal Maps into the Town's Map Info/Geographic Information System.[1]

As indicated in the following chart, there is the potential for 889 new residences within all the Urban Renewal Maps in East Hampton Town. The East Hampton Planning Area contains both the largest number of Urban Renewal Maps, 21, and the highest number of potential residential lots within these Maps, 365. Wainscott, with one UR Map and Amagansett with two UR Maps have the lowest number of potential residential lots, having 27 and 28 respectively. Montauk and Springs have the potential for 260 and 209 residential lots respectively.

Table 19. Residential Build-out Within Urban Renewal Maps

Hamlet	1999 Koppelman Estimate	2002 Planning Dept. Estimate	April 2004 Planning Dept. Adjustment	2004 Revised methodology count
Amagansett		23	22	28
East Hampton		571	533	365
Montauk		324	315	260
Springs		394	331	209
Wainscott		70	64	27
Town Total	3,183	1,382	1,265	889

The total build-out number of 889 represents a 72% reduction compared to the prior estimate offered in the *Comprehensive Plan Recommendations of Dr. Lee E. Koppelman* report; a 36% reduction compared to the 2002 Planning Department estimate; and a 30% reduction compared to the April 2004 Planning Department adjustment. While it can be safely stated that development accounts for some of the differences between these estimates, the number of building permits issued during the intervening years between estimates does not account for the main portion of the reduction in the build-out numbers. Rather, the methodologies used for the prior estimates were not as accurate as the most recent accounting used for this report. The 1999 Koppelman estimate of 3,183 lots represented a count of vacant tax map parcels and did not account for the adopted Urban Renewal Plans, which require substandard lots to be combined before becoming eligible to obtain a building permit. The 2002 Planning Department estimate recognized that counting tax map parcels would yield a number higher than potential build-out in Urban Renewal Areas. However, the data available at the time did not indicate which Urban Renewal parcels were vacant. Therefore, the Planning Department estimates of build-out utilized calculations made by dividing the total vacant acreage within each Urban Renewal Map by the average lot size within the map. The April 2004 Planning Department Adjustment numbers are simply an update of the 2002 calculation based on the number of building permits issued for each map between

[1] This mapping project began in Nov. 2003 and was completed in April 2004.

June 1, 2002 and April 1, 2004. While this method revealed a more accurate number than the tax map parcel count, a better database was needed to determine which lots were vacant and how many existed. The new database developed for the 2004 Revised methodology count was created by the Town Planning Department in 2004 using the Town's GIS (geographic information system) and a parcel by parcel analysis of aerial photographs, building permit records and field visits.

The overall development pattern within each Urban Renewal Map has been examined. Tabulations providing the total number of residential lots, vacant lots, percentage of developed lots, additional lots from potential subdivisions and total potential residential build-out are provided according to each hamlet. Commercially zoned land is not included within these tabulations and protected open space is counted as developed rather than vacant land. An Urban Renewal Parcel for which a building permit has been issued was classified as developed rather than vacant even if no construction had begun at the time of the inventory.

While only one map, EH- 9 is fully built out, all but five of the maps contain residential development on 60% or more of the existing lots. The map containing the lowest percentage of developed lots, AM-1 contains extensive wetlands and constraints to development. Many of the maps containing a large number of potential lots through subdivision are occupied by a non-residential uses such as mining or tennis clubs; others have already been acquired in part by the Town for future affordable housing developments.

Table 20. **Amagansett UR Maps**

UR MAP NO.	TOTAL # OF LOTS	VACANT LOTS	% DEVELOPED LOTS	ADDITIONAL LOTS FROM SUBD. POTENTIAL
AM-1	28	18	35%	0
AM-2	46	5	89%	5
SUBTOTAL	74	23		5
TOTAL Potential Res. Build-out		**28 (23 + 5)**		

Table 21. Wainscott UR Maps

UR MAP NO.	TOTAL # OF LOTS	VACANT LOTS	% LOTS DEVELOPED	ADD'L LOTS FROM SUB. POTENTIAL
Wa-1	151	21	86	6
TOTAL Potential Res. Build-out		**27 (21+6)**		

Table 22. Montauk UR Maps

UR MAP NO.	TOTAL # OF LOTS	VACANT LOTS	% LOTS DEVELOPED	ADD'T LOTS FROM SUBD. POTENTIAL
Mn-1	137	28	79.6	0
Mn-2	168	33	80.3	2
Mn-3	79	19	76	0
Mn-4	108	30	72.2	6
Mn-5	285	77	73	0
Mn-6	156	36	77	17
Mn-7	88	12	76.4	*
Subtotal	1,021	235		25
TOTAL Potential Res. Build-out		**260 (235+25)**		

*Does not include land occupied by Riding Academy.

Table 23. Springs UR Maps

UR MAP NO.	TOTAL # OF LOTS	VACANT LOTS	% LOTS DEVELOPED	ADD'L LOTS FROM SUB. POTENTIAL
SP-1-1	82	15	82 %	0
SP-1-2	156	28	71%	1
SP-2-1	134	21	84%	0
SP-2-2	153	31	80%	0
SP-3	72	26	60%	0
SP-4-1	113	21	82%	2
SP 4-2	144	34	76%	0
SP-5	241	15	94%	0
SP-6	82	12	85%	3
Subtotal	1,177	203		6
TOTAL Potential Res. Build-out		**209 (203 + 6)**		

Table 24. **East Hampton UR Maps**

UR MAP NO.	TOTAL # OF LOTS	VACANT LOTS	% DEVELOPED LOTS	ADDITIONAL LOTS FROM SUBD. POTENTIAL
EH- 1	81	18	78%	0
EH- 2 A & B	182	46	75%	2
EH -3	115	27	76	3
EH-4	69	31	55%	1
EH-5	45	1	98%	0
EH-6	68	21	76%	0
EH-7	103	7	93%	0
EH-8	36	5	86%	1
EH-9	5	0	100%	0
EH-10	71	25	64%	26
EH-11	34	14	59%	0
EH-12	32	15	53%	2
EH-13	72	9	88%	3
EH-14	38	23	60%	3
EH- 15	37	7	76%	0
EH-16	21	6	71%	0
EH- 17	51	12	77%	9
EH-18*				
EH- 19	23	3	87%	0
EH-20	23	6	74%	23
EH- 21	2	1	50%	14
Subtotal	1108	277		88
TOTAL Potential Res. Build-out		**365 (277+ 88)**		

*EH-18 is zoned for NB and CI and does not contribute any potential residential lots.

Affordable Housing Opportunities

Over the past 25 years, the Town Board has acquired and replatted large tracts of relatively inexpensive vacant land within Urban Renewal Maps for the purpose of creating affordable housing. Accordingly, Olympic Heights, Whalebone Woods, Whalebone Woods North and a portion of Windmill Village II are affordable housing projects created by the Town within Urban Renewal Maps. The Town has acquired additional land within Urban Renewal Maps for future affordable housing development at Green Hollow and Kingstown Heights within EH- 10 and EH- 12 respectively.

All the UR Maps have been examined for suitable land available for additional affordable housing projects. Two UR maps containing large blocks of land with the capacity for further subdivision, EH- 20 and EH-21 contain active non-residential uses including an asphalt plant, a sand mining operation and a tennis club and are not readily available for affordable housing. While some of the UR Maps within Montauk depict the capacity for

further subdivision, an examination of the existing development pattern coupled with the developmental constraints did not reveal any large parcels suitable for affordable housing developments. Further analysis of EH-4 may reveal potential land suitable for affordable development (see additional discussion of this Map under Specific Recommendations within each Hamlet - East Hampton section of this report). No other maps were identified with suitable blocks of land available for affordable housing purposes.

Consistent with the Housing portion of this *Town of East Hampton Comprehensive Plan*, the Town will seek to purchase existing homes and vacant building parcels. Some of these acquisitions may occur within Urban Renewal Maps reflecting the potential availability of reasonably priced homes and lots within these maps.

Methods to Reduce Density and Protect Natural and Cultural Features

The difference between the 3,183 residential build-out figure offered in the *Koppelman* report and the 889 actual build-out shows how the existing Urban Renewal Plan and Old Filed Map Study already provide a very effective, workable means to reduce residential density. The Urban Renewal Plan, as currently adopted, provides for a 70 to 72% reduction in the number of residential building permits that could have been issued if there were not Urban Renewal Plans in place.[1] These UR maps not only provide for this great reduction in total build-out and population density, but have continued to provide reasonable economic value to individual lot owners within these Old Filed Maps.

The following three recommendations should be considered to further protect the environment and help reduce density. Given the existing extent and pattern of development however, these tools will have limited application.

1. Require the subdivisions within UR Maps meet the minimum standards set forth in the Suffolk County Sanitary Code <u>Article 6 Realty Subdivisions, Developments and Other Construction Projects.</u>
   Explanation- The Suffolk County Sanitary Code regulates allowable density based on Groundwater Management Zones. East Hampton is divided into two groundwater management zones, IV and V. Zone V requires more protection as it corresponds to the largest ground and drinking water reserves. Within Groundwater Management Zone V, the minimum lot size requirement for residential subdivisions is 40,000 sq. ft. This minimum acreage is required whether or not public water is available. Within Groundwater Management Zone IV, the minimum lot size requirement for residential subdivisions is also 40,000 sq. ft. If public water is available, two dwelling units per acre or one house per ½ acre is allowed within Groundwater Management Zone IV.

[1]Comparing the 3,183 figure from the Koppelman plan to the current 889 number reveals a 72% reduction in density. In the time since the UR build-out estimate of 3,183 was prepared, there were new building permits issued in the UR Maps. Based on the number of building permits issued for new residences within Urban Renewal Maps in 2003, we can project that there were approximately 225 new building permits issued in the UR Maps in the intervening years since the 1999 estimate was prepared. To compare vacant lots in 2004 terms, we could subtract 225 from 3,183, for a total of 2,968. Using these comparable figures, the current UR plan provides a 70% reduction in residential density.

The Urban Renewal Maps in all of Amagansett, Montauk, and Springs fall within Groundwater Management Zone IV. None of Springs has public water; most of the UR areas within Montauk and Amagansett have or are within close proximity to public water. All the Urban Renewal lots in Wainscott fall within Groundwater Management Zone V and are not currently served by public water. The Urban Renewal Maps in East Hampton are divided between the two Groundwater Management Zones, with some being served by public water and most not.

These Suffolk County Health Department regulations specifically exempt separate tax map parcels, which appeared on the Suffolk County Tax Map as of Jan.1, 1981. As all of the UR Maps consist of Old Filed Maps, most of their acreage appeared as separate tax map parcels in the 1981 Suffolk County Tax Map. However, requests to subdivide aggregated blocks of land within UR Maps, represented as one tax map parcel in 1981, are currently required to meet these standards. For example, all requests to divide aggregated blocks of land within UR Maps in Groundwater Management Zone V within the western portion of the East Hampton Planning Area and Wainscott require a minimum of one acre of land, regardless of zoning. All requests to divide aggregated blocks of land within UR Maps in Springs, having no public water, require a minimum of one acre. Most of the requests to divide aggregated blocks of land within UR maps in Amagansett and Montauk require a minimum of ½ acre of land. These standards are already being applied and should be reflected in the UR procedures. It is recommended that a notation be added to the UR Maps stating that subdivisions must meet Health Department minimum lot area standards as specified by Article 6 of the Sanitary Code.

Excluding the UR Maps in East Hampton, only 4% of the potential residential build-out or 42 new lots can be created through a subdivision process. In the East Hampton Planning Area there are an additional 88 potential lots that could be created. Some of these potential lots have been projected from land, which is currently occupied by non-residential uses, which will be considered for rezoning. Other potential lots have been projected from land, which the Town has already targeted for Affordable Housing. In accordance with the Town housing goals and the recommendations offered in the housing section of this *Town of East Hampton Comprehensive Plan,* acceptable affordable housing sites will be eligible for as much as two times the density specified by the Suffolk County Health Department through the Transfer of Development Rights Bank Program. Therefore, the UR Maps or portions of UR Maps deemed acceptable by the Town Board for affordable housing sites should not be required to meet the Suffolk County Health Department minimum lot area standards as specified by Article 6 of the Sanitary Code. In short, applying the Health Department standards to the UR Maps not suitable for affordable housing, could help reduce build-out and help to protect ground and drinking water resources, but to a limited extent.

2. Conduct a comprehensive review of the zoning for the UR Maps as part of this *2004 Town of East Hampton Comprehensive Plan.*
   Explanation- Existing zoning of the UR Maps includes the following residential classifications: B, A, A2 A3. Portions of Old Filed Maps within UR Maps are zoned for: Central Business, Neighborhood Business, Service Commercial and Commercial

Industrial. Portions of UR Maps are also within the following Overlay Districts: Harbor Protection Overlay, Water Recharge Overlay, or Affordable Housing Overlay. Another section of this *Town of East Hampton Comprehensive Plan* will evaluate the zoning of each UR map as part of the town wide comprehensive evaluation of zoning.

3. Develop a tax incentive or another program to encourage homeowners within Urban Renewal Maps to acquire and permanently merge adjacent vacant UR lots with their house lots.
   Explanation- The Urban Renewal Plans designate specific vacant undersize lots which need to be combined before a building permit can be issued. Lots improved prior to the enactment of the Urban Renewal Plan in 1976 are excluded from the requirements to acquire additional land. It is recommended that a tax incentive program or another program be designed to help existing homeowners to increase the size of their existing house lots. Increasing the existing house lot sizes will help reduce impacts to ground and drinking water supplies. The program would need to specify that no new house would be allowed on the acquired lot.

   While such a program could help to reduce density and overall build-out, it is difficult to project how effective any such program would be. The success of the program would be largely dependent on the financial means of the existing homeowners within the UR Maps.

Roads and Infrastructure Development

The Old Filed Maps within the Urban Renewal Map program were filed without any provisions for making the necessary improvements to serve the developments. To prevent the unsafe conditions which could have occurred without these improvements, the *Urban Renewal Plan* provides a comprehensive system to open and improve roads, install fire protection and road drainage structures and other similar type of improvements. Each Urban Renewal Map within the *Old Filed Map Study* depicts the improvements to be made. The Road Improvement Unit (RIU) system was designed to equitably distribute the costs associated with these improvements. Accordingly, before a landowner can obtain a building permit to construct a new house on a vacant parcel of land within an Urban Renewal Map, the owner is required to undertake a portion of the improvements in accordance with the overall plan for the Map. In the alternative, an undertaking for the dollar amount of the work required to be implemented can be executed in favor of the Town, but no certificate of occupancy will be issued until the work assignment has been satisfactorily completed.

The RIU system of improvements has prevented unsafe conditions while providing access and suitable home sites for approximately 2,772[1] households in East Hampton Town. While there is room for improvement, the RIU system has successfully protected the health, safety and welfare of the residents within these areas.

[1] This number was derived from subtracting the vacant number of lots from the total number of lots listed per hamlet in the charts on pp 4-6. Within the Urban Renewal Maps there are: 51 residences in Amagansett; 130 residences in Wainscott; 831 in East Hampton; 786 in Montauk; and 974 in Springs.

The main problem from the RIU system stems from the fact that all the required improvements are not made at the same time. As explained above, the improvements are required at the time each landowner seeks a building permit. This has served to keep infrastructure improvements and expenses to landowners in balance with the timing for actual development. However, some of the work undertaken in this piecemeal timing fashion deteriorates before enough residential development has occurred to complete the job. Roads which are not completed do not meet the meet the minimum standards for acceptance into the Town Highway System and do not get plowed or maintained. This causes further deterioration and access problems.

The Town Highway Superintendent has the general authority to make the improvements necessary to bring roads into the Town Highway System[1]. Although the cost for such improvements could be spread across the entire town tax base, creating Road Improvement Districts pursuant to NYS Town Law Section 200 provides a means to assess the cost for such improvements to the landowners benefiting from such improvements. To fund and implement the completion of the road infrastructure needed to accept the UR roads into the Town Highway System, Road Improvement Districts should be considered for the maps which are already largely developed.

To apply Road Improvement Districts according to NYS Law Section 200 to Urban Renewal Maps, several problems must be overcome. A 50-foot minimum road right-of-way is required before roads are allowed to be accepted into the Town Highway system.[2] Most of the Old Filed Maps provided for only 40 foot wide road right of ways. While the UR plans require the necessary highway easements to be dedicated to the town as a condition for obtaining a building permit on a vacant parcel of land, the lots containing houses prior to the adoption of the UR plans have not provided this dedication. Vacant lots have not provided this dedication either. To overcome this problem, a comprehensive evaluation of road right-of-way widths must be conducted as part of or as a pre-requisite to developing a Road Improvement District. Condemnation of land may be needed as part of the overall plan and should be considered accordingly.

A 1996 Town Board and consulting engineer assessment of the UR road conditions recommended that the RIU system be given a "jump start" by creating Road Improvement Districts for the main arterial roads within UR maps. Accordingly, these main roads would be improved and taken into the Town Highway system, providing improved access to property owners within the entire map. Future RIU assignments would not be needed to repeatedly repair the deteriorated main roads, but could instead be applied to improve the smaller, less essential tap streets. However, according to Town Law Section 200, the cost of a Road Improvement Districts can only be assessed against lots having actual frontage or abutting the road. Given the road configuration in many UR Maps, numerous non-abutting lots would benefit from improving the main arterial roads but would not be assessed the cost. Furthermore, since there is more than one main road within many UR Maps, there

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[1] Article VIII NYS Highway Law

[2] According to NYS Highway Law Section 171, land dedicated to a town for highway purposes must be not less than 3 rods (approx. 50 ft.) in width except upon certification by the State Commissioner of Transpiration. Since the UR plans have incorporated a systematic program to obtain the minimum 50-foot minimum right-of-way width, it is unlikely that an exemption from this requirement would be granted for the UR roads.

could be the requirement to create several Road Improvement Districts per UR Map. Given the number of UR Maps and the number of main roads requiring improvement, the time and effort to create all the Road Improvement Districts needed would extend for many years. To overcome these problems, the Town Board has been working with the New York State Legislature on a Home Rule provision to allow Road Improvement Districts to apply to all benefiting property owners within a UR Map.

Town-wide Recommendations for Urban Renewal Maps

1. The Town Board and Town Highway Superintendent should review UR Maps which contain road configurations appropriate for the creation of a Road Improvement District under the current laws with the Town Engineer, Town Planning Department and Town Attorney's Office. After developing a system of priorities, a reasonable number of Road Improvement Districts should be developed each year.

2. The Town Board should continue to lobby the New York State Legislature to adopt a Home Rule Provision to allow East Hampton Town to create Road Improvement Districts for all the properties benefiting from improving the main roads within a UR Map. After such legislation is adopted, a system of priorities for developing a reasonable number of Road Improvement Districts applying to an entire UR Map should be developed each year.

3. Prohibit the subdivision of land within UR Maps, into lots which do not meet the minimum lot sizes specified by the Suffolk County Health Department regulations. Accordingly, subdivisions of land within Groundwater Management Zone V must meet a minimum 40,000 sq. ft. lot area; subdivisions of land within Groundwater Management Zone IV not served by public water must meet a minimum 40,000 sq. ft. lot area; and subdivisions of land within Groundwater Management Zone IV which are served with public water must meet a minimum 20,000 sq. ft. lot area. This provision shall not apply to affordable housing projects as determined by the Town Board.

4. Develop tax incentives or another program to encourage homeowners within UR Maps to acquire adjacent vacant UR lots. The program must require permanent agreements to merge the vacant lot with the house lot.

5. Conduct a comprehensive review of the zoning for each UR Map as part of the Town-wide evaluation of zoning portion of this *Town of East Hampton Comprehensive Plan.*

6. Conduct a comprehensive review to correct and update the notations and proposed improvements within each UR Map. Substantial work on this task has already been undertaken by the Town Engineer and Planning Department. The Town Drafter-Illustrator has converted the UR Maps to digital form, which will help facilitate the task of making revisions to the Maps. Some maps require drafting changes to depict the correct: zoning district and zoning district boundary; dimensions for scenic easements; and recommendations for town

acquisitions. A notation should be added to the maps to indicate that all subdivisions within UR Maps are required to meet the minimum lot sizes in accordance with zoning and the provisions of the Suffolk County Sanitary Code Article 6.

In addition, systematic changes should be made to modernize and update the recommendations for improvements within these maps. This will help to reduce unnecessary roads, improvements and expenses. In some instances, the UR recommendations for improvements do not follow current EH planning and engineering practices and need to be updated accordingly. The following recommendations offered by Thomas D. Talmage, P.E[1] should be incorporated into this review and updated:

- To reduce the many miles of unnecessary roadways platted but not opened or improved in the Old Filed Maps, the Urban Renewal Maps currently designate for abandonment the roadways or portions of roadways not needed for access. The abandoned right-of-ways are allowed to be incorporated into the adjoining lots, except for the locations needed for driveways, also depicted on the UR Maps. The Urban Renewal Maps should be modified to mark for abandonment the twenty foot by twenty-foot (20' X 20') strip of land immediately adjacent to the parcel requiring driveway access through the abandoned right-of-way (see attached sketch). This will facilitate implementation of the UR recommendations and simplify the description of the abandonments, while still providing safe access to all properties within the UR Maps.

- Within abandoned right-of-ways, the UR Maps currently allow for the development of two driveways side-by-side, contrary to current subdivision regulation standards. Requiring one 20-foot wide common driveway rather than two 15-foot individual driveways reduces the amount of clearing and grading of natural vegetation and improves sight distance and safety conditions. The UR Maps should be modified to incorporate this current standard. The remaining 10 foot wide strip should be designated for abandonment and incorporation into the adjacent properties.

7. The Town Board, Town Highway Superintendent, and Town Engineer should develop a plan with LIPA and the other utilities for the orderly installation of utilities within the UR Maps. This would help solve the current problems[2] resulting from the installation of utilities, including transformers, utility poles, etc. in locations needed for drainage structures, common driveway access, or other improvements.

8. Consider developing legislation to require the installation of dry wells for all new residential construction in UR Maps, in accordance with the recommendations

[1] March 11, 2004 Memorandum from Thomas D. Talmage, P.E. to Marguerite Wolffsohn, Planning Director
[2] March 11, 2004 Memorandum from Thomas D. Talmage, P.E. to Marguerite Wolffsohn, Planning Director

made by Thomas Talmage[1]. Although the UR Maps have successfully increased the minimum lot size compared to Old Filed Maps, the lots within Urban Renewal Maps are among the smallest residential lots in the Town. Installing dry wells for all new residential construction will help reduce drainage problems associated with development of these small lots and increase the amount of clean water recharging the groundwater.

9. Consider including in the UR maps the commercially zoned land areas within the Old Filed Maps. Old Filed Maps in the UR Plan in Wainscott, Springs and East Hampton contain some land currently zoned for: Commercial Service, Commercial Industrial, Neighborhood Business and Central Business. Maps containing commercial zones contain a notation indicating these areas are excluded. While these commercially zoned areas do not contribute to the improvements in the map according to the residential RIU system, they are generally required to make off-site road improvements as a condition of site plan approval. However, roads or driveway locations needed for access to the residential land are often included within these commercially zoned areas. To avoid the problems that this situation has caused in the past, consideration should be given to including commercially zoned land within the UR Map, but generally excluding these areas from the RIU requirements. For the maps which contain largely undeveloped commercial land areas, the UR Map should be amended to include a road improvement plan for the commercial land as well as the residential land.

Specific Recommendations within each Hamlet

Amagansett

There are two Urban Renewal Maps within Amagansett. AM-1 is located in Napeague and contains wetlands, dune lands, high groundwater conditions and high potential for flooding. The Map is zoned A Residence and contains 18 vacant parcels with no potential to subdivide. It is recommended that UR parcels 28, 26, and 3, all contained within the VE Flood Hazard Zone[2] and contain extensive wetlands, be considered for acquisition. If these lots are acquired, modifications to reduce the length of proposed road improvements can be made accordingly. UR parcel 14, already listed on the Map as "recommended for Town acquisition for wetlands preservation purposes" should still be considered for acquisition. These priority parcels should be added to the Community Preservation List for acquisition. There are other constrained parcels within this map as well, which should be considered for acquisition on a case-by-case basis.

AM-2 consists of two distinct Old Filed Maps: Map 210 –Schellinger Estate and Map 454-Properties of W. M. Terry and E. W. Babcock. Both of these maps are currently served by public roads and are largely developed. The pattern of development of a portion of each of

[1] Ibid

[2] The VE Flood Hazard Zone is defined by the Federal Emergency Management Agency as the area of the one-hundred-year flood plain which is subject to velocity hazard (coastal wave action) and in which base flood elevations have been determined.

these maps more closely resembles the adjacent area outside the UR Map and will be considered in the Town-wide zoning recommendations portion of this plan.

Wainscott
There is one UR Map containing one Old Filed Map within Wainscott. The Town Board recently acquired the central section, recommended for acquisition on the Map. This map contains commercial development, 125 residences and 21 vacant residential lots scattered throughout. Most of the roads within this map are complete and have been accepted into the Town Highway system. The development pattern in this Map is already well established. The block of vacant land at the western entrance to the map and town will need to meet Suffolk County Department of Health Services one-acre minimum lot area standards for subdivision approval. This block of land will be considered as part of the Town-wide zoning recommendations portion of this plan.

Montauk
There are seven Urban Renewal Maps within Montauk, all lying between Lake Montauk and Fort Pond. All of these maps contain freshwater wetland areas, many draining into Lake Montauk. Some of the maps contain public well fields and significant groundwater reserves where groundwater contours suggest a 205' deep freshwater lens. Some of the maps contain significant historic and archaeological resources. Chronic and severe flooding conditions exist in some portions of maps. Given these constraints and the configuration of development within these maps, there are opportunities for rezoning, which will be considered as part of the Town-wide zoning recommendations portion of this plan.

After rezoning is considered, a re-evaluation of the improvements needed for each map should be conducted. Proposed improvements to roadways should be modified to reduce disturbance to wetlands, reduce flooding and drainage problems, and eliminate roads where lots have been eliminated or acquired. Individual lots should continue to be recommended for acquisition based on evaluations made during the review of Natural Resource Special Permit applications.

Springs
Although East Hampton contains more than three times the number of UR Maps compared to any other school district, Springs has the largest number of residentially developed parcels within UR Maps, with 1,177 residences. The six UR Maps in Springs are densely developed. Except for one small area within one Urban Renewal Map along the perimeter of Accabonac Harbor, the opportunity to change the development pattern through zoning or other methods in these Urban Renewal Maps is slight. The population per square mile in Springs is two to six times higher than any other school district in East Hampton[1], which is related to the high number of housing units, particularly in the UR Maps.

There are few opportunities to subdivide land within Springs UR Maps. As Springs is not currently served by public water, a minimum one acre size will be required as a pre-requisite for any subdivision, regardless of current zoning, in order to meet Article 6 of the Suffolk County Health Department standards.

[1] Source: US Census

The Town Board has decided to evaluate the need and benefits from extending public water to Springs. Regardless of the outcome of this evaluation, it is recommended that every effort be made to reduce future build-out in Springs and the UR Maps in particular for the following reasons:

- Reducing build-out will help reduce population density in keeping with the goal of maintaining and restoring East Hampton's rural and semi-rural character.
- Reducing build-out will help reduce septic loading and impacts from human habitation on groundwater, drinking water, surface water, wetlands and scenic resources, in keeping with the goals of the Comprehensive Plan.
- Reducing density will help to reduce future traffic congestion and help preserve East Hampton's existing character.
- Reducing build-out will help limit property tax increases which result from residential development.[1]

Prioritizing parcels for acquisition within UR Maps can help to meet the goal of reducing build-out, with the associated benefits itemized above and can also help to create open space areas for passive and active recreation. The costs and disturbance associated with infrastructure improvements can be reduced by acquisitions in key locations. Criteria for prioritizing acquisitions for UR lots in Springs should include:

- Ability of parcel to form a block of open space for passive or active recreation. Contiguous vacant parcels and vacant parcels adjacent to existing open space and parkland within and immediately adjacent to UR Maps should be given priority for acquisition.
- Parcel currently lacks infrastructure such as roads or common driveways so that acquisition of the parcel would reduce land disturbance and infrastructure costs.
- Parcel contains sensitive cultural or environmental features. Although Springs UR Maps are within largely developed areas, there are some significant environmental and cultural features contained on some lots. Further the cumulative effect on the health of the bays and harbors and the character of the area should be considered.
- Protect as much land as possible. The lower the per acreage cost of acquisitions, the larger amount of land can be acquired.

The Board should consider re-funding the Small Lot acquisition program, the Community Preservation Program and other funding sources to make acquisitions within UR Maps in Springs.

East Hampton

East Hampton contains the largest number of UR Maps (21), the largest number of vacant lots (277) and the largest number of potential residential lots including the subdivision potential (365) in the entire town. Greater than 70% of the lots are developed in all but the following six Maps: EH-4, EH-10, EH-11, EH-12, EH-14, and EH-21. The Town Board has already acquired land within EH-10 to develop for the Green Hollow affordable house lot project. Vacant land within EH-12 has also been acquired for the Kingston Heights affordable house lots project and to provide for service commercial land uses. EH-14

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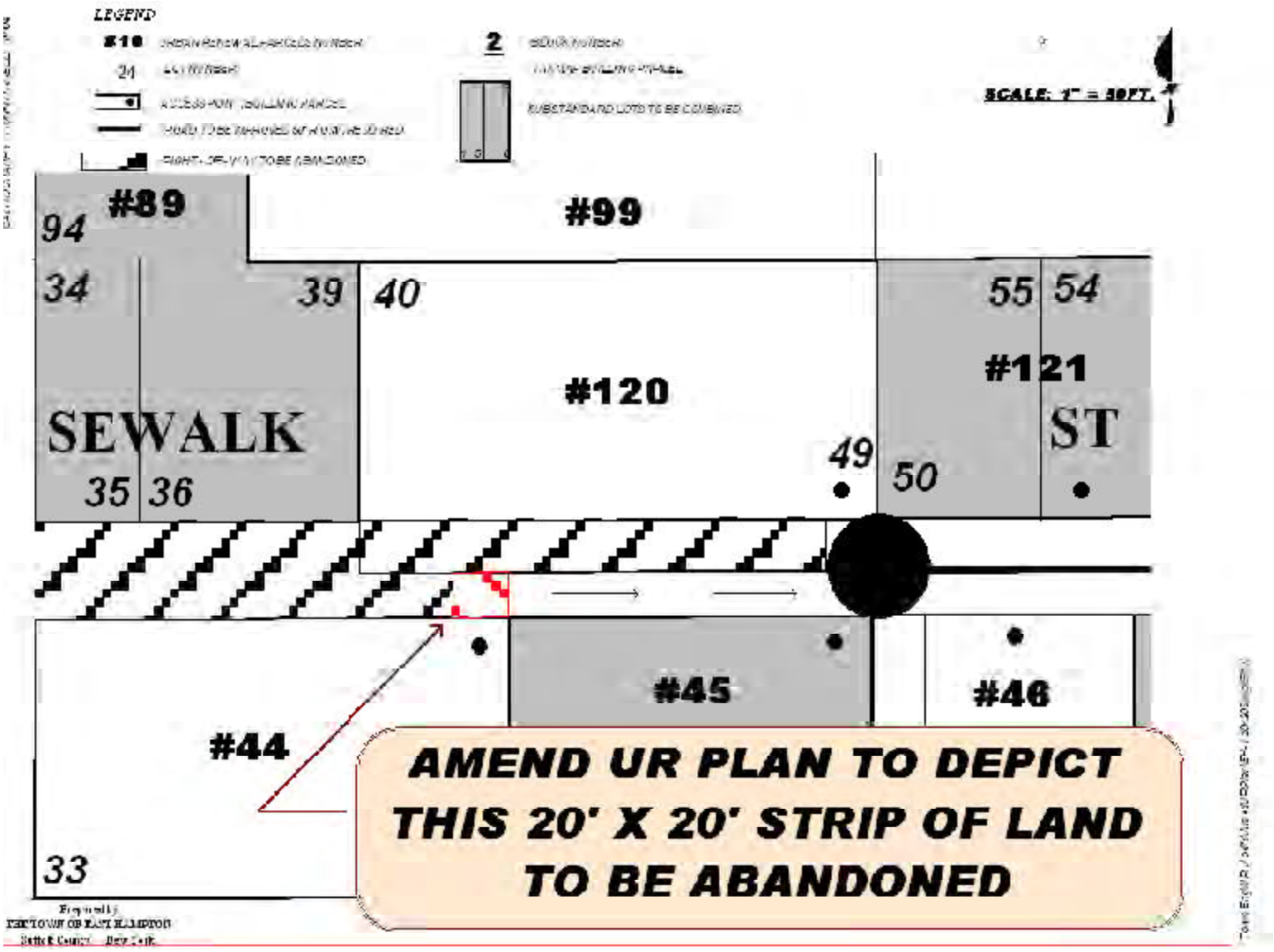
[1] TOEH **Open Space Plan** 1995; Hammer **The Best Buy is Open Space**1970; Hammer, et al. **The Best Buy is Open Space Barcelona Point** 1978; Thomas **The Economic Benefits of Land Conservation 1991.**

contains a large block of residentially zoned land currently used for heavy commercial industrial uses. This map will be examined further as part of the town wide re-evaluation of zoning. EH-21 contains a tennis club. While EH-11 is only 59% developed, there are only with fourteen vacant lots. Current development standards have been applied to EH-11 reflected by the existing zoning of two of the Old Filed Maps within this UR Map for A3 and A Residence zoning.

EH- 3 and 4 Olympic Heights Sections 1-4, located between Three Mile Harbor Road, Abrahams Path and Old Fireplace Rd., contain interconnected roads and 58 vacant lots with some limited potential to subdivide. EH-4, the eastern map, contains several blocks of vacant land some carrying the recommendation for parkland acquisition. Further study is needed to determine whether land within these maps is suitable for future affordable housing, future trails and parkland, or non-residential re-use. Improvements to the roads and infrastructure within both of these maps should be considered as part of the analysis.


LEGEND
SCALE: 1" = 50FT.
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AMEND UR PLAN TO DEPICT THIS 20' X 20' STRIP OF LAND TO BE ABANDONED

Map C

WATER RESOURCES MANAGEMENT PLAN

This section includes only the Executive Summary of the East Hampton Water Resources Management Plan, prepared by Larry Penny, Natural Resources Director and others and the 42 recommendations, as modified by the East Hampton Town Board. The full report, as modified by the recommendations included in this section, is incorporated by reference into the *Town of East Hampton Comprehensive Plan,* May 6, 2005.

EXECUTIVE SUMMARY

The Water Resources Management Plan for the Town of East Hampton was prepared for the purpose of evaluating fresh groundwater and surface water in the town. The issues to be addressed relate to both the quantity and quality of the water resources and their relation to potable water supplies at present and in the future. In addition, the relationship between water resources and ecology was also evaluated.

The town covers an area of 73.3 square miles and has an estimated population of 21,000 year-round residents. During the summer months, the population increases to approximately 65,000. Based on U.S. Census information, the year-round population increased by 22 percent in the period from 1990 to 2000. Expected future development to the point of buildout will increase the demands on the groundwater supply as well as increase pressure on surface water bodies.

The groundwater reservoir beneath the town is the source of all drinking water that is used to supply residents and businesses with potable water. Some of this water is provided by a network of public supply wells and distribution pipes that are operated by the Suffolk County Water Authority and the balance is provided by private wells.

The fresh groundwater exists in the interstitial spaces between sand grains and this reservoir "floats" on the saltwater portion of the groundwater that surrounds the fresh water on all sides as well as beneath the fresh water. The thickness of the fresh water lens ranges from zero or near zero feet in the vicinity of the coastlines and increases landward with a maximum thickness that is estimated to be 600 feet in the western portion of the town in the deep recharge area. The amount of rainfall in the town averages 45 inches per year, of which a minimum of half of this amount reaches and recharges the aquifer. Figures A, B and C show the average annual rainfall as measured at four different stations, Montauk's Ditch Plains, Spring's Wastewater Treatment Facility, Northwest Road and Northwest Creek from 1995 through 2003, and the annual and monthly rainfall in Springs (Wastewater Treatment Facility) since 1993.

Based on the "Master Water Supply Plan for the Town of East Hampton" prepared for the Suffolk County Water Authority by Leggette, Brashears & Graham (1997), the amount of precipitation that recharges the aquifer averages approximately 32 million gallons per day and this includes only the area above the five-foot water table elevation contour line (Napeague and Montauk do not contain groundwater elevations consistently over five feet and are, therefore, excluded from this calculation.) The safe yield has been calculated to be 25 million gallons per day. The consumptive use in this area has been calculated to be 2.26

million gallons per day and, therefore, is well below the safe limit. It has been calculated that at the point of complete build-out, the consumptive use may rise as high as 11 million gallons per day, which would still be less than half of the safe yield even in a year of severe drought (where recharge drops to 15 million gallons per day).

Therefore, it can be concluded that there are no water quantity issues that the town will face, now or in the future based on the projected future build-out populations and consumptive use. However, it is important to recognize that these projections relate to the town's aquifer as a whole. Overpumpage in localized areas may have the impact of causing or exacerbating saltwater intrusion. In addition, many wetlands, streams, and ponds in the town exist as expressions of the water table. Therefore, localized overpumpage may reduce the water table elevation and this can reduce water levels in ponds, reduce or eliminate streamflows, and threaten wetlands. These impacts could threaten the populations of plants and animals and can also impact the surrounding marine ecosystems since changes in streamflow can impact the salinity of saltwater bodies that can impact the marine flora and fauna.

It has been concluded in this report and in previous reports addressing groundwater issues that the focus of groundwater protection should be on preventing localized overpumpage and protecting and improving the quality of the groundwater.

With regard to the issue of water quality, this issue can be separated into surface water quality and groundwater quality. Surface water bodies in the town include the streams, ponds, tidal creeks, tidal embayments and wetlands. Ponds and streams that exist near the coastal areas such as Georgica Pond, Hook Pond, and Northwest Creek are hydraulically connected to the groundwater and owe their existence to the fact that the land surface elevation is below that of the water table. Therefore, these water bodies are susceptible to contamination that emanates from releases of contamination at the surface such as surface contamination spills within the water body or its drainage basin, or windblown contamination that settles in the water body. They are also susceptible to contamination that emanates from remote locations but is transported to, and discharges to, the water body. Other ponds and wetlands, generally in the central portion of the town and away from the coastline are likely to be perched water bodies, that is, they do not owe their existence to the water table that may be, in some locations, over one hundred feet below the perched water body. The perched body exists owing to the presence of a clay layer or other relatively impermeable geologic stratum that prevents the infiltration of precipitation to the water table. The precipitation then accumulates above this layer and forms a pond or wetland. Perched water bodies are, in general, only susceptible to contamination from surficial sources.

Generally, groundwater contamination occurs when contaminants are released to the surface of the land and are transported through the soil to the groundwater by gravity (in the case of liquids) or are transported downward by infiltrating precipitation. Sources of contamination in the town may include landfills; gas stations; underground storage tanks; pesticide and fertilizer applications in agricultural, residential, and commercial areas; septic systems; dry cleaners; and stormwater runoff.

Two major landfills exist in the town: the Springs-Fireplace Road Landfill and the Montauk Landfill. Both landfills were in operation from the early 1960s until the 1990s. Both

landfills have resulted in the presence of leachate in the groundwater that emanates from their putrescibles mounds and has migrated in accordance with groundwater flow. The leachate contamination associated with the Montauk Landfill is considered to be relatively minor and there are no known impacts to private or public supply wells. At the Springs-Fireplace Road Landfill, a contaminant plume is migrating north and northeast and the primary constituent of concern in the plume is tetrachloroethylene that is present in moderate concentrations in the groundwater. The plume is sufficiently wide and deep that current technologies to remediate the groundwater are not considered to be feasible (plume remediation may cost tens of millions of dollars and require 30 years or more to complete).

Gas stations represent significant sources of contamination due to leaking underground storage tanks, surface spillage that is carried by stormwater runoff to the subsurface, and, if the station performs auto repairs, there is the potential for waste oils, hydraulic fluids, and solvents that enter the subsurface and contaminate the groundwater. Although regulations regarding contaminant sources have become stricter over the years, the result has been to reduce but not eliminate new spills. In addition, it is not unusual for contamination from a gas station to remain undetected for decades. In general, it can be stated that gas stations that have operated at the same location for over 30 years are highly likely to have at least some contamination of the soil and groundwater related to its operations. Gasoline releases that have occurred since approximately 1979 are also likely to contain methyl tertiary butyl ether (MTBE). MTBE is considered to be the chemical that many feel creates the greatest potential environmental concern since it is a suspected carcinogen and it moves more rapidly in groundwater than any other gasoline constituent. It also resists natural biodegradation in the groundwater environment. Therefore, it contaminates significantly greater areas and remains for a longer period of time than any other gasoline constituent. Spills that involve MTBE will require longer periods of time and greater costs to remediate.

Residential and commercial underground storage tanks that are less than 1,100 gallons are not regulated in New York State and are, therefore, not required to perform periodic tightness testing or maintain inventory records. Therefore, an unregulated underground storage tank has a significantly greater probability of causing a release of petroleum that may remain undetected for years. It is estimated that there may be between 4,000 and 8,000 underground storage tanks that are unregulated in the town. Also, it was estimated by the U.S Environmental Protection Agency that at the age of 17 years, 50 percent of steel underground storage tanks contain leaks. Based on this information, it is estimated that there may be hundreds or thousands of underground storage tanks in the town that are leaking. This may represent the largest threat to the groundwater quality in the town for any category of contamination.

The use of pesticides, herbicides, and fertilizers for residential, commercial, recreational, and agricultural purposes has had an impact on the groundwater in the town. Past use of aldicarb starting in the late 1970s had a significant impact on groundwater. In addition, the Suffolk County Department of Health Services performed an investigation of the incidence of pesticides in groundwater wells within the town. The results of the investigation showed that numerous pesticides have been detected at various well locations throughout the town. The sources of these pesticide detections are believed to be related to residential applications for lawn care, farmland, and, possibly, golf courses, wineries, and plant nurseries. In residential areas, roof runoff from houses that do not contain gutters may cause excessive

overland runoff over a relatively wide area. This may result in additional pesticides, herbicides, and fertilizers becoming entrained in the stormwater runoff as the water passes over a residential lawn.

Septic systems associated with residential and commercial properties have an impact on groundwater quality by adding nitrogen and in some cases, bacterial contamination to the groundwater. The majority of this contamination occurs as a result of the existence of poorly designed septic systems. Areas near the coastline often contain septic systems that do not have the minimum required separation between the base of the septic pool and the water table. The Suffolk County Department of Health Services requires this separation to be at least three feet. There are more than 20,000 septic systems in the town, more than half, of which are concentrated in relatively high-density residential areas.

Dry Cleaners are known to use tetrachloroethylene in the dry cleaning process. The dry cleaning machines contain this chemical and if the machine leaks, tetrachloroethylene is known to migrate downward, through solid concrete to contaminate the soil and groundwater. In addition, spills and discharges to leaching pools and sinks can enter the subsurface. Many dry cleaning businesses on Long Island that have had releases are now included on the Superfund list since tetrachloroethylene is considered to be a hazardous waste.

