

BUCHTER

Baseline Documentation

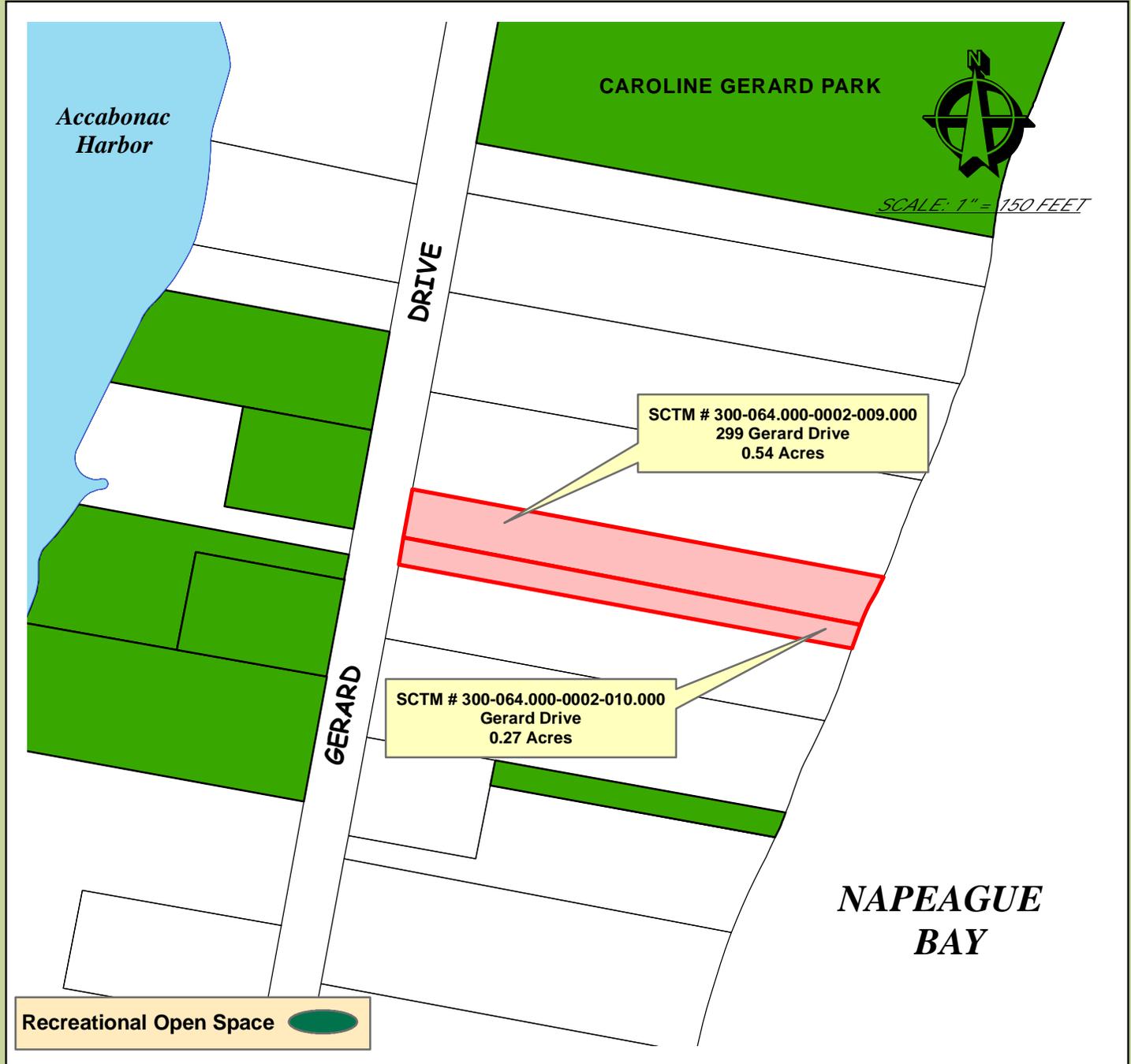


**Suffolk County Tax Map
300-64-2-9 & 10
299 Gerard Drive
Area .81 Acres
Town of East Hampton, New York**

The East Hampton Town Code categorizes a Nature Preserve as any area of land or water owned by the Town which is formally dedicated to being maintained as nearly as possible in its natural condition. These lands are chosen for preservation based on the unique and valuable ecological assets situated within their boundaries. They are protected not only as a means to preserve the land in its natural state, but to create a multi-use recreational resource to be enjoyed by all.

