



Wainscott Green

Management Plan

August 15, 2019 (Adopted 9/19/19 Reso 2020-1105)



Suffolk County Tax Map # 300-197-1-40.1

378 Montauk Highway
Wainscott
1.12 acres
Town of East Hampton

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I. Foreword

This Management Plan covers the former Kaushik property located at 378 Montauk Highway (Suffolk County Tax Map # 300-197-1-40.1) in the Wainscott School District of the Town of East Hampton, New York. The property is located in a Central Business District.

II. History

The original certificate of occupancy for this property was granted in 1977 for a 2,116 sq. ft. one-story bar/discotheque which is how the facility operated for many years. The establishment was known as and has been identified in various publications as a popular and welcoming nightspot for the gay community as well as for many celebrities and nightlife guests during the height of its operations which continued into the early 2000's. The building subsequently began to deteriorate and in 2014 a letter was issued to the owners from the Town of East Hampton Building Department that the building was unsafe and required repairs or removal and that it could not be occupied. The property has been referred to as the Kaushik property, which was the prior owner's name. However, the Wainscott CAC and its environmental subcommittee reached a consensus that the name Wainscott Green better reflected the purpose which motivated the Town acquisition.

The acquisition of the 1.12-acre property was authorized by resolution #2017-1085 for the purposes of establishing parks, nature preserves or recreation areas. The property was purchased for \$2,100,000.00 using the Community Preservation Fund. \$300,000 towards the purchase was contributed by the Friends of Georgica Pond Foundation, Inc.

Shortly after acquisition, the Town had all the structures and parking lot demolished and removed. The ground was regraded to mitigate rainwater pooling on this and adjacent private property.

III. Location & Description of Property

The property is on the corner of East Gate Road and Montauk Highway on the north side of Montauk Highway less than a third of a mile from the border of Southampton and Wainscott. This is a location which represents the entrance to the hamlet from motorists coming from the west on Montauk Highway.

The property is situated a little over a half mile from the waters of Georgica Pond and a bit less than one full mile from Wainscott Pond. It is also within the Suffolk County Department of Health Services Groundwater Management Zone V, the most sensitive zone for groundwater protection from this agency in the Town of East Hampton.

It is currently nearly 100% cleared of naturally-occurring vegetation with areas of mature mixed deciduous woodlands primarily around the periphery of the property

IV. Access & Parking

The property shall be open to the public 365 days a year, from sunrise to sunset.

Access to the property exists via East Gate Road to the west, and Ardsley Road to the north, with proposed gravel parking at the east end of the property off Ardsley Road. There is a proposed pedestrian access only off Route 27. See, Appendix G. The Town reserves the right to create a parking area for up to five vehicles including one handicapped space within the preserve in the future. The Town further reserves the right to prohibit parking from dusk to dawn.

V. Management Goals & Issues

The development of a public park on the Wainscott Green is recommended in the Wainscott Hamlet Plan to provide an attractive gateway to the business district and a buffer to the surrounding residential uses. A pedestrian oriented business district that is harmonious with Wainscott's character is an overall goal of the Hamlet Plan. The Wainscott Green design should maintain the property's tall forest trees and native woodland understory at the property's perimeter while providing an attractive central sitting and walking area that is easily accessible to pedestrians from the business properties east of the site. The following should be considered in the park design:

Short Term

- A gravel parking lot should be constructed with one paved handicapped space located as per engineering report, in compliance with applicable ADA requirements, to be determined.
- A 6' stockade fence in compliance with Town zoning should be constructed along the boundaries of the park which adjoin private properties to provide screening and a separation between the private land and the public park.
- A lawn consisting of native species such as fescue that do not require irrigation, nitrogen fertilizers or pesticides should be planted in the central area.
- A compacted aggregate path that meets ADA standards should connect the central sitting and walking areas with the parking lot and any adjoining public sidewalks.
- A sign shall be placed temporarily so that it is visible on Montauk Highway, and will be relocated to the park entrance. A small sign shall also be located at the pedestrian entrance.

Long Term

- Plantings should consist of native trees, shrubs and wildflowers consistent with Town policies that encourage the protection of our natural biodiversity. A proposed planting is annexed as Appendix G.
- The Town should request that the utility pole located at the intersection of Ardsley and East Gate be relocated to facilitate the turning of vehicles onto Ardsley Road.
- The Town should consider negotiating a bicycle/pedestrian path right-of-way along the former Ardsley Road ROW to connect the park to the Home Goods parking lot as depicted in the Wainscott Hamlet Study.

-The Town should consider connecting the park with the future sidewalk along Montauk Highway that is depicted in the Wainscott Hamlet Study.

-The installation of a shelter/gazebo and benches subject to town requirements is anticipated and should be permitted on the green.

-Storm water runoff shall be contained on site, and planting, grading, filling, rain gardens and/or the installation of drywells shall be permissible means to contain run off.

VI. Restrictions

- (1) Unauthorized digging and artifact recovery
- (2) Unauthorized wood cutting or removal of vegetation
- (3) Abandonment of pets and other domesticated animals
- (4) Littering and Storage or Abandonment of Personal Property and Boats
 - (a) No person shall throw or deposit litter, as defined in Town Code, or store/abandon boats or personal property
 - (b) A lack of eyewitness testimony shall not bar prosecution under the provisions of § 182-16 (D) (4) (a) of the Town Code, and it shall be presumptive evidence, rebuttable by competent evidence, that the identity of the person accused of a violation of these provisions may be established if litter, stored or abandoned boats or abandoned personal property found deposited in violation of these provisions contains substantial evidence of that person's identity.
- (5) Fires or burning of any kind
- (6) Vehicular access (except in designated area)
- (7) Hunting of any kind
- (8) Camping
- (9) Concessions/catering services/rentals/commercial uses not in accordance with Town Code Chapter 198 (Peddling)
- (10) Target shooting/clay shooting
- (11) Placement of memorials, plaques, benches, art installations, etc. except by Town Board resolution
- (12) Unauthorized commercial activities

VII. Permitted Uses

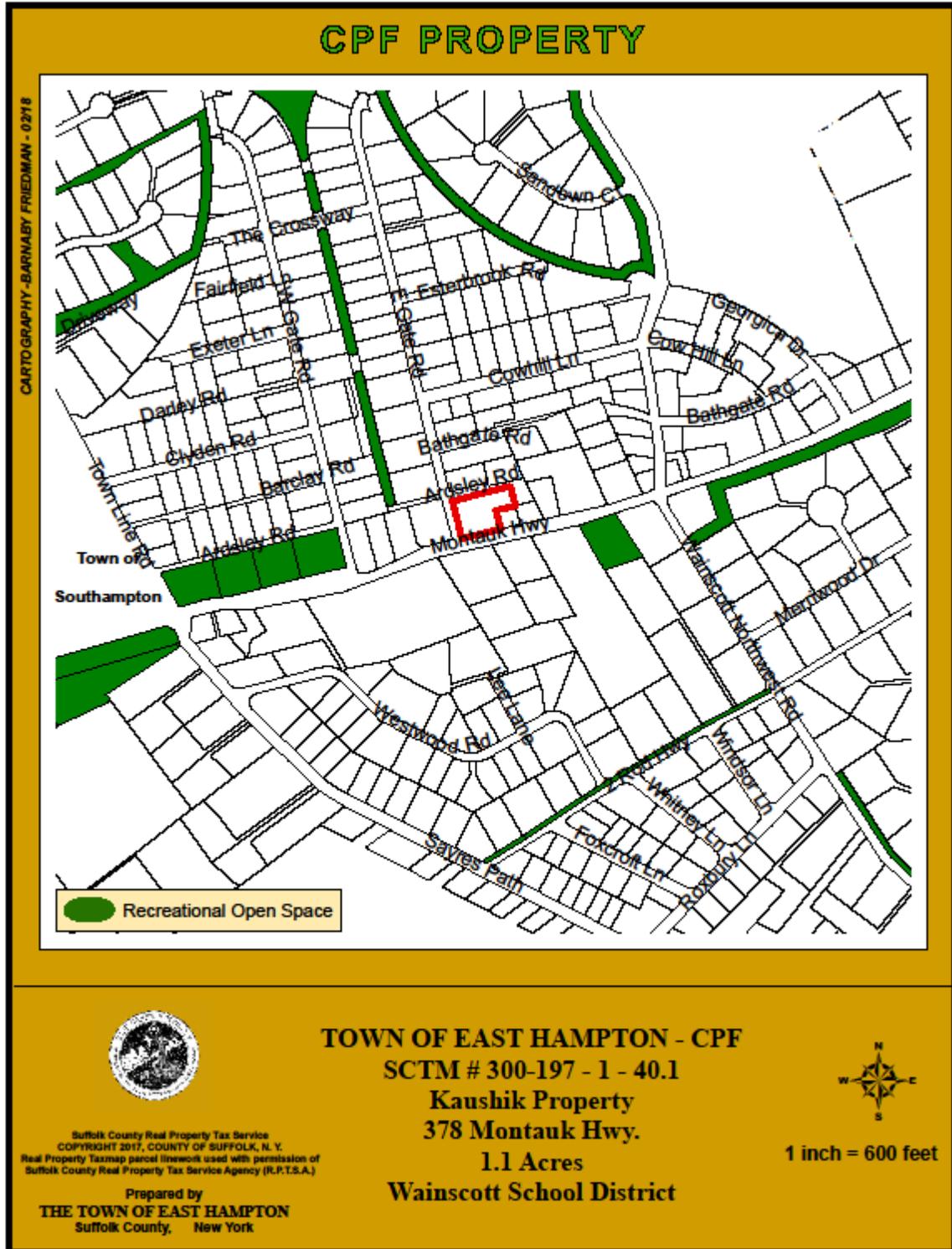
- (1) Foraging (nuts, fruits, berries, leaves, shoots, mushrooms) for personal consumption
- (2) Picnicking
- (3) Geocaching/placement of geocaches
- (4) Activities permitted by the Town's Adopt-A-Preserve program, if applicable
- (5) Trail and meadow maintenance by Town-approved organizations or businesses
- (6) Other appropriate recreational uses as approved by the Town Board.

Appendix A: 2018 On-Site Photos





Appendix C: Location Map



Appendix D: 2017 Aerial Photograph



CARTOGRAPHY - BARNABY FRIEDMAN - 2/18

Appendix F: Acquisition Resolution



**Town of East Hampton
Long Island, NY**

Adopted
Oct 5, 2017 6:30 PM

**Resolution
RES-2017-1085**

Estate of Isha Kaushik Authorize CPF Acquisition and Amend 2017 M&S Plan

Information

Department:	Land Acquisition	Sponsors:	Councilwoman Sylvia Overby
Category:	Acquisitions	Functions:	Acquisitions

Financial Impact

\$1,800,000 plus closing costs from CPF budget account

Body

Authorize CPF Acquisition and Amend 2017 M&S Plan

Purported Owner: Estate of Isha Kaushik
Location: 378 Montauk Hwy., Wainscott
SCTM #: 300-197-1-40.1

WHEREAS, pursuant to § 247 of the General Municipal Law of the State of New York, the Town Board held a public hearing on **October 5, 2017** to consider acquisition of approximately **1.1 acres** of land located on **378 Montauk Hwy., Wainscott** which lands are identified on the Suffolk County Tax Map as **300-197-1-40.1**; and

WHEREAS, the purported owner has expressed a willingness to sell the above referenced property in fee simple to the Town for the proposed purchase price of **\$2,100,000.00**, plus survey, title, prorated tax, and recording charges; and

WHEREAS, the Friends of Georgica Pond Foundation Inc. have agreed to contribute \$300,000 toward the acquisition of this property, and therefore, the Town's portion of CPF acquisition costs are reduced by \$300,000; and

WHEREAS, the parcel contains the former 'Star Room' and associated structures: The Town Board has allowed an exception to its stated policy of requiring the seller to remove structures prior to acquisition due to mitigating circumstances; and

WHEREAS, post acquisition, the Town will remove structures and man made debris; and

WHEREAS, the purpose of said acquisition is the establishment of parks, nature preserves or recreation areas; and

WHEREAS, 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

WHEREAS, on **February 2, 2017 (and amended via resolution on May 4, 2017)** the Town Board adopted the 2017 Management & Stewardship Plan (M&S Plan) for CPF properties pursuant to Town Law 64-e (6) which requires a property to be included in this Plan in order to expense any management and stewardship costs to the Community Preservation Fund; and

WHEREAS, said M&S Plan shall be in effect for calendar year 2017 with updates permitted from time to time at the discretion of the Town Board after a public hearing; and

WHEREAS, this interest in real property may require management and stewardship activities; and

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized and directed to enter into a contract of sale with the record owner of the subject property, reputedly the **Estate of Isha Kaushik**, for the purpose of acquiring said property at a cost to the Town of East Hampton not to exceed **\$2,100,000.00**, plus reasonable survey, title, prorated tax, and recording charges; and be it further

RESOLVED, that pursuant to contract the Supervisor is authorized and directed to execute any documents and the Town Budget Officer is directed to pay the purchase price and 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, that the **2017** Management and Stewardship Plan is amended to include the above referenced property; and be it further

RESOLVED, that pursuant to § 64-e of the New York Town Law, the acquisition of subject property also includes the acquisition of development rights and the right of the Town Board to transfer such rights at a future date; 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 **Community Preservation Fund Budget Account**.

Meeting History

<p>Oct 5, 2017 6:30 PM Video</p> <p>RESULT: ADOPTED [UNANIMOUS] MOVER: Sylvia Overby, Councilwoman SECONDER: Peter Van Scoyoc, Councilman AYES: Kathee Burke-Gonzalez, Peter Van Scoyoc, Sylvia Overby, Larry Cantwell ABSENT: Fred Overton</p>	<p>East Hampton Town Board</p>	<p>Regular Meeting</p> <p> Draft</p>
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Discussion

Appendix G: Wainscott Green Plan