Stormwater runoff presents concerns since the runoff will incorporate contaminants it encounters and transports those contaminants to, primarily, surface water bodies (including Peconic Bay and the Atlantic Ocean). Nutrients, coliform bacteria, gasoline, and salts are common runoff contaminants.

In addition to the contaminants listed above, the Town of East Hampton Natural Resources Department has performed a sampling investigation to evaluate the issues of road salting and the issue of lead in drinking water.

The road salting issue was evaluated to determine if road-salting activities performed during winter months was having an impact on the quality of groundwater. Numerous samples were obtained from groundwater monitoring wells located adjacent to or near roads that are routinely salted during periods of snow or icing conditions. In addition, stormwater catch basin liquids were sampled following snow events. The results of the investigation show that, in general, the concentrations of chlorides (an indication of the use of salts) were significantly elevated in areas known to be salted on a regular basis during winter months. Therefore, it was concluded that there is a clear correlation between the use of road salts and the concentrations of chlorides in the groundwater.

The issue of lead in drinking water was evaluated to determine if residential tap water contained elevated concentrations of lead. Based on well sampling performed in the town, it is known that little or no lead is present in the native, unimpacted groundwater. However, it is also known that lead solder that has been used historically to connect and seal residential and commercial plumbing can enter the drinking water. This is known to occur most frequently as a result of standing water remaining in piping overnight. Lead solder leaches into the water and the first few gallons that are obtained from the tap in the morning may contain elevated concentrations of lead. It has long been a recommendation by various

public health agencies to let tap water run for two minutes or so to clear the water that has been standing in pipes overnight. This recommendation has generally been applicable to older homes where the plumbing was installed during the period when lead solder was used. However, recent testing by the town at various residences has shown that elevated levels of lead were present in the first draw water even in houses that are relatively new and would not have been expected to contain lead in the solder.

Three other potential sources of groundwater and surface water contamination are swimming pool, laundromats and car washes. To date there is only one operating car wash, situated in Amagansett, two Laundromats, one in Amagansett, one in Montauk, and thousands of swimming pools. Swimming pools for individual residences are not regulated and there is no way to tell to what degree they pollute the groundwaters below them and surface waters near by them. Community swimming pools are regulated by the Suffolk County Health Services Department, but such regulation has to do more with the health of the swimmer than the quality of the water discharged to the ground via pool cleaning and pool maintenance.

With regard to the issue of surface water quality, the U.S. Geological Survey has recently completed an extensive study of the water quality in numerous ponds in the town. Samples were analyzed for pesticides and the results showed that low levels of pesticides were detected in many of the ponds throughout the town. In addition, samples were obtained for a group of chemicals that are known as "emerging contaminants" since the technical ability to sample for these chemicals has been, until recently, limited or non-existent. The chemicals include pharmaceutical drugs, hormones, steroids, and caffeine. Low concentrations of these compounds have been detected in the waters of the town. However, this area of investigation is in its early stages and the environmental impact of these chemicals is not generally known. It is also generally unknown what concentrations of these chemicals would be considered harmful. However, the town supports the efforts of the U.S. Geological Survey in this important research and we look forward to receiving additional information on this subject in the future.

In addition to the specific issues related to groundwater quality improvement, there are issues of land-use planning that are related to groundwater quality maintenance and improvement. The objectives of this plan are consistent with the applicable portions of the comprehensive plan for the town that has been prepared. Specifically, the comprehensive plan recommends the restoration and/or enhancement of the hamlet and village centers to maintain the rural and semi-rural character of the town. In addition to the quality of life issues addressed in the comprehensive plan, encouraging development in or in the vicinity of areas already developed has the added benefit of leaving open space in the central portion of the town (which is the area of deep flow recharge and the most critical portion of the aquifer). Recharge that falls as precipitation in areas of open space creates higher volumes of recharge (when compared to developed areas) and higher quality water is recharged to the aquifer. Moreover, the hamlet and village centers such as Wainscott, the Village of East Hampton, and Amagansett are located, in general, on the southern portion of the South Fork. These areas are the most desirable for development from a hydrogeological standpoint since they are in a shallow groundwater flow area and the groundwater flow direction is to the south and towards the Atlantic Ocean (which is much less susceptible to contamination when compared to the comparatively diminutive Peconic Estuary). Were the

Town of East Hampton divided into three general categories based on suitability for development based on water resource sensitivity, the least sensitive area would be the Atlantic coastal area for the reasons just described. The intermediate area would be the Peconic Bay coastal area since, although the Peconic Bay is more sensitive than the Atlantic and groundwater in this area will discharge to the bay, it is located in a shallow groundwater flow area (although the shallow flow area is thinner since it is a shorter distance landward from the bay as compared to the shallow zone on the Atlantic side of the town). The most sensitive area is the central deep-flow recharge area. This area is where, by far, the greatest reserves of fresh groundwater and the highest quality water exists. It is also the most sensitive to impacts since contamination that occurs in this area has the ability to move both laterally and vertically, i.e., in three dimensions, and, therefore, plumes in this area can be both long and deep and, thus, have the potential to impact a significantly greater volume of groundwater.

In terms of acting as subsurface receivers for septic effluents, road salts and other contaminants, it can be concluded that from a water resources management point of view, the Atlantic coastal area is significantly more desirable than the other two areas in the town, one of which discharges to the deepest flow recharge aquifers, the other, to tributaries of the Peconic Estuary.

RECOMMENDATIONS TO MEET THE GOALS

This *Town of East Hampton Comprehensive Plan* recommends that the Town Board undertake a variety of actions in order to meet the goals of the plan. These recommendations are listed below according to the goals that they help to implement.

Protect the natural and cultural environment: Goals 1, 2, 3

Goal One: Maintain, and restore where necessary, East Hampton's rural and semi-rural character and the unique qualities of each of East Hampton's historic communities.

Goal Two: Take forceful measures to protect and restore the environment, particularly groundwater. Reduce impacts of human habitation on ground water, surface water, wetlands, dunes, biodiversity, ecosystems, scenic resources, air quality, the night sky, and noise and energy consumption.

Goal Three: Reduce the total build-out of the Town to protect the natural and cultural features identified in goals one and two.

Recommendations to protect the natural and cultural environment

1. **Acquisition-** Continue to acquire the environmentally and culturally sensitive parcels of land identified in the Town of East Hampton Community Preservation Project Plan August 2003, as amended. Amend the Plan and also acquire: priority water protection parcels identified in the Criteria of Acquisition and rezoning section of this plan; the land recommended for acquisition in the Urban Renewal Map Study component of this plan; the land identified by the Critical Lands Protection Strategy of the Peconic Estuary Program.
Note: The Town of East Hampton Community Preservation Project Plan prepared by the Town of East Hampton Planning Department in August 2003, as amended, is incorporated by reference in its entirety into this Comprehensive Plan, with an executive summary provided in Appendix E.

2. **Small Lot Acquisition Program-** Continue to fund and acquire lots in accordance with the Town of East Hampton Small Lot Acquisition Program.

3. **Upzonings-** In accordance with the detailed zoning criteria and recommendations per hamlet, upzone environmentally sensitive residential areas in Town; rezone from commercial industrial to residential land in critical watershed area; rezone from commercial to less intense commercial or residential land along highway corridors along the outer periphery of or between hamlet centers.

4. **House size restrictions-** Develop and adopt maximum house size restrictions relating house size to size of property rather than zoning district.
Explanation- The construction of very large "monster" homes has begun to threaten the character of the community. Regulating the residential gross floor area according to lot size would help to assure that new construction is more compatible with the scale and character of existing development.

5. **Zoning violations-** Increase penalties for zoning and code violations and improve code enforcement.

6. **LWRP-** Implement the Local Waterfront Revitalization Program (LWRP) December 1999 including the recommended coastal legislation, harbor management plans, natural hazard plans, etc.
Note: The Town of East Hampton Draft Local Waterfront Revitalization Program prepared by the East Hampton Planning Department and the Town Waterfront Advisory Committee in December 1999 is incorporated by reference in its entirety into this Comprehensive Plan with an executive summary provided in Appendix C.

7. **Park Preserves-** Recommend State and County Parks as Park Preserves
Explanation- Unless given Park Preserve status, existing state and county parks could be developed for active recreation such as golf courses or other commercial recreation purposes. Commercialization of East Hampton parklands would change the natural character and threaten the critical features of these environmentally sensitive park holdings. East Hampton Town should recommend New York State and Suffolk County officials designate their environmentally sensitive park and open space holdings into the Park Preserve classification.

8. **Park and Conservation zoning-** Conduct a comprehensive review of all publicly owned land appropriate for Parks and Conservation zoning and amend the Town zoning map accordingly. Due to time constraints, some but not all of the publicly owned parcels are recommended for rezoning as part of this effort.

9. **Natural Vegetated Buffers for wetlands-** Require 100 foot natural vegetated buffers around tidal and freshwater wetlands to control flooding and erosion; to improve water quality, species diversity, and habitat; and to allow for inland migration of coastal wetlands. Consider greater setbacks for larger lots.

10. **Natural Vegetated Buffers for bluffs and dunecrests-** Establish setbacks for clearing of bluffs or dunecrests.

11. **Education-** Continue to develop citizen education and incentive programs to address environmental issues directly related to home ownership.

12. **Monitoring-** Conduct on-going scientific monitoring of environmental resources.

13. **Open Space Configuration-** Continue to require that subdivision designs adhere to the provisions of the Town Open Space Ordinance in order to preserve large blocks of open space in conformance with the Town Open Space Plan and the Community Preservation Plan.

14. **Water Management Plan-** Implement the 42 recommendations of the Water Management Plan.
Note: The East Hampton Town Water Resources Management Plan prepared by Larry Penny, the Town of East Hampton Natural Resources Department et al dated March 2004 is incorporated by reference in its

entirety into this Comprehensive Plan with an executive summary and recommendations, as amended by the East Hampton Town Board, provided in the Water Resources Management Section of this report.

15. **Vacant Residential Lots Between Existing Houses-** Develop tax incentives or other programs to encourage homeowners to acquire adjacent vacant residentially zoned lots. The program must require permanent agreements to merge the vacant lot with the house lot.

16. **Urban Renewal Plan-** Implement the Nine Town-wide and additional hamlet specific recommendations in the Urban Renewal Plan.
Note: The Urban Renewal Map Study in its entirety comprises a separate section of this report.

17. **Roadside Buffers-** Maintain the rural character of the Town by continuing the informally adopted Planning Board policy requiring new development to protect and retain the native vegetation along the Town's roadways and transitional areas between hamlet centers.

18. **Land Trusts-** Encourage land trusts to continue to preserve open space in East Hampton**.**

19. **Gardiner's Island-** Encourage the Gardiner's Trust and heirs to develop a conservation and management plan for Gardiner's Island with experts in financing, law, historic preservation, ecology and land planning.

20. **Dark Sky Legislation-** Develop and adopt dark sky legislation appropriate for East Hampton.

21. **Fire Management-** Develop a fire management plan to assure the greatest protection to home sites and forest ecosystems including the Pine Barrens and other dry wooded areas in Town. Planned access routes, controlled burns and other forest management techniques should be explored. The plan should be developed in consultation with the Fire Marshal and Fire Departments, the Natural Resources Department, the Planning Department and the Nature Conservancy.

22. **Meadow Management Plans-** Develop management plans to maintain Town-owned meadows and old fields and work with private landowners to develop same.

Goal Four: Provide housing opportunities to help meet the needs of current year-round residents, their family members and senior citizens, seasonal employees, public employees, emergency services volunteers, and other local workers.

23. **Affordable Housing Plan-** Develop legislation and programs to implement the nine new recommendations and continuation and expansion of the five existing affordable housing techniques identified in the Affordable Housing Section.
Note: Affordable Housing comprises a separate section of this report.

24. **½ % Transfer Tax-** Lobby for state legislation to create a ½ % real estate transfer tax to fund affordable housing initiatives in conformance with an approved Town Housing Plan.

25. **Land Acquisition Manager-** Create a land acquisition manager position in Town government to facilitate and coordinate the acquisition of land for affordable housing purposes, open space preservation, Urban Renewal areas, and other municipal purposes.

Goal Five- Encourage local businesses to serve the needs of the year-round population and reduce the environmental impacts of commercial and industrial uses.

26. **Non-conforming business uses-** Evaluate the zoning of non-conforming businesses Town-wide; formulate recommendations to allow these uses to modernize/update/improve without allowing use changes or large expansions.

27. **Revise Commercial Industrial Uses-** Revise list of permitted and specially permitted CI uses and the standards for operation so as to reduce potential environmental impacts.

28. **Number of Offices-** Correct the "glitch" in the zoning code to clarify that office is classified as one use, regardless of the number of individual offices proposed. This will help meet the existing need for office space and provide needed space for the most prominent, clean industries in East Hampton (management, professional, service, sales).

29. **Rezone CI Land Covering Priority Drinking Water Resources-** Rezone from Commercial Industrial to A5 Residential 190.26 acres of land in Wainscott covering the Town's deepest, highest quality, ground and drinking water resources recognized by the NYS Special Groundwater Protection Area and the Town Water Recharge Overlay District, and in the vicinity of large areas of protected land and Suffolk County Public Water Authority well fields.

30. **Rezone Residential Land for CI Uses-** Recognize that the construction industry is also important to the economy of East Hampton, employing approximately 15% of the Town work force and rezone 13.65 acres from B Residence to CI in the Springs Fireplace Rd. area, historically used for industrial uses.

31. **Create a Plant Nursery Overlay District-** Create a plant nursery overlay district to allow plant nurseries, four acres or greater in size along Montauk Highway, to expand in a residential zone. The purpose of this overlay district would be to encourage existing nurseries, that have been identified as a visual asset along Montauk Highway, to remain, by enabling their controlled expansion.

32. **Montauk Harbor Area Plan-** Continue to develop a plan to revitalize and improve the Montauk Harbor Area.
Explanation- In 2002, the Town Board commissioned a study of the Montauk Harbor Area. The following vision statement was developed: "Montauk Harbor is a place that retains its traditions as a fishing village, attracts summer tourists while providing for the needs of its summer workers and year-round residents, and maintains a balance between human use and

environmental sustainability." While public response revealed that additional refinements and adjustments are needed before the draft plan should be implemented, the great deal of work, which was started, should be continued.

33. **Downtown Montauk Plan-** Develop a plan to address the unique needs of Downtown Montauk.
Explanation- The downtown area of Montauk is not only one of the largest business areas of East Hampton, but it also has the highest concentration and number of motels and resorts in the Town. The layout of downtown Montauk has largely been governed by its unique oceanfront setting and the development pattern established by Old Filed Map 174. Dense development has resulted from the small size of the lots and the high appeal of a pristine resort community along the Atlantic Ocean. While this density and proximity to the ocean contributes to downtown Montauk's attraction as a "walkable" community, the high density and proximity to the ocean present unique challenges in terms of parking needs, traffic circulation and sewerage treatment. The Town Planning Department, together with the Town Highway Department, the Montauk Chamber of Commerce, Montauk Village Improvement Society, Concerned Citizens of Montauk and other stakeholders and residents should develop a plan to address the special needs of downtown Montauk. Consideration should be given to utilizing public right-of-ways for parking for commercial development; developing additional public parking; allowing or establishing sewerage treatment plants; developing a coordinated landscape, signage and lighting plan; and new zoning provisions for the existing motels and resorts not recommended for the Seasonal Employee Housing Overlay District. The Planning Department has begun to collect baseline data needed to develop this plan.

34. **North Main Street-** Revise the zoning along North Main Street to limit future commercial growth as described in the hamlet specific zoning recommendations; develop and implement a North Main Street Beautification project together with the Village of East Hampton; review and implement the acceptable traffic design, pedestrian, streetscape and other recommendations.

35. **Wainscott Hamlet Center Study-** Develop a plan to help improve the appearance and functionality of the Business District.

36. **Springs Business Area Study-** Develop a plan to improve the appearance and functionality of the Springs Business Districts including pedestrian access, coordinated parking and beautification. Preserve the Historic District.

37. **Post Office Needs-** Explore the need for and potential locations for additional Post Office locations Town-wide.

38. **Continue Prohibition of Superstores-** Continue to prohibit the establishment of "superstores" which helps to support local businesses and reduces potential intense community impacts resulting from the development of such facilities.

39. **Commercial Needs Study and Consensus-** Conduct an evaluation of EH Town's ability and desire to meet future commercial needs. Three potential courses of action, described as option 1, 2, or 3 are offered.

Explanation- There are approximately 641 acres occupied by commercial uses with another 245 acres occupied by industrial uses within the unincorporated portion of East Hampton Town. The Village of East Hampton contains another 60 acres of land occupied by commercial and office space use with an additional 5 acres occupied with industrial land use.[1] Rather than acreage, building square footage would provide a more precise measure of the amount of commercial and industrial space available. However, the compilation of such a detailed database is beyond the scope of this *2004 Comprehensive Plan Update* study.

In order to meet the goals set forth by the Town Board to guide this plan, some areas covering the Town's best drinking water supplies are recommended for rezoning from CI to A5 Residence. In order to protect the functionality of the Town's main arterial highways as major thoroughfares and prevent commercial highway sprawl development, some vacant and underdeveloped land along North Main Street and Montauk Highway is recommended to be rezoned from CB or NB to Residence District A with a Limited Business Overlay District. Similarly, some land within the Limited Business Overlay District along Montauk Highway is recommended to be eliminated, consist with the objectives stated above. Although there are some new areas recommended for CI and CB zoning, more land is being proposed to be rezoned from commercial or commercial industrial to residential than the other way around. In other words, the net balance is for less land zoned for commercial and commercial industrial purposes.

Questions have been raised over whether the Town of East Hampton had adequate land area zoned for commercial and commercial industrial, even before the currently proposed rezonings were recommended. The only study available which addressed this issue in part was the 1997 Amagansett Corridor Study, which indicated that for the Amagansett Corridor, the total demand for goods and services exceeded that which was being offered in the corridor. Given the projected growth in the Town, even with rezonings to reduce build-out, one could project that the difference between buying power and East Hampton markets will grow even greater in the future.

The Town has several options, each with potential advantages and disadvantages.

Option 1 would be to maintain and reduce the amount of commercial zoning. This would limit the amount of traffic associated with new commercial development. However, if everyday commercial needs cannot be met in East Hampton Town, traffic could increase as a result of the need for people to travel out of the town to obtain necessary goods and services.

Option 2 would retain all existing CB, NB and LBO Business zoning and conduct a study to determine where to zone additional land to business zoning. While this would help to reduce residential build-out, this would invariably intensify the amount of commercial development allowed on the Town's major arterial roads and could lead to extensive highway congestion.

Option 3 is to conduct studies and implementation plans to help revitalize and improve downtown Montauk and the Montauk Dock area immediately, while commencing the

[1] Draft Generic Environmental Impact Statement & Village of East Hampton Comprehensive Plan p. 12

development of a community consensus and future studies regarding whether there should be additional commercial development, how much and where it should be located in the future. Option 3 acknowledges that Wainscott, East Hampton, Amagansett, Springs and Montauk each have vacant or redevelopable land which could be used for commercial development in the future, if needed. The former sandpit in Wainscott could accommodate some commercial development in the future if it was deemed necessary. The active sand mining operation on Springs Fireplace Rd. in East Hampton could similarly accommodate some commercial development if deemed necessary in the future. Two vacant sites in Amagansett could accommodate some commercial development if deemed necessary in the future: the land to the north of the municipal parking lot and/or the land to the east of the IGA shopping center. Montauk has the largest amount of commercial development of all the other hamlets, with vacant business zoned land for expansion. Plans to develop and revitalize the two main business areas, Downtown Montauk and the Dock area, are recommended. After Montauk, Springs has the second highest number of vacant parcels zoned for business development.

Goal Six: Encourage and retain traditional local resource based fishing and agriculture industries that practice environmentally sensitive methods of operation.

40. **Local Land Trusts-** Encourage local land trusts to continue to protect and maintain farmland in East Hampton.

41. **Property Tax Reduction for Farmland-** Encourage farmers and farmland owners to enroll in property tax reduction programs.
Explanation- Numerous studies have shown that farms pay more in property taxes than they require in services. Lowering taxes on farmland is therefore easy to justify. The State Agricultural District Law allows for lower property taxes on farmland enrolled in a state agricultural district. Farmland property owners can join a state agricultural district when they are renewed every eight years or they can lower their taxes by filing an individual commitment with the Town Assessor's Office.

42. **Commercial Greenhouses-** Revise the zoning code to allow commercial greenhouses in CI zones and in the Town Industrial Park.

43. **Farmland Management Plans-** Recommend all farmers develop management plans to reduce soil erosion, surface water runoff and pollution from fertilizers and pesticides.

44. **Fisheries Support Facilities-** Preserve and maintain fisheries shoreside support facilities.

45. **Maintenance of Waterways and Water Dependent Businesses-** Maintain public and facilitate private maintenance of waterways, navigation channels and existing water dependent businesses.

46. **Montauk Inlet-** Recommend that the control depth of Montauk Inlet be changed from 12 feet to 15 feet minimum; that the channel be maintained free of shoals and obstructions; and that the dredge spoil be placed to the west of the jetties.

47. **Waterfront Facilities-** Assess condition of Town-owned waterfront facilities; rebuild and maintain existing facilities as needed; acquire and develop additional waterfront facilities as needed, including areas for traditional gear storage.

48. **Waterfront Access-** Maintain existing beach and waterfront accesses and acquire additional sites, particularly when development encroaches on historically used accesses.

49. **Harbor Management Plans-** Develop harbor management plans and committees.

50. **Stormwater Abatement-** Inventory, analyze and implement stormwater abatement programs Town-wide.

51. **Fisheries Technical Advice-** Create a Fisheries Advisory Committee to provide technical information to the Town Board and to help provide support services to all fishery user groups.

52. **Continue the Town Aquaculture Program.**

Goal Seven: Protect historic buildings, hamlets, neighborhoods, landscapes and scenic vistas from incompatible development. Prevent further loss of the Town's cultural and archaeological resources.

53. **Survey and Inventory Update-** Continue to develop and update the survey and inventory of historic properties; review and update the inventory of historic resources every five years.
Note: The Historic Preservation Report, Town of East Hampton Phase One: Reconnaissance Survey and Phase Two: Intensive Survey, prepared by Robert J. Hefner in, respectively, March 1989 and August 1990 are incorporated by reference in their entirety into this Comprehensive Plan with an executive summary provided in Appendix A.

54. **Organize and Maintain Survey, Inventory and National Register Documentation**.

55. **Continue to Establish Local Historic Districts and Landmarks**.

56. **Maintain and Protect Historic Properties Owned by the Town and Develop a List of Historically-Significant Properties Eligible for Protection by the Community Preservation Fund.**

57. **Scenic Resources Study-** Adopt and implement the Scenic Resources Study of 2001 and adopt statewide and local Scenic Areas of Statewide Significance designations.

58. **Archaeological Resources-** Develop a Town-wide assessment and legislation to protect significant archaeological resources. The assessment should incorporate published reports, development project specific reports and field investigation. The assessment would be used by Town agencies in reviewing development projects and would replace the current requirement for applicants to conduct "1A" archaeological investigations in NYS identified

sensitive cultural zones. The legislation would help clarify the procedures and the protection measures needed to preserve these important resources.

Goal Eight*: Coordinate with regional agencies, organizations and systems to reduce reliance on the automobile. Encourage investment in alternative transportation - including sidewalks, bikeways, rail, buses, shuttles, and "shared" cars - while maintaining the existing scale and character of community.

59. **Prohibition on Ferry Expansion-** Reinforce the commitment to preventing further ferry service expansions which do not meet the provisions of the EH Town Zoning Code.

60. **Transportation Plan-** Implement the recommendations of the Town of East Hampton Comprehensive Plan Transportation Element, prepared by McLean Associates n August 1997.
Note: This report is incorporated by reference in its entirety into this Comprehensive Plan with an executive summary provided in Appendix B.

61. **Coordinate with Other Agencies and Transportation Providers-** Work with the Metropolitan Transit Authority, the New York State Department of Transportation, the Suffolk County Transit Authority, and the Hampton Jitney to provide improved public transportation service, broadened and expanded service, interconnectivity with other modes of transportation, and use of alternative means of technology (such as light rail shuttle service).

62. **Sidewalks-** Maintain the existing sidewalk systems and evaluate appropriate locations for connecting existing sidewalks. File a sidewalk plan with the NYS Department of Transportation so that new sidewalks are only constructed in appropriate locations, consistent with the goals of this plan and determined by local needs rather than state requirements.

63. **South Fork Bike Plan-** Continue to implement the South Fork Bike Path Plan in the vicinity of the railroad tracks, with emphasis on local priorities.

64. **Bicycling-** Develop plans to encourage biking as an alternative form of transportation and for recreational purposes.

65. **Railway Trestles-** Conduct a study of the Stephen Hands Path Railway trestle and other railway underpasses to help better disperse truck traffic throughout the Town.

66. **Alternative Fuels-** Encourage the use of alternative fuels for private and public transportation.

67. **Bus Shelters-** Evaluate the need for bus shelters and develop an implementation schedule to construct bus shelters accordingly.

68. **Expansion of Town Transportation Program-** Evaluate the feasibility and expense of expanding the Town Transportation Program to include weekends and evening service for those who cannot use other forms of transportation.

69. **Speed Limits-** Encourage more stringent enforcement of speed limits and review areas of high accident incidents. Explore modifications to signage and regulations to improve safety.

70. **Access Management-** Limit the number of new ingresses and egresses along major road corridors to reduce the number of potential conflict points, reduce traffic congestion and decrease the number of turning movements.

71. **Combined Transportation Facilities-** Evaluate proposals to develop combined transportation facilities within each hamlet; to develop shuttle train service on the South Fork combined with the existing train service; and/or to create a park and ride the train facility in East Hampton Town.

72. **Airport Master Plan-** Develop an updated Airport Master Plan acceptable both to aviation interests and the local community with an emphasis on safety and noise abatement.

73. **Freight Transportation-** Explore the utilization of railroad lines for delivering of freight.

Goal Nine: **Develop road, wastewater treatment, water, and power infrastructure, consistent with goals one through three, needed to reduce public health, safety and environmental risks.**

74. **Infrastructure Needs Study and Implementation-** Conduct a study to determine the Town's infrastructure and municipal needs, consistent with the goals of this Plan. Devise an implementation program and acquire land to meet these needs.

75. **Emergency Services Communications-** Maintain and upgrade emergency services communications, providing adequate redundancy and coverage, consistent with the EH Town Wireless Master Plan.

76. **Renewable Energy-** Guide the development of energy, utilities and communication infrastructure and services by the principle of sustainability, with the preference for efficient use of energy and the utilization of renewable sources of energy.

77. **Infrastructure Development-** Encourage the design, installation and maintenance of fiber optics, internet, cable TV, wireless communications facilities, telephone, public water, electric and gas lines be conducted in an environmentally and aesthetically compatible manner. Continue to follow and implement the Wireless Master Plan.
Note: The Town of East Hampton Final Wireless Master Plan, prepared by Kreines & Kreines, Inc., in September, 2001, is incorporated by reference into the Comprehensive Plan, with an executive summary provided in Appendix D.

78. **Accessibility of Infrastructure-** Insure that the needed infrastructure and services are provided in an affordable fashion to all user groups in Town.

79. **Emergency Service Recommendations-** Implement public improvement recommendations of the emergency service providers, which are in keeping with the goals of this Comprehensive Plan and continue to maintain a dialogue with emergency service providers for future needs.

Goal Ten: **Provide adequate facilities, land and programs for schools, town offices and other functions, day care, senior care, families, and other educational, cultural, recreational and health care needs.**

80. **Health Care-** Encourage the establishment of a public-private partnership for health care needs.

81. **Arts and Cultural Activities-** Encourage the establishment of a public-private partnership for arts and cultural activities.

82. **Day Care-** Encourage the establishment of a public-private partnership to provide for day care.

83. **Coordination with Schools-** Coordinate with schools to accommodate the Town projected growth.

84. **Master Plan for Town Facilities-** Prepare a long term master plan for all Town facilities

85. **Criteria for Recreational Land-** Similar to the efforts already conducted to identify sites and opportunities for affordable housing, immediately conduct a Town-wide review of sites available for future recreational needs. Consideration should be given to: all land not currently owned by the Town but currently used for recreation, including land owned by other levels of government, not-for profit organizations and private landowners; land already owned by the Town but not being used for recreation or not being used for multi-purpose recreational needs; privately owned land already disturbed, not part of an East Hampton Town Site Type identified for protection in this plan. Consider developing a new overlay district to encourage privately owned recreational facilities, important for meeting East Hampton's recreational needs, to remain, by enabling their controlled expansion.

86. **Recreation Plan and Immediate Actions-** Utilizing the Recreational subcommittee report, the Land Ethics Report, the Public Access and Recreation component of the LWRP, and the above land criteria, develop, adopt and implement a Town-wide recreation plan including a plan for neighborhood parks.

87. **Beaches-** Recognize the importance of East Hampton's beaches to the economy and to recreation and develop plans to adequately maintain and manage existing beach facilities. Continue to maintain the existing mix of public beaches ranging from natural beaches with no improvements to those containing lifeguard coverage, comfort stations and parking lots. Provide essential services, as appropriate for beaches, meeting the highest environmental standards.

88. **Beach Transportation-** Consider developing a limited capacity, low or zero emission, transportation service for Town Residents only, to provide access to select Town beaches.

89. **Trails Plan-** Confirm the policies of the Town Trails Plans and update the Trails Maps and Plans.

90. **Intergovernmental Coordination-** Continue to facilitate cooperative planning efforts with existing incorporated villages and neighboring municipalities.

91. **Green Building Code-** Explore the provisions for a "green building code" in New York State and evaluate with the Chief Building Inspector whether to develop such a code for East Hampton.

Goal Eleven: **Commit to implementing the Comprehensive Plan.**

92. **Plan Implementation-** Adhere to an organized schedule and process to implement the recommendations of this Comprehensive Plan and previously adopted plans.

Specific Criteria for Acquisition and Rezoning Recommendations

The East Hampton Town Board formulated eleven goals to guide the development of this Plan. The first three goals concern protecting the Town's character including the natural, cultural and scenic environment. Two of the most significant measures by which these 3 goals are proposed to be realized are through land acquisition and rezoning. The specific criteria used as the basis for these zoning and acquisition are listed below. It should be noted that additional recommendations to meet these three goals as well as the other eight goals have been provided in the Town-wide Recommendations to Meet the Goals portion of this Plan.

Protecting the Town's Character - Natural, Cultural and Scenic Environment:

Goal One: Maintain, and restore where necessary, East Hampton's rural and semi-rural character and the unique qualities of each of East Hampton's historic communities.

Goal Two: Take forceful measures to protect and restore the environment, particularly groundwater. Reduce impacts of human habitation on ground water, surface water, wetlands, dunes, biodiversity, ecosystems, scenic resources, air quality, the night sky, noise and energy consumption.

Goal Three: Reduce the total build-out of the Town to protect the natural and cultural features identified in goals one and two.

Criteria for Protecting Groundwater Resources

Groundwater protection was identified as the number one issue in the community-wide survey conducted as part of the Comprehensive Plan Recommendations of Dr. Lee E. Koppelman 2002 Report and by the Environmental Subcommittee which contributed to that report. Forty-two water management recommendations[1] are included in the Water Management Special Target Area for Intensive Study and Analysis section of this *Town of East Hampton Comprehensive Plan.*

Rigorous scientific studies of the groundwater regime and special habitats for all of Long Island, including East Hampton have been conducted by federal, state, county and town governments, agencies and private organizations.[2] Changes to East Hampton's Land Use Plans and Zoning Map have been made over the past three decades to incorporate the findings and recommendations from many of these studies and to protect groundwater resources and special habitats. Large areas of critical groundwater recharge area in Wainscott, Stony Hill and Montauk have been permanently protected. In addition, the East Hampton Town Board adopted five-acre and other low-density residential zoning classifications over large portions of the Town's groundwater recharge and special habitat

[1] Based on the East Hampton Town Water Resources Management Plan, March 2004
[2] Many of these studies are included in the 236 references cited in the East Hampton Town Water Resources Management Plan, March 2004

areas. [1] The rezonings together with the mandatory clustering requirements for most major subdivisions[2] helped to preserve many acres of groundwater recharge and critical habitat areas. In addition, the Water Recharge Overlay District (WROD) provided a system of additional regulations for properties located in areas where disproportionately large quantities of rainwater are recharged into and stored in the underground aquifer. The boundaries for Water Recharge Overlay Districts, initially established in 1983[3] were adjusted in the 1984 adopted Use District Map (zoning map).

Whereas some of the additional data, research and studies conducted since the 1984 Plan was completed have been adopted as official amendments to the EH Comprehensive Plan and have been used as the basis for subsequent rezonings, no comprehensive evaluation has been undertaken until now. The five criteria used in this Comprehensive Plan Update to evaluate every parcel of land in East Hampton Town for acquisition and rezoning recommendations in order to protect groundwater resources are:

- Land within the NYS designated Special Groundwater Protection Area (SGPA)
- Land within the EH Town designated Water Recharge Overlay District (WROD)
- Land within the five foot groundwater contour in mainland EH and four foot contour in Montauk
- Land within close proximity to or contributing to existing or planned Suffolk County Water Authority well fields
- Land covering existing high quality groundwater located within or adjacent to a large block of existing protected open space.

In 1987, the New York State government recognized that contamination of Long Island's aquifers posed profound danger to public health and economic development. Nine Special Ground Water Protection Areas (SGPAs) pursuant to the provisions of Article 55 of the New York State Environmental Law were designated within Nassau and Suffolk Counties. Two of the nine designated SGPAs fell within the boundaries of East Hampton Town: the eastern one-third of the South Fork SGPA and the Hither Hills SGPA. (Refer to Maps 6 & 7). In accordance with the state legislation, the Long Island Regional Planning Board (LIRPB) prepared a comprehensive plan to protect the designated areas[4]. According to the Long Island Comprehensive Special Groundwater Protection Area Plan, more than 97% of the Hither Hills SGPA has been set aside for public recreation and conservation, and for the most part is adequately protected. The remaining acreage in this SGPA has been acquired with public funds for parks and recreational purposes in the time period since the plan was prepared. Until now, the recommendations for the South Fork SGPA have been used as a

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[1] Town-wide up zonings to 5, 3, 2 and 1 acre residential zoning were made by the EH Town Board in 1984 pursuant to the East Hampton Plan, " A Guide for Public Action", 1984

[2]According to Section 193 of the EH Town Code, all land within the agricultural overlay district, water recharge overlay district or containing prime soils must not be subdivided unless done so pursuant to the provisions of the Open Space Preservation minimum requirements. The Planning Board is also granted authority to require open space set asides to protect other natural and cultural features. Open space subdivisions, or cluster plans, have become the standard method for development for almost all major land divisions.

[3] These were designated in accordance with the 1982 Town of East Hampton Watershed District Study prepared by Rochris and Associates, et. al.

[4] Koppelman, et al Long Island Comprehensive Special Groundwater Protection Area Plan, 1992

guide for planning in East Hampton but have not been implemented to the fullest extent. While the boundaries for the SGPA and the WROD greatly overlap, the SGPA boundaries generally include a larger land area.

In addition to the SGPA and WROD boundaries, areas corresponding to the largest volume of groundwater worthy of protection measures are indicated by groundwater contours. Based on the data collected from groundwater monitoring wells, groundwater elevation or contour maps have been produced by the US Geological Survey and the Suffolk County Department of Health Services. It should be noted that according to the Ghygen-Herberg Ratio, for every foot of freshwater above sea level, there is approximately 40 feet of freshwater below sea level. The five foot above sea level groundwater contour boundary was identified in the Master Water Supply Plan for the Town of East Hampton[1] as the primary groundwater recharge area within which the existing Suffolk County Water Authority wells are located and within which future water-supply development should take place. The area within the five foot contour line was used in both the Master Water Supply Plan for the Town of East Hampton and the East Hampton Town Water Resources Management Plan for projecting water recharge areas and safe yield. For the area east of Napeague, which does not have groundwater supplies reaching as high as the five foot groundwater contour line, the four foot contour line has been suggested for a protection boundary[2].

The WROD, SGPA and groundwater contour lines described above, and depicted on Maps 6 and 7, are worthy protection areas since they correspond to the largest volume of groundwater supplies in East Hampton. A fourth criterion for selecting land areas for groundwater protection is based on drinking water considerations: the areas contributing to and within close proximity to The Suffolk County Water Authority well fields. The SCWA provides drinking water to 9,478 residential, commercial and institutional customers in East Hampton Town[3]. The land areas contributing recharge to and within close proximity to existing and proposed Suffolk County Water Authority well fields are critical for providing high quality drinking water to a large portion of the town, and therefore should be considered in designating land for groundwater protection measures.

Finally, groundwater quality should be considered in designating land areas worthy of protection. While groundwater quality is generally good throughout most of the inland, non-agricultural areas of the Town[4], there are some areas where historic or current land uses has caused or has the potential to cause contamination. Protected open space, in its vegetated natural state, provides the highest quality groundwater recharge, and the lowest potential for future contamination of groundwater resources. The areas of Town corresponding to existing high quality groundwater resources located within a large area of

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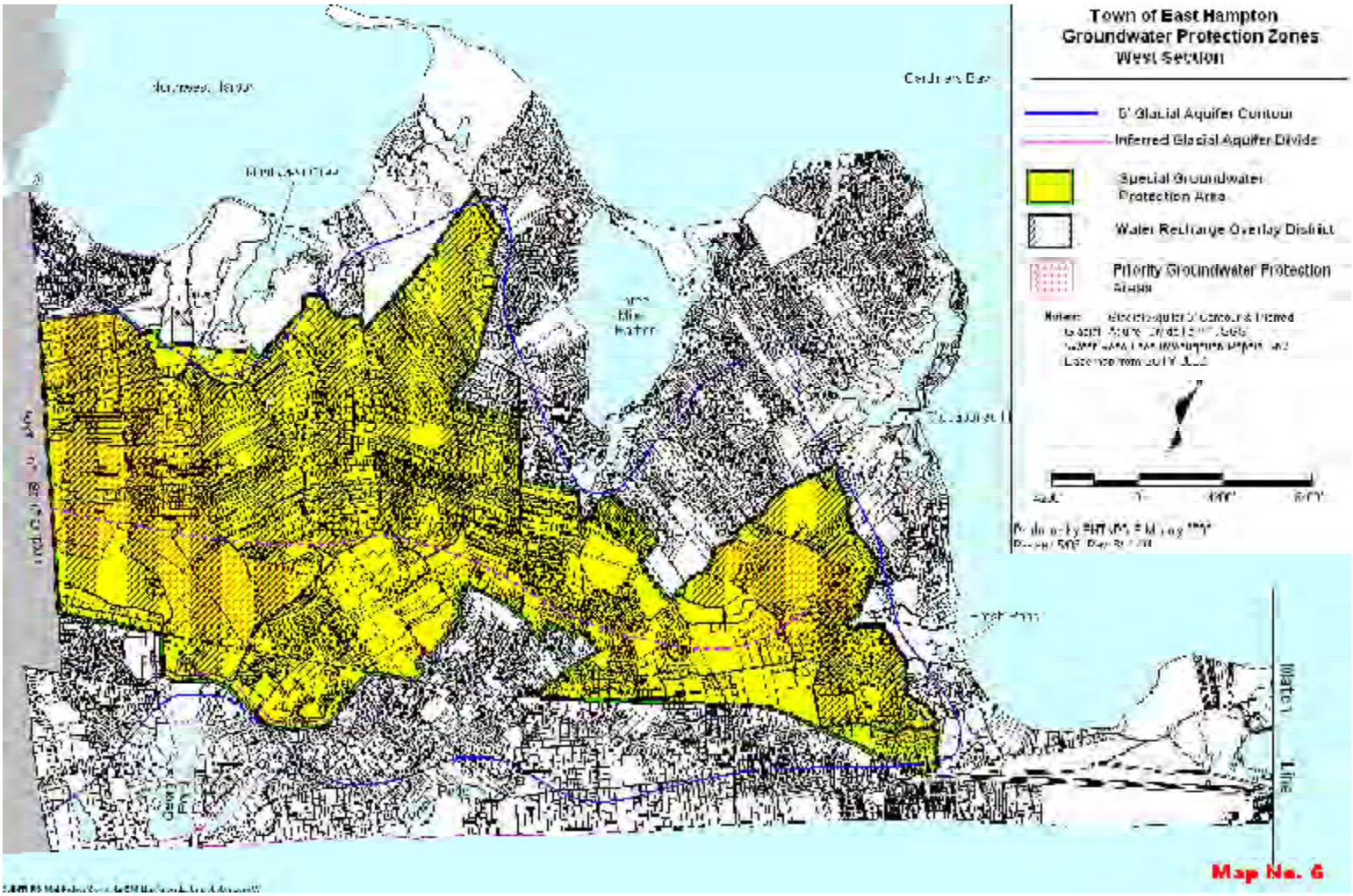
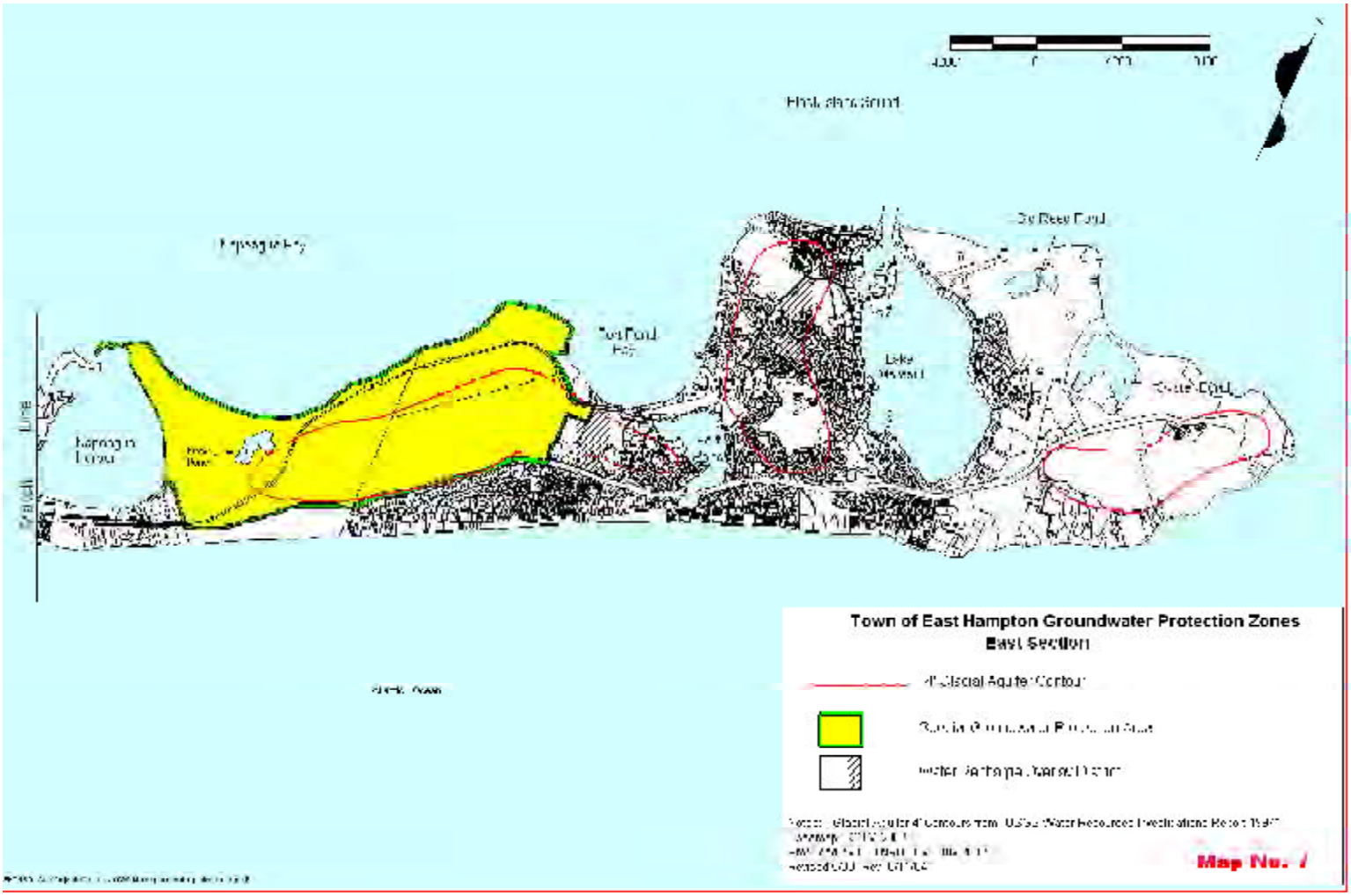
[1] Master Water Supply Plan for the Town of East Hampton, prepared for the Suffolk County Water Authority by Legatte, Brashers & Graham, Inc., June 1997

[2] East Hampton Town Water Resources Management Plan, March 2004

[3] Source: SCWA records

[4] Groundwater reserves in coastal areas are shallow and are subject to salt-water intrusion. 50% of the private wells in agricultural areas tested by the Suffolk County Department of Health Services had detectable levels of pesticides, according to the December 2000 Water Quality Monitoring Program to Detect Pesticide Contamination in Groundwaters of Nassau and Suffolk County report.


Town of East Hampton
Groundwater Protection Zones
West Section
0' Glacial Aquifer Contour
Inferred Glacial Aquifer Divide
Special Groundwater Protection Area
Water Recharge Overlay District
Priority Groundwater Protection Areas
Water Line
Map No. 6


Town of East Hampton Groundwater Protection Zones
East Section
Map No. 7

existing protected open space comprise the fifth criteria for protecting groundwater resources.

Criteria for Natural Resource Protection (Other than Groundwater) Including Wetlands, Dunes, Biodiversity

East Hampton Town supports a high concentration of rare and endangered species. Some of the land containing high concentrations of rare and endangered species has been acquired. As discussed in the groundwater criteria section, the East Hampton Town Board adopted five acre and other low density residential zoning classifications over some of the Town's groundwater recharge and special habitat areas in 1984 together with mandatory clustering. In the time since the 1984 East Hampton Plan, "A Guide for Public Action" was prepared; the Nature Conservancy designated the Peconic Bioreserve, including East Hampton Town, as one of the "Last Great Places" in the Western Hemisphere. The bays and contributing land area are part of the Peconic Estuary Program, recognized by the federal government as one of 28 "Estuaries of National Significance". There has been additional data, studies and research which further underscore the value and need to preserve East Hampton's natural resources.

The five criteria used in this comprehensive plan update as the basis for natural resource acquisition and rezoning recommendations, in addition to those listed for groundwater protection include the following:

- Land within or affecting US Fish and Wildlife significant ecological complexes
- Land within or affecting NYS Significant Coastal Fish and Wildlife Habitat
- Land within Town of East Hampton locally designated Significant Fish and Wildlife Habitat
- Land within Town of East Hampton Site Types or Gardiner's Island
- Land identified by the Peconic Estuary Program Critical Lands Protection Strategy program (CLPS)

The US Fish and Wildlife Service have identified the following four significant ecological complexes within East Hampton: Shelter Island-Harbor Bays Complex; Accabonac Harbor Area; Gardiner's Island and Point; Montauk Peninsula and Complex.

The New York State Department of State has designated the following sixteen areas within the Town as Significant Coastal Fish and Wildlife Habitats: Accabonac Harbor; Alewife and Scoy Pond Wetlands; Atlantic Double Dunes; Big and Little Reed Ponds; Cedar Point Peninsula; Culloden Point; Fort Pond; Gardiner's Island; Hither Hills Uplands; Lake Montauk; Napeague Beach; Napeague Harbor; Northwest Creek; Oyster Pond; Northwest Harbor and Three Mile Harbor. The Town of East Hampton Local Waterfront Revitalization Plan has identified the following five Locally Significant Coastal Fish and

Wildlife Habitats: Fresh Pond-Bell Estate Wetlands; Georgica Pond; Montauk Point; Three Mile Harbor (headwaters); and Wainscott Pond[1].

Several amendments to 1984 East Hampton comprehensive plan have classified the special and unique natural resources within the Town according to the site types and subcategories briefly described below[2].

Woodlands- The woodlands in East Hampton vary greatly in species composition and community structure. For descriptive purposes, the woodlands have been divided into the four subcategories described below:

> **Pine Barrens-** a fire-dependant, pitch pine and mixed oak community located on sandy, infertile well drained soils overlying the Town's major groundwater recharge areas. Most of this site type has been designated by New York State as a Special Groundwater Protection Area and the Town's Water Recharge Overlay District. The Town's Pine Barrens support a great variety of protected and uncommon plant and animal species.
>
> **Oak/Hickory Forest-** the most extensive of the Town's four woodland subcategories covering a range of soil associations, some also covering prime groundwater recharge areas. A number of protected plant species and sensitive wildlife species are supported by the Town's oak/hickory forest with two areas designated as NYS Significant Coastal Fish and Wildlife Habitats.
>
> **Beech Forest-** dominated by the tall, old growth American Beech specimens, rare on Long Island. The Stony Hill beech forest overlies an important groundwater recharge area close to the most populated areas of Town.
>
> **White pine Forest-** the only native white pine forest on Long Island, occupying East Hampton's northwest region on dry, sandy soils within the Town's Water Recharge Overlay District and the NYS Special Groundwater Protection Area. A number of NYS protected plants and uncommon animals are supported by this site type.

Wetlands- provide valuable wildlife habitat, including nursery areas for fish and shellfish; provide flood and stormwater control; help recharge groundwater supplies; provide erosion control; filter pollution from the water and support a large number of scarce and unique plant and animal species. East Hampton contains large areas of undisturbed tidal wetlands along its bay and harbor coastlines and freshwater wetlands in more inland locations throughout Town. Sixteen of the Town's wetland and underwater lands systems have been designated Significant Coastal Fish and Wildlife Habitats by New York State and an

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[1] Refer to Town of East Hampton Waterfront Revitalization Plan for a full description and mapping of the federal, state and local significant habitat areas.

[2] For a more complete description of the characteristics and importance of these Site Types, please refer to the: Town of East Hampton Community Preservation Project Plan, 2000 or the Town of East Hampton Open Space Plan 1995.

additional five areas have been designated Locally Significant Coastal Fish and Wildlife Habitats by the Town's Local Waterfront Revitalization Plan.

Moorlands- a maritime dwarf forest in Montauk, the only example of this type in New York State. Dominated by the shad species (*Amelanchier canadensis),* the moorlands cover typical Montauk soils with scattered clay lenses, ponds, streams and wetlands. A number of protected plant and animal species occupy the moorlands.

Downs- one of the few remaining native prairies or grasslands left in New York State, found now only in Montauk. The Downs contain rare and endangered flora including the federally endangered sandplain gerardia (*Agalinis acuta).* With only ten small populations of this plant species remaining in the world, two of them are located in Montauk Downs.

Meadow/old field- this site type is a result of the clearing of woodlands after the arrival of European settlers and occurs throughout the Town along the Town's roadsides as well as on public and privately owned land. Plant and animal species that occupy this site type do not survive in suburban landscapes such as bluebirds, bobolinks, bobwhite, grasshopper sparrows, white milkweed, and bird's foot violet. The meadow and old field site type contributes greatly to East Hampton's rural character and sense of place.

Duneland/beach- a dynamic land form composed of sand, which is easily transported by wind and water. This site type serves not only as the core for the Town's resort economy but supports a large number of protected plant and animal species and includes some of the most pristine natural shoreline habitats on Long Island. Nine of the sixteen NYS Significant Coastal Fish and Wildlife Habitats designated in East Hampton contain areas of dune and beach. Two of these, the Atlantic Double Dunes and Napeague Beach are among the largest remaining areas of undeveloped barrier beach and backdune ecosystems on Long Island.

Farmland- Several thousand acres of land in East Hampton have been classified by the US Department of Agriculture Soil Conservation Service (USDA SCS) as prime farmland, the best land for raising crops in New York State.[1] Although most of this land has been developed with residential lots and houses, there are still approximately 1,440 acres of farmland located throughout the Town. Most of this remaining farmland has been rated as prime. Existing farmland, which has not been ranked as prime, meets the Farmland of Statewide Importance criteria established by the USDA SCS. This land has a good combination of physical and chemical characteristics for the production of crops.[2]

All of East Hampton's farmland is part of Suffolk County's Agricultural economy, ranked first in New York State and among the top ten in the nation. It also contributes greatly to

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[1] The detailed national criteria for identifying prime farmland is printed in the January 31, 1978 Federal Register. According to the USDA SCS, prime farmland is land which has the best combination of physical and chemical characteristics for the production of crops. It has the soil quality, growing season and moisture supply needed to produce sustained high yields of crops economically when treated and managed according to modern farming methods. These national criteria have been applied by the USDA SCS consistently across New York State. Prime farmland in East Hampton, therefore, is rated best among all the farmland in New York State.

[2] The 1981 Town of East Hampton Agricultural Land Study includes maps depicting locations of Prime and Farmland of Statewide importance.

the Town's sense of place and to its tourist economy. Since the mid-1970s, New York State, Suffolk County and East Hampton Town have put in place a variety of successful programs to preserve a critical mass of agricultural land necessary to sustain a healthy industry. East Hampton's Community Preservation Program recommends acquisition of all of East Hampton's remaining farmland.

Gardiner's Island-Although Gardiner's Island refers to a specific geographic location rather than one of the site types described above, its unique qualities spanning most of the special site types, merit the following separate description. The entire island has been designated as a Significant Fish and Wildlife Habitat by the US Fish and Wildlife Service and the NYS Dept. of State. The island has received the highest ranking in the state in terms of ecosystem rarity. The island contains a diversity of natural habitats. Of the seven site types found in East Hampton, only moorlands are absent from Gardiner's Island. The island supports a number of protected plant species including one of the rarest plants in New York State, sea purslane (*Sesuvium maritimum).* The island contains the largest concentration of nesting osprey in New York State and one of the largest in the northeastern United States. Some of these ospreys build their nests close to the ground and are vulnerable to mammalian predators or human disturbance. Gardiner's Island has no mammalian predators. This unique feature combined with the low amount of human disturbance makes the island a unique sanctuary for ground-nesting birds. The island contains the largest tract of old growth trees on Long Island. The island's wetlands are, for the most part, pristine and support diverse fresh and saltwater communities. The tidal waters surrounding the island are among the highest quality in New York State and have never been closed to shellfishing due to contamination. The island in its entirety has been deemed eligible for designation as a historic district. Seventeen buildings and structures on the island are eligible for state and national registry of historic places. The buildings together with the landscape have been recognized as having the highest level of historic significance in East Hampton[1]. The entire island is eligible for designation as a Scenic Area of Statewide Significance and is one of the most scenic and historic maritime landscapes in the United States. "With its totally unique history, environment and scenery, Gardiner's Island is a scenic and historic landscape of national and international significance worthy of designation as a World Heritage Site"[2].

Peconic Estuary Program

Data, reports and programs developed as part of the National Peconic Estuary Program (PEP) have also been consulted to formulate recommendations for preservation of natural resources. One of the key issues addressed by the Peconic Estuary Program is nitrogen pollution. Whereas nutrients such as nitrogen are critical for sustaining the marine ecosystem, they can be harmful to an estuary at excessive levels. With respect to nitrogen, the Peconic Estuary Program CCMP states: "New residential development is the major concern on an estuary-wide basis, particularly in the western estuary and on the South Fork. Under a scenario in which 100 percent of farmland is preserved and developable land is developed, nitrogen loading could increase substantially in every major region of the estuary. … In the eastern estuary, the increase on the South Fork would be most profound (over 60

[1] Comprehensive Plan Recommendations of Dr. Lee Koppelman, Part II- Historic Committee Report

[2] Dodson Associates, Ltd., East Hampton Scenic Resources Protection Plan Proposed Scenic Areas of Statewide Significance, April 2003.

percent)"[1]. In order to reduce nitrogen loading from the application of fertilizers and to preserve areas of natural vegetation which absorb nitrogen and other pollutants, East Hampton Town zoning regulations adopted more than ten years ago, restricted clearing within the Water Recharge Overlay district (WRO) and the Harbor Protection Overlay (HPO) district[2]. The land area contributing nitrogen and pollutants to the harbors and bays, as delineated by the Peconic Estuary Program Study Area Boundaries, encompass an area in East Hampton much larger than the HPOD and generally larger than the WROD. For this and a variety of other reasons, clearing restrictions were adopted for residential lots town wide, except for farmland (already cleared land) in 2004.

Critical Lands Protection Strategy

In addition to clearing restrictions, certain land parcels should be preserved in their entirety or highly restricted from future development. The "Critical Lands Protection Strategy" (CLPS) of the Peconic Estuary Program offers a priority system determining which parcels currently available for development within the Peconic Estuary would provide the greatest benefits for the water quality and ecology of the Peconic Estuary, if preserved. Land available for development was evaluated against four environmental criteria: 1,000 foot boundary from Tidal Creek and Bay Coastlines; U.S. Fish and Wildlife Service 1994 National Wetland Inventory; Critical Natural Resource Areas defined by the PEP; and groundwater contributing areas to nitrogen-stressed subwatersheds as defined by the PEP. The size of the parcel, the number of criteria met and the relationship to other open space parcels were the basis for recommending priority parcels for protection.

Criteria for Protection of Scenic Resources

Areas eligible for state or local Scenic Areas of Statewide Significance (SASS) designations were used as a basis to formulate acquisition and zoning recommendations to protect scenic resources.

Scenic Areas of Statewide Significance (SASS) are areas of scenic significance statewide by virtue of their exceptional natural, cultural and historic landscape character; state of preservation; uniqueness; public accessibility and public recognition. In a scenic inventory and analysis study commissioned by the Town and Village of East Hampton, funded and sponsored by New York State Coastal Management Program, Dodson Associates Ltd. identified nine areas meeting the criteria for Scenic Areas of Statewide Significance designation: Montauk Point, Lake Montauk, Hither Hills, Napeague, Accabonac Harbor, Gardiner's Island, Three Mile Harbor, Northwest and East Hampton (the only area which includes both Town and Village land). Four additional areas were identified as potential Scenic Areas of Local Significance: Fireplace; Barnes Hole; Old Montauk Highway; Montauk Downs. A detailed description of these areas and why they meet state and local criteria is provided in the April 19th, 2003 East Hampton Scenic Resources Protection Plan Proposed Scenic Areas of Statewide Significance Report, by Dobson Associates, LTD. and the East Hampton Scenic Resources Protection Plan, dated September 24, 2001.

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[1] Peconic Estuary Program CCMP p. 3-7

[2] The clearing restrictions were imposed for additional reasons including to help preserve important natural vegetation.

Criteria for Protection of Cultural Resources

Land which could help preserve the prehistoric and historic setting of East Hampton as described below, were used to help formulate recommendations for acquisitions and rezonings in this comprehensive plan update.

Since 1969, a number of properties have been listed on the State and National Register of Historic Places including the following:

- Montauk Point Lighthouse
- Montauk Association Historic District
- Wainscott Windmill
- Gardiner's Island Windmill
- H.M.S. Culloden, Montauk
- Caleb Bragg Estate, Montauk
- Montauk Manor
- Montauk Tennis Auditorium
- Miss Amelia's Cottage, Amagansett
- St. Thomas's Chapel, Amagansett
- Jeremiah Baker House, Amagansett
- Ambrose Parsons House, Springs
- Pollack/Krasner House, Springs
- Cedar Point Lighthouse, East Hampton

The Town of East Hampton has designated the following Historic Districts and Historic Landmarks: Amagansett Historic District; Bluff Road Historic District; Springs Historic District; and Cedar Point Light House Historic Landmark. Four additional areas have been deemed eligible for designation: the Montauk Association (pending designation as a Local Historic District); the Devon Colony in Amagansett; Wainscott Main Street and Gardiner's Island in its entirety.

Numerous additional structures and sites associated with East Hampton's Agrarian Economy, 1639-1940; and East Hampton's Resort Economy, 1870-1940 have been identified as having local historic importance[1]. The following additional historic contexts and property types have also been identified as important to the history of East Hampton[2]:

- Cultural and Historic landscapes
- Properties Associated with the Montauk Common Pasture
- Maritime History
- Navigation
- Marine Industries
- Military History

[1] Hefner, Historic Preservation Report, Town of East Hampton. Phase One and Phase Two, 1989 & 1990
[2] Comprehensive Plan Recommendations of Dr. Lee E. Koppelman Part II - Historic Preservation Committee Report, p. 319

- Montauk Properties Associated with Frederick Law Olmsted
- Montauk Properties Associated with Carl S. Fisher
- Cemeteries
- Agricultural structures and sites
- Education
- Artist's Houses and Studios
- Modern Architecture 1930 - 1950

New York State Office of Parks, Recreation and Historic Preservation have promulgated a map depicting numerous existing and potential archaeological sites in East Hampton, with Montauk being a particularly sensitive area. Many of these sites have been deemed eligible for the State and National Registers of Historic Places.

Criteria for Protection of Existing Character

While it is difficult to precisely define exactly that which comprises the "existing character" of East Hampton the following three criteria were used as the basis for acquisition and zoning recommendations to help protect existing character:

- Prohibiting commercial sprawl between hamlet centers
- Protecting scenic approaches to hamlet centers
- Limiting traffic producing new development along main arterial roadways

Maintaining East Hampton's rural and semi-rural character and unique qualities of each of East Hampton's historic communities is one of the stated goals of this plan. The land use pattern in the Town has been largely established, a result of settlement that began over 300 years ago. The business areas are largely within hamlet centers and are small in scale. Except for Springs and the waterfront business areas, the main business centers are located along the Town's two main arterial highways, Montauk Highway and North Main Street.

Given the limited amount of vacant land left in East Hampton, new bypass roads are both undesirable and infeasible[1]. It is critical, therefore, that the land use along the main arterial roads be regulated to preserve the functionality of these roads, while also preserving the small-scale character of the hamlet centers. The land along the Town's main arterial highways has been examined for opportunities to limit traffic congestion and sprawl. Areas zoned for business generally characterized by vacant or residential use, not part of the main commercial centers have been considered for rezoning from commercial to residential to prevent sprawl and to protect scenic approaches to hamlet centers. Subdividable residentially zoned blocks of land fronting the main arterial highways have been considered for reduced density rezoning to limit new curb cuts and additional traffic leading directly onto a main arterial highway, as well as to protect scenic approaches to hamlet centers.

[1]The Town Board adopted Town of East Hampton Comprehensive Plan, Transportation Element, 1997, affirmed by the 2002 Transportation Committee report included in Part II of the Comprehensive Plan Recommendations of Dr. Lee E. Koppelman, declared at the outset that no "bypass" roads to existing routes would be considered.

Benefits of Acquisition and Upzoning- Brief Overview

The most effective way to protect natural and cultural features including groundwater resources, important vegetation and wildlife habitats, biodiversity, scenic and historic features is through full acquisition of the land. [1] Acquisition (with adequate management) provides the highest amount of protection from human disturbances. Impacts to natural and cultural features from residential and other type of development include the following:

- Elimination, alteration or reduction of cultural or natural resources through clearing, grading, excavation, ditching, paving, filling, and/or construction
- Contaminating or polluting the natural environment through the introduction of toxics, organic compounds, nutrients, chemicals, salts and other substances
- Fragmentation of natural ecosystems so that diversity, productivity, viability and function are diminished or destroyed.
- Altering, reducing or eliminating the natural resource through the introduction of exotic and invasive species, mammalian predators (such as pets), and human disturbance
- Altering, detracting from and eliminating the natural or cultural resource through the introduction of light, noise, vibrations and/or increased turbidity

In addition to eliminating, altering, reducing, contaminating, fragmenting or detracting from the natural and cultural environment, residential and other types of development have impacts on infrastructure, including roads. According to the Institute of Traffic Engineers (I.T.E) manual, each single-family house generates ten auto trips per day (five in and five out). Most central and neighborhood business uses have a higher trip generation rates than residential[2]. As clearly stated in the Transportation Committee Report, "Traffic may no longer be viewed in isolation or as an issue to be resolved by simply adding capacity or even encouraging alternative modes of travel. It is a phenomenon driven by land use, demographics and the economy"[3]. Unlike demographics and the economy, land use is regulated by the Town, and has a direct impact on traffic. Given the high rate of residential development in East Hampton over the past decade, it is not surprising that average summer traffic on East Hampton's roadways increases at a rate in excess of 8% per year, compared

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[1] Numerous studies document these benefits including the text and references for the Open Space Plan, Town of East Hampton, 1995 and the East Hampton Town Water Resources Management Plan, 2004

[2] The ITE provides figures for the number of vehicular trips various land uses are expected to generate based on national averages. Figures are provided for a wide variety of land uses including residential, offices, restaurants, convenience stores, clothing stores, etc. Whereas a single-family house is projected to generate 10 vehicular trips per day, a general office is projected to generate 11 vehicular trips per 1,000 sq. ft. per day. A convenience store is projected to have an average rate as high as 700 vehicular trips per 1,000 sq. ft. per day, but many of these trips are assumed to be "pass-by" trips rather than new trips generated by the specific use. Generally speaking, each use permitted and specially permitted in East Hampton's Central Business and Neighborhood Business zones is projected to generate a higher number of vehicles per day per 1,000 sq. ft. than any one single family house. Therefore, depending on the use, each 1,000 sq. ft. of commercial use could generate a substantially higher number of vehicular trips per day than a single family house is projected to generate.

[3] Comprehensive Plan Recommendations of Dr. Lee E. Koppelman, Part II- Transportation Committee, p. 386.

with 1 to 2% average traffic growth elsewhere on Long Island[1]. Although one of the goals of this comprehensive plan is to reduce the reliance on the automobile and encourage investment in alternative transportation, it will be difficult to curtail increased use of automobile and congestion of roadways without limits to future residential growth.

Increased residential growth has impacts on schools, water supply, government services, recreational facilities and other infrastructure facilities.

While East Hampton's long history of successful open space preservation is expected to continue, it is unreasonable to expect that all of the remaining vacant land will be acquired. Tax map specific recommendations for acquisitions provided in the Town of East Hampton Community Preservation Project Plan, August 2003 should continue to guide the Town in selecting future acquisitions. Additionally, priority water protection parcels, the Critical Lands Protection Strategy parcels and the land recommended for acquisition in the Urban Renewal Map Study component of this report should be considered for acquisition. The East Hampton Community Preservation Project Plan is recommended to be amended accordingly.

Rezoning to low density residential is also recommended in this plan to protect natural and cultural resources. Rezoning to low density residential will reduce the number of potential new residential units and the associated impacts generally described above. Reducing density also provides the flexibility needed to design and develop land in accordance with open space preservation. Coupling the reduction in density with the existing mandatory clustering (Open Space Preservation regulations) and clearing restrictions is essential to minimizing impacts. The existing clearing and clustering provisions, together with reduced residential density will effectively reduce the alterations and amount of contamination that could detract from the natural and cultural features identified for protection. The clustering and clearing restrictions help to provide meaningful blocks of open space. Similar to protected open space created through acquisitions, blocks of undisturbed open space created through cluster subdivisions provide for the highest quality groundwater recharge. Numerous ecological studies report that species diversity is related to habitat area: the larger the area, the greater diversity of species.[2] Therefore, reducing density combined with clustering to protect large blocks of open space is also important for maintaining species diversity or biodiversity. Protecting small habitat areas is also important for species diversity based on the proximity to other protected open space and the species being considered. Reducing density combined with clustering to protect blocks of open space is a means to protect scenic resources, historic settings and the Town's rural atmosphere.

For farmland, acquisition of development rights and fee title to the land has been and should continue to be a high priority for preservation in East Hampton. Mandatory clustering has also been one of the most successful tools in preserving farmland in East Hampton. Mandatory clustering of residential development has preserved 328 acres of farmland, approximately the same amount as preserved through the Purchase of Development Rights

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[1] Town of East Hampton Comprehensive Plan Transportation Element, L.K. McLean Associates, August 1997, p.S-1.

[2] The Town of East Hampton Community Preservation Project Plan, 2003 and the Town of East Hampton Open Space Plan 1995 provide a more detailed description and bibliography for these studies.

Programs in East Hampton Town[1]. Mandatory clustering has been a successful tool and should be continued. However, A2 Residence zoning, which covers most of East Hampton's prime farmland, suggests a higher residential yield than can be approved while meeting both the EH mandatory clustering provisions and the Suffolk County Health Department Article 6 density standards. The SCHD regulations were adopted to protect groundwater aquifers from significant degradation due to on-site sewerage disposal systems. Nitrogen is one of the primary pollutants to groundwater from on-site sewerage disposal systems and it is a key concern for surface water quality as well. Nitrogen contamination is also associated with agricultural land use. Nitrogen added to a site from a residential subdivision combined with the nitrogen added to the same property for farmland use could exceed the 10-mg/l nitrogen drinking water standards. Therefore, for residential cluster subdivisions, Suffolk County Department of Health Article 6 Regulations do not allow preserved farmland acreage to be used to determine the allowable number of residential lots. The Health Department regulations establish the maximum yield based on the land available for residential development, or in the case of a 70% cluster plan[2], 30% of the total acreage. In order to preserve 70% of the prime farm soils and meet the Health Department standards, a residential density reduced from the A2 Residence zoning and closer to the yield derived from A5 Residence zoning would be required. Reducing the residential zoning classification is therefore necessary to continue to preserve farmland through the existing Town mandatory clustering provisions (Refer to insert Box "B" for a more detailed explanation).

[1] East Hampton Planning Department records indicate Town and County Purchase of Development Rights Programs have saved 344 acres of farmland in East Hampton Town and clustering has helped to preserve another 328 acres.

[2] According to Section 193 of the East Hampton Town Code, the Planning Board can mandate preservation of 70% of a site's prime soils.

Insert Box "B"

The following example helps to more fully explain how existing Town of East Hampton and Suffolk County Health Department regulations reduce density on a farmland residential cluster subdivision. Let's use a 30-acre tract of land within Groundwater Management Zone V or Groundwater Management Zone IV having no public water[1] containing 100% prime agricultural soils as the example. Although mathematical calculations of yield are not permitted by the Town subdivision regulations, for the purposes of this example we know that 10% of the land area must be depicted as reserve area in a yield map and conservatively speaking, another 5% of the land area will be needed for the roads and drainage solutions. So out of a total of 30 acres, let's say 4.5 acres, representing 15% of the land area cannot be used to determine yield. The yield would be based on the remaining acreage divided by 84,000 sq. ft., which is the minimum lot size in the A2 Zone, for a total of 13 lots. To meet the Town regulations, these lots would need to be clustered on 30% of the land area or 9 acres of land, and the lots would be reduced to approximately ¾ acre size.

For residential cluster subdivisions, Suffolk County Department of Health Article 6 Regulations do not allow preserved farmland acreage to be used to determine the allowable number of residential lots due to nitrogen loading concerns. The Health Department regulations establish the maximum yield based on the land available for residential development or in this example, 9 acres. The maximum yield on 9 acres will be 7 lots (9 acres x 43,560SF/acre x 1unit/40,000SF x 0.75 yield factor = 7 units or lots). For parcels containing 100% prime soils, either the yield projected by the A2 zoning or the mandatory 70% cluster requirements of East Hampton zoning cannot be achieved while also meeting the Suffolk County Heath Department standards. Stated another way, in order to preserve 70% of the prime farm soils and meet the Health Department standards, a residential density reduced from the A2 Residence zoning and closer to the yield derived from A5 Residence zoning would be required.

[1] Most of East Hampton's existing farmland lies within Groundwater Management Zone V or if within Groundwater Management Zone IV is not in an area served by public water.