NATURE PRESERVE

CARTOGRAPHY - RONN PIRRELLI - 07/11



Suffolk County Real Property Tax Service
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Prepared by
THE TOWN OF EAST HAMPTON
Suffolk County, New York

TOWN OF EAST HAMPTON
Buchter Property
Springs School District



(279)AUTHORIZE ACQUISITION

Property of CAROL BUCHTER, 299 Gerard Drive, The Springs
SCTM #300-64-2-9

The following resolution was offered by Councilman J. Potter, seconded by Councilwoman D. Weir, and adopted:

WHEREAS, pursuant to § 247 of the General Municipal Law of the State of New York, the Town Board held a public hearing on February 14, 2002 to consider the acquisition of approximately 23,500 square feet (0.54 acre) of land located on the Gardiner's Bay side of Gerard Drive, at 299 Gerard Drive, The Springs, which land is identified on the Suffolk County Tax Map as SCTM #300-64-2-9; and

WHEREAS, the Town's purchase would be made with assistance from the South Fork-Shelter Island Chapter of The Nature Conservancy, which would pay more than one-half of the property's acquisition cost and would in return obtain a conservation easement ensuring the permanent preservation of the property; and

WHEREAS, said property consists of barrier beach duneland fronting on Gardiner's Bay at Deep Hole, and is presently improved with a one-story single-family residence; and

WHEREAS, the proposed purchase price is \$600,000.00, plus incidental closing expenses including survey, title, prorated tax, and recording charges; and

WHEREAS, the Town's share of the total purchase price will be \$250,000.00, plus its share of survey, title, prorated tax, and recording charges, while The Nature Conservancy will pay \$350,000.00 plus its share of survey, title, prorated tax, and recording charges; and

WHEREAS, pursuant to contract The Nature Conservancy will acquire a conservation easement over the subject property, under terms which will ensure that the property remains in its natural state in perpetuity, and The Nature Conservancy will undertake to remove from the property the existing residence and appurtenances – or to pay the Town's cost in removing these structures; and

WHEREAS, the purpose of said acquisition is preservation of open space and the acquisition of the subject property is classified as a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town Board finds, pursuant to § 64-e (8) of the New York Town Law, that acquisition of the subject property by purchase is the best alternative, of all reasonable alternatives available to the Town, for protection of the community character of the Town of East Hampton, and that such acquisition would be in the best interests of the Town;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized and directed to enter into a joint contract of sale with The Nature Conservancy and the record owner of the subject property, now or formerly Carol Buchter, for the purpose of acquiring said property at a

cost to the Town of East Hampton not to exceed \$ 250,000.00, plus a share of reasonable survey, title, prorated tax, and recording charges;¹ and be it further

RESOLVED, that said contract shall provide that the owner of the property will convey to The Nature Conservancy at closing, simultaneously with the conveyance of fee title to the Town of East Hampton, a conservation easement whose effect and purpose shall be to restore the land to a natural state and to permanently protect the land in its natural condition; and be it further

RESOLVED, that said contract shall also provide that The Nature Conservancy assumes the responsibility of removing from the property the residence and appurtenant structures, within a reasonable time following closing of title, and thereafter restoring the property to a natural state, these tasks to be undertaken at the Conservancy's own cost and expense; and be it further

RESOLVED, that pursuant to contract the Supervisor is authorized and directed to execute any documents and to pay the Town's share of any and all reasonable survey, title, prorated tax, and recording charges, as may be necessary to effect the transfer of title; and be it further

RESOLVED, the monies to be expended for purchase of the foregoing property shall be drawn from the Town of East Hampton Open Space Bond Act Budget Account; and be it further

RESOLVED, that copies of this resolution shall be forwarded to: Town Attorney Eric Bregman; Deputy Town Attorney Richard E. Whalen; Town Budget Officer Len Bernard; Planning Department; Mr. Christopher Griffiths, The Nature Conservancy, P.O. Box 5125, East Hampton, New York 11937; Jonathan C. Kaledin, Esq., The Nature Conservancy, 415 River Street, Troy, New York 12180; and Ms. Carol Buchter, P.O. Box 2877, Southampton, New York 11969.

¹ Survey costs shall be shared by the Town and Conservancy on a 50:50 basis; title charges shall be borne by the party obtaining the insurance; prorated taxes shall be paid by the Town as fee purchaser; recording charges shall be paid by the Town and Conservancy for the deed and conservation easement, respectively.

