

# **Community Preservation Project Plan**

Town of East Hampton

Including the incorporated Villages

of

East Hampton and Sag Harbor

Adopted July 7, 2011

Prepared by the Town of East Hampton Planning Department and  
the Land Acquisition and Management Department

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## Preface

In accordance with the provisions of the Peconic Bay Region Community Preservation Act, this plan is an update of the Community Preservation Project Plan initially prepared on July 7, 1998 and adopted on August 4, 1998. The plan was last revised on May 6, 2005 with parcel specific recommendations.

The plan includes a site specific listing of every parcel of land which the town and the incorporated villages within the town boundaries, East Hampton Village and Sag Harbor Village, intend to acquire either through fee title or the purchase of development rights methods.

The plan establishes the priorities for preservation in the town with agricultural land ranked as the highest priority. The plan also provides a description of various alternatives to acquisition. The site specific listings include properties targeted for preservation that rely on these alternatives and do not involve acquisition funding. The alternative land use techniques incorporated into the recommendations in this report include: zoning regulations, cluster or open space subdivisions; reduced density subdivisions; private conservation; transfer of development rights; and scenic, conservation, wetland, corridor and facade easements. Except for transfer of development rights, these tools have been successfully used in East Hampton and, together with acquisitions, have helped protect over one-third of the land area within the town.

## INTRODUCTION

The Town of East Hampton has preserved 1,700 acres of land to date through the Community Preservation Project Plan. Included are more than 182 acres of farmland and 350 acres along our shorelines. We have also protected six historic sites. This is significant progress toward our goal of protecting the Town's agricultural, scenic, natural and historic resources for the public. However, as illustrated in the maps and charts to follow, many sensitive and important parcels remain. As in previous editions, protection through acquisition is always the first choice for the private properties listed in the plan. That said, this update is not simply a list of properties to be acquired. Wherever possible, alternatives are offered for those instances where outright acquisition is not feasible.

The recommendations are listed in Suffolk County tax map number order by school district, with the incorporated villages listed separately. The following principles were used to evaluate each parcel and formulate a recommendation:

- **Protection of all remaining unprotected farmland.**
- **Protection of as much land as possible over the Town's deep groundwater recharge areas.**
- **Protection of meaningful blocks of open space** – A pattern of land use which consists of villages, hamlets or clusters of homes surrounded by open space is rural. The suburban pattern consists of uniform blocks of homesites covering a landscape without any vacant land. To protect the Town's rural character and help to minimize suburban sprawl, new development should be located next to existing development and open space should be protected next to existing open space.

Open space blocks should also be as large as possible. This principle not only helps to minimize suburban sprawl but is also essential for the protection of the Town's existing natural biodiversity. Biodiversity is the genetic based variation of living organisms at all levels. It includes the variations found in individuals of the same species as well as the variety of ecosystems found in a specified area. It is an important factor in the health of any ecosystem. Ecologists have demonstrated that species diversity is related to habitat area: the larger the area, the greater the diversity of species. This does not mean that small areas are of no importance. For example, small patches of woodland are essential refuges and rest stops for migrating birds. Consider also that the size of a habitat is relative to each species. A large habitat for a worm is not the same as a large habitat for a deer. The location of small habitat areas in connection to large areas and to other small areas also affects the diversity of species found in small habitats. Small habitats should be located as near to other habitats as possible to increase species diversity.

- **Protection of Sensitive Areas** – Some open space areas should be protected regardless of their place in an overall pattern. These include sensitive natural and cultural areas such as harbors, wetlands, scenic views, endangered species habitats, etc.

The Town also contains many small lots scattered in heavily developed areas that have no environmental constraints but which, if developed, will have the cumulative potential to adversely impact community character and the health of our bays and harbors.

- **Protection of Historic and Cultural Resources** – A sense of history is very much a part of East Hampton Town. This is caused in part, by the presence of numerous historic structures, many

with their original settings intact. Less obvious factors include the continued existence of historic landscapes and views, the presence of important archaeological sites, the use of historic place names, the presence and use of historic roads and development which has been built upon historic settlement patterns. Recommendations include protection of some of the factors responsible for this sense of history. Future updates of this plan will include additional sites identified after the completion of the pending updates to the Town's historic inventory and the completion of a Town wide Stage IA archaeological study.

- **Recreation** – The use of open space for recreation is a major part of this plan. Recreational uses include hiking, cross country skiing, horseback riding, mountain biking, running, bird watching, painting, drawing, fishing, boating, swimming etc. Active recreational uses that require on-site clearing and/or construction such as golf, tennis, soccer, baseball, etc. are also important in East Hampton. These needs will be more thoroughly addressed in a future update to be issued after the completion of a Town wide active recreation plan.
- **Development Status** – This revision places an emphasis on the acquisition and protection of our remaining vacant land. However, recommendations are made to protect the setting of historic structures, to protect open space on large properties with small areas of development and in a few cases to acquire developed properties that adjoin large open space areas. Future revisions of the plan will include additional recommendations for developed properties as all of our remaining vacant land is committed to one land use or another.

This plan, although critical to the preservation of some of East Hampton's last remaining unprotected pristine natural areas, is not the final chapter in our long, successful history of open space preservation. Future revisions will build upon the good work that we are now completing to enlarge and refine the protection of our core open space blocks, further protect and restore the quality of our native ecosystems, surface and groundwaters, to protect and enhance our historic character and to enhance the usefulness of our protected farmland soils.

## EXISTING CONDITIONS

This section provides a description of the existing conditions important to East Hampton's character and special quality. East Hampton's natural resources, historic and archaeological resources, traditional industries and recreational opportunities form the basis for the specific recommendations in this Open Space Plan. As no description of East Hampton's Open space would be complete without discussing Gardiner's Island, a separate narrative is provided for this one geographic area.

### NATURAL CHARACTERISTICS - SITE TYPES

The Town's natural resources have been inventoried<sup>1</sup>, analyzed and described according to site types. The site types are categories of natural systems which incorporate a combination of East Hampton's natural features including geology, soils, water resources, vegetation and wildlife. Similar to the systematic categories devised by ecologists to describe nature, these site types incorporate broad parameters tailored to provide general descriptions of East Hampton's natural systems.

Seven site types describe the Town's natural features:

**Woodlands**

**Wetlands**

**Moorlands**

**Meadow/old field**

**Downs**

**Duneland/beach**

**Farmland**

The woodlands have been divided into four subcategories consisting of pine barrens, oak/hickory forest, beech forest and white pine forest. The wetlands have been divided into two subcategories consisting of freshwater and tidal.

### WOODLANDS

East Hampton's woodland areas vary greatly in species composition and community structure from one region to the next. The changes are gradual and the differences are determined by many factors including soil type, elevation, slope, time of origin, frequency of fire, past disturbance, and others. For the purposes of this report we have divided the woodland site type into four subcategories: pine barrens oak/hickory forest, beech forest and white pine forest.

Woodlands once covered most of the town. They have been impacted over time by such human activities as farming, logging and the construction of roads and homes. However, the town's woodlands still retain much of their original character. Large tracts have been preserved within Town, State and County parks and current planning policies require the preservation of blocks of forest and scenic buffers as part of the subdivision process.

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<sup>1</sup>Inventories of East Hampton's natural resources are provided in the following documents: Town Plan for Open spaces Part I, 1974; Town of East Hampton Comprehensive Plan, A guide for Public Action, 1984; Flora and Fauna of the Waterfront: Inventory, Analysis, Policy, 1991.

A number of large blocks of contiguous forested land also remain undeveloped and unprotected within East Hampton. These blocks are extremely valuable for the continued existence of "forest interior" birds within the town. Forest interior birds are those species which, although they may only defend small breeding territories, require blocks of forested land much larger than their territories to maintain viable populations. These birds are declining throughout the United States and have been eliminated from many parts of Long Island.

In many places on Long Island, forest interior species (as well as species from other habitats) have been replaced by a group of species which are common in suburban landscapes throughout the northern and eastern United States. The species compositions of these suburban bird populations are almost identical regardless of where the suburb is located or what the original landscape looked like. This scenario has occurred in parts of East Hampton. However, the Town still retains large sections of its original diverse habitat and as a result species still can be seen which have been lost in other areas. This makes East Hampton unique on Long Island and contributes greatly to its "sense of place". The reduction of these areas will result in a loss of bird species diversity and a suburbanization and homogenization of the Town.

The existence of large blocks of contiguous forest influences other wildlife species, including the white tailed deer. Deer are edge species which survive quite well and often become pests in a patchy landscape consisting of small forest blocks and suburban homesites. With its current development pattern consisting of islands of preserved forested land within a suburban landscape, East Hampton should always have deer. However, management of the size of the herds is greatly aided by the existing large blocks of forest. These blocks allow room for management which could not occur in the areas which are covered by many acres of residential lots.

An equally important function of the Town's woodland areas is the protection of our valuable groundwater resources. The Water Recharge Overlay District almost completely covers the woodland site type. It covers the deepest portions of the aquifer which is our sole source of drinking water. Since land uses in this district affect the underlying groundwater quality, the maintenance of water purity within the Water Recharge Overlay District areas of our woodland site type is critical for maintaining clean drinking water throughout the whole town.

The soils and vegetation of the Water Recharge Overlay District function together to insure the recharge of large quantities of pure water. The soils in the Water Recharge Overlay District are coarse and very sandy. This allows rainwater to percolate down to the aquifer very quickly with less runoff than in areas covered by soils with a higher clay content. The living forest ecosystem filters impurities from the water on its way to the aquifer. Every layer of the forest from the canopy to the leaf litter plays a role in cleansing our water supply. Removal of even one of these layers (for example: raking out the leaves or cutting the low shrubs) will hinder this filtering operation. The system can also be bypassed by the use of artificial pesticides, herbicides, fertilizers etc. These substances quickly run through the sandy soils and into our drinking water. The protection of large blocks intact woodland is thus not only essential for the preservation of our wildlife resources and sense of place, but also for the protection of the Town's drinking water.

#### PINE BARRENS

The pine barrens subcategory is located mostly within the Town's Water Recharge Overlay District and within the South Fork Special Groundwater Protection Area designated by the New York State Legislature. By definition set forth in Section 55-0109 ECL Article 55, Special Groundwater Protection Areas have the best potential for existing and future high quality recharge. These areas provide recharge to portions of the deep flow aquifer system.

The soils consist mostly of Carver and Plymouth sands and Plymouth loamy sand with some large areas of Montauk loamy sand, sandy variant. These soil types are described by the US Department of Agriculture's Suffolk County Soil Survey as excessively drained with low natural fertility. To minimize groundwater degradation beneath these sandy soils, the Long Island Regional Planning Board prepared the Special Groundwater Recharge Protection Area Plan in 1992. This plan was endorsed by the East Hampton Town Board and certified by the New York State Department of Environmental Conservation. In 1993, the Special Groundwater Protection Areas were designated as Critical Environmental Areas pursuant to SEQRA. Protection of forest cover and minimization of development density and intensity is necessary to protect the quality of the town's water supply in these areas. The SGPA plan recommended upzoning to five acres undeveloped tracks of land within the boundaries of the Special Groundwater Protection Area.

According to Carol Reschke who developed the Natural Heritage Program classification system, the pine barrens site type is described as:

- a mixed forest that typically occurs on well-drained, sandy soils of glacial outwash plains or moraines; it also occurs on thin, rocky soils of ridge tops. The dominant trees are pitch pines (*Pinus rigida*) mixed with one or more of the following oaks: scarlet oak (*Quercus coccinea*), white oak (*Q. alba*), red oak (*Q. rubra*), or black oak (*Q. velutina*). The relative proportions of pines and oaks are quite variable within this community type. At one extreme are stands in which the pines are often emergent above the canopy of oak trees. At the other extreme are stands in which the pines form a nearly pure stand with only a few widely spaced oak trees. The shrub layer is well-developed with scattered clumps of scrub oak (*Quercus ilicifolia*) and a nearly continuous cover of low heath shrubs such as blueberries (*Vaccinium pallidum*), (*V. angustifolium*) and black huckleberry (*Gaylussacia baccata*). The herbaceous layer is relatively sparse: characteristic species are bracken fern (*Pteridium aquilinum*), wintergreen (*Gaultheria procumbens*) and Pennsylvania sedge (*Carex pensylvanica*).  
This community combined with several types of barrens and woodland communities make up the broadly defined ecosystem known as the Pine Barrens.

In addition to the dominant plants listed by Reschke, East Hampton's oak/pitch pine forest or pine barrens supports a great variety of uncommon plant species including some NYS Protected plant species.

The Town's pine barrens areas also support a large number of plant and animal species which are not listed as having statewide significance but have declined in number on Long Island in response to the spread of suburban development. Wild lupines (*Lupinus perennis*) and whip-poor-wills (*Caprimulgus vociferus*) are some of the more obvious examples. The list also includes insects such as the coastal barrens buckmoth (*Hemileuca maia maia*), the Aureolaria seed borer (*Rhodocia aurantiago*) and the frosted elfin (*Incisalia irus*) whose statewide importance has been recognized by the New York Natural Heritage Program. These species need the remaining pine barrens to survive in our area.

Management of the pine barrens site type should consider the groundwater recharge value of the forest. Non-residential uses of the land should be limited to those which minimize the potential for groundwater contamination. Residential and non-residential subdivisions should be designed to protect the quality and quantity of groundwater resources by setting aside large blocks of intact forest.

Management of the pine barrens site type should also consider the importance of fire to the ecosystem and the danger of uncontrolled fires to residential and non-residential development within the pine barrens. The pine barrens is a fire dependent system which is composed of flora and fauna that are adapted to and need the periodic occurrence of fires. Fire regulates the relative abundance of oaks and pitch pines and

maintains a variety of successional stages throughout the system. Fire protects the natural diversity of the ecosystem and helps to insure the continued existence of its rare and endangered species. The constant suppression of minor pine barrens fires allows fuel loads to build until a large wildfire, which causes extensive damage to homes and businesses, is inevitable. The fire fighting techniques often used to suppress large wildfires also damage the pine barrens ecosystem. A management plan which includes controlled burns to reduce fuel loads and maintain the pine barrens ecosystem is recommended. Preservation of blocks of land large enough to accommodate fire management techniques should be encouraged.

### OAK/HICKORY FOREST

The oak/hickory forest is the most extensive of the four woodland subcategories found in the Town. It occurs in all school districts except Wainscott and on soil types which range from prime agricultural soils to the dry infertile sands which cover our prime groundwater recharge areas. Several large tracts of oak/hickory forest are located within the town's Water Recharge Overlay District and within the South Fork Special Groundwater Protection Area. Protected areas and unprotected land such as Hither Woods and Jacob Farm respectively are located in this site type. These areas provide recharge to portions of the deep aquifer and provide the best potential for existing and future high quality recharge.

The dominant canopy species in the oak/hickory site type are always oaks (*Quercus sp.*) and hickories (*Carya sp.*). Sassafras (*Sassafras albidum*), American beech (*Fagus grandifolia*), pitch pine (*Pinus rigida*), white pine (*Pinus strobus*) and red maple (*Acer rubra*) also occur in varying amounts. The composition of the understory ranges from dry acres of lowbush blueberry (*Vaccinium pallidum*), (*V. angustifolium*) and huckleberry (*Gaylussacia baccata*) to a lush and varied landscape which could include mountain laurel (*Kalmia latifolia*), sheep laurel (*Kalmia angustifolia*), American holly (*Ilex opaca*), flowering dogwood (*Cornus florida*) and shad (*Amelanchier canadensis*) among other species. A number of protected plant species have been identified within this subcategory. These include the mountain laurel, sheep laurel, American holly and flowering dogwood as well as herbaceous species.

A number of sensitive wildlife species have also been identified within the town's oak/hickory forests. Two of these tracts have been recognized statewide and have been designated as New York State Significant Coastal Fish and Wildlife Habitats by the New York State Department of Environmental Conservation: the Hither Hills Uplands and Culloden Point. The Hither Hills Uplands was chosen in 1993 to be one of only three acceptable release sites for the reintroduction of wild turkeys (*Meleagris gallopavo*) to Long Island. This once common bird was extirpated from much of the northeast by the mid 1800's. Its recovery on Long Island depends on the continued existence of large blocks of mature oak/hickory forest.

Maintaining the continuity of the remaining large tracts of forest should be a planning and management priority for the oak/hickory woodland subcategory. As discussed in the section describing general woodland characteristics, large tracts are required for the protection of wildlife diversity and to help maintain clean drinking water. The Special Groundwater Protection Area Plan recommends upzoning to five acres undeveloped tracts of land within the boundaries of the special groundwater protection areas. Upzoning should be combined with acquisition and the coordination of open space protected during subdivision to minimize the fragmentation of our remaining oak/hickory forest tracts.

## BEECH FOREST

Several of the Town's woodlands contain large areas that are dominated by tall, mature American beech (*Fagus grandifolia*). Associated species include all of those found in the oak/hickory forest subcategory. However, the prominence of the beeches greatly affects the structure and character of the woodland. The understory is usually open and shady beneath the beech trees and the change in appearance from a typical oak/hickory forest is quite dramatic.

These large beech stands usually occur in areas where the soils are not as rich as our prime farmland but not as dry and infertile as most of the oak/hickory woodland areas. They often occur on slopes or in kettleholes where moisture may seep from the sides or drain to the bottom. Several large stands occur on the edge of our prime farmlands and it appears that these extended onto the prime soils when they were forested.

A large and dramatic beech forest occurs in the Stony Hill area of Amagansett over the groundwater recharge area known as the Stony Hill aquifer. Although it is smaller than the main water storage area in the western part of town, the Stony Hill aquifer is located much closer to the most populated areas of town and thus is important as a potential source of public water and as a source of clean water for the private wells down-gradient of the aquifer. Protection of the beech forest will help to maintain the purity of the water.

The beech forest site type provides wildlife values similar to those attributed to mature oak/hickory forest although it is expected that the somewhat moister and richer soils create a somewhat more productive woodland. The beech stands also contribute to the overall diversity of woodland flora and thus to the diversity of woodland fauna. The mature trees live a long time and contribute much to the character of East Hampton's woodland. Protection of these areas within large blocks of contiguous oak/hickory forest is recommended.

## WHITE PINE FOREST

The white pine forest subcategory occurs only in the "northwest woods" region of East Hampton and occupies only about 3.8 square miles of land. It occurs on dry, sandy soils and is contained mostly within the town's Water Recharge Overlay District and the South Fork Special Groundwater Protection Area. It is the only native white pine forest on Long Island and is a unique remnant of a time when the climate of Long Island was much cooler.

The densest area of pines is located between Two Holes of Water Road and Northwest Road. This area contains the town park Chatfield's Hole, although most of the remaining land covered by the site type has already been subdivided. The trees themselves are majestic and satisfy most people's image of what a "real" forest looks like. As a result of this image, large pine trees remain on many developed lots where the understory has been removed. However, the white pine forest site type includes more than the trees. All the layers of the forest are needed to provide wildlife habitat and to provide adequate protection for the underlying groundwater supplies.

This subcategory is, of course, dominated by white pines (*Pinus strobus*) which in some places occur as almost pure stands. Oaks (*Quercus sp.*), hickories (*Carya sp.*), pitch pines (*Pinus rigida*), and other trees occur in amounts which vary with light and soil conditions. These species gradually increase in number and dominance as the boundaries of the white pine forest subcategory blend with the surrounding pine barrens and oak/hickory woodlands. The understory varies with the density of the pines. In areas covered by dense almost pure stands almost nothing grows beneath the pines. Other areas contain large patches of lowbush

blueberry (*Vaccinium pallidum*), (*V. angustifolium*) huckleberry (*Gaylussacia baccata*) and other shrubs. Flowering dogwood (*Cornus florida*) and the saplings of canopy species occur where light conditions allow.

A number of NYS protected plant species have been identified within the white pine forest subcategory, listed in Table 11. Birds such as the Acadian flycatcher (*Empidonax vireescens*), chuck-wills-widow (*Caprimulgus carolinensis*), hermit thrush (*Catharus guttatus*) and broad-winged hawk (*Buteo platypterus*) have also been identified as breeding in the white pine forest. None of these birds are seen very often on Long Island. Black-throated green warblers (*Dendroica virens*) were also documented as breeding in the white pine forest in 1994. This is the first place on the South Fork that this species has been observed breeding in the last 50 years.

Although much of the white pine forest has been subdivided, many lots remain undeveloped at this time. Every effort should be made to protect blocks of land within the core area near Chatfield's Hole and wherever islands of undivided pines remain. The habitat value of these islands increases with the size of the island and its proximity to the large area of protected forests included within the Grace Estate, Northwest County Park, and Cedar Point County Park. Water Recharge Overlay District clearing restrictions should be strictly enforced within the white pine forest site type.

## WETLANDS

East Hampton is fortunate to contain large areas of relatively undisturbed wetlands. These areas contribute greatly to the Town's diversity of natural habitats and provide many other benefits:

- 1) They provide valuable wildlife habitat, including nursery areas for many of our commercial fish and shellfish.
- 2) They act as "giant sponges" to provide flood and storm water control.
- 3) They help to recharge valuable groundwater supplies.
- 4) They provide erosion control by slowing moving waters and trapping sediments.
- 5) They filter pollutants from the water and
- 6) They support an amazing number of scarce and unique plant and animal species (see Table 12).

Wetlands can be divided into two groups, tidal wetlands and freshwater wetlands. Tidal wetlands are defined in the Town Code as "all lands lying in the area inundated by tidal action and/or peak lunar tides exhibiting salt marsh peat and saline or brackish soils at their undisturbed surface...". The Town has approximately 110 miles of coastline. Approximately 19 miles is ocean shoreline. The remaining 91 miles include numerous bays, harbors and coves. It is in these areas, which are protected from the regular scouring action of ocean waves, that tidal wetlands develop. Extensive salt marshes occur only in the most protected areas of our inner harbors. The largest of these are the marshes of Accabonac Harbor, Napeague and Northwest Creek, although small strips of marsh plants occur in the quiet sections of coastline along the entire north shore.

Inland, freshwater wetlands occur wherever groundwater is at or near the surface (as in the numerous cranberry bogs of the Double Dunes area) or when water is trapped above the groundwater table by layers of clay within the soil (as in the wetlands of the Montauk moorlands). Montauk has a special abundance of freshwater wetlands because the soils there contain many scattered pockets of clay. Quite a few of these wetlands fill with water only during the wet times of the year. They are referred to as "vernal ponds" and are extremely important to a number of wildlife species including the protected blue-spotted salamanders (*Ambystoma laterale*). The salamanders (and other wildlife) depend on the lack of predatory fish in vernal ponds to insure the growth and survival of their eggs which are laid in the ponds in early spring. The young

salamanders and other vernal pool species are then ready to leave the ponds for the surrounding woodlands and moorlands when the water dries up in summer.

Fresh water also flows out toward the shoreline through streams and ditches (Peter's Run for example) or underground until it emerges in springs and seeps (Springy Banks). Estuaries form where fresh water meets salt. These sometimes occur in the form of coastal ponds like Georgica Pond or Wainscott Pond. These unique waterbodies are fed by fresh water from an upland source, but are only separated from bay or ocean waters by narrow strips of land. These often breach, creating a brackish tidal environment.

Groundwater is often quite close to the surface in the areas near fresh and tidal wetlands. Pollution of wetlands and surface waters as well as problems with construction can occur as a result of development in these shallow depth to groundwater areas. Many of these shallow depth to groundwater areas have already been subdivided into small building lots. These divisions occurred early in the Town's resort development because land close to the shore was considered most desirable and easiest to sell and very little consideration was given to the physical characteristics of the land. Wetlands were considered waste lands that could be filled or drained to construct houses. Of course, the lots which happened to fall in wetland areas did not sell as fast as the dry lots because of the additional construction expenses incurred by filling, draining, etc. Many of these lots remain undeveloped today. Detailed lot by lot analysis which is currently required by the Natural Resource Special Permit process, but is beyond the scope of this report, should continue to determine the proper disposition of lots containing wetlands or shallow depths to groundwater.

Many of the Town's wetland and underwater lands have been designated Significant Coastal Fish and Wildlife Habitats by New York State and Locally Significant Coastal Fish and Wildlife Habitats by the Town Comprehensive Plan. These areas have been determined to be particularly critical to the maintenance of certain fish and wildlife populations. (See List 1 for designated State and Local Significant Coastal Fish and Wildlife Habitats. Maps and descriptions of the locations and detailed discussions of each area are contained within the Flora and Fauna component of the Town Comprehensive Plan.)

Article IV of the Town Code contains regulations designed to preserve and maintain East Hampton's wetlands. The Code requires setbacks of 100 ft. from wetland boundaries for all structures except septic systems which are required to be located at least 150 ft. from wetland boundaries. Clearing of natural vegetation is limited to a distance of 50 ft. from the wetlands. Additionally, scenic easements and naturally vegetated buffers are often recommended during the Natural Resources Special Permit process for construction on individual lots. Open space planning should include the design of new subdivisions which provide ample protection to wetlands and should consider whether the lots which are available for development are able to comply with the existing regulations and provide meaningful protection to the wetlands.

***List 1. State & Locally Designated Significant  
Coastal Fish and Wildlife Habitats***

Alewife and Scoy Pond Wetlands  
Cedar Point Peninsula  
Northwest Creek  
Sag Harbor and Northwest Harbor  
Three Mile Harbor  
Three Mile Harbor (locally designated)  
Accabonac Harbor  
Fresh Pond Wetlands (locally designated)  
Napeague Harbor  
Culloden Point  
Fort Pond  
Hither Hills Upland  
Big and Little Reed Ponds  
Lake Montauk  
Oyster Pond  
Montauk Point (locally designated)  
Atlantic Double Dunes  
Napeague Beach  
Georgica Pond (locally designated)  
Wainscott Pond (locally designated)  
Gardiner's Island

**DOWNS**

This site type once covered most of Montauk. The name "downs" may have originated with English people who compared the rolling moraine of Montauk with the Downs of Sussex. They were describing a grassland ecosystem or prairie which was scattered with wetlands, kettleholes, ponds and streams. The Montauk Downs occurred on soils which are generally well drained in the upper layers but contain areas of clay over firm glacial till. This creates pockets of perched water at and beneath the surface and allows for the scattered occurrence of wetlands. Although patches of woody vegetation existed in wet, sheltered kettleholes, the general appearance was that of a vast prairie.

Before the arrival of the Europeans, native grasses and herbs grew on Long Island in openings which were created by natural fires or cleared or burned by the native Americans. In addition to these smaller grassy openings, the Island supported two large prairies. The largest of these, the Hempstead Plains, once stretched the entire length of Nassau County. It is now almost completely paved over and virtually extinct. The second is the Montauk Downs.

At the beginning of the twentieth century Norman Taylor studied the Montauk Downs and in 1923 published The Vegetation of Montauk as part of The Brooklyn Botanic Garden Memoirs Volume II. In this document he listed the dominant grassland species in order of frequency:

little bluestem	<i>Schizachyrium scoparium</i>
rush	<i>Juncus greenii</i>
hairgrass	<i>Deschampsia flexuosa</i>
Indiangrass	<i>Sorghastrum nutans</i>
milkwort	<i>Polygala polygama</i>
toothed white-topped aster	<i>Seriocarpus asteroides</i>
plantain-leaved pussytoes	<i>Antennaria plantaginifolia</i>
sandplain gerardia	<i>Agalinis acuta</i>

Taylor noted that there were three primary factors which maintained this vast prairie; one was the cattle and other livestock which were permitted to graze the entire area east of Fort Pond. Although by 1923, their numbers were greatly reduced from the two thousand head of cattle and three or four thousand sheep that roamed the peninsula in 1775, their influence was still felt. Another factor was the periodic fires which occurred naturally and were intentionally set as late as the 1950's. The third factor was the wind. The desiccating effects of wind sweeping across this open space caused all vegetation to hug the ground.

A vast prairie no longer exists in Montauk. Moorland shrubs and residential development have replaced most of the Downs. However, patches of Downs vegetation persist on the tops of hills and in some areas where grazing continued well into the twentieth century. These prairie remnants contain many of the species observed by Taylor in 1923. Many of the prairie species also occur in modern day "openings" such as road shoulders or old fields. However some of the species, which were common on the Downs in 1923, are now quite rare. For example, Taylor observed that the Downs were colored purple when the "untold millions" of sandplain gerardia were in bloom. This plant is now classified as a Federal Endangered Species. Only ten small populations remain in the world. Two of these are on the Montauk Downs. One is located in Shadmoor State Park.

The Downs remnants are gradually disappearing and will be completely eliminated without management to remove the succeeding moorland shrubs. Further study is needed to determine the best method to accomplish this goal without destroying the rare and endangered Downs flora. The Nature Conservancy is currently researching this problem at various field locations. At this time it is known that the preservation of patches of land containing downs flora in blocks large enough to accommodate the traditional management methods of grazing and burning is essential.

### MOORLANDS

In all of New York, this site type is only found in Montauk. It is the dwarf forest which has grown to replace the downs vegetation in the second half of the twentieth century. It is best expressed in the area south of Montauk Point State Boulevard from Fort Pond to the point. It covers typical Montauk soils with their scattered clay lenses and thus encompasses numerous ponds, streams and other wetland areas.

A visit to Montauk in spring clearly reveals that the dominant moorland species is the shad (*Amelanchier canadensis*). A hazy whiteness covers the moorlands when this tree is in bloom. Other woody species include black cherry (*Prunus serotina*), arrowwood (*Viburnum dentatum*), highbush blueberry (*Vaccinium corymbosum*), swamp azalea (*Rhododendron viscosum*), sweet pepperbush (*Clethra alnifolia*), winterberry holly (*Ilex verticillata*), American holly (*Ilex opaca*), chokeberry (*Pyrus floribunda*), maleberry (*Lyonia ligustrina*), bayberry (*Myrica pensylvanica*), winged and smooth sumac (*Rhus copallinum*, *R. glabra*). These plants grow in dense stands sometimes entwined with wild grape (*Vitis labrusca*), catbrier (*Smilax rotundifolia*) and poison ivy (*Toxicodendron radicans*). Where openings allow sunlight to reach the ground, grassland species and woodland herbs such as downy violet (*Viola fimbriatula*), various ferns and rue anemone (*Anemonella thalictroides*) occur. Invasive aliens like multiflora rose (*Rosa multiflora*) and Japanese honeysuckle (*Lonicera japonica*) have also spread into some areas.

A number of protected plant and animal species have been identified in the moorlands site type. Among these species, the population of blue-spotted salamanders (*Ambystoma laterale*) that occupies Montauk is unique in the northeast. It is the only pure diploid population of this species in the state. Elsewhere in New York State these creatures have hybridized with the closely related Jefferson salamander (*Ambystoma jeffersonianum*). The salamanders require both wetland and upland areas in order to survive. They breed in vernal ponds and spend their adult life among the fallen logs and leaf litter of the forest floor. Since the adults can range up to 300 feet from the breeding ponds, natural buffers around Montauk's wetlands are needed to protect the salamanders. Protection of large intact blocks of moorland habitat is the best way to insure the continued existence of all of Montauk's unique flora and fauna.

#### DUNELANDS AND BEACH

East Hampton's beaches are the core of the Town's resort economy. They are also a very important component of the Town's natural environment and support a large number of protected plant and animal species. This has been recognized on a State level. Nine of the sixteen New York State Significant Coastal Fish and Wildlife Habitats designated in East Hampton contain areas of duneland and beach. Two of these, the Atlantic Double Dunes and Napeague Beach are among the largest remaining areas of undeveloped barrier beach and back dune ecosystems on Long Island. The State notes that these outstanding areas are important to many coastal wildlife species and provide valuable opportunities for ecological research.

East Hampton's beaches and dunelands have been changing in shape and location since they first formed as the ocean washed sand particles from the glacial deposits that created Long Island. Montauk east of Fort Pond and Hither Woods were islands off the east end of Long Island when the ice first melted. The erosion and deposition of sediments by wind, waves, and ocean currents connected the islands and formed the Fort Pond area of Montauk as well as the Napeague strip and the Double Dunes. The shoreline continues to change today as beaches erode in one place and build in another.

The current character of the shoreline varies with its location and with the composition of the adjoining upland. The western south shore beaches are sandy with well developed primary dunes and secondary dune areas. The south shore area east of the Montauk business district is a rocky beach at the foot of the southernmost ocean fronting bluffs on the Atlantic coast. That section of beach boasts the most extensive rocky intertidal zone on Long Island. The north shoreline is convoluted with numerous bays, harbors, creeks and inlets. The Town contains approximately 105 miles of coastline. Although some beaches have been altered with shore hardening structures, most of the shoreline is unencumbered. The only exceptions are one or two places on the ocean and a few discreet sections of the north shore.

Protection and management of this site type should consider that the shoreline is a dynamic system. Sea level rise, storm events, daily tidal changes, and other factors constantly alter the configuration of the beaches, bluffs and dunes. Flooding is an expected event. The plants and animals which live in this environment are adapted to and need these changes. Locations of bird colonies and even plants sometimes change from year to year. Protecting as much of the coast as possible is therefore a better conservation strategy than trying to protect only fixed, isolated features. Minimizing the number of permanent structures is also recommended to reduce the impact on natural features as well as minimize the loss of human investments in these dynamic, flood prone areas.

### MEADOWS AND OLD FIELDS

This site type was very common during the past century when small farms outnumbered subdivisions. It includes pastures, old fields, meadows, hay fields, fallow fields, old orchards, etc. and is distinguished from the downs site type by its origins and species composition. The meadow and old field site type is a result of the clearing of woodlands after the arrival of European settlers. On the other hand, woodlands cleared by natural fires or native Americans before the arrival of Europeans formed temporary grasslands composed of many of the same species which comprise the downs site type.

The European settlers brought their familiar old world crops with them to establish their farms in the new world. As a result, European grains, grasses, herbs, garden flowers and weeds became intentionally and unintentionally established alongside native grassland species. This drastically altered the species composition of the new woodland openings. The resulting mixture comprises the meadow and old field site type today. The relative abundance of native and alien plants varies from site to site depending on a number of factors, including most notably, location and previous use. The site type varies in structure and if left alone, the vegetation will change from open field through old field and shrubland to forest. It occurs throughout the Town on public and private land and as strips along the Town's roadsides. Some of the Town's roadsides have supported an abundance of native meadow and old field species that is not found anywhere else in the Town or on Long Island. However, recent Highway Department efforts to establish lawns in these areas have reduced the species diversity and eradicated many unusual native plants.

Native wildlife communities also responded to the change in habitat as the European settlers increased the number of cleared areas. Wildlife which occupied the once scarce forest openings multiplied. They declined again as the new human inhabitants overhunted what they thought was an unlimited supply. However, modern hunting regulations and laws protecting migratory birds and other species allowed for recovery in the rural half of the twentieth century. Today, forest openings are still more common than they were before the arrival of the first Europeans. However, the suburban landscape of lawns and non-native ornamental shrubs has replaced the old fields and meadows in many areas. Some of the meadow and old field species occupy this new habitat, but many do not survive in the suburbs. Birds like bluebirds (*Sialia sialis*), field sparrows (*Spizella pusilla*), bobolinks (*Dolichonyx oryzivorus*), bobwhite (*Colinus virginianus*), and grasshopper sparrows (*Ammodramus savannarum*) no longer exist in East Hampton in the numbers known in previous years. Plants such as the white milkweed (*Asclepias veriegata*) and bird's foot violet (*Viola pedata*) are only found in the meadow and old field site type or in the scarce remnants of native prairie. The protection of areas which can be kept in this site type is necessary if we are to keep these species in East Hampton.

The meadow and old field site type also contributes much to East Hampton's rural character and sense of place. Springs and Amagansett continue to have a rural "feeling" despite a high population density. The fields around Wainscott Pond essentially have the same distribution of buildings and farmland as it had during the nineteenth century. This type of landscape is almost extinct from Long Island. Interestingly, this

area of Wainscott has been found to support nesting bobolinks as well as sedge wrens (*Cistothorus platensis*), savannah sparrows (*Passerculus sandwichensis*) and willow flycatchers (*Empidonax traillii*). The sedge wren is listed as a New York State species of special concern.

Plans for the protection of East Hampton's meadows and old fields should consider that this site type exists in nature as a transition between cleared land and forest. Legal protection of the land should permit management practices which allow for continued maintenance and reestablishment of the site type. Management practices should include delaying the mowing of actively farmed hay fields, pastures, etc. until after the spring breeding season. Mowing conducted only to insure the continued existence of this site type should take place no more than once a year after the fall flowers have set seed and before the spring growth has begun. Mowing patterns, which protect winter food and cover, are also encouraged. The management of Town roadsides to insure the continued existence of meadow plant species is highly recommended.

## FARMLAND

The farmland site type describes a particular human use of the land which includes varying amounts of natural vegetation. If left undisturbed, the farmland site type will change to the meadow/old field site type and eventually to woodland. The meadow/old field site type is itself actually a historic part of the farmland landscape. Pastures, also traditional parts of farms, are included in this report in both the meadow/old field site type and the farmland site type. Thus, there is some overlap between the meadow/old field site type and the farmland site type. The discussion in this section will focus on the more intensive farmland uses. The reader should also consult the meadow/old field section for discussion of the ecology of pastures and other less intense uses.

East Hampton's prime farmland was formed approximately 10,000 years ago as meltwater from the retreating glacier washed and sorted clay, sand, silt and gravel from the moraine. These soils, rated among the most productive in the country by the US Department of Agriculture, are found primarily on the flat outwash plain that is occupied today by East Hampton Village and surrounding area, Wainscott and Amagansett.

The Montauk Indians had already been farming these areas for many years when the first New England settlers arrived in the mid- seventeenth century. The settlers chose the rich land north of Hook Pond to begin their colony. They divided the area into long "home lots" centered on a wide main street or common. As the Town grew, the prime soils in Amagansett and Wainscott were also allotted for farms, these areas becoming hamlets separate from the village.

The lands surrounding Accabonac Harbor and Northwest Harbor were the next areas to be divided. In addition to providing water access, the tidal marshes themselves provided grazing land for the settler's livestock. However, the soils in these northern woodlands are sandy and poor. The farmers in these areas fished, sold cordwood and worked on other farms to make ends meet.

Today, most of the rich outwash plain is developed with residential lots and businesses. The farms of Springs and Northwest have reverted to meadows, old fields, and woodland and have been developed with residences. However, several large blocks of prime farmland and scattered northern farms remain. The farmland site type includes the prime soils and the remaining historic non-prime farms.

Many people think of East Hampton's "traditional" crops as corn and potatoes. However, farming has changed as the Town itself has changed. The early subsistence farmers grew a variety of crops and livestock for food, clothing, trade and export. Today, nursery stock is appearing on much of our agricultural land.

Whatever the chosen crop, the effects of farming on the species diversity of an area are similar. A field devoted to a single plant species will not support the diversity of animal life that a meadow, old field or woodland could. However, East Hampton's farm fields are generally small and divided by hedgerows and natural vegetation which provide added diversity and increase wildlife habitat. The farms support many of the same breeding species that live in our residential areas as well as some species which require the open spaces of the fields and are not found in residential areas. These include barn swallows, tree swallows, killdeer and horned larks. Farm fields provide hunting areas for hawks and owls which feed on the small birds, rodents and insects that are attracted to the crops. Farm fields also provide the large winter feeding areas selected by flocks of Canada geese, snow geese, gulls, snow buntings, meadow larks, shorebirds etc. These species feed on the crop remnants and insects exposed on the winter fields. It is expected that the current trend of planting nursery stock will change the wildlife species composition of our farmlands as those species, which require open fields, are replaced with those species which thrive among the plants of residential neighborhoods.

The farmland of East Hampton contributes greatly to the Town's sense of place and thus to our tourist economy. It is also a part of Suffolk County's agricultural economy which is ranked first in New York State and among the top ten in the nation. The recommendations in this report continue our tradition of protecting this important resource through the purchase of development rights, agricultural easements and the creation of agricultural reserved areas.

#### GARDINER'S ISLAND

Gardiner's Island has been described as a part of Eden off the coast of New York with almost mythical qualities. The entire 3,375 acre island has been in continuous ownership by the Gardiner family since it was deeded to Lion Gardiner by the English crown in 1639. The fact that it has been owned and kept largely private by the family for 356 years has enabled many bird, small mammal, amphibian, reptile and fish species to breed with minimal human disturbance. The lack of modern human disturbance is perhaps the most valuable and unique feature of Gardiner's Island. It has also resulted in a lack of detailed information regarding the island's natural history. However, the island has been visited occasionally by various naturalists, historians and scientists throughout the years. Their reports indicate that Gardiner's Island has natural and historic resources which are rated highest in New York State and unique in the country:

The Island has been designated as a Significant Fish and Wildlife habitat by the US Fish and Wildlife Service.

The Island had been designated as a Significant Fish and Wildlife Habitat by the NYS Department of State.

The Island has received the highest ranking in the state in terms of ecosystem rarity.

Gardiner's Island has no mammalian predators. This unique situation and the low amount of human disturbance makes the island a unique sanctuary for ground-nesting birds.

The Island contains the largest concentration of osprey in the state and one of the largest in the Northeastern United States. Some of these osprey build their nests close to the ground and are quite vulnerable to mammalian predators or human disturbance.

The Island supports a number of protected plant species including one of the state's only two populations of sea purslane (*Sesuvium maritimum*). This is one of New York's rarest plants. Its state legal status is "endangered" and it is classified as "S1", "critically imperiled" by the New York State Natural Heritage Program. Other protected plants identified on Gardiner's Island include purple milkweed (*Asclepias purpurascens*) and featherfoil (*Hottonia inflata*).

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.

Of the Island's six site types, perhaps the woodland is most renowned. The Bostwick Forest at the Island's northwest end contains the largest tract of old growth trees "on" Long Island. These include at least one red maple (*Acer rubrum*) with a 56" diameter and numerous oaks (*Quercus sp.*) with a diameter greater than 2 feet.

The Island's wetlands are quite significant. They are, for the most part, unaltered, not ditched and pristine. They support diverse fresh and saltwater communities.

The Island is surrounded by waters among the highest quality in New York State which have never been closed to shellfishing due to contamination.

The Island contains the largest and most varied example of an intact historic agricultural landscape in East Hampton.

The Island contains 17 buildings and structures eligible for state and national registry of historic places.

The Island in its' entirety has been deemed eligible for designation as a historic district.

The terrestrial, aquatic and historic resources of the Island have been well maintained and preserved solely by the Gardiner family. It has been reported that maintenance of the island exceeds one million dollars a year. Approximately \$191,000 are paid by the owners annually for school, Town and County taxes but the Island receives virtually no government services. Similarly, government has done little to enhance or protect the island. Zoned for the lowest density in the Town, one dwelling unit per five acres, traditional planning and zoning tools fall short of providing adequate protection for Gardiner's Island. Even public acquisition is not a recommended course of action, as it would invariably provide for public access, campsites, bathrooms and would threaten the very resources dependent on the lack of disturbance.

Public acquisition has been opposed by ecologists as well as family members. When Congressman Otis Pike introduced a bill to create a national historic monument of Gardiner's Island approximately twenty five years ago, the 16th Lord of the Manor, Robert David Lion Gardiner demonstrated his strong opposition to the idea by running for Congress on the Conservative ticket. Although he lost the election, he succeeded in mounting a public relations campaign in favor of continued family ownership and management of Gardiner's Island and against public acquisition.

However, family discord and financial limitations have led to questions about the future management of Gardiner's Island. In 1953, Robert Gardiner and his sister Alexander Gardiner Creel were left Gardiner's Island in trust by their Aunt Sarah Diodati Gardiner, who stipulated that upon their death, the island would revert to their heirs. The trust is virtually bankrupt and Mrs. Creel's daughter Alexandra Gardiner Creel Goelet with her husband has been financing the Island's maintenance. Robert Gardiner, has publicly accused the Goelets of intending to turn Gardiner's Island into a multi-million dollar development. While these accusations have been repeatedly denied by the Goelet's and their actions do not support these claims, there are no binding covenants preventing anything less than 700 residential housing units for the Island.

Gardiner's Island needs a specific conservation plan. To develop a conservation plan, experts in financing, law, historic preservation, ecology and planning should work directly with the Gardiner Trust and heirs. The financing for continued maintenance and protection of the unique and special features of Gardiner's Island will be an essential component of this plan. Government co-operation and facilitation of this effort is recommended.

## TRADITIONAL INDUSTRIES

Although no longer the sole source for our food supplies, fishing and farming still form the backbone of East Hampton's economy. In Montauk alone, 15 million pounds of seafood are landed annually, exceeding the volume at Boston and New York City. Annual dockside value of this seafood is approximately \$15 million with conservative economic multiplier effects raising this value three or four times or \$45-60 million each year.<sup>2</sup>

Offshore and inshore fisheries provide not only economic benefits, but are part of East Hampton's cultural heritage. The traditional fishing methods used in East Hampton represent a unique way of life. Generations of local families have been working the water since colonial times.

The fishing industry contributes to the attraction of the East Hampton for tourism and the resort economy. Commercial fishing adds to the picturesque waterfront, and to the allure of the many restaurants and retail stores that promote and serve local fresh seafood.

Similarly, agriculture continues to be an important industry. Although the 1981 Agricultural Land Study reported that the agricultural land base in East Hampton had dwindled to 1,77 acres, saving farmland and maintain a viable agricultural industry makes economic sense. Suffolk is the leading agricultural county in New York State and is among the top ten in New York State. Perhaps even more important, farmland provides a buffer against suburban sprawl and helps maintain the rural character of the Town.

Separate planning studies have targeted the preservation and enhancement of the farming and fishing industries in East Hampton.<sup>3</sup> This open space plan does not address all the elements necessary to preserve these industries and is not intended to supersede these studies. But as these industries are based on the preservation of the land needed to conduct agriculture, the waterfront accesses needed for fishing and the clean waters needed to protect the fish and coastal resources, they form an important part of East Hampton's Open Space Plan.

## RECREATION AND TRAILS

Open space preservation is critical not only for the Town's traditional industries, unique natural features and cultural resources, but to meet our growing recreational needs. With a worldwide reputation as a summer resort, the demand for recreational activities in East Hampton grows faster than the year-round population.

The Town's beauty and special characteristics are enjoyed through a variety of recreational pursuits. East Hampton's 105 miles of coastline provides opportunities for swimming, beach walking/jogging, picnicking, sunbathing, beachcombing, sandcastle building contests, bird watching, beach volleyball, sailing, motorboating, windsurfing, jetskiing, waterskiing, canoe/kayaking, surfing, snorkeling, seal watching,

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<sup>2</sup>1992 US Dept. of Commerce Fisheries of the United States report and communications with Emerson Hasbrouk, Cornell Cooperative Extension Marine Agent.

<sup>3</sup>Refer to Agricultural Land Study, Town of East Hampton, 1981, Commercial Fisheries Study 1979, and the Draft Local Waterfront Revitalization Program # 10- Commercial Fishing & 10A - Aquaculture/Mariculture Policy, Inventory and Analysis .

saltwater fishing, freshwater fishing, surfcasting, shellfishing, wild fruit/berry foraging, hunting and photography. Public and private facilities offer golf courses, miniature golf, tennis courts, ballfields, basketball courts, bike rentals, horse back riding rentals, whale watching trips, camping sites.

Although this open space plan does not provide an analysis of the existing and projected demand for recreational facilities, it recognizes that open lands and large land areas are often needed to meet recreational needs. The implementation section of the report identifies parcels which should be considered for recreational facilities rather than development for residential subdivision or other commercial enterprises.

Interacting with the outdoor environment has been gaining in popularity too. Protected open space provides opportunities for "wilderness experiences" and activities that give participants a sense of discovery, exploration and challenge. A large part of the appeal of East Hampton is the ability to provide an escape from the frenetic pace of New York City and the suburbs and to engage with nature. Trails are the paths and byways providing access to the Town's natural areas.

For several decades, planning officials have incorporated the preservation of trails into the development review process. Trails preservation, has been recognized in East Hampton and nation-wide as a method to increase the value of residential development. In a 1993 American LIVES Survey, open space, walkways and bike paths ranked well ahead of traditional favorites such as tennis courts, golf courses and swimming pools as important features for real estate buyers.

Trails provide opportunities for recreation, nature study and appreciation of the Town's natural and historic heritage. The implementation section of this report provides recommendations to protect, enhance or extend the existing trail systems. Principals guiding the protection and creation of new trails include scenic quality, connection and design.

For trails to be scenic and to promote nature appreciation, trails should be well buffered from development. Creating and protecting trails through large contiguous blocks of land is therefore beneficial to both trail users and private property owners. To enhance recreational use and enjoyment of trails, the preservation of inter-connected networks and loops is important. And finally, although trails provide avenues into the town's diversity of ecological regimes, the protection and creation of trails should not cause erosion or degradation to the Town's special ecosystems.

Trails maps for the protected trail systems in the Northwest, Hither Hills and Montauk County and State Park areas have been prepared and distributed by the Planning Department. Additional trails maps and updates will be made by the Planning Department as soon as more trail systems have been protected.

Two trail efforts have received regional support and recognition: the Paumanok Path and the South Fork Bike Path. The Paumanok Path is proposed to extend approximately 100 miles from Montauk Point to Rocky Point in Brookhaven. More than 90% of the route of the Paumanok Path in East Hampton lies on land which has already been protected.<sup>4</sup> A well protected corridor should be provided for the Paumanok Path which requires some acquisitions, open space set aside during subdivision process and obtaining trail and conservation easements.

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<sup>4</sup> For a further description of the Paumanok Path please refer to Appendix VI.

The proposed South Fork Bike Path is a paved bikeway extending the length of East Hampton Town. Such a path will provide a safe, enjoyable alternative to Montauk Highway for bicyclists and other potential users such as rollerbladers, walkers and joggers. The route will encompass some of the Town's most scenic areas, including farmland, woodland and historic features. Parcel specific recommendations are provided in the recommendations section of this report to protect the South Fork Bike Path corridor.

## HISTORICAL AND ARCHAEOLOGICAL RESOURCES

Just as East Hampton's natural resources are important not only to the Town but to the larger region as well, the cultural resources of East Hampton are of both local and regional significance in their contribution to the understanding of earlier cultures. The development patterns, work habits, methods of building, and social customs of earlier peoples can be learned from the study of our local historic structures and sites. Like East Hampton's natural resources, our historic resources are vulnerable to development pressures as well as natural forces, and once lost are irreplaceable.

East Hampton's cultural resources range from the archaeological remains of prehistoric Native American settlements, to 18th century maritime structures, to the expansive Shingle Style waterfront residences of the resort era. In many cases, the open space surrounding the resources are of vital importance to the integrity of the structure or site.

The history of the development of East Hampton is recounted in books by local historians and can be traced through documents contained in the collections of local historical societies and libraries. While the town's history is documented in print, it is also evident and readily accessible in the built environment. East Hampton's buildings have been studied by students of historic architecture and cited by prominent architectural historians and critics. Many of the Town's historic resources have been formally recognized in surveys and are listed on the State and National Registers of Historic Places. Clearly, cultural resources are one of East Hampton's defining features. The preservation of these resources for the benefit of the residents and visitors of East Hampton is one of the goals of the Town's Comprehensive Plan.

The Town's history starts with the earliest settlements of Native Americans. The oral tradition of these peoples has resulted in little written documentation of their culture. Therefore, archaeological research is the primary way in which a body of knowledge on these early cultures has been developed.

The State's archaeological site location map indicates numerous archaeological sites in East Hampton, with Montauk being a particularly sensitive area. Areas adjacent to ponds, harbors or bays are particularly apt to contain archaeological material, as these were the areas often settled by aboriginal peoples. Several sites in East Hampton have undergone archaeological surveys, and these reports, as well as the more general information compiled by State and County agencies, serve as a basis for the future identification of archaeologically sensitive areas.

Research conducted on different sites in East Hampton has uncovered remains dating as far back as the Archaic Age (ca 4500-1300 BC), a time characterized by the subsistence activities of hunting, fishing, and gathering.(Rees-Miller) Some of the most recent remains of native culture exist in Montauk, as this was the last area in East Hampton Town where the Montauk tribe had a reserve of land. Most of the known Indian grave sites are in Montauk, and a large-scale archaeological project conducted in 1975 uncovered and recorded the remains of the last Indian settlement in Montauk in an area known as "Indian Fields." (Johannemann)

The history of Native American occupation in East Hampton appears in written records in the 17th century, when European settlers arrived and began to negotiate with them over the use of land. Documents from

the 17th and 18th century attest to the agreements made, and conflicts which occurred, between the settlers and the native inhabitants. Wyandanch, who was the sachem of the Montauk Indians during the time of East Hampton's European settlement, has been identified in historical accounts as the grand sachem of the Long Island tribes, making Montauk the "seat of royal authority and center of power" among the Indians of Long Island. (Thompson)

The following historical account of the European settlement and development of East Hampton is indebted to the historic overviews written by Robert J. Hefner which are included in the Town Comprehensive Plan's Historic Preservation Report.

The first English settlement in East Hampton was preceded by the arrival of Lion Gardiner on Gardiner's Island in 1640. Gardiner purchased the island from the Montauk Indians in 1639, and the island remained a private manor and working farm until after the American Revolution, when it was annexed to East Hampton Town. The 3300-acre island was used for agricultural purposes by the Gardiner family until the late 19th century, when the island was leased for the use of a hunting and private game preserve. This use of the island continued until about 1962. The entire Island has been recommended as an historic district due to the number of extant early structures related to this once self-sufficient manor. The early settlement and development of East Hampton was largely dependent on the Town's geography. The core settlement established in 1648 was in the fertile coastal plain along Hook Pond in what is presently the incorporated Village of East Hampton. The villages of Amagansett and Wainscott developed later as these areas, abundant in fertile farmland, were settled and cultivated by descendants of residents of the original settlement. While the agricultural basis of Amagansett has been obscured in part by development in the late 19th and early 20th centuries, when it was popular as a summer resort, the agrarian character of Wainscott has remained largely unchanged by development. The number and high degree of integrity of extant structures in these hamlets has prompted the proposed establishment of historic districts in both.

North of the coastal plain at Northwest and Springs, the soil was generally not as 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, shellfishing and hunting. Whaling companies were formed and Native Americans 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. By the mid-eighteenth century the whaling and shipping activities at Northwest harbor had been supplanted by the port at Sag Harbor, but a small farming community continued to thrive, with sufficient population to prompt the building of a schoolhouse on Northwest Road in 1792. While the settlement at Northwest has all but disappeared, leaving only the ruins of the core homesteads and scattered family grave sites, many of the original farmhouses in the hamlet of Springs have retained their integrity. An historic district proposed along Springs-Fireplace Road in the core settlement area of Springs as well as several individual properties outside the district have been found eligible for listing on the State and National Registers of Historic Places.

Springs also became known as a haven for writers and artists in the post World-War II years, which reputation persists to the present. Two of the most notable artists who resided in Springs were Jackson Pollock and Lee Krasner, whose house and studio is now a National Historic Landmark.

Montauk, one of the last outposts of the native tribes which slowly disappeared as the European settlement moved eastward, was used as a common pasture from 1658 through to the late 19th century. A few structures still remain which attest to this phase of Montauk's history, namely, Second House located in the Town-owned Kirk Park on the banks of Fort Pond, and Third House, located on County park land, both of which were used as dwellings for keepers of the livestock.

The lighthouse at Montauk Point, perhaps the most well-known feature of Montauk, was authorized to be constructed in 1795 by George Washington. The lighthouse and the lighthouse keeper's dwelling were renovated during the nineteenth century and their functions evolved as well, the keeper's dwelling serving as a sort of public house for travelers to the Point during the early nineteenth century. (Brighton)

The shape and character of the development in Montauk is largely a result of influences and events from the late 1800s onward. In 1879 Arthur Benson purchased the entire Montauk peninsula, with the exception of the lighthouse and life-saving station reservation, for the sum of \$151,000. In doing so, he also purchased the last of the lands reserved for the Montauk, and moved the remaining members of the tribe from their home in Indian Fields. Benson and friends formed the Montauk Association in 1881, and planned a group of 33 vacation homes on 100 acres overlooking the Atlantic Ocean. The landscape architect Frederick Law Olmsted, and the architectural firm of McKim, Mead and White were retained to design this oceanside community. The seven original cottages and a portion of the original 100 acre site were listed on the National Register as an historic district in 1976. The Benson family later also commissioned residential subdivision plans for much of Montauk from the Olmsted Brothers' landscape architecture firm, although few were ever realized.

Another developer who is responsible for the present visual character of Montauk, including street patterns and residential subdivisions, is Carl Graham Fisher who entered the scene in 1925. In that year he purchased 9,000 acres of land in Montauk, which he envisioned, and marketed, as the "Miami Beach of the North." He formed the Montauk Beach Development Corporation, and his legacy includes the distinctive Tudor revival buildings of the central business district, the Montauk Playhouse, and the famous Montauk Manor, whose silhouette is a distinctive icon of Montauk's resort era. Fisher was also responsible for the development plan of the area between Fort Pond and Lake Montauk, the centerpiece of which was an eighteen hole golf course designed by Robert Trent Jones. Fisher's expansive Colonial Revival house still stands on a high plateau overlooking his developments.

The strategic importance of East Hampton Town to coastal defense during World War II is attested to by the artillery fire control stations and other defense structures found along the coast. These structures were integral components of the Eastern Defense Shield during the war. Camp Hero, a military installation during World War II and today part of the State's parkland holding in Montauk, contains the most intact examples of artillery fire control stations used during World War II. These utilitarian structures were given a facade treatment which disguised them as residential cottages. The remains of other fire control stations used during the war still exist on private land, some of which have been converted to dwellings.

### Evaluation of Historic Resources

The historic importance of structures, districts, and sites in the Town of East Hampton have been recognized on a State and National level through the National and State Registers of Historic Places. Included among the resources which are listed on the National Register are the Montauk Association Historic District consisting of the seven original cottages and surrounding natural landscape, the Montauk Lighthouse, also a candidate for National Historic Landmark Status as the oldest lighthouse in New York State, the Wainscott Windmill in the Georgica Association, as well as numerous other individual properties.

In 1983 a survey of the historic resources in the hamlet of Springs resulted in a proposed historic district and the proposed listing of several individual properties as part of a "Springs Multiple Resource Area" designation. The district, including 14 contributing properties, and 10 individual properties were found eligible for listing by the State Review Board in 1984.

In 1989 a Phase One reconnaissance survey was completed as part of a Historic Preservation Report for the Town of East Hampton. This report identified sites and structures already listed on the State and National Registers, and provided an inventory of structures which were of historic importance. A Phase Two intensive level survey was completed in 1990, which narrowed its scope to resources within the hamlets of Amagansett and Wainscott and on Gardiner's Island. The Phase Two survey evaluated the integrity of sites and structures of historical importance, and identified districts and properties which had sufficient integrity to be nominated for listing on the State and National Registers of Historic Places.

The role of open space in protecting or enhancing the setting of historic resources is demonstrated on identified historic sites and districts throughout the town. For example, the National Register eligible Springs historic district is enhanced by the Town-owned School Street Park, which lies at the core of the district and preserves in open space the former pasture land of the adjacent historic Ambrose Parsons farm, the main house of which is now the Springs library.

Likewise, the farmland in Wainscott, protected in part by the Town's agricultural overlay district, clearly illustrates the original agrarian-based economy of this hamlet. This agricultural open space contributes to the integrity of the proposed historic district by retaining the historic setting of the farmhouses and outbuildings.

Perhaps one of the most striking examples is the Montauk Lighthouse, the historic integrity of which is due in large part to the preservation of the open space surrounding it, a combination of local, state, and federally-owned property. A study of the vicinity conducted in 1992 by the Army Corp of Engineers not only reinforced the historic importance of the lighthouse, but revealed the archaeological potential of the site as well. Initial research located the presence of remains associated with the history of the lighthouse as well as the occupation of the Point by the Montauk Indians. (Brighton)

While the casual observer will appreciate the natural areas in East Hampton protected by scenic easements, a number of these easements are also designed to protect significant Native American and colonial era archaeological sites throughout the Town.

#### Historic places and vistas

Certain vistas or places are important to our local history and often have historic place names associated with them. Fireplace Landing at the end of Fireplace Road was the place where signal fires were built to communicate with the ferrymen who provided transport to Gardiner's Island. The triangle of land at the junction of Fireplace and Old Fireplace Road known as Molly Hill is named for the mother of the locally famous Stephen Talkhouse, and was, by tradition, his birthplace. Beeman's Creek, which flows from Napeague meadow to Napeague Harbor, is a place name mentioned in old deeds as a boundary. Although areas such as these often do not contain structures or have archaeological potential, they are part of the Town's cultural identity, and therefore merit protection when development plans are considered.

The National Park Service also recognizes historic transportation corridors as a particular aspect of the cultural landscape worthy of preservation. Along with the historic structures which often line these routes, the natural landscape can be just as evocative in relating the development and use of such routes throughout history. The Montauk Highway, in particular, is illustrative of this concept. After passing through the central business districts of East Hampton and Amagansett, the vista from Montauk highway changes to the low-growing pines and duneland of Napeague, the historic gateway to Montauk. The landscape along this route, which is preserved in part by parkland designation, preserves this historic passage from the settled, cultivated villages to what was once East Hampton's "frontier": common pastureland, wild

woodland, and the last territory of the Montauk Indians. A portion of the original Montauk Highway which was never paved remains as a trail through State parkland, running parallel and north of State Route 27.

### Methods of Protecting Resources

Much of the open space which protects or adds to the integrity of our cultural resources is privately owned and therefore its continued existence is not assured. By careful planning, new development can avoid detracting from the setting of an historic structure or destroying important archaeological sites.

One example of how a residential development can be planned to retain an historic setting is the Stony Hill Farm subdivision on Town Lane, which surrounds the farmhouse which stood on the site since 1913 with land reserved for agricultural use. Another example is a subwaiver involving the historic Elnathan Parsons house and family cemetery in Springs. Large lot easements were granted for each of the lots created and a scenic easement was placed over the portion of the lots directly fronting Springs Fireplace Road. Access to the historic cemetery was also provided through an easement. Similarly, in Montauk large lot easements protect an area of rolling moorlands and downs on the property formerly owned by legendary developer Carl Fisher and retain the historic setting of his circa 1925 Colonial Revival residence.

Scenic easements, trail easements, and agricultural easements can protect historic vistas and historic pathways and roads (see trails section). Agricultural easements adjacent to historic structures can be tailored in order to preserve views of the historic structure.

For sites which are owned or managed by the Town, management plans for the open space can be developed which maintain the historic setting or view of the historic structure. Restoration activities at Pussy's Pond in Springs have helped restore view of this estuary from the road and the adjacent historic properties. Similar work has been started at Kirk Park in Montauk to re-establish the visual connection between Fort Pond and the historic Second House, which was constructed as a dwelling at the time when Montauk was a common pasture. Regular maintenance of shrubs can also preserve the view of Second House from the Montauk Highway and Second House Road.

The Town's existing open space subdivision ordinance can be applied to the preservation of the historic setting of identified resources. In addition, the purchase or transfer of development rights are a means to preserve open space which contributes to the integrity of an historic site.

In general, the open spaces which are significant to the setting of an historic structure or which connect several related historic structures should be preserved. In the case of a subdivision, every attempt should be made to divide the property in a way that retains the continuity of the open space, landscaped or natural, which is intrinsic to the interpretation of the site.

Examples of privately-owned open space areas which currently contain or provide the setting for cultural resources in the Town include the cultivated grounds and scenic vistas afforded on the site of the historic Mrs. Mortimer Levering House in the Devon Colony in Amagansett; the undeveloped residentially-zoned parcel in Northwest which contains ruins of the Van Scoy homestead and is adjacent to the town-owned VanScoy family cemetery; land adjacent to the Culloden shipwreck site which has been found to contain the remains of aboriginal peoples; and the area known as Massacre valley in Montauk which has archaeological potential.

The identification of and recommendations for the protection of such areas are contained in the Recommendations section of this report.

## PRIORITIES FOR PRESERVATION

According to the Peconic Bay Region Community Preservation Act, the community preservation fund can be used to acquire town property or to preserve land which contains the following characteristics:

- a. Parks, nature preserves, or recreation areas
- b. Open space, including agricultural lands
- c. Lands of exceptional scenic value
- d. Fresh and saltwater marshes
- e. Aquifer recharge areas
- f. Undeveloped beachlands or shoreline
- g. Wildlife refuges with significant biological diversity, especially state or federal trust species or their habitat
- h. Pine Barrens
- i. Unique or threatened ecological areas
- j. Rivers, river areas in natural, free flowing condition
- k. Forested lands
- l. Public access to lands for public use including streams and waterways
- m. Historic places and properties listed in the NY State Register of historic places and/or protected under a municipal preservation ordinance or law
- n. Any of the aforementioned in furtherance of the establishment of a greenbelt

Within the Town of East Hampton and the incorporated Villages within the Town boundary the following categories and subcategories of open space exist:

- a. Parks, nature preserves or recreation areas
  - 1. Village greens/Village corridor conservation areas
  - 2. Trails, recreationways
  - 3. South Fork Bikeway route
- b. Open Space, including agricultural lands
- c. Lands of exceptional scenic value

- d. Fresh and saltwater marshes or other wetlands including harbors, bays, embayments, dreens and creeks
  - 1. harbor protection overlay areas
  - 2. watershed lands
  - 3. Nationally designated Peconic Estuary area
  
- e. Aquifer recharge area
  - 1. NYS designated Special Groundwater Protection Areas (SGPA)
  - 2. Town groundwater recharge overlay district (WRO)
  
- f. Undeveloped beaches or shoreline
  - 1. dunelands
  - 2. bluffs
  - 3. flood prone areas
  
- g. Wildlife refuges with significant biological diversity, especially state or federal trust species or their habitat
  - 1. State significant habitat areas
  - 2. Parcels containing protected species; which refers to plant or animal species recognized on one or more of the following lists:
    - (1) New York State DEC protected Native Plants list
    - (2) New York Natural Heritage Program lists of rare plants, rare animals and significant natural communities
    - (3) New York State DEC list of Endangered, Threatened and Special Concern Species
    - (4) Federal list of Endangered and Threatened Species
  
- h. Pine Barrens
  
- i. Unique or threaten ecological areas
  
- j. Forested lands
  - 1. Wooded land
  
- l. Public access to lands for public use for waterfront access including ocean and bay beaches, fishing access, etc.
  
- m. Historic places and properties listed in the NY State Register of historic places and/or protected under a municipal preservation ordinance or law
  - 1. property or district has been deemed eligible for inclusion on the State and/or National Register

These categories of open space have been combined to establish general priorities for preservation. Accordingly, the priorities for preservation are: farmland, aquifer recharge areas, open space and historic resources. These three categories include the following subcategories:

**Priority I** Farmland

**Priority II** Aquifer Recharge Area

1. NYS designated Special Groundwater Protection Areas (SGPA)
2. Town groundwater recharge overlay district (WRO)

**Priority III** Open Space

- a. Parks, nature preserves or recreation areas
  1. Village greens/Village corridor conservation areas
  2. Trails, recreationways
  3. Southfork Bikeway route
- b. Open Space, including agricultural lands
- c. Lands of exceptional scenic value
- d. Fresh and saltwater marshes or other wetlands including harbors, bays, embayments, dreens and creeks
  1. harbor protection overlay areas
  2. watershed lands
  3. Nationally designated Peconic Estuary area
- e. Undeveloped beaches or shoreline
  1. dunelands
  2. bluffs
  3. flood prone areas
- f. Wildlife refuges with significant biological diversity, especially state or federal trust species or their habitat
  1. State significant habitat areas
  2. parcels containing protected species; which refers to plant or animal species recognized on one or more of the following lists:
    - (1) New York State DEC protected Native Plants list
    - (2) New York Natural Heritage Program lists of rare plants, rare animals and significant natural communities
    - (3) New York State DEC list of Endangered, Threatened and Special Concern Species
    - (4) Federal list of Endangered and Threatened Species
- g. Pine Barrens
  - h. Unique or threatened ecological areas
- i. Forested lands
  1. Wooded land
- j. Public access to lands for public use for waterfront access including ocean and bay beaches, fishing access, etc.

**Priority IV** Historic places and properties listed in the NY State Register of historic places and/or protected under a municipal preservation ordinance or law.

## IMPLEMENTATION

It is common for an open space plan to develop goals and policies leading to a "wish list" of parcels that should be preserved. Oftentimes, these plans fall short because they provide no more than hopeful statements about what lands might be saved if landowners voluntarily donated their land or if the public coffers had infinite funding. Some of these reports get good news coverage and planning awards but fail to affect the development patterns and preservation goals described so well in the plan. Of course acquisition of the properties contained on this list is almost always the very best alternative. However, to avoid these common pitfalls, the charts in this report provide a plethora of alternate implementation techniques.

East Hampton has utilized a variety of land use tools to preserve open space. This [Community Preservation Project Plan](#) provides site-specific recommendations to preserve open space incorporating the following techniques:

1. fee simple acquisition - referred to in the tables as "public acquisition"
2. zoning regulations including rezoning, cluster development which is referred to as open space subdivision in the tables, and reduced density subdivisions
3. easements including: scenic, conservation, trail, facade, large lot and double dunes easements
4. private conservation
5. comprehensive planning including Open Space Plans, Local Waterfront Revitalization Plans, Harbor Management Plans

The following is a brief description of each of these techniques and how they have been used to preserve open space in East Hampton.

1. Fee simple or public acquisition - Fee simple or public acquisition is one of the most obvious methods to protect open space. East Hampton has expended over \$200 million in public funds to make acquisitions of open space since 1998. These acquired lands have been too environmentally sensitive to accommodate any development and/or are essential for the preservation of the rural character of the town. The Town has also been successful in leveraging funds to attract New York State and Suffolk County public acquisition funds.
2. Zoning regulations: rezoning, cluster or open space subdivision, reduced density subdivision  
  
Rezoning: Although zoning alone does not preserve open space, low density zoning coupled with open space subdivisions has helped the Town preserve several thousand acres. Further, there are hundreds of acres of deep groundwater recharge, within the core pine barrens area which are inappropriately zoned for commercial industrial uses. Other zoning recommendations are to place an agricultural overlay district over existing farmland or to rezone already publicly owned land to Parks and Conservation.  
  
Cluster or Open Space Subdivision: For more than three decades, the Town of East Hampton has encouraged the preservation of environmentally sensitive land even during the subdivision development process. The type of subdivision known as "cluster" or "open space" subdivision, enables the Planning Board to reduce the minimum size of lots in a development in exchange for a greater set-aside of natural or recreational land for common ownership and preservation.

East Hampton's Open Space Preservation Law, which empowered the Planning Board to vary the dimensional requirements of the Zoning Ordinance in order to foster protection of open lands, was enacted in 1968. In 1981, a Special Act of the New York State Legislature enabled East Hampton, the first municipality in the State, to require the preparation of open space subdivisions. The Town has acted aggressively in the intervening years to protect its natural and historic resources through open space subdivisions.

Open space subdivisions have proven successful at protecting the Town's character while returning a profit to landowners and developers. They have become the standard method of development for almost all major land divisions. In the process, the Open Space Preservation Law (Chapter 110 of the Town Code) has been refined and strengthened. The open lands set aside in open space subdivisions -- commonly known as "reserved areas" -- have been protected permanently through a variety of carefully-crafted devices. Through these mechanisms the following has been accomplished:

- \* None of the land so preserved has been converted to improper uses;
- \* These lands have generated durable economic and recreational benefits for the purchasers of lots in open space subdivisions;
- \* Public confidence in the permanence and manageability of subdivision open spaces has been fostered; and
- \* Open space subdivisions have become a well-accepted part of the Town's plan for preserving its rich environmental and historic character.

There are very few parcels remaining that can still provide significant areas of open space through clustering. However, the creative and well-coordinated use of the Planning Board's open space subdivision powers is a vital part of this open space plan. It is often the only preservation tool available when public acquisition is not feasible. Open space plans will continue to preserve environmentally important areas in the Town of East Hampton, providing both direct and indirect savings to the Town's taxpayers and great aesthetic, ecological and recreational benefits to all Town residents.

3. Scenic, conservation, trail, facade, large lot, wetland or double dunes easement: Easements are restrictive interests in land or other real property which help to protect an identified feature while allowing for development and private ownership. In exchange for agreeing to permanently restrict the land burdened with the easement, the property owner realizes a reduction in property taxes. Easements have been obtained over wetland areas, dunes (including the double dunes area), bluffs, trails, scenic corridors and highway frontages, steep slopes, areas containing significant vegetation and building facades with historic merit. Both the Town and the Village of East Hampton have accepted thousands of easements and there are numerous recommendations to obtain additional easements.
4. Private conservation: Non-profit land conservation groups have played a major role in East Hampton's open space achievements. Both the Nature Conservancy and the Peconic Land Trust have preserved hundreds of acres of wetlands, environmentally critical areas and farmland in the Town of East Hampton without any public funding. With experts in income and inheritance tax law, financing as well as planning, these organizations work directly with individual land owners to develop conservation plans which protect natural lands and meet the financial objectives of the landowner. These organizations are able to move faster in acquiring land than governments can,

although they often have limited funding capacities. Thus, by working with the town, financial and time constraints for acquisitions have been minimized. In addition, these organizations have helped locate non-town funding sources and have helped negotiate public acquisitions.

The parcels targeted for private conservation in this report have characteristics similar to other parcels successfully preserved by non-profit conservation organizations.

5. Comprehensive Planning including Open Space Plans, Local Waterfront Revitalization Plans and Harbor Management Plans: Both the Town of East Hampton and the Village of East Hampton have adopted open space plans into their respective comprehensive plans.

In addition to Open Space Plans, there are several other important comprehensive plan documents that have been adopted by the town and the incorporated villages, which help advance open space and planning goals and objectives. In the Village of Sag Harbor, both a Local Waterfront Revitalization Plan and a Harbor Management Plan have been prepared and adopted. The Town of East Hampton has completed a Local Waterfront Revitalization Plan.

## VILLAGE OF EAST HAMPTON

Approximately 90% of the residential land in the Village of East Hampton has been developed and redeveloped over the past three and a half centuries: of approximately 2,200 parcels, about 200 remain undeveloped. This ongoing process has produced the rural fabric of the community. Less than ten years ago, all of the residential lands in the Village were up zoned in order to help retain this rural character. As a consequence of this action, the residential development potential of the Village was drastically reduced.

The Village's Comprehensive Plan reiterated the recommendation of the Commercial District Study to promote open space in the commercial districts. Consequently, the Village's Open Space Program is proposed to be amended to make all commercial use properties eligible to be considered for partial acquisition. These properties include all properties which are commercially zoned and noncommercial properties containing a commercial use. Many of these properties were originally improved long before current development guidelines were considered. As redevelopment of these commercial uses occurs over time, (including preexisting and nonconforming uses in residential districts), the allocation of open space should be incorporated in the review process.

In the instance of a commercial property where the existing improvements are proposed to be demolished, the allocation of open space would be the priority. Considerations would include setback areas, buffers to adjoining residential properties and open spaces that transcend property lines from one commercial property to the next. The placement of the building on the site, and the location of parking would follow. This policy could be incorporated into Chapter 13, Design & Site Plan Review.

In the instance of an improved property, the location of the building might not change. However, reconfiguration of parking and circulation might be accomplished in consideration of those portions of the site which should remain open.

Rather than reduce development potential, the more likely effect of this approach will be redevelopment at two stories thereby affording more of the site available for open space considerations and provision for parking and circulation.

Just as the Wetlands Program is largely contingent upon the review process, the Commercial Streetscape program would be largely contingent upon zoning controls and Site Plan Review. Reducing coverage and establishing a front yard setback outside the Core would enhance commercial streetscapes just as the recently adopted transition zone seeks to protect adjoining residential properties.

As the future redevelopment of commercial use properties has yet to occur, it is difficult to predetermine the specific areas of a site most appropriate for acquisition of open space. However, there is the opportunity to develop clarify design guidelines and code requirements to achieve meaningful open space in the commercial districts. One example would be the elimination of frontal parking.

The inclusion of commercial properties for partial acquisition is the most significant change to the Open Space Plan adopted by the Village in March of 1998 which identified approximately 142 site specific recommendations for open space protection consistent with five major open space objectives.

Since most of the land in the Village has already been developed or subdivided, it is a challenge to create unified, meaningful blocks of open space. In addition to the Commercial Streetscape program other programs include:

- Beach Access
- Double Dunes Preservation
- Wetlands Preservation
  - Georgica Pond
  - Hook Pond
- Village Corridor Conservation
- Cultural Lands Conservation

A brief description of each of these open space components follows.

#### Public Beach Access Program

The Village enjoys an abundance of splendid coastal resources including over four miles of ocean beaches and the coastal waters of Georgica and Hook Ponds. The ocean beaches are public lands controlled by the Trustees of the Commonality of the Town of East Hampton whose authority dates to the Donagon Paten of 1659. Since the late 1960's, the countywide policy to promote public access to the water has encouraged the widening of public streets to 100 feet terminating at the shoreline. The streets terminating at Wiborg's Beach and Two Mile Hollow currently meet this standard. In 1980, the Village acquired the property of the former Sea Spray Inn, a portion of which supplements the parking at Main Beach.

Since real estate values in this area will only increase, the Village has established a priority of acquiring additional lands adjacent to roads terminating at the Atlantic Ocean to promote the public beach access open space objective.

#### Double Dunes Preservation Program

The 'double dunes' area extends from Georgica Pond easterly to the Town/village boundary and continues into the Town of East Hampton. A large portion of this area has been designated as a New York State Significant Habitat. The 'double dunes' represent the largest remaining areas of undeveloped barrier beach and dune ecosystem on Long Island and a rare ecosystem in New York State.

The Nature Conservancy holds fee title to over 100 acres of land in the Town portion of the double dunes and numerous additional easements in both the Town and Village. The Village has established a priority of working with the Nature conservancy to obtain additional conservation easements covering the unprotected portions of the double dunes.

### Wetlands Preservation Program

The Trustee controlled Georgica Pond is separated from the ocean by a barrier beach which is breached periodically by storms and opened twice a year by the Town Trustees. The pond is classified as a Tidal wetland and has been given the highest water quality rating "SA" available to coastal waters. The easterly shorelines are located in the Village of East Hampton and the westerly are within the unincorporated Town of East Hampton. The pond shoreline is largely privately owned and residentially developed. However, the pond, it's shoreline, wetlands and the beach between the pond and the ocean have important fish and wildlife values. Local permits area required for new development within jurisdictional boundaries of the wetlands, but for existing development, the Village will pursue wetlands easements to help protect these important areas.

The shoreline of Hook Pond, a freshwater wetland, is completely with the Village jurisdiction. The Village owns several large parcels along the shoreline and within the watershed of the pond. For the private developed and undeveloped properties, the Village will pursue wetlands permits to help preserve the pond water quality and habitat.

### Village Corridor Conservation Program

East Hampton Village is often called the "prettiest Village in America". The many "Village Greens" along the main transportation corridors, some containing Hook Mill, Town Pond and other amenities have contributed to the charming character. The acquisition of vacant tracts of land along transportation corridors as well as obtaining easements over the wooded portions of developed lots will help protect the Village Corridor.

### Cultural Lands Conservation Program

Although 90% of the land in the Village has already been developed, there are still viable farmland tracts containing prime agricultural soils. The purchase of development rights and/or obtaining of easements to cover these lands is recommended.

In addition, purchase of development rights and/or obtaining of easements is recommended for historic buildings and settings.

## Village of Sag Harbor

The approximately two square mile Village of Sag Harbor straddles the Southampton-East Hampton Town Boundary line. The East Hampton portion is included as a part of the East Hampton Community Preservation Plan.

Sag Harbor has a small-scale, country, maritime character. The many historic buildings have helped preserve some of the Village's extensive history. Sag Harbor includes an historic district, recognized on the State and National Register of Historic Places. The statement of significance for the district nomination stated in part:

...the Sag Harbor Village District is an historical environment of 18th and 19th century structures remarkably uninterrupted by 20th century intrusions. Maritime and cultural links with New England associate the Village with ports of that region rather than with other ports of New York...the Village is extraordinary for the quality of structures present from the 18th and first half of the 19th century, as well as for the quality of individual buildings.

In addition to adopting an historic district, the village adopted a Local Waterfront Revitalization Plan in the mid 1980's which was updated in April 1998 and expanded to include a Harbor Management Plan. Objectives of the LWRP include:

- \* the protection of high quality, recreational facilities along the shoreline
- \* the preservation of significant open space resources.

The open space priorities for Sag Harbor contained in this report will help protect the seaport character, country charm and the stated objectives in the Local Waterfront Revitalization Plan. Accordingly, the recommendations for Sag Harbor focuses on the preservation of beach access, wetlands, village green properties and open space. Public acquisition and obtaining easements are the main tools needed to achieve the open space goals and objectives of Sag Harbor.

TEXT OR SYMBOL IN TABLE	MEANING
The words “State Significant Habitat” appear in the Characteristics column.	The parcel is located within an area which has been designated as a New York State Significant Coastal Fish and Wildlife Habitat pursuant to the Waterfront Revitalization and Coastal Resources Act (Executive Law of New York, Article 42).
The words “Local Significant Habitat” appear in the Characteristics column.	The parcel is located within an area which has been designated as a Local Significant Coastal Fish and Wildlife Habitat by the Flora and Fauna component of the Town Waterfront Management Plan which is a part of the Town Comprehensive Plan.
The words “protected species” appear in the Characteristics column.	The parcel contains plant or animal species recognized on one or more of the following lists: <ul style="list-style-type: none"> <li>•New York State DEC Protected Native Plants list</li> <li>•New York Natural Heritage Program lists of rare plants, rare animals and significant natural communities</li> <li>•New York State DEC list of Endangered, Threatened and Special Concern Species</li> <li>•Federal list of Endangered and Threatened species</li> </ul>
The words “historic dwelling” or “historic structure” appear in the Characteristics column.	The parcel was inventoried by Robert Hefner in 1989-1990 and was determined eligible for State and National Register nomination.
The words “historic district” appear in the Characteristics column.	The parcel is contained in a Town Historic District or a recommended Historic District.
The words “historic setting” appear in the Characteristics or Recommended Disposition columns.	The parcel is an integral part of the historic landscape associated with a historic structure or district.
The SCTM # 0300- column lists one or more SCTM section numbers but no block and lot numbers.	The recommendations pertain to a Trustee or Town right-of-way which has no full tax map number.
The words “protected open space” appear in the Characteristics column.	Protected open space as used in the Recommendations Tables is defined as publicly owned open space or privately owned conservation land.

NO PORTION OF THIS MAP MAY BE MAINTAINED, ALTERED, SOLD, DISTRIBUTED, REPRODUCED, STORED IN OR INTRODUCED INTO A RETRIEVAL SYSTEM, OR TRANSMITTED, IN ANY FORM OR BY ANY MEANS (ELECTRONIC, MECHANICAL, PHOTOCOPIING, RECORDING OR OTHERWISE), WITHOUT THE PRIOR WRITTEN PERMISSION FROM THE TOWN OF EAST HAMPTON. WHILE EVERY EFFORT HAS BEEN MADE TO PROVIDE CURRENT AND ACCURATE INFORMATION, THE TOWN OF EAST HAMPTON MAKES NO REPRESENTATIONS AS TO ACCURACY, COMPLETENESS, CURRENTNESS, SUITABILITY, OR VALIDITY OF ANY INFORMATION ON THIS DOCUMENT AND WILL NOT BE LIABLE FOR ANY ERRORS, OMISSIONS, OR DELAYS IN THIS INFORMATION OR ANY LOSSES, INJURIES, OR DAMAGES ARISING FROM ITS DISPLAY OR USE. ALL INFORMATION IS PROVIDED ON AN "AS-IS" BASIS.



SCALE: 1" = 1,000 Feet



Village of Sag Harbor

TOWN OF SOUTHAMPTON

East Hampton Airport

Village of East Hampton

Georgica Pond

Wainscott Pd

ATLANTIC OCEAN

**LEGEND**

- RECOMMENDED CPF PROPERTIES
- EXISTING OPEN SPACE

**TOWN OF EAST HAMPTON**

*CPF  
UPDATES*

**Wainscott School District  
Suffolk County, New York**

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

Date Prepared: April 2011

## Wainscott School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
111-02-03.00	198 Six Pole Hwy	26.800	part of large pine barrens block, trails, SGPA. groundwater recharge area	public acquisition
132-1-03	395 Town Line Road	2.120	part of large pine barrens block, trails, SGPA. groundwater recharge area	public acquisition
132-1-4, 302-9-2-8	410 Division Street	2.002, 12.005	SCWA well field, pump station and standpipe, adjoins protected open space, pine barrens core area	public acquisition
132-1-5.01	Town Line Road	4.690	part of large pine barrens block, trails, SGPA. groundwater recharge area	public acquisition
132-01-08.01	Town Line Road	11.700	part of large pine barrens block, trails, SGPA. groundwater recharge area	public acquisition
132-01-09.01	Town Line Road	5.200	part of large pine barrens block, trails, SGPA. groundwater recharge area	public acquisition
133-01-25.00	Route 114	5.900	pine barren woodland, groundwater recharge area, SGPA	public acquisition
133-01-26.00	Route 114	0.795	pine barren woodland, groundwater recharge area, SGPA	public acquisition
133-01-44.00	135 Six Pole Hwy	3.200	part of large pine barrens block, trails, SGPA. groundwater recharge area	public acquisition
133-01-47.00	Route 114	9.200	steep slopes, unknown owner, part of large pine barrens block, trails, SGPA. groundwater recharge area	public acquisition
133-01-49.01	Unnamed Trustee Rd.	7.100	part of large pine barrens block, SGPA, possibly landlocked	public acquisition
133-01-50.00	Route 114	<del>3.200</del>	Pine barren woodland, groundwater recharge area, SGPA	Public acquisition
133-1-61	Six Pole Highway	-	Trustee road, adjoins protected open space, trails, SGPA, groundwater recharge area	retain for open space/trail use from point 500 ft. south of Merchant's Path to Wainscott-Northwest Rd., per Superblock 3 Study as amended 3/1/95 (Trustees' consent required)

## Wainscott School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
155-1-40	Six Pole Highway	3.100	Trustee road, adjoins protected open space, trails, SGPA, groundwater recharge area	retain for open space/trail use from point 500 ft. south of Merchant's Path to Wainscott-Northwest Rd., per Superblock 3 Study as amended 3/1/95 (Trustees' consent required)
155-01-08.04	Route 114	7.900	part of large pine barrens block, SGPA, groundwater recharge area, unknown owner	public acquisition
155-01-25.00	476 Wainscott Northwest Rd.	17.100	pine barrens woodland, trail corridor, groundwater recharge area, SGPA, adjoins protected open space	open space subdivision (cluster to west); trail corridor
155-01-30.00	Route 114	0.940	part of large pine barrens block, SGPA, groundwater recharge area	public acquisition
155-01-31.00	Route 114	6.100	pine barren woodland, trail corridor, groundwater recharge area, SGPA,	public acquisition
156-0-0, 181-0-0, Wolf's Hole Rd			unopened Trustee road, pine barrens core area, SGPA, groundwater recharge area	retain for open space
156-01-09.02	20 Goodfriend Drive	129.300	pine barrens core area, ground water recharge area, trails, SGPA, adjoins Town-owned land, Ross School playfields & parking area	public acquisition or cluster development toward Route 114
180-01-08.03	261 Town Line Road	39.000	SCWA, adjoins protected open space, pine barrens core area	public acquisition
180-01-01.01	449 Wainscott Northwest Rd.	40.400	part of 48-acre tract incl. 108-01-10.00 & 11.00, part of Miller's Ground pine barrens block, groundwater recharge area, trails, SGPA, adjoins protected open space	public acquisition
180-1-8.09	241 Town Line Road	30.007	SCWA, adjoins protected open space, pine barrens core area	public acquisition
180-01-08.13		269.800	East Hampton Town airport, pine barrens woodland, groundwater protection area, native grassland	protect woodland blocks and grassland flora & fauna

## Wainscott School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
180-01-10.00	Wainscott Northwest Rd.	7.400	part of 48-acre tract inc. 180-01-10.00 & 11.00, part of Miller's ground pine barrens block, groundwater recharge area, trails, SGPA, adjoins protected open space	public acquisition
180-01-11.00	Wainscott Northwest Rd.	1.100	part of 48-acre tract inc. 180-01-10.00 & 11.00, part of Miller's ground pine barrens block, groundwater recharge area, trails, SGPA, adjoins protected open space	public acquisition
181-01-04.02	Daniels Hole	107.300	East Hampton Town airport, pine barrens core area, groundwater recharge area, trails, SGPA	protect woodland blocks and grassland flora & fauna
192-2-6.2	57 Hedges lane	8.000	part of Wainscott sand pit	obtain easement or ROW for bike path
192-2-6.4	120 Wainscott Northwest Road	7.000	part of Wainscott sand pit	obtain easement or ROW for bike path
192-03-02.00	Middle Hwy	5.800	pine barrens core area, groundwater recharge area, trails, SGPA surrounded by Town & County parkland	public acquisition
192-03-04.00	91 Daniels Hole Rd.	22.500	pine barrens core area, ARF site, groundwater recharge area, SGPA	keep development clustered to protect woodland block/partial acquisition/easement/protect trail
192-03-21.00	10 Old Montauk Hwy	3.500	freshwater wetlands, Georgica Pond watershed (head of Talmage's Creek), SGPA, Water Recharge Overlay District	public acquisition
192-03-25.01, 25.02, 25.04	90 Daniels Hole Rd.		wooded lot	protect trail/bicycle path route
192-03-28.04	46 Daniels Hole Rd.	2.600	woodland, SGPA, potential South Fork Bicycle Path route	protect trail/bicycle path route
196-01-01.00	3 Town Line Rd	3.000	farmland, scenic views, gateway to East Hampton Town	PDR (farmland preservation)/public acquisition

## Wainscott School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
197-04-02.01	55 Wainscott Hollow Rd.	40.000	existing dwelling & farm buildings, farmland, scenic views, adjoins protected farmland	PDR for farmland portion (farmland preservation)/private conservation/public acquisition
197-07-19.00	108 Wainscott Stone Hwy	1.400	Georgica Pond shoreline, existing restaurant	obtain access to Georgica Pond/public acquisition
200-01-01.00	65 Wainscott Hollow Rd.	6.100	farmland, part of Wainscott farmland block	PDR (farmland preservation)/public acquisition
200-01-04.05	33 Wainscott Main St.	1.900	historic dwelling, within Wainscott historic district, farmland, scenic views	obtain agricultural easement to preserve historic structure & setting; façade easement
200-1-19.3	131 Wainscott Main St.	1.400	farmland , adjoining protected farmland	PDR/public acquisition
200-02-24.01	110 Wainscott Main St.	3.900	farmland, adjoins protected farmland	PDR/public acquisition
200-02-24.02	108 Wainscott Main St.	3.800	farmland, adjoins protected farmland	PDR/public acquisition
200-02-28.05	90 Wainscott Main St.	4.500	farmland, adjoins protected farmland	public acquisition
200-02-28.08	92 Beach Lane	2.600	farmland	public acquisition
200-02-29.00	66 Wainscott Main St.	30.200	historic structures, Wainscott Pond shorefront, farmland, scenic views, within Wainscott historic district, historic resources (Osborn Farm), Local Significant Habitat, adjoins protected farmland	PDR/private conservation (farmland preservation) obtain Wainscott Pond public access; establish wetland buffer; public acquisition
200-02-33.00	4 Five Rod Hwy	1.400	historic dwelling & appurtenant structures, scenic views (corner hill), within Wainscott historic district	obtain scenic easement at corner of Five Rod Hwy. & Wainscott Main St.; obtain façade easement
200-02-48.02	Town Line Road	1.100	part of 58-acre tract incl. 200-02-48.03 & 51.01, Wainscott Pond shorefront, oceanfront, duneland, farmland, scenic views, within Wainscott Historic District, historic resources (Topping Farm), Local Significant Habitat	PDR/private conservation (farmland preservation)/ public acquisition

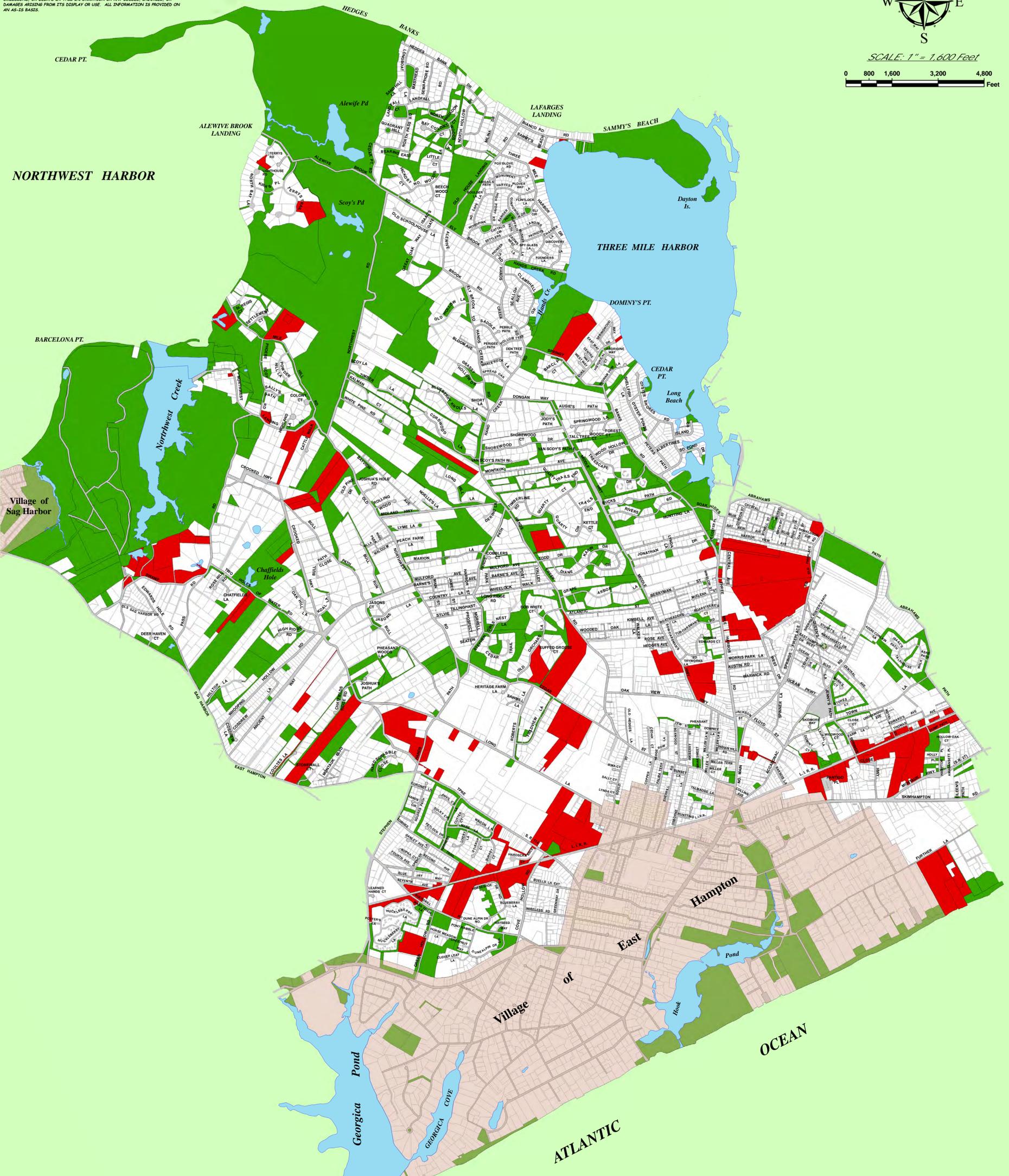
## Wainscott School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
200-02-48.03	Town Line Road	20.100	part of 58-acre tract inc. 200-02-48.03 & 51.01, Wainscott Pond shorefront, oceanfront duneland, farmland, scenic views, within Wainscott historic district, historic resources (Topping Farm), Local Significant Habitat	PDR/private conservation (farmland preservation) establish shoreline buffer/public acquisition
200-02-48.04	8 Five Rod Hwy	11.900	existing barn, historic dwelling & structures, Wainscott Pond shorefront, farmland (horse pasture), scenic views, within Wainscott historic district, historic resources (Topping farm), Local Significant Habitat	PDR/open space subdivision (farmland preservation, establish shoreline buffer & protect historic setting)/public acquisition
200-02-48.06	113 Town Line Road	1.900	farmland (horse pasture), scenic views	PDR/private conservation (farmland preservation)/public acquisition
200-02-51.01	131 Town Line Road	38.000	part of 58-acre tract inc. 200-02-48.03 & 51.01, oceanfront duneland, farmland, scenic views, within Wainscott historic district, historic resources (Topping Farm)	PDR/private conservation (farmland preservation)/public acquisition
200-03-37.00	7 Beach Lane	4.400	farmland, scenic views, eastern entrance to Wainscott hamlet, within Wainscott historic district	PDR (farmland preservation)/public acquisition
200-03-38.03	43 Beach Lane	1.300	farmland, scenic views, adjoins protected farmland	PDR (farmland preservation)/public acquisition
200-03-38.04	45 Beach Lane	1.300	farmland, scenic views, adjoins protected farmland	PDR (farmland preservation)/public acquisition
200-03-46.00	105 Beach Lane	6.800	farmland, scenic views	PDR/private conservation (farmland preservation)/public acquisition

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SCALE: 1" = 1,600 Feet



NORTHWEST HARBOR

THREE MILE HARBOR

Hampton

Village of East Hampton

ATLANTIC OCEAN

**LEGEND**

- RECOMMENDED CPF PROPERTIES
- EXISTING OPEN SPACE

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

# TOWN OF EAST HAMPTON

## *CPF* *UPDATES*

### East Hampton School District Suffolk County, New York

Date Prepared: April 2011

## East Hampton School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
054-02-14.00		2.300	Terry cemetery, private reserved area, freshwater water	public acquisition
054-03-04.00	13 Terry's Trail	12.000	freshwater wetlands, part of core woodland block, adjoins protected open space	public acquisition
056-02-30.04	70 Three Mile Harbor Dr.	3.630	Three Mile Harbor shorefront, State Significant Habitat, Critical Environmental Area	public acquisition
056-02-38.00	Sammy's Beach Rd.	0.120	Sammis Beach tidal wetlands, Three Mile Harbor shorefront, State Significant Habitat	public acquisition or obtain conservation easement over lot
056-02-39.00	Sammy's Beach Rd.	0.100	see 056-02-38.00	see 056-02-38.00
056-02-40.00	Sammy's Beach Rd.	0.100	see 056-02-38.00	see 056-02-38.00
056-02-41.00	Sammy's Beach Rd.	0.010	see 056-02-38.00	see 056-02-38.00
072-01-02.00	43 Mile Hill Rd.	9.353	tidal wetlands, beach vegetation, Northwest Harbor shorefront, abandoned boat basin, adjoins protected open space	public acquisition
072-01-4	32 Mile Hill Rd.	1.430	Existing dwelling, contiguous & surrounded by 072-01-6.01	see 072-01-06.01
072-01-06.01	36 Mile Hill Rd.	16.700	existing structures, woodland, steep slopes, protected species, adjoins protected open space	public acquisition, protect steep slopes, protected species and contiguous block of open space
074-05-30.02	Private Rd.	1.200	see 092-01-11.001	see 092-01-11.001
074-07-32.00		<1.0	private reserved area, Three Mile Harbor water access	Town acquisition (public access to water)
090-01-02.00	Phoebe Scoy Rd.	4.100	landlocked parcel area, tidal wetlands, adjoins protected open space	public acquisition
090-02-06.04	Phoebe Scoy Rd.	2.600	white pine forest, historic resources (Bennett cemetery & homestead site)	obtain conservation easement over historic site
090-02-10.00		<1.0	Bennett cemetery	public acquisition
090-03-15.00	77 Northwest Landing Rd.	0.019	freshwater wetlands, flood prone, combined with lot 090-03-16.00	public acquisition
090-03-16.00	75 Northwest Landing Rd.	0.207	freshwater wetlands, flood prone, combined with lot 090-03-15.00	public acquisition

## East Hampton School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
090-04-07.00	Northwest Landing Rd.	11.800	woodland trails (inc. Old Camp Rd.), some white pine forest, SGPA	open space subdivision trail corridor (along southern panhandle and southeastern property boundary)
090-04-08.01	Cattle Walk	4.200	existing dwelling, white pine forest, SGPA	obtain trail easement along Northwest Landing Rd. and Old Northwest Rd. frontage
090-04-10.00	Old Northwest Rd.	22.100	part of 46-acre tract inc. 112-02-01.00 & 113-01-01.00, white pine forest (Wilson's Grove), trails, SGPA, adjoins protected open space	Private conservation/public acquisition
092-01-11.01	Springy Banks Rd.	26.600	Three Mile Harbor & hands Creek drainage sheds, woods & open fields, Boys Harbor Camp, adjoins protected open space	public acquisition/private conservation
112-00-00, 134-00-00 (part shown as 112-02-02.01) Crooked Hwy.	Roadway		mostly unopened Trustee Road, part required as road or driveway access, white pine forest, trails, SGPA	retain unopened sections as open space (Trustees' consent required) use as trail corridor from To Holes of Water Rd. north to Lower Bull Path (Foster's Path) and from Filer's Close north to and across Bull Path
112-01-24.02	Crooked Hwy.	3.700	white pine forest, trails, SGPA, adjoins protected open space	public acquisition
112-02-01.00	Old Northwest Rd.	8.200	see 090-04-10.00	see 090-04-10.00
112-02-03.02	Bull Path	4.200	white pine forest, trails (Old Camp Rd.), SGPA	obtain conservation & trail easement over eastern part of lot
112-02-04.04	Bull Path	2.500	existing dwelling, white pine forest, trails, SGPA	obtain conservation & trail easement over eastern part of lot
112-02-18.02	Bull Path	4.400	existing dwelling, white pine forest, historic resources (Old Camp Hollow), trails, (Old Camp Rd.), SGPA	obtain conservation & trail easement over eastern part of lot
112-03-01.01	Swamp Rd.	2.904	White Pine forest, part of core forest block, adjoins protected open space	public acquisition
112-03-01.02	Swamp Rd.	5.244	White Pine forest, part of core forest block, adjoins protected open space	public acquisition

## East Hampton School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
112-03-04.00	Red Spring Path	19.900	existing dwelling, woodland, freshwater & tidal wetlands, Northwest Creek drainage shed, State Significant Habitat, trails (connection to Northwest Harbor County Park), SGPA, adjoins protected open space	private conservation/open space subdivision (coordinate open space with adjoining parcel)
113-00-00 Midland Highway	Roadway		partially open and improved Trustee road, part not needed for access and adjoins contiguous open space	retain portion not needed for access as open space (Trustees' consent required)
113-01-01.00	Old Northwest Rd.	15.600	existing dwelling, see 090-04-10.00	see 090-04-10.00
113-02-10.00		10.300	woodland, trail corridor, SGPA, adjoins protected open space	public acquisition or obtain conservation easement over lot open space subdivision
118-00-00 Middle Highway			partly opened, partly unopened Trustee road, trail corridor, contiguous with subdivision reserved areas, part required as road or driveway access	convert to open space/trail use south of Montauk Ave. and north of Trail's End Rd. and retain for open space/trail use south of Trail's End Rd. and north of Diane Dr. (Trustee's consent required) improve for highway use sections between Van Scoy's Path East and Montauk Ave. and between Diane Dr. and Jonathan Dr. (conveyance from Trustees' required)
118-01-12.64	400 Hands Creek Rd.	10.200	parcel consists of 118-01-12.64 & 12.72 (13.5 acres, large lot easement), existing dwelling & other structures, pine barrens woodland, meadow with high percentage of native species, SGPA, adjoins protected open space	obtain conservation/ agricultural easement over meadow and woodland

## East Hampton School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
118-01-12.72	Hands Creek Rd.	3.300	parcel consists of 118-01-12.64 & 12.72 (13.5 acres, large lot easement), existing dwelling & other structures, pine barrens woodland, meadow with high percentage of native species, SGPA, adjoins protected open space	obtain conservation/ agricultural easement over meadow and woodland
119-03-01.01	273 Springy Banks Rd.	3.300	freshwater wetlands, Three Mile Harbor drainage shed (Round Swamp), SGPA	public acquisition
122-07-18	298 Three Mile Harbor Rd.	2.700	woodland, trails, SGPA, Pine Barrens, Three Mile Harbor watershed	public acquisition
122-07-19	290 Three Mile Harbor Rd.	11.000	woodland, trails, SGPA, Pine Barrens, Three Mile Harbor watershed	public acquisition
122-07-20	286 Three Mile Harbor Rd.	3.200	existing dwelling , woodland, trails, SGPA, Pine Barrens, Three Mile Harbor watershed	public acquisition
122-05-19.00	291 Three Mile Harbor Rd.	0.240	freshwater wetlands, Soak Hides Dreen (Tanbark Creek) drainage into Three Mile Harbor, protected species, trail corridor, scenic road triangle	public acquisition
119-05-05.00	257 Springs-Fireplace Road	0.598	freshwater kettle hole pond, merged with lot 09.00	public acquisition
133-00-00 Wainscott-Northwest Road (Rt. 114 to Swamp Rd.; Swamp Rd. to Russell's Neck Rd.)	Roadway		unopened Town highway not required for access, freshwater wetlands, trails	remove from highway roster retain for open space/trail use (trail link to Barcelona Neck)
133-02-07.00	46 Swamp Rd.	1.279	high groundwater table, proximity to existing and recommended open space, white pine forest, SGPA	public acquisition
133-02-08.04	78 Swamp Rd.	5.700	existing dwelling, freshwater wetlands (Staudinger's Pond), Northwest Creek drainage shed, trails, SGPA, adjoins protected open space, white pine forest	obtain scenic and trail easement over northern part of parcel and protecting pond

## East Hampton School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
133-2-9.1	3 Red Spring Path	4.027	existing dwelling and pre-existing kennel, freshwater wetlands (Staudinger's Pond), Northwest Creek drainage shed, trails, SGPA, adjoins protected open space, white pine forest	obtain scenic and trail easement over northern part of parcel and protecting pond
133-2-30	Wainscott NW RD.	0.160	irregularly shaped, white pine forest, near freshwater wetlands, adjoins protected open space	public acquisition
133-02-11.01	84 Swamp Rd.	12.600	woodland, freshwater wetlands, Northwest Creek drainage shed, trail corridor, SGPA	public acquisition/private conservation open space subdivision
134-00-00, 135-00-00 Northwest Rd. to Sag Harbor Tpke. (Barnes Rd./Jason's Rock Rd.)	Roadway		mostly unopened Trustee Road, part required as road (Bull run) or driveway access, trails, historic features (Jason's Rock), SGPA	retain unopened section as open space (Trustees' consent required) use easterly section as trail corridor (Trustees' consent required) restore wooded setting of Jason's Rock (Trustees' consent required)
134-00-00, 156-00-00 Ancient Highway	Roadway		mostly unopened Trustee Road, part required as road or driveway access, trail corridor, SGPA	retain unopened sections as open space (Trustee's consent required) use northwesterly section as trail corridor to Crooked Hwy (Trustees' consent required)
134-01-01.02	108 Swamp Rd.	8.000	freshwater wetlands (inc. part of Larkin's Pond), Northwest Creek drainage shed, SGPA, donation for conservation purposes was proposed at time of subwaiver	private conservation/public acquisition
134-01-14.00	86 Two Holes Of Water Rd.	5.800	unknown owner, woodland, groundwater recharge area, trails, SGPA, adjoins protected open space	public acquisition
134-01-18.01	80 Two Holes Of Water Rd.	2.700	exist dwellings, woodland, trails	obtain trail easement (over flag strip)

## East Hampton School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
134-01-18.02	78 Two Holes Of Water Rd.	2.300	exist dwellings, woodland, trails	obtain scenic and trail easement over existing trail
134-02-39.05	184 Two Holes Of Water Rd.	5.100	woodland, trail corridor, SGPA	obtain trail easement
142-01-11.36	15 Old Orchard Ln.	12.600	existing dwelling, farmland, scenic views, burdened by large lot easement	obtain agricultural easement over existing farmland
142-01-12.00	Hands Creek Rd.	39.800	partially used for Most Holy Trinity cemetery, woodland, SGPA, trail corridor	obtain trail easement (trail corridor from Hand's Creek Rd. to Old Orchard reserved area)
142-02-01	46 Middle Highway	14.300	Oak woodland, neighborhood trails	public acquisition
143-01-09.01	225 Springs Fireplace Rd.	64.000	sand and gravel mine, SGPA	long-term reuse plan obtain trail corridor
144-01-03.00	254 Three Mile Harbor Rd.	0.682	indicated in UR plan to be combined with 144-01- 04.00, headwaters of Soak Hides Dreen	public acquisition
144-01-04.00	250 Three Mile Harbor Rd.	0.313	indicated in UR plan to be combined with 144-01- 03.00, contains Soak Hides Dreen wetlands	public acquisition
144-01-16.1	26 Parsons Ave	<1	sand and gravel mine, SGPA	long-term reuse plan obtain trail corridor
144-01-22.01	22 Central Ave.	60.100	sand and gravel mine, SGPA	long-term reuse plan obtain trail corridor
144-01-25.00	240 Three Mile Harbor Rd.	0.324	contains small dilapidated residence, Soak Hides Dreen wetlands	public acquisition
146-03-05.00	184 Three Mile Harbor Rd.	9.800	farmland (Round Swamp Farm)	PDR (farmland preservation) provide trail buffer along eastern boundary
146-03-09.01	154 Three Mile Harbor Rd.	8.200	farmland (Round Swamp Farm)	PDR (farmland preservation) provide trail buffer along eastern boundary
146-5-11	15 Middle Highway	14.400	oak woodland, active sand pit	public acquisition for recreation

## East Hampton School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
156-05-14.04	13 Coultres Way	5.200	woodland, steep slopes, groundwater recharge area, trail corridor, SGPA	obtain conservation and trail easement to preserve steep slopes & relocate trail
156-05-16.00	345 Route 114	35.600	woodland, groundwater recharge area, trail corridor, SGPA, adjoins protected open space	open space subdivision (street across from Stonewall Ct., coordinate open space with adjacent Holes Water Development subdivision, preserve trail link at western corner of property & along northwestern property boundary)
157-02-15.03	320 Stephen Hands Path	33.400	woodland, farmland, scenic views, SGPA	open space subdivision (farmland preservation) PDR (farmland preservation)
157-03-10.03	169 Long Ln.	2.070	farmland, scenic views, adjoins protected farmland	PDR (farmland preservation)
157-03-10.04	159 Long Ln.	2.030	farmland, scenic views, adjoins protected farmland	PDR (farmland preservation)
157-03-10.05	168 Route 114	2.060	farmland, scenic views, adjoins protected farmland	PDR (farmland preservation)
157-03-10.06	339 Stephen Hands Path	2.320	existing dwelling, farmland, scenic views, adjoins protected farmland	private conservation (obtain easement over farmland)
157-03-10.07	343 S Stephen Hands Path	2.320	farmland, scenic views, adjoins protected farmland	PDR (farmland preservation)
157-03-10.09		1.000	farmland, scenic views, adjoins protected farmland	PDR (farmland preservation)
159-01-10.01	100 Long Ln.	7.700	farmland, scenic views, adjoins protected farmland	PDR (farmland preservation)
159-01-16.00	167 Cedar St.	12.000	existing dwelling & other buildings, farmland, scenic views	PDR (farmland preservation)
159-01-17.00	177 Cedar St.	19.400	farmland, scenic views, adjoins protected farmland	PDR (farmland preservation)
161-1-27.4	44 Oak View Highway	8.9	Oak woodland, partially cleared	Public acquisition for recreation

## East Hampton School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
163-03-06.02	109 Old Accabonac Hwy.	1.394	farmland, scenic views, adjacent to preserved Sherrill Farm	public acquisition
163-03-06.03	107 Old Accabonac Hwy.	1.234	farmland, scenic views, adjacent to preserved Sherrill Farm	public acquisition
163-03-09.00	10 Springs Fireplace Rd.	0.790	scenic views, historic setting, adjacent to preserved Sherrill Farm	public acquisition
163-03-11.01	2 Springs Fireplace Rd.	1.000	historic dwelling, scenic views, adjacent to preserved Sherrill Farm	protect historic setting
165-05-10.01	145 Accabonac Rd.	5.000	Lilly Hill (Dominy) Cemetery	public acquisition
165-05-14.03	79 Spring Close Hwy.	1.100	existing residence, potential South Fork Bicycle Path route	obtain trail/bicycle path easement
165-05-15.00	Spring Close Hwy.	5.700	Suffolk County Water Authority (SCWA) well field & water tower site (Pantigo Hill), potential South Fork Bicycle Path route	obtain trail/bicycle path easement
165-05-22.00	400 Pantigo Pl.	4.500	Town-owned Little League baseball fields, potential South Fork Bicycle Path route	protect trail/bicycle path route
166-04-01.03	88 Spring Close Hwy.	6.600	agricultural reserved area, Pheasant Run horse farm, potential South Fork Bicycle Path route	obtain trail/bicycle path easement
166-04-03.01	62 Spring Close Hwy.	1.300	parcel was subject of unapproved lot line adjustment with adjacent lot, existing dwelling & other structure, see 166-04-03.02	see 166-04-03.02
166-04-03.02	78 Spring Close Hwy.	21.000	parcel consists of 166-04-03.2 & p/o 166-04-03.01 (21.6 acres), barns, farmland & old field, scenic views, potential South Fork Bicycle Path route	preserve existing fields along Spring Close Hwy. Obtain trail/bicycle easement coordinate development with lots 166-04-22.00 & 189-01-04.00 evaluate mixed use potential

## East Hampton School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
166-04-22.00	491 Montauk Hwy.	22.600	woodland, potential South Fork Bicycle Path route, potential archeological resources	open space subdivision (coordinate access and open space with adjacent Hollow Oaks subdivision); obtain trail/bicycle path easement, coordinate development with lots 166-04-03.02 & 189-01-04.00 evaluate mixed use potential
167-04-09.00	28 Thomas Ave.	2.400	woodland, parcel includes part of Railroad Ave. ROW, potential South Fork Bicycle Path route	obtain trail/bicycle path easement
167-04-16.01	66 Thomas Ave.	<1.0	woodland, existing residence, parcel includes part of Railroad Ave. ROW (<1 acre potential), South Fork Bicycle Path route	obtain trail/bicycle path easement
167-04-18.02		<1.0	woodland, existing residence, parcel includes part of Railroad Ave. ROW, South Fork Bicycle Path route	obtain trail/bicycle path easement
167-04-23.01	42 Thomas Ave.	0.340	see 167-04-10.00	obtain trail/bicycle path easement
167-05-03.00	41 Middle Hwy.	<1.0	existing residence, parcel includes part of Railroad Ave. ROW, potential South Fork Bicycle Path route	obtain trail/bicycle path easement
167-05-04.01	38 Railroad Ave.	<1.0	parcel includes part of Railroad Ave. ROW, potential South Fork Bicycle Path route	obtain trail/bicycle path easement
167-05-05.02	32 Railroad Ave.	<1.0	existing residence, parcel includes part of Railroad Ave. ROW, potential South Fork Bicycle Path route	obtain trail/bicycle path easement
167-05-06.01	23 Hump Path	1.000	existing residence, potential South Fork Bicycle path route	obtain trail/bicycle path easement
167-05-06.02	17 Hump Path	1.300	existing residence, potential South Fork Bicycle path route	obtain trail/bicycle path easement
167-05-07.00	11 Hump Path	1.300	existing residence, potential South Fork Bicycle path route	obtain trail/bicycle path easement

## East Hampton School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
168-02-01.01	106 Thomas Ave.	0.580	existing residence, parcel includes part of Railroad Ave., potential South Fork Bicycle Path route	obtain trail/bicycle path easement
168-02-02.01	102 Thomas Ave.	<1.0	existing residence, parcel includes part of Railroad Ave. ROW, South Fork Bicycle Path route	obtain trail/bicycle path easement
168-02-06.03	12 Railroad Ave.	NA	parcel consists of 168-02-03.00 & 04.00 and part of Railroad Ave. ROW (<1 acre), potential South Fork Bicycle Path route	obtain trail/bicycle path easement
168-03-01.00	460 Abraham's Path	0.250	existing residence, potential South Fork Bicycle Path route	obtain trail/bicycle path easement
168-03-02.00	468 Abraham's Path	0.630	existing residence, potential South Fork Bicycle Path route	obtain trail/bicycle path easement
168-03-03.00	470 Abraham's Path	1.100	existing residence, potential South Fork Bicycle path route	obtain trail/bicycle path easement
169-01-04.01	58 Royal Ave.	<1.0	parcel includes part of Railroad Ave. ROW, potential South Fork Bicycle Path route	obtain trail/bicycle path easement
169-01-05.02		<1.0	parcel includes part of Railroad Ave. ROW, potential South Fork Bicycle Path route	obtain trail/bicycle path easement
169-01-06.01	48 Royal Ave.	<1.0	parcel includes part of Railroad Ave. ROW, potential South Fork Bicycle Path route	obtain trail/bicycle path easement
183-03-09.00	32 Blue Jay Way	<1.0	existing dwelling, potential South Fork Bicycle Path route	obtain trail/bicycle path easement
183-03-11.01	7 7 <sup>th</sup> Ave.	<1.0	woodland, potential South Fork Bicycle Path route	obtain trail/bicycle path easement
183-04-01	178 Buckskill Rd.	3.100	woodland, tennis club, potential South Fork Bicycle Path route	obtain trail/bicycle path easement
184-03-01.01		9.400	woodland, private reserved area, potential South Fork Bicycle path route	obtain trail/bicycle path easement
184-03-06.00	66 Towhee Trail	1.100	woodland, SGPA, potential South Fork Bicycle Path route	obtain trail/bicycle path easement or fee title
184-03-09.01	58 Towhee Trail	4.100	woodland, SGPA, potential South Fork Bicycle Path route	obtain trail/bicycle path easement or fee title

## East Hampton School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
184-03-10.00	54 Towhee Trail	2.700	woodland, SGPA, potential South Fork Bicycle Path route	obtain trail/bicycle path easement or fee title
184-03-11.00	172 Buckskill Rd.	5.700	woodland, tennis club, potential South Fork Bicycle Path route	obtain trail/bicycle path easement
184-03-12.00	174 Buckskill Rd.	<1.0	existing dwelling, potential South Fork Bicycle Path route	obtain trail/bicycle path easement
184-04-02.00	26 Horseshoe Dr. N	<1.0	existing dwelling potential South Fork Bicycle Path route	obtain trail/bicycle path easement
184-04-03.00	24 Horseshoe Dr. N	<1.0	existing dwelling potential South Fork Bicycle Path route	obtain trail/bicycle path easement
184-04-11.00		2.800	meadow/old field, Reserved Area for Dune Alpine Farm, potential South Farm Bicycle Path route	obtain trail/bicycle path easement
185-01-04.01	Long Ln.	6.200	farmland, scenic views	PDR (farmland preservation)/public acquisition
185-01-13.01	Long Ln.	28.300	farmland, scenic views, adjoins protected farmland, potential South Fork Bicycle Path route	PDR (farmland preservation)/public acquisition obtain trail/bicycle path easement
185-01-14.00	80 Route 114	5.400	farmland, scenic views, potential South Fork Bicycle Path route	PDR (farmland preservation)/public acquisition obtain trail/bicycle path easement
185-01-15.01	Route 114	29.800	farmland, scenic views, adjoins protected farmland, potential South Fork Bicycle Path route	PDR (farmland preservation)/public acquisition obtain trail/bicycle path easement
185-01-16.01		<1.0	LIPA property, old field, potential South Fork Bicycle Path route	obtain trail/bicycle path easement
185-01-31.15	3 Hardscrabble Ct.	<1.0	cleared land, potential South Fork Bicycle Path route	obtain trail/bicycle path easement
185-01-31.16		<1.0	private reserved area, lawn, potential South Fork Bicycle Path route	obtain trail/bicycle path easement

## East Hampton School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
185-01-31.17		2.200	private reserved area, woodland, potential South Fork Bicycle Path route	obtain trail/bicycle path easement
185-02-02.00	Cove Hollow Rd.	17.600	LIPA substation, woodland, potential South Fork Bicycle Path route	obtain trail/bicycle path easement
185-02-37.00	18 Cove Hollow Rd.	2.300	woodland, LIPA substation, potential South Fork Bicycle Path route	obtain trail/bicycle path easement
188-01-03.00	Village Line	7.900	farmland, potential South Fork Bicycle Path	obtain trail/bicycle path easement
188-01-04.00	159 Pantigo Rd.	9.400	Town Hall, potential South Fork Bicycle Path route	protect trail/bicycle path route
189-01-04.00	385 Montauk Hwy.	12.000	existing dwelling, woodland	scenic buffer along Montauk Hwy. coordinate development with lots 166-04-03.02 & 166-04-22.00 evaluate mixed use potential
189-06-12.01	284 Further Ln.	3.000	duneland (Double Dunes) NYS Significant Habitat	protect Double Dunes
189-06-12.05	282 Further Ln.	1.600	three residence, farmland, no subdivision ever filed, Peconic Land Trust Conservation (lot 24.04)	open space subdivision/farmland preservation
189-06-13.00	260 Further Ln.	32.300	farmland, duneland (Double Dunes),	private conservation/open space subdivision (farmland preservation, protect Double Dunes)
189-06-14.00	278 Further Ln.	9.200	duneland (Double Dunes)	private conservation/open space subdivision (protect Double Dunes)
193-00-00 Georgica-Buckskill Road (between Montauk Hwy. & Stephen Hands Path)	Roadway		unopened Trustee road not required for access, freshwater wetlands, Georgica Pond drainage shed (Fulling Mill Creek), adjoins other Trustee land	retain as open space (Trustees' consent required)

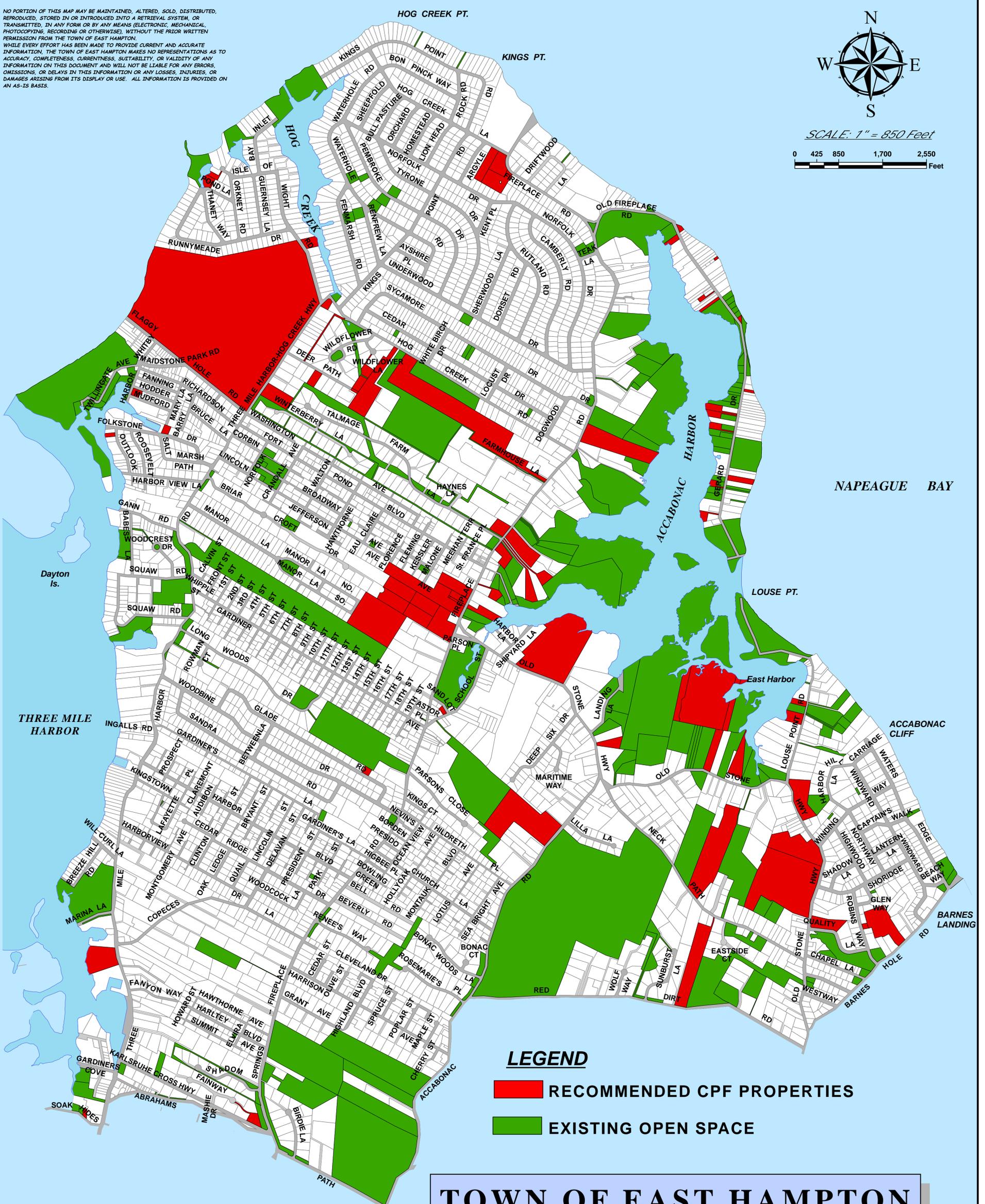
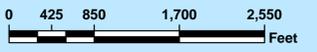
## East Hampton School District Open Space Recommendations

193-02-07.16		6.400	private reserved area, woodland, potential South Fork Bicycle Path route	obtain 20' wide trail/bicycle path easement or fee title
193-02-09.01	15 Green Hollow Rd.	13.000	existing dwelling, meadow & woodland, SGPA	public acquisition
193-03-04.01	148 Buckskill Rd.	NA	parcel consists of 193-03-04.01 and 05.00 (20.4 acres), existing dwelling and other structures, pastures, pond, potential South Fork Bicycle Path route	obtain trail/bicycle path easement
193-03-05.00	138 Buckskill Rd.	NA	see 193-03-04.01	see 193-03-04.01

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SCALE: 1" = 850 Feet



**LEGEND**

- RECOMMENDED CPF PROPERTIES
- EXISTING OPEN SPACE

**TOWN OF EAST HAMPTON**

*CPF*

*UPDATES*

**Springs School District**

**Suffolk County, New York**

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

Date Prepared: April 2011

## Springs School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
023-01-03.00	23 Pond Lane	0.437	Hog Creek Pond frontage, wetlands	public acquisition
023-01-32.00	154 Isle of Wight	0.499	Hog Creek Pond frontage, wetlands	public acquisition
023-01-33.00	21 Pond Lane	0.536	Hog Creek Pond frontage, wetlands	public acquisition
024-13-10.00	8 Hog Creek Lane	2.400	historic barn converted to residence	protect historic setting
024-13-11.00	1223 Fireplace Road	2.400	historic dwelling and setting	protect historic setting
024-13-13.01	1221 Fireplace Road	3.500	historic setting including Parsons Cemetery as outparcel	obtain access to cemetery, protect historic setting
037-02-01.00	103 Flaggy Hole Road	170.800	large woodland block, Gardiner's Bay shorefront, trails, Edwards cemetery, Blue Bay Girl Scout Camp	public acquisition/ PDR
037-2-2	43 Isle of Wight Road	1.240	Hog Creek Pond frontage, wetlands	public acquisition
037-3-1.001	2 Hog Creek Road	0.605	wooded parcel, Hog Creek watershed	public acquisition
037-03-12.01		<1.0	20' wide private road right-of-way	public acquisition
037-03-16.00	8 Deer Path	1.100	woodlands, adjoins reserved area	public acquisition
037-03-22.00	580 Three Mile Harbor Hog Creek Highway	3.500	old field with trail link potential, existing dwelling	partial public acquisition
038-07-01.00	11 Harbor Boulevard	0.324	tidal wetlands in Maidstone Area, merged with lot 14, flood prone, State Significant Habitat, Critical Environmental Area	public acquisition
038-07-02.00	28 Hodder Avenue	0.147	tidal wetlands in Maidstone Area, flood prone, State Significant Habitat, Critical Environmental Area	public acquisition
038-07-14.00	27 Mudford Avenue	0.097	tidal wetlands in Maidstone Area, merged with lot 1, flood prone, State Significant Habitat, Critical Environmental Area	public acquisition
039-09-38.00	124 Sycamore Drive	1.703	freshwater wetlands	public acquisition
039-11-02.13	8 Wildflower Lane	1.000	woodlands, old field, adjoins trail corridor	public acquisition
039-11-06.00	17 Deer Path	1.200	woodland, adjoins trail corridor	public acquisition
039-11-07.00			woodland, adjoins trail corridor	public acquisition
039-11-08.00	211 Norfolk Drive	7.800	existing dwelling, part of large woodland block (approx. 90 acres), trails, formerly proposed Irwin and Betty Roberts subwaiver	provide trail corridor, coordinate open space

## Springs School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
039-11-11.01	90 Hog Creek Road	29.000	part of large woodland block (approx. 90 acres), old field, trails	public acquisition
041-01-03.00	90 Gerard Drive	0.350	Accabonac Harbor shorefront, wetlands, borders Town Open Space, mostly tidal marsh	public acquisition
041-01-18.00	138 Gerard Drive	0.370	Accabonac Harbor watershed, flood prone	public acquisition
041-02-01.00	81 Gerard Drive	<1.0	Gardiner's Bay shorefront, wetlands, mostly beach, partially underwater	public acquisition
041-02-21.00	123 Gerard Drive	0.100	Gardiner's Bay shorefront, wetlands, beach, mostly underwater	Public acquisition/private conservation
041-02-30.00	147 Gerard Drive	0.650	Gardiner's Bay shorefront, wetlands, beach, mostly under water	public acquisition
041-02-35.00	159 Gerard Drive	0.170	Gardiner's Bay shorefront, wetlands, beach, adjacent to protected land, mostly underwater	public acquisition
041-01-22	146 Gerard Drive	0.608	Accabonac Harbor shorefront, contains and adjoins wetlands, adjoins protected lands	public acquisition
042-01-11.00	240 Gerard Drive	1.200	042-01-11.00 and 12.00, are merged, Accabonac Harbor shorefront, tidal wetlands, woodland, scenic views, adjoins protected open space, flood prone	public acquisition
042-01-12.00	246 Gerard Drive	1.000	see 042-01-11.00	see 042-01-11.00
042-01-16.00	256 Gerard Drive	0.800	Accabonac Harbor shorefront, tidal wetlands, woodland, scenic views, adjoins protected open space, flood prone	public acquisition
042-02-05.00	225 Gerard Drive	0.200	Gardiner's Bay shorefront, wetlands, beach, flood prone	public acquisition
057-03-1	18 Folkstone Road	0.520	Oak woodland less than 100 feet from Three Mile Harbor surface waters	public acquisition
057-04-02.00	17 Outlook Avenue	0.342	tidal wetlands, State Significant Habitat, Critical Environmental Area	public acquisition
063-02-13.00	869 Fireplace Road	1.800	existing dwelling, historic Talmage family cemetery	acquire cemetery, cemetery access and trail corridor
063-03-01.01	968 Fireplace Road	10.200	historic dwelling & appurtenant	Private conservation/open space

## Springs School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
			structures, Accabonac Harbor shorefront, tidal wetlands, scenic views, State Significant Habitat	subdivision (preserve land nearest Accabonac Harbor)
063-03-21.2	916 Fireplace Road	1.900	existing dwelling, tidal wetlands, flood prone, adjacent to existing open space	private conservation/partial public acquisition
063-03-28.05	878 Fireplace Road	4.500	existing dwelling, old field/cedars	private conservation , protect block of open space
063-03-29.1	852 Fireplace Road	1.890	meadow, adjoins protected open space, wetland, historic setting for Pollock-Krasner House	public acquisition
063-03-28.07	878 Fireplace Road	1.660	adjoins tidal wetlands, State Significant Habitat, Critical Environmental Area	public acquisition
063-03-29.04	860 Fireplace Road	2.350	tidal wetlands, State Significant Habitat, Critical Environmental Area	public acquisition
063-04-01.00	809 Fireplace Road	3.300	historic Lewis Edwards house within The Springs Historic District	obtain agricultural easement along Springs Fireplace Rd. coordinate future access with lot to south
063-04-02.00	807 Fireplace Road	2.300	meadow, within The Springs Historic District	obtain agricultural easement adjoining Fireplace Rd coordinate future access with lot to north
063-04-03.00	Fireplace Road	0.360	within The Springs Historic District, access to Talmage cemetery	public acquisition
063-04-04.00		<1.0	within The Springs historic district, Talmage cemetery	public acquisition
063-04-05.00	803 Fireplace Road	8.600	historic dwelling, within The Springs Historic District, woodland & old field	PDR/protect historic setting/façade easement
063-04-08.11, 8.12, 8.13, 8.14,8.15	779 Fireplace Road	18.200	Briar Croft Section 2 subdivision lot 14.00, 18.02 acres, historic dwelling & associated outbuildings, farmland, located at important crossroads within The Springs Historic District	PDR Protect historic structures and setting Obtain trail link to Fireplace Rd. Restore farm views from Fireplace Rd.
063--05-1.2	824 Fireplace Rd.	1.090	adjoins tidal wetlands, State Significant	public acquisition

## Springs School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
			Habitat, Critical Environmental Area, historic setting for Pollock-Krasner House	
063-04-09.00	Fireplace Road	15.100	old field	public acquisition
063-05-04.00	810 Fireplace Road	1.817	Accabonac Harbor Shoreline, adjoins protected open space, tidal wetlands	public acquisition
064-01-07.00	298 Gerard Drive	0.150	Accabonac Harbor shoreline, wetland, beach, adjacent to protected open space	public acquisition
064-01-15.00	320 Gerard Drive	0.700	Accabonac Harbor shoreline, wetlands, beach	public acquisition
064-02-07.00	291 Gerard Drive	1.200	Gardiner's Bay shoreline, wetlands, beach	public acquisition
78-3-21	57 Glade Road	0.470	oak woodland, adjoins protected open space, possible trail connection	public acquisition
080-01-09.01	8 Cross Street	0.280	freshwater wetlands, flood prone, adjoins open space to north	public acquisition
080-02-11.01	83 Old Stone Hwy.	26.500	existing dwelling, Accabonac Harbor shorefront, old field & woodland, tidal wetlands, scenic views, State Significant Habitat	private conservation/public acquisition
080-04-03.03	149 Old Stone Hwy.	1.600	Accabonac Harbor watershed, wetlands	private conservation
080-05-04.09	661 Fireplace Rd.	28.550	large woodland block, proposed Springs Fireplace Rd subdivision	public acquisition
080-07-43.00	761 Accabonac Rd.	17.200	Existing dwellings, & other structures, old field, woodland	public acquisition open space subdivision [coordinate open space with adjoining land, provide trail corridor to Jacob Farm (102-03-17.00)]
083-02-02.00	35 Old Stone Hwy.	20.500	parcel consists of 083-02-02.00, 04.00,05.00, 23.00 & 24.00 (25.5 acres), existing dwelling & other structures Accabonac Harbor shorefront, tidal wetland (Accabonac Great Meadows), Bishop's Hummock, scenic views. State Significant Habitat, adjoins protected open space, partly encumbered by Nature	private conservation (obtain conservation easement over remaining unencumbered wetlands)

## Springs School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
			Conservancy conservation easement	
083-02-04.00	14 Harbor Lane	1.500	see 083-02-02.00	see 083-02-02.00
083-02-05.00		3.000	see 083-02-02.00	see 083-02-02.00
083-02-16.03	257 Old Stone Hwy	2.900	Accabonac Harbor shorefront (East Harbor), Tidal wetlands (Accabonac Great Meadows), scenic views, State Significant Habitat	private conservation/public acquisition
083-02-19.01	285 Old Stone Hwy	3.200	Accabonac Harbor shorefront (East Harbor), Tidal wetlands (Accabonac Great Meadows), scenic views, State Significant Habitat, adjoins protected open space	private conservation/public acquisition
083-02-23.00	255 Old Stone Hwy	0.230	see 083-02-02.00	see 083-02-02.00
083-02-24.00		N/A	see 083-02-02.00	see 083-02-02.00
083-03-12.00	63 Louse Point Road	1.000	Accabonac Harbor shorefront (East Harbor), tidal wetlands, dredged basin & dock, State Significant Habitat, adjoins protected open space	public acquisition/obtain conservation easement prohibiting residential development of property
083-03-14.00		1.600	Accabonac Harbor shoreline (East Harbor) tidal wetlands (Accabonac Great Meadows), scenic views, State Significant Habitat, adjoins protected open space, Barnes Landing Association with Nature Conservancy Management agreement	obtain conservation easement
083-06-05.00	351 Old Stone Hwy	5.300	existing dwelling, freshwater wetlands (Mud Hole), adjoins protected open space	partial public acquisition/obtain easement protecting wetlands
093-01-07.00	41 Three Mile Harbor Hog Creek Hwy	6.100	Three Mile Harbor watershed, wetlands, woodlands	public acquisition
103-01-06.00	115 Neck Path	16.000	part of large woodland block, trail	public acquisition open space subdivision (coordinate open space with adjoining land, provide trail corridor)

## Springs School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
103-02-02.01	376 Old Stone Hwy	9.200	historic dwelling, part of large woodland block	open space subdivision (coordinate open space with adjoining land)
103-02-04.06	410 Old Stone Hwy	28.100	historic dwelling & appurtenant structures (art studio), old field, part of large woodland block, Ruth Nivola subwaiver	open space subdivision/private conservation/public acquisition, coordinate open space with adjoining land, provide trail corridor
103-2-4.4	Old Stone Hwy	2.100	see 103-2-4.06	see 103-2-4.06
103-2-4.5	Old Stone Hwy	1.900	see 103-2-4.06	see 103-2-4.06
103-06-13.00	20 Quality Row	2.900	freshwater wetland, Saul Steinberg grave, woodland, Local Significant Habitat, adjoins protected open space	public acquisition/obtain conservation easement over wetlands
103-08-06.00	128 Neck Path	10.000	existing dwelling & other structure, woodland, trails, adjoins protected open space	partial public acquisition open space subdivision (coordinate open space with adjoining land, provide trail corridor to Red Dirt Rd.)
103-09-21.00	29 Robins Way	0.150	parcel consists of 103-09-21.00 & 28.00 (approx. 7.0 acres), historic dwelling & other buildings, woodland	access from Robins Way partial public acquisition or open space subdivision, preserve historic setting and woodland
103-09-28.01		7.000	see 103-09-21.00.	see 103-09-21.00
119-00-00.00 Cross Highway, east of Karlsruhe Cross Highway	Roadway	-	unopened Trustee road, Paumanok Path	retain as open space (Trustees' consent required)
119-04-16.09	32 Fairway Drive	1.200	wooded lot, Paumanok Path buffer	public acquisition
120-02-13.00	8 Soak Hides Road	0.249	freshwater wetlands, Soak Hides Dreen watershed, adjacent to existing open space	public acquisition
203-03-01.00, 204-04-32.00,	Gardiner's Island (inc. Cartwright Island) Gardiner's Bay	3370.0 approximate	see narrative	see narrative

# **Springs School District Open Space Recommendations**

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# NAPEAGUE BAY

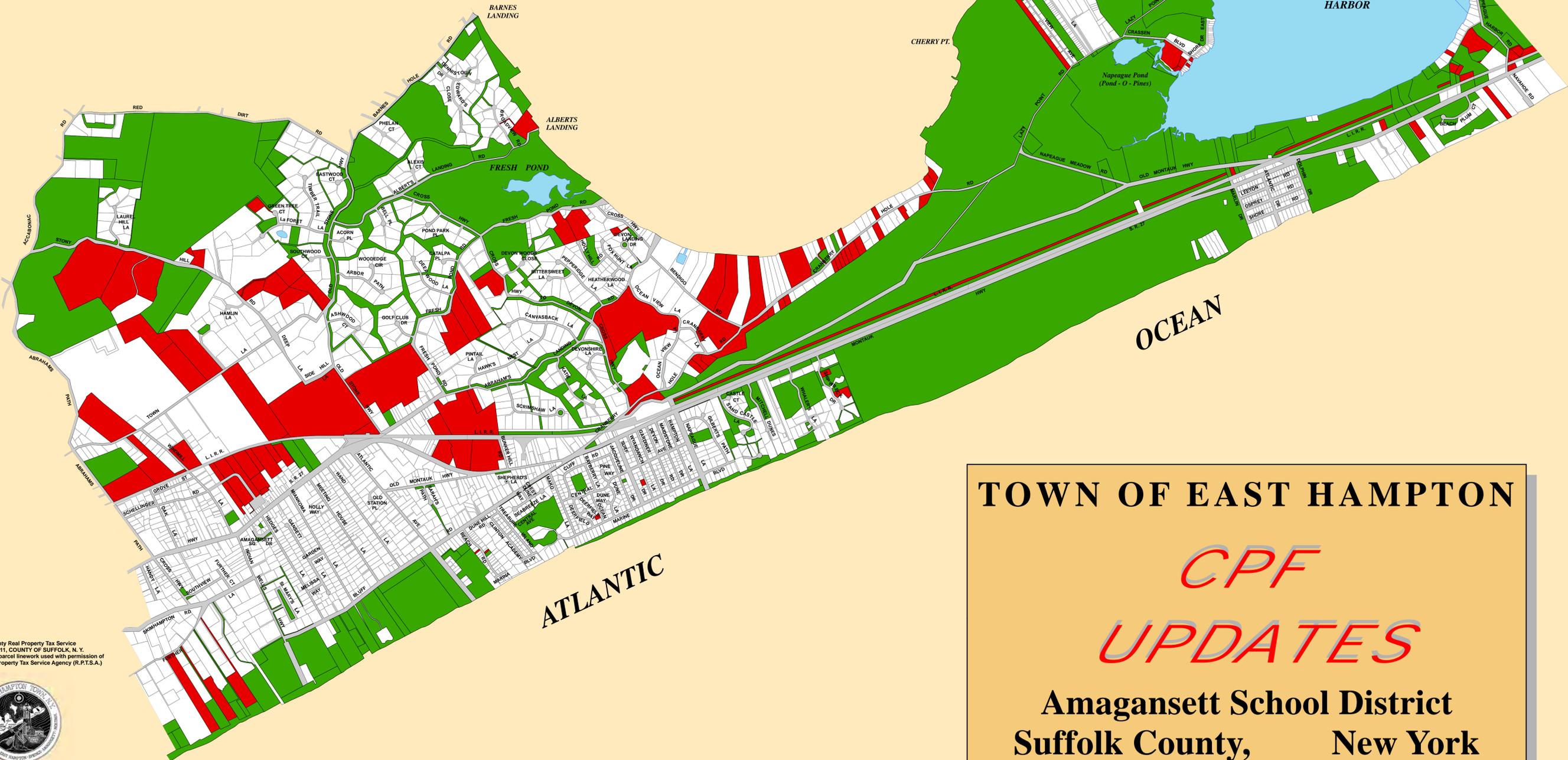


SCALE: 1" = 1,200 Feet  
0 600 1,200 2,400 3,600 Feet

## LEGEND

■ RECOMMENDED CPF PROPERTIES

■ EXISTING OPEN SPACE



## TOWN OF EAST HAMPTON

# CPF UPDATES

### Amagansett School District Suffolk County, New York

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

Date Prepared: April 2011

## Amagansett School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
084-02-04.00	163 Mulford Lane	0.056	contains dilapidated residence seaward of M.H.W., tidal wetlands, severely eroded, flood prone, adjoins protected open space	public acquisition
104-02-29.01	Albert's Landing Road	5.200	bayfront lot, steep slopes, scenic views, adjacent to freshwater wetlands, adjacent to preserved open space	public acquisition
107-01-26.00	48 Shore Drive West	0.184	tidal wetlands, low elevations, flood prone	public acquisition
107-01-29.00	30 Shore Drive West	0.185	tidal wetlands, low elevations, flood prone	public acquisition
108-01-04.00	577 Lazy Point Road	6.691	woodlands, freshwater wetlands, low elevations, adjoins State parklands, Gardiners Bay waterfront	public acquisition
108-02-04.01	52 Crassen Boulevard	4.908	contains small structure, tidal wetlands, Pond O' Pines, low elevations, flood prone, adjoins open space to north and west	public acquisition
108-02-04.02	15 Shore Drive West	0.933	merged with 300-108-02-06.00, contains small structure, tidal wetlands, low elevations, flood prone,	public acquisition
108-02-06.00	11 Shore Drive West	0.279	merged with 300-108-02-04.02, tidal wetlands, low elevations, flood prone	public acquisition
109-01-06.00	Napeague Harbor Road	0.511	tidal wetlands, flood prone, Gardiners Bay waterfront	public acquisition
109-01-10.00		1.100	freshwater and tidal wetlands, State Significant Habitat, adjoins protected open space	public acquisition
109-01-24.00		<1.000	LIPA power line, freshwater wetlands, State Significant habitat	private conservation (donation by LIPA)
109-02-14.00	2059 Montauk Hwy	0.809	freshwater wetlands, contiguous to existing open space	public acquisition
110-01-05.01	34 Napeague Harbor Road	1.100	freshwater wetlands, duneland	public acquisition
110-01-05.02	36 Napeague Harbor Road	1.300	freshwater wetlands, duneland adjoins protected open space	public acquisition
110-01-06.00	26 Napeague Harbor Road	1.000	freshwater wetlands and duneland vegetation, surrounded by similarly constrained parcels	public acquisition

## Amagansett School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
110-01-07.00	20 Napeague Harbor Road	0.127	freshwater wetlands and duneland vegetation, surrounded by similarly constrained parcels	public acquisition
110-01-09.00	Napeague Harbor Road	0.620	duneland, freshwater wetlands, flood prone	public acquisition
110-02-12.09	49 Private Road	<1.0	freshwater wetlands, adjoins protected open space	public acquisition
110-02-12.01	31 Private Road	<1.0	freshwater wetlands, adjoins protected open space	public acquisition
110-02-12.12	17 Private Road	5.600	freshwater wetlands, duneland, adjoins protected open space	public acquisition
110-02-12.16	45 Napeague Harbor Road	<1.0	freshwater wetlands, adjoins protected open space	public acquisition
110-02-21.00	2128 Montauk Hwy	2.598	ocean front, freshwater wetland in northern portion of lot, flood prone, Velocity flood zone	public acquisition
125-02-05.03	108 Stony Hill Road	2.500	Water Recharge Overlay District, woodlands	public acquisition
125-03-02.01	187 Stony Hill Road	38.000	existing dwelling, woodland, groundwater recharge area, SGPA, Peconic Land Trust easement	private conservation
125-03-02.02	159 Stony Hill Road	17.580	existing dwelling, woodland, groundwater recharge area, SGPA	private conservation
125-03-03.06	143 Stony Hill Road	0.970	existing dwelling, woodland, groundwater recharge area, SGPA	private conservation
125-02-05.04	118 Stony Hill Road	0.528	Water Recharge Overlay District, woodlands	public acquisition
126-1-14.25	15 Green Tree Court	2.104	Stony Hill woodland block, beech forest, groundwater recharge area, SGPA, contiguous to protected open space	public acquisition
126-01-17.01	50 Stony Hill Road	3.600	Stony Hill woodland, beech forest, groundwater recharge, SGPA, existing dwelling and other improvements	trail corridor
126-01-17.02	54 Stony Hill Road	5.500	Stony Hill woodland, beech forest, groundwater recharge, SGPA	trail corridor

## Amagansett School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
126-01-17.03	435 Town Lane	4.770	Stony Hill woodland, beech forest, groundwater recharge, SGPA	trail corridor
126-01-17.04	644 Stony Hill Road	6.900	Stony Hill woodland, beech forest, groundwater recharge, SGPA, existing dwelling and other improvements	trail corridor
126-01-17.05	60 Stony Hill Road	6.800	Stony Hill woodland, beech forest, groundwater recharge, SGPA, existing dwelling and other improvements	trail corridor
127-01-04.00, 05.00	258 Fresh Pond Road	6.000	woodland, freshwater wetlands (Bellyache Swamp), Local Significant Habitat	public acquisition/obtain conservation easement over wetlands and adjoining woodland
127-01-08.00	238 Fresh Pond Road	5.400	existing cottages & other structures, woodland, freshwater wetlands (Bellyache Swamp), local Significant Habitat	public acquisition/obtain conservation easement over wetlands and adjoining woodland
127-01-16.02	85 Cross Highway to Devon	6.200	abandoned sand & gravel mine, woodland, groundwater recharge area, SGPA	public acquisition/open space subdivision coordinate open space with adjoining land
127-01-19.00	128 Fresh Pond Road	9.800	active sand & gravel mine, groundwater protection area, SGPA	open space subdivision
127-02-42.00	33 Cross Hwy	0.896	freshwater wetlands	public acquisition
128-00-00, 129-00-00, 151-00-00, 152-00-00 Old Montauk Highway (Cranberry Hole Rd. to Napeague Meadow Rd.)	Roadway		unimproved Trustee road, trail corridor	retain for trail use (Trustees' consent required)
128-01-06.00	247 Cranberry Hole Road	10.700	Napeague Bay shorefront, single family home, historic ruins, freshwater wetlands, duneland	public acquisition
128-01-07.04	281 Cranberry Hole Rd	1.056	Napeague Harbor shorefront, dunelands, tidal wetlands, flood prone	public acquisition

## Amagansett School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
128-01-10.00	292 Cranberry Hole Rd	0.681	duneland, freshwater wetlands, adjoins State parkland	public acquisition
128-01-11.00	296 Cranberry Hole Rd	0.750	duneland, freshwater wetlands, adjoins State parkland	public acquisition
128-01-14.00	300 Cranberry Hole Rd	0.782	duneland, adjoins State parkland	public acquisition
128-01-15.00	306 Cranberry Hole Rd	0.880	duneland, adjoins State parkland	public acquisition
128-01-17.00	311 Cranberry Hole Road	1.017	primary dunes, freshwater wetlands, flood prone, adjoins scenic easement to east	public acquisition
128-01-18.00	312 Cranberry Hole Rd	0.965	duneland, adjoins State parkland	public acquisition
128-01-19.04	320 Cranberry Hole Rd	1.652	duneland, adjoins State parkland	public acquisition
128-01-19.05	328 Cranberry Hole Rd	1.677	duneland, adjoins State parkland	public acquisition
128-01-22.02	354 Cranberry Hole Rd	1.421	duneland, adjoins State parkland	public acquisition
128-01-24.00	359 Cranberry Hole Rd	0.794	Napeague Harbor shorefront, dunelands, tidal wetlands, flood prone,	public acquisition
128-01-27.03	388 Cranberry Hole Rd	1.014	duneland, adjoins State parkland	public acquisition
128-01-31.00	418 Cranberry Hole Rd	1.485	duneland, adjoins State parkland	public acquisition
128-1-32.01	425 Cranberry Hole Rd	1.247	duneland, existing pedestrian beach access	public acquisition/obtain access easement
128-1-32.02	427 Cranberry Hole Rd.	1.157	Napeague Harbor shorefront, duneland, protected plant species	public acquisition/obtain access easement
129-02-11.00		2.500	LIPA power line, duneland, protected species, adjoins protected open space	private conservation (donation by LIPA)
130-01-07.01	146 Montauk Hwy.	3.500	LIPA power line, tidal wetlands, State Significant Habitat, adjoins protected open space	private conservation (donation by LIPA)
130-01-15.00	185 Old Montauk Hwy.	0.440	Napeague Harbor watershed, wetlands, flood prone	public acquisition

## Amagansett School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
130-02-11.02	2052 Montauk Hwy.	1.194	dunelands, flood prone, adjoins protected open space	public acquisition
149-03-04.00	351 Town Lane	17.800	existing dwelling, farmland (horse pasture), woodland, SGPA, adjoins protected farmland	open space subdivision (farmland preservation)
149-03-10.00	319 Town Lane	13.800	farmland (horse pasture), scenic views, adjoins protected farmland	PDR (agricultural development rights)
149-03-11.00	329 Town Lane	15.000	existing dwelling & other buildings, farmland (horse pasture), scenic views, adjoins protected farmland	open space subdivision (farmland preservation, coordinated with adjoining farmland)
149-03-12.00	317 Town Lane	13.800	Peconic Land Trust Preserve, County-owned development rights, farmland, scenic views, trails	trail corridor
149-03-14.00	Stony Hill Road	24.000	beech forest, freshwater wetlands, trails, SGPA, adjoins protected open space, Town-owned conservation and trail easement	public acquisition
149-04-12.00	268 Town Lane	10.530	existing barns, riding academy, farmland	PDR for active recreation \ (riding academy)
150-00-00 Cross Highway to Devon (south of Abraham's Landing Rd. to improved portion of Cross Hwy.)	Roadway		unopened Town Highway, trail corridor	remove from highway roster retain for parkland/trail use
150-02-01.00	114 Fresh Pond Road	7.700	abandoned sand & gravel mine, SGPA	open space subdivision; obtain trail easement
150-02-02.00	102 Fresh Pond Road	8.900	woodland, SGPA	open space subdivision; obtain trail easement
150-03-03.00	342 Town Lane	22.600	Peconic Land Trust Preserve, farmland, scenic views, potential South Fork Bicycle Path route	obtain trail/bicycle path easement

## Amagansett School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
150-03-04.00		<1.0	farmland, potential South Fork Bicycle Path route	obtain trail/bicycle path easement
150-03-08.01	730 Old Stone Highway	57.100	golf course, scenic views, potential South Fork Bicycle Path route, agricultural easement	PDR or purchase for active recreation obtain trail/bicycle path easement
150-03-09.00	742 Old Stone Highway	2.400	LIPA substation, old field, potential South Fork Bicycle Path route	obtain trail/bicycle path easement
150-04-02.00	52 Fresh Pond Road	43.200	golf course (South Fork Country Club), scenic views, SGPA	PDR or acquire for active recreation (golf course)
150-05-01.00	122 Abraham's Landing Road	2.000	farmland, scenic views (Bunker Hill)	open space subdivision coordinated with adjoining lots (farmland preservation)
150-05-06.00	114 Abraham's Landing Road	23.500	existing dwelling, see 150-05-01.00	open space subdivision coordinated with adjoining lots (farmland preservation)
150-05-11.00	74 Abraham's Landing Road	4.000	farmland, scenic views (Bunker Hill)	open space subdivision coordinated with adjoining lots (farmland preservation)
151-00-00 Cross Highway to Devon (bet. Fresh Pond @ Devon subd. & Abraham's Landing Rd.)	Roadway		unimproved Trustee road, trail corridor	retain for trail use
151-02-02.00	85 Ocean View Lane	33.600	existing dwelling, woodland man-made pond, Devon Colony estate area, private covenant restricting density to four lots	preserve contiguous woodland during open space subdivision/private conservation
151-02-03.00	58 Cross Highway East	5.100	woodland, Devon Colony estate area	access from already-improved Town highways obtain trail buffer
151-02-05.00	10 Cross Highway	6.300	historic dwelling & structure, prominent hilltop land (Devon highlands), within Devon colony historic district, woodland, Devon Colony estate area, trail corridor	private conservation; preserve historic setting; obtain trail easement or partial acquisition for trail safety purposes

## Amagansett School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
151-02-07.00	86 Cranberry Hole Road	1.200	woodland, prominent hilltop land (Devon highlands), scenic views, steep slopes, Devon Colony estate area	obtain trail buffer
151-02-19.02	122 Cranberry Hole Rd.	1.300	woodlands, adjoins protected open space, prominent location, steep slopes	public acquisition
151-02-19.03	150 Cranberry Hole Rd.	1.600	woodlands, adjoins protected open space, prominent location, steep slopes	public acquisition
151-02-19.04	154 Cranberry Hole Rd.	1.500	woodlands, adjoins protected open space, prominent location, steep slopes	public acquisition
151-02-21.00	36 Bendigo Road	11.400	existing dwellings, Napeague Bay Shorefront freshwater wetlands, Devon Colony estate area	private conservation
152-01-03.00	224 Cranberry Hole Rd.	0.730	duneland, adjoins protected open space, scenic views	public acquisition
152-01-06.00	216 Cranberry Hole Rd.	0.779	duneland, adjoins protected open space, scenic views	public acquisition
152-01-10.00	200 Cranberry Hole Rd.	0.708	duneland, adjoins protected open space, scenic views	public acquisition
152-01-11.01	185 Cranberry Hole Road	11.400	Napeague Bay shorefront, freshwater wetlands (Cranberry Hole marsh), duneland, Devon Colony, large lot easements required by subdivision	public acquisition/private conservation (protect Cranberry Hole wetlands) alternate access to avoid wetlands
152-01-11.03	20 Bendigo Road	11.400	Napeague Bay shorefront, freshwater wetlands (Cranberry Hole marsh), duneland, Devon Colony estate area, large lot easements required by subdivision	public acquisition/private conservation (protect Cranberry Hole wetlands)
152-01-12.00	171 Cranberry Hole Road	11.500	freshwater wetlands (part of Cranberry Hole marsh), woodlands Devon Colony estate area	public acquisition/private conservation (protect Cranberry Hole wetlands) alternate access to avoid wetlands
152-01-13.0	172 Cranberry Rd.	7.213	duneland, steep slopes, adjoins protected open space, scenic views	public acquisition
152-02-02.01		13.800	LIPA power line, duneland, freshwater wetlands, State Significant habitat, protected species, adjoins protected open space	private conservation (donation by LIPA)

## Amagansett School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
152-02-08.17	19 Shipwreck Drive	0.683	freshwater wetlands, dune land, protected plant species	public acquisition
152-2-8.34	51 Shipwreck Dr.	1.475	dune land, freshwater wetlands, adjoins protected open space and State Parkland	public acquisition
166-03-10.00	403 Abraham's Path	11.500	woodland, existing residence, potential South Fork Bicycle Path route	public acquisition open space subdivision obtain trail/bicycle path easement
166-03-12.00	131 Windmill Lane	0.500	existing residence, potential South Fork Bicycle Path route	obtain trail/bicycle path easement
166-03-14.00	140 Windmill Lane	6.000	Suffolk County stormwater drainage basin, potential South Fork Bicycle Path route	protect trail/bicycle path corridor
171-01-01.00	86 Windmill Lane	1.300	farmland, scenic views	PDR (farmland preservation) preserve scenic views
171-01-02.02	85 Main Street	2.600	farmland, scenic views	PDR (farmland preservation) preserve scenic views
171-01-19.00	72 Windmill Lane	2.900	farmland, scenic views	PDR (farmland preservation) preserve scenic views
171-01-23.01	51 Windmill Lane	4.700	farmland, scenic views	PDR (farmland preservation) preserve scenic views
171-01-24.00		4.200	farmland, scenic views	PDR (farmland preservation) preserve scenic views
171-02-01.02	32 Main Street	4.800	farmland, scenic views	PDR (farmland preservation) preserve scenic views
171-02-09.00	267 Main Street	NA	farmland, scenic views	PDR (farmland preservation) preserve scenic views
171-02-09.02	22 Main Street	2.648	farmland, existing barns & other structures	PDR (farmland preservation) preserve scenic views
171-02-09.03	22 Main Street	0.470	farmland, existing barns & other structures	PDR (farmland preservation) preserve scenic views
171-02-11.02	275 Main Street	2.000	farmland, scenic views	part of Amagansett study PDR (farmland preservation) preserve scenic views

## Amagansett School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
172-01-01.00	343 Main Street	5.900	farmland, scenic views	part of Amagansett study PDR (farmland preservation) preserve scenic views
172-01-02.01	11 Cozzens Lane	1.700	farmland, scenic views	PDR (farmland preservation) preserve scenic views
172-01-04.00	10 Cozzens Lane	2.900	owned by SCWA, farmland (old field)	PDR (farmland preservation) preserve scenic views
172-2-34.001	531 Montauk Highway	7.002	farmland (horse pasture), scenic views	PDR/public acquisition
172-2-33.001	551 Montauk Highway	6.001	farmland (horse pasture), scenic views	PDR/public acquisition
175-03-10.00	44 Beach Avenue	0.139	freshwater wetlands, flood prone, contiguous to Reserved Area to west	public acquisition
176-02-06.00	9 Ocean Lane	0.277	freshwater wetlands and secondary dune land, flood prone	public acquisition
176-05-29.00	72 Wyandanch Lane	0.319	freshwater wetlands, duneland, flood prone	public acquisition
177-01-25.00	55 Beach Avenue	0.119	freshwater wetlands, duneland, flood prone	public acquisition
178-03-1.001	561 Montauk Highway	11.700	farmland (horse pasture), scenic views	PDR/public acquisition
189-05-02.05	428 Further Lane	7.700	existing dwelling, duneland (Double Dunes), State Significant Habitat, contiguous to protected open space	private conservation (preserve duneland)
189-05-06.00	382 Further Lane	6.800	existing dwelling, duneland, (Double Dunes), State Significant Habitat	private conservation (preserve duneland)
189-05-08.00	364 Further Lane	11.600	existing dwelling & barn, farmland, duneland (Double Dunes), State Significant Habitat	open space subdivision (farmland preservation, protect Double Dunes)

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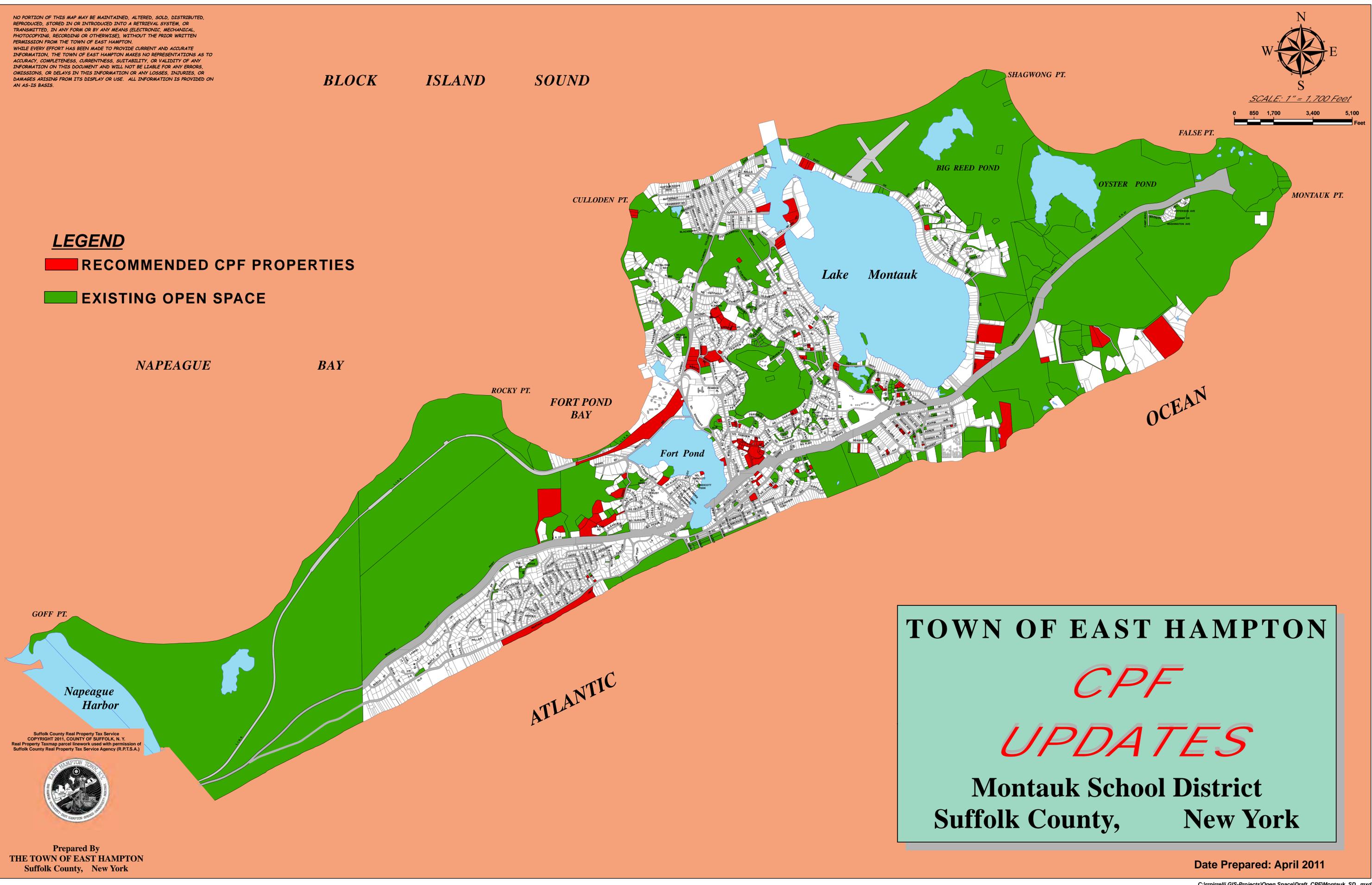


SCALE: 1" = 1,700 Feet



**LEGEND**

-  **RECOMMENDED CPF PROPERTIES**
-  **EXISTING OPEN SPACE**



**TOWN OF EAST HAMPTON**  
*CPF*  
*UPDATES*  
**Montauk School District**  
**Suffolk County, New York**

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

Date Prepared: April 2011

## Montauk School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
006-02-07.00	511 E Lake Dr.	0.930	adjacent to existing open space, Montauk shoreline, tidal wetlands, Harbor Protection Overlay District, dunes & early successional shrubs and woods	public acquisition
006-02-09.00	507 E Lake Dr.	1.960	building & dock, adjacent to existing open space, Montauk shoreline, tidal wetlands, Harbor Protection Overlay District, dunes & early successional shrubs and woods	public acquisition
006-02-10.00	501 E Lake Dr.	0.960	adjacent to existing open space, Montauk shoreline, tidal wetlands, Harbor Protection Overlay District, dunes & early successional shrubs and woods	public acquisition
006-02-11.00	495 E Lake Dr.	1.710	adjacent to existing open space, Montauk shoreline, tidal wetlands, Harbor Protection Overlay District, dunes & early successional shrubs and woods	public acquisition
006-03-31.01	2 Duryea Avenue	3.803	tidal wetlands, adjoins public access to south	public acquisition
006-04-007	39 Star Island Road	5.195	tidal wetlands, Lake Montauk shoreline, woodland, shallow depth to groundwater, flood prone, archaeological resources	public acquisition
007-02-09.22	Lake Bottom	1.8 underwater	underwater land at Reed Pond Dreen, State Significant Habitat	public acquisition
009-01-01.01	280 Soundview Avenue	0.880	existing dwelling surrounded by park land, coastal bluffs	public acquisition for inclusion in the Culloden Point park
009-01-02.00	286 SOUNDVIEW DR	1.060	see 09-01-01.01	see 09-01-01.01
009-01-03.00	290 SOUNDVIEW DR	0.630	see 09-01-01.01	see 09-01-01.01
012-01-08.06	15 Star Island Road	1.430	tidal wetland, woodland, Lake Montauk shoreline (Star Island), shallow depth to groundwater, flood prone	public acquisition
012-01-08.1	21 Star Island Road	4.820	tidal wetland, freshwater wetland, woodland, Lake Montauk shoreline (Star Island), shallow depth to groundwater, flood prone	public acquisition

## Montauk School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
012-01-18.06	15 Star Island Road	1.400	tidal wetland, woodland, Lake Montauk shoreline (Star Island), shallow depth to groundwater, flood prone	public acquisition
012-02-03	Private road	0.776	landlocked moorland parcel surrounded by more than 90 acres of protected open space	public acquisition
012-03-07.012	77 Greenwich Street	1.308	Lake Montauk watershed, freshwater wetland, flood prone	public acquisition
012-03-07.002	321 West Lake Drive	4.800	moorland, freshwater wetlands, Lake Montauk (Great Pond) drainage shed	public acquisition
012-03-30.00	117 N. Greenwich St.	0.312	freshwater wetlands, standing water, flood prone, poor drainage	public acquisition
012-04-04.00	Lake Bottom	20.7 underwater	underwater land adjoining Star Island, State Significant Habitat	public acquisition
012-04-05.00	Lake Bottom	0.810	underwater land adjoining Star Island causeway, State Significant Habitat	public acquisition
012-04-06.00	2 Star Island Road	2.200	Lake Montauk (Great Pond) shorefront, beach access, scenic views, State Significant Habitat	public acquisition
012-04-07.01	332 West Lake Drive	1.300	Lake Montauk (Great Pond) shorefront, beach access, scenic views, State Significant Habitat	public acquisition
012-04-07.02	328 West Lake Drive	1.000	Lake Montauk (Great Pond) shorefront, beach access, scenic views, State Significant Habitat	public acquisition
13-2-1.002	280 East Lake Drive	1.001	SCWA well field and pump station	public acquisition
016-02-06.00	25 Farrington Road	3.800	SCWA well field, existing structures, moorland & downs, steep slopes, groundwater recharge area	private conservation if no longer needed for well field
016-02-13.00	56 Flamingo Avenue	4.300	SCWA water supply facilities (including water tower), steep slopes, groundwater recharge area, prominent hilltop land (Rocky Ridge), archaeological resources	private conservation if no longer needed for well field
016-02-14.01	22 Fenwick Pl.	1.510	steep slopes, moorlands/downs, prominent location	public acquisition

## Montauk School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
016-02-14.02	20 Fenwick Pl.	1.840	steep slopes, moorlands/downs, prominent location	public acquisition
016-02-14.03	68 Fairmont Rd	1.730	steep slopes, moorlands/downs, prominent location	public acquisition
016-02-14.04	66 Fairmