

# **Leonard**

**(from The Nature Conservancy)**

## **Baseline Documentation**



**Suffolk County Tax Map 300-155-1-21.1 & 32  
3 Six Pole Hwy (Wainscott-Northwest Road)  
Area 60.321 Acres**

**Town of East Hampton, New York**

**Purchased in partnership with the County of Suffolk  
and the Town of East Hampton**

**The Community Preservation Fund Law was enacted to help preserve and manage the Town's and the Incorporated Villages' natural resources, including but not limited to, open spaces, wetlands, woodlands, agricultural lands, shorelands, historic structures and properties, and to provide the Town's visitors and residents with outdoor recreational opportunities.**

**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.**



Suffolk County Real Property Tax Service  
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 Real Property Taxmap parcel linework used with permission of  
 Suffolk County Real Property Tax Service Agency (R.P.T.S.A.)



Prepared by  
**THE TOWN OF EAST HAMPTON**  
 Suffolk County, New York

**TOWN OF EAST HAMPTON CPF  
 and  
 SUFFOLK COUNTY**

**TOWN OF EAST HAMPTON  
 Leonard Property (from TNC)  
 Wainscott School District**



**(813) Proposed acquisition – preservation partnership**

Property of John Leonard (Contract Purchaser from Tracy Development Corp.)  
Wainscott-Northwest Road  
SCTM #300-155-1-21 & 32

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

*WHEREAS*, by Resolution No. 75 of 1997 of the Suffolk County Legislature established the Preservation Partnership Program, thereby enabling the Towns in Suffolk County to expedite land preservation by sharing in the financial burden of County land acquisitions; and

*WHEREAS*, the Town of East Hampton wishes to participate in the Partnership Preservation Program with respect to the purchase of lands for open space and/or recreational purposes;

*NOW, THEREFORE, BE IT RESOLVED*, that the Town Board of the Town of East Hampton hereby requests that Suffolk County acquire fee title to land designated as property of John Leonard (Contract Purchaser from Tracy Development Corp.), Wainscott-Northwest Road, in the Town of East Hampton (SCTM #300-155-1-21 & 32); and

*BE IT FURTHER RESOLVED*, that the Town of East Hampton represents that the property meets the criteria for acquisition under the following County Program or acquisition category:

Open Space Program - the parcel contains wetlands, woodlands, and/or other environmentally significant natural resources worthy of preservation; and

*BE IT FURTHER RESOLVED*, that the Town of East Hampton hereby recommends that the parcel be managed and used in accordance with the following category of use:

Open Space Program - natural resource preservation; and

*BE IT FURTHER RESOLVED*, that the Town of East Hampton hereby agrees to appropriate and provide at least fifty percent (50%) of the funding for the acquisition costs of the subject property at closing; and

*BE IT FURTHER RESOLVED*, that said acquisition costs shall include, but not be limited to, the costs of survey, appraisal, environmental audit, title report and insurance, tax adjustment, taxes prior to exemption, and any fees levied by environmental organizations heretofore or hereinafter authorized by the Suffolk County Legislature to help and/or to act for and on behalf of Suffolk County in acquisition of the subject parcel; and

*BE IT FURTHER RESOLVED*, that fee title to the subject property shall be acquired by the County of Suffolk and the Town of East Hampton as tenants-in-common, each owning an undivided fifty percent (50%) interest in the property; and

*BE IT FURTHER RESOLVED*, that the Town Supervisor is hereby authorized to execute a purchase agreement with the landowner and any collateral agreements with the County of Suffolk deemed necessary to effectuate the terms of this resolution; and

*BE IT FURTHER RESOLVED*, that this resolution shall become effective immediately; and

*BE IT FURTHER RESOLVED*, that the Town Clerk is directed to forward copies of this resolution to:

Steven Jones, Director, Suffolk County Planning;  
Suffolk County Executive Robert Gaffney;  
Suffolk County Legislature;  
Allan D. Grecco, Director of Division of Real Estate, Dept. of Planning,  
P.O. Box 6100, Hauppauge, New York 11788-0099  
Planning Department;  
Deputy Town Attorney Richard E. Whalen; and  
Ms. Heather Lanza, The Nature Conservancy, P.O. Box 5125,  
East Hampton, New York 11937.

**(927) AUTHORIZE ACQUISITION - PROPERTY OF JOHN LEONARD**  
**(Contract Purchaser from Tracy Development Corp.)**  
**Wainscott-Northwest Road**

**SCTM #300-155-1-21 & 32**

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 **July 7, 2000** to consider the purchase, for open space preservation purposes, of approximately 60.321 of land located on west side of Wainscott,-Northwest Road, at Miller's Ground, which land is identified on the Suffolk County Tax Map as SCTM #300-155-1-21 & 32; and

**WHEREAS**, said property consists of moranian oak and pitch pine woodlands and is located within on of the Town's principal groundwater recharge areas; and

**WHEREAS**, the proposed purchase price is \$40,000.00/acre, or \$2,412,840.00 (based upon an area of 60.321 acres), plus survey, title, tax, and recording charges; 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 contract of sale with the record owner of the subject property, now or formerly **John Leonard (Contract Purchaser from Tracy Development Corp.)**, for the purpose of acquiring said property at a cost to the Town of East Hampton not to exceed \$2,412,840.00, plus reasonable survey, title, tax, and recording charges; and be it further

**RESOLVED**, that pursuant to contract the Supervisor is authorized and directed to execute any documents and to pay any and all reasonable survey, title, 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 Community Preservation Fund Budget Account and Preservation Partnership with Suffolk County (50%) Open Space; and

**BE IT FURTHER RESOLVED**, that fee title to the subject parcel shall be acquired by the County of Suffolk and the Town of East Hampton as tenants-in-common, each owning an undivided fifty percent (50%) interest; and

**BE IT FURTHER RESOLVED**, that the Town Clerk is directed to forward copies of this resolution to:

Steven Jones, Director, Suffolk County Planning;  
Suffolk County Executive Robert Gaffney;  
Suffolk County Legislature;  
Planning Department;  
Deputy Town Attorney Richard E. Whalen; and  
Ms. Heather Lanza, The Nature Conservancy, P.O. Box 5125,  
East Hampton, New York 11937.

Resolution No. 1087

Dated: August 16, 2001

**AUTHORIZE ACQUISITION - PROPERTY FORMERLY OF LEONARD**  
Property of The Nature Conservancy (from John & Laurie Leonard)  
Wainscott-Northwest Road (3 Six Pole Highway), Wainscott Northwest  
SCTM #300-155-1-21 & 32

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

**WHEREAS**, by Resolution No. 927 of 2000, adopted July 7, 2000, the Town Board authorized the purchase, for open space preservation purposes, of approximately 60.320 acres of land located on the west side of Wainscott-Northwest Road and Six Pole Highway (unopened), in Wainscott-Northwest, said land being identified on the Suffolk County Tax Map as SCTM #300-155-1-21 & 32; and

**WHEREAS**, the land in question was acquired by The Nature Conservancy, Inc., on behalf of the Town of East Hampton and Suffolk County, by deed from John and Laurie Leonard dated July 28, 2000; and

**WHEREAS**, the Town and the County of Suffolk propose to jointly acquire the subject property as tenants-in-common, for permanent preservation under the County's Preservation Partnership Program and in accordance with the Town Board resolution noted above as well as the earlier Resolution No. 813 of 2000, adopted by the Town Board on June 20, 2000; and

**WHEREAS**, the Town's share of the proposed purchase price for joint fee simple acquisition of the property with Suffolk County will not exceed one-half (1/2) of \$2,412,840.00, or \$1,206,420.00; and

**WHEREAS**, in addition to the purchase price, the Town will pay a one-half (1/2) share of all survey, title, prorated tax, environmental audit, and recording charges associated with the acquisition; and

**WHEREAS**, because its purchase of the property from John and Laurie Leonard was undertaken at the request of the Town, the South Fork-Shelter Island Chapter of The Nature Conservancy seeks reimbursement of its carrying costs for acquiring and holding the property, including the local chapter's costs of borrowing money from The Nature Conservancy's national land protection fund, at a 7-1/2% rate of interest, and the real property taxes paid by The Nature Conservancy during its period of ownership; and

**WHEREAS**, it is the County's policy not to pay such carrying or holding costs, and the Town Board wishes to see that The Nature Conservancy is fully and justly reimbursed for these costs;

**NOW, THEREFORE, BE IT RESOLVED**, in furtherance of Resolution No. 927 of 2000, the Town Board hereby reaffirms that the Supervisor is hereby authorized and directed to enter into a contract of sale jointly with the County of Suffolk, to purchase the subject property from The Nature Conservancy, as successor-in-interest to John and Laurie Leonard, at a cost to the Town of East Hampton not to exceed \$1,206,420.00 plus the Town's one-half (1/2) share of reasonable survey, title, prorated tax, environmental audit, and recording charges; and be it further

**RESOLVED**, that the Supervisor is further authorized and directed to contract for and to pay the following additional costs to The Nature Conservancy, Inc.: (1) interest from the date of The Nature Conservancy's acquisition of the subject property on July 28, 2000 to and including the date of closing hereunder, at an annual interest rate of 7.5% compounded monthly; and (2) real property taxes on the subject property (including Town, County, and School taxes), from the date of The Nature Conservancy's acquisition of the subject property on July 28, 2000 to the date of closing hereunder; and be it further

**RESOLVED**, that pursuant to contract the Supervisor is authorized and directed to execute any documents and to pay any and all charges as set forth above, in order to effectuate 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 Community Preservation Fund Budget Account; and be it further

**RESOLVED**, that a copy of this resolution shall be forwarded to:

Town Attorney Eric Bregman;  
Deputy Town Attorney Richard E. Whalen;  
Town Budget Officer Len Bernard;  
Planning Department;  
Jonathan C. Kaledin, Esq., The Nature Conservancy, 415 River Street,  
4th Floor, Troy, New York 12180;  
David P. Fishbein, Esq., Suffolk County Department of Law, P.O. Box 6100,  
Hauppauge, New York 11788; and  
Mr. Robert Bhatt, Land Management Specialist III, Suffolk County Division of  
Real Estate, P.O. Box 6100, Hauppauge, New York 11788.

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(1469) **ADOPT LOCAL LAW:**  
**ADD PROPERTIES TO TOWN NATURE PRESERVE**

The following resolution was offered by Councilwoman Diana Weir seconded by Councilman Job Potter and adopted:

**WHEREAS**, a public hearing was held by the Town Board of the Town of East Hampton on **November 7, 2003** regarding a Local Law amending Chapter 182 ("East Hampton Town Nature Preserve") of the East Hampton Town Code in order to add additional lands to the register of properties dedicated to the Town Nature Preserve, all as more fully set forth in the text of the Local Law; and

**WHEREAS**, the Town Board has considered the comments of all persons regarding this Local Law, either as submitted in writing or as presented orally at the public hearing; and

**WHEREAS**, both the Town Nature Preserve Committee and the Town Planning Department have reviewed the properties proposed to be dedicated to the Town Nature Preserve, and both agencies recommend that the properties described in this Local Law be so dedicated; and

**WHEREAS**, the proposed dedication of the properties to the Nature Preserve is either not an action subject to review pursuant to SEQRA or, alternatively, is a Type II action pursuant to 6 NYCRR Part 617.5 (c) (20) and requires no further SEQRA review; and

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

**LOCAL LAW NO 38 OF 2003**  
**INTRODUCTORY NO 42 OF 2003**

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 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 additional properties to the Town Nature Preserve. The Register of Properties dedicated to the Nature Preserve will be amended to appear as shown in Section II below. The parcels proposed for dedication to the Nature Preserve consist of a diverse group of ecologically significant parcels containing wetlands, woodlands and waterfront parcels acquired by the Town for the purpose of open space preservation.

**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, IV and V of the Register of Properties, said amended tables to include the following parcels by School District:

**[AMEND TABLE I – “WAINSCOTT NATURE PRESERVE” TO ADD THE FOLLOWING PROPERTIES IN SEQUENTIAL FASHION]**

<b><u>SCTM # 300-</u></b>	<b><u>PARCEL DESCRIPTION</u></b>	<b><u>ACRES</u></b>
132-1-13.7	Town Line Road Woodland	71.5
133-1-2	Six Pole Highway Reserve	8.8
133-1-15.1	East Hampton/Sag Harbor Groundwater Recharge	2.6

133-1-15.2	Woodlands	
133-1-15.3	East Hampton/Sag Harbor	2.6
	Woodlands	
133-1-15.4	Six Pole Highway	7.7
	Woodlands	
133-2-3	Route 114	10.0
	Woodlands	
133-2-4	Route 114	27.2
	Woodlands	
155-1-14.5,21.1, & 32	Six Pole Highway	7.5
	Reserved	
155-1-21.1	Six Pole Highway	50.7
	Groundwater Recharge	
155-1-32	Six Pole Highway	9.6
	Woodlands	
155-2-7	Wainscott/Northwest Road	24.5
	Woodlands	
180-2-5	Highview Drive	16.4
	Reserved/Woodland	

**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.

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***AND BE IT FURTHER RESOLVED***, that the Town Clerk is directed to forward copies of this resolution to:

Planning Director Marguerite Wolffsohn;  
Senior Planner Joanne Pahwul;  
Natural Resources Director Larry Penny;  
Town of East Hampton Nature Preserve Committee, George Larsen, Chair;

**DATED: November 7, 2003**

**BY ORDER OF THE TOWN BOARD  
TOWN OF EAST HAMPTON, NEW YORK  
FRED L. OVERTON, TOWN CLERK**

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

<b>SUPERVISOR JAY SCHNEIDERMAN</b>	<b>VOTE</b>	<b>AYE</b>
<b>COUNCILWOMAN DIANA WEIR</b>	<b>VOTE</b>	<b>AYE</b>
<b>COUNCILMAN JOB POTTER</b>	<b>VOTE</b>	<b>AYE</b>
<b>COUNCILMAN PETE HAMMERLE</b>	<b>VOTE</b>	<b>AYE</b>
<b>COUNCILWOMAN PAT MANSIR</b>	<b>VOTE</b>	<b>AYE</b>

The resolution was declared duly adopted.