Resolution No. 480

Dated: April 5, 2002

AUTHORIZE ACQUISITION

Property of CAROL BUCHTER, 299 Gerard Drive, The Springs
SCTM #300-64-2-9 & 10

The following resolution was offered by Councilman J. Potter
seconded by Councilwoman D. Weir, and adopted:

WHEREAS, pursuant to § 247 of the General Municipal Law of the State of New York, the Town Board held a public hearing on April 5, 2002 to consider the acquisition of approximately 37,399 square feet (0.86 acre) of land located on the Gardiner's Bay side of Gerard Drive, at 299 Gerard Drive, The Springs, which land is identified on the Suffolk County Tax Map as SCTM #300-64-2-9 & 10; and

WHEREAS, the Town's purchase would be made with assistance from the South Fork-Shelter Island Chapter of The Nature Conservancy, which would pay more than one-half of the property's acquisition cost and would in return obtain a conservation easement ensuring the permanent preservation of the property; and

WHEREAS, said property consists of barrier beach duneland fronting on Gardiner's Bay at Deep Hole, and is presently improved with a one-story single-family residence; and

WHEREAS, the proposed purchase price is \$600,000.00, plus incidental closing expenses including survey, title, prorated tax, and recording charges; and

WHEREAS, the Town's share of the total purchase price will be \$250,000.00, plus its share of survey, title, prorated tax, and recording charges, while The Nature Conservancy will pay \$350,000.00 plus its share of survey, title, prorated tax, and recording charges; and

WHEREAS, pursuant to contract The Nature Conservancy will acquire a conservation easement over the subject property, under terms which will ensure that the property remains in its natural state in perpetuity, and The Nature Conservancy will undertake to remove from the property the existing residence and appurtenances - or to pay the Town's cost in removing these structures; and

WHEREAS, the purpose of said acquisition is preservation of open space and the acquisition of the subject property is classified as a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town Board finds, pursuant to § 64-e (8) of the New York Town Law, that acquisition of the subject property by purchase is the best alternative, of all reasonable alternatives available to the Town, for protection of the community character of the Town of East Hampton, and that such acquisition would be in the best interests of the Town;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized and directed to enter into a joint contract of sale with The Nature Conservancy and the record owner of the subject property, now or formerly Carol Buchter, for the purpose of acquiring said property at a cost to the Town of East Hampton not to exceed \$ 250,000.00, plus a share of reasonable survey, title, prorated tax, and recording charges;¹ and be it further

RESOLVED, that said contract shall provide that the owner of the property will convey to The Nature Conservancy at closing, simultaneously with the conveyance of fee title to the Town of East Hampton, a conservation easement whose effect and purpose shall be to restore the land to a natural state and to permanently protect the land in its natural condition; and be it further

RESOLVED, that said contract shall also provide that The Nature Conservancy assumes the responsibility of removing from the property the residence and appurtenant structures, within a reasonable time following closing of title, and thereafter restoring the property to a natural state, these tasks to be undertaken at the Conservancy's own cost and expense; and be it further

RESOLVED, that pursuant to contract the Supervisor is authorized and directed to execute any documents and to pay the Town's share of any and all reasonable survey, title, prorated tax, and recording charges, as may be necessary to effect the transfer of title; and be it further

RESOLVED, the monies to be expended for purchase of the foregoing property shall be drawn from the Town of East Hampton Open Space Bond Act Budget Account; and be it further

RESOLVED, that copies of this resolution shall be forwarded to: *Town Attorney Eric Bregman; Deputy Town Attorney Richard E. Whalen; Town Budget Officer Len Bernard; Planning Department; Mr. Christopher Griffiths*, The Nature Conservancy, P.O. Box 5125, East Hampton, New York 11937; *Jonathan C. Kaledin, Esq.*, The Nature Conservancy, 415 River Street, Troy, New York 12180; and *Ms. Carol Buchter*, P.O. Box 2877, Southampton, New York 11969.

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¹ Survey costs shall be shared by the Town and Conservancy on a 50:50 basis; title charges shall be borne by the party obtaining the insurance; prorated taxes shall be paid by the Town as fee purchaser; recording charges shall be paid by the Town and Conservancy for the deed and conservation easement, respectively.

**Adopt Town Code Amendment - Chapter 182
"East Hampton Town Nature Preserve"**

Information		Vote		
Legislative File #	RES-2009-899	Julia Prince	Voter	Yes/Aye
Status	Adopted	Pete Hammerle	Voter	Yes/Aye
Department	Town Board	Pat Mansir	Secunder	Yes/Aye
Meeting	8/7/2009 10:00:00 AM	Brad Loewen	Initiator	Yes/Aye
Category	Local Law	William McGintee	Voter	Yes/Aye
Financial Impact		History		
Financial Impact Description	Unavailable	Adopted	08/07/2009 10:00 AM	

WHEREAS, a public hearing was held by the Town Board of the Town of East Hampton on August 7, 2009, regarding a proposed Local Law amending Chapter 182 "East Hampton Town Nature Preserve" in order to add six (6) additional properties to the register of lands dedicated to the Town Nature Preserve; and

WHEREAS, the Town Board has considered the comments of all persons regarding this Local Law, both as submitted in writing during the comment period and as presented orally at the public hearing; and

WHEREAS, the adoption of the Local Law is an unlisted action pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town Board has prepared and considered an Environmental Assessment Form which evaluates the potential environmental impacts of the proposed amendment; and

WHEREAS, the Board has determined that the adoption of this Local Law will not have a significant negative impact upon the environment;

NOW, THEREFORE BE IT RESOLVED, that a negative declaration is hereby made pursuant to the State Environmental Quality Act (SEQEA); and

NOW, THEREFORE BE IT RESOLVED, that the said Local Law is hereby enacted to read as follows:

LOCAL LAW NO. 20 OF 2009
INTRODUCTORY NO. 18 OF 2009

A Local Law providing for the amendment of Chapter 182 ("East Hampton Town Nature Preserve") of the East Hampton Town Code in order to add six (6) additional properties to the register of lands dedicated to the Town Nature Preserve, as more fully set forth in the text of the Local Law, said Local Law to read as follows:

BE IT ENACTED by the Town Board of the Town of East Hampton as follows:

SECTION I. - FINDINGS AND OBJECTIVES:

This local law amends Chapter 182 of the Town Code to add six (6) additional properties to the Town Nature Preserve. The six (6) parcels proposed for dedication to the Nature Preserve consist of a diverse group of ecologically significant parcels acquired by the Town for the purpose of open space preservation. The properties proposed to be added to the Nature Preserve are as follows:

SCTM Location Acreage Characteristics

155-1-6.1 45 Slough Highway, Wainscott 6.8 Prime groundwater recharge

113-2-3 489 Hands Creek Road, EH 11.6 Adjoins existing nature preserve with similar habitat.

110-1-3.1 Napeague Harbor Road, Amagansett 1.95 CPF purchase which adjoins existing preserves with similar habitats

177-1-24 57 Beach Lane, Amagansett 0.27 Environmentally sensitive wetlands

64-2-9 Gerard Drive, Springs 0.54 Restored wetland in HPOD

64-2-10 Gerard Drive, Springs 0.27 Restored wetland in HPOD

SECTION II. - TOWN CODE AMENDED:

Chapter 182 ("East Hampton Town Nature Preserve") of the East Hampton Town Code is hereby amended at Article IV, with respect to Table I, II, III and IV of the Register of Properties, said tables to be amended as follows (all additions are in bold print):

Table I

Town of East Hampton-Owned Lands Parcels within Wainscott School District

SCTM No. 300- Parcel Description/Wainscott School District Acreage

155-1-6.1 45 Slough Highway 6.8

Table II

Town of East Hampton-Owned Lands
Parcels within East Hampton School District

SCTM No. 300- Parcel Description/East Hampton School District Acreage

113-2-3 489 Hands Creek Road 11.6

Table III

Town of East Hampton-Owned Lands Parcels within Springs School District

SCTM No. 300- Parcel Description/Springs School District Acreage

64-2-9 Gerard Drive 0.54

64-2-10 Gerard Drive 0.27

Table IV

Town of East Hampton-Owned Lands Parcels within Amagansett School District

SCTM No. 300- Parcel Description/Amagansett School District Acreage

110-1-3.1 Napeague Harbor Road 1.95

177.1.24 57 Beach Lane 0.27

SECTION III. - SEVERABILITY:

Should any part or provision of this Local Law be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole nor any part thereof other than the part so decided to be unconstitutional or invalid.

SECTION IV. - EFFECTIVE DATE:

This Local Law shall take effect immediately upon filing with the Secretary of State as provided by law.

DATED: August 7, 2009 BY ORDER OF THE TOWN BOARD
TOWN OF EAST HAMPTON, NEW YORK

FRED L. OVERTON, TOWN CLERK

INVASIVE PLANT ASSESSMENT ON TOWN OF EAST HAMPTON NATURE PRESERVES

Nature Preserve:

Name: Buchter

Date of Survey: 9/24/08

SCTM No. 64-2-9410

Surveyed by: LISA D. ANDERSON

Size: 0.81 acres

Plants present:	Yes	No	On road edge	Along trail(s)	Dense	Scattered	Confined area	Throughout	Comments
Japanese Knotweed	X						X		cut down once, has not thrived
Oriental Bittersweet									
Porcelain Berry									
Tartarian Honeysuckle									
Japanese Honeysuckle									
Multiflora Rose									
Autumn Olive	X						X		Near bay beach
Spotted Knapweed	X		X						Pulled up by hand before seeding (8/08)
Garlic Mustard									
Mugwort									
Phragmites	X					X			in "pond" wet area depression
Norway Maple									
Black Pine 1 dead	X						X		towards bay beach
Poison Ivy	X								interior - few (7/26/11 A. Gaites)
Other									
Common Mullein	X					X			(7/26/11 A. Gaites)

General description:

- Miscanthus (non-native grass) Removed (2007) several clumps; knotweed cut + has not grown back vigorously
- was seeded + revegetated
- Except for phrag + the small area of knotweed - Native flora throughout
- * Autumn olive should be pulled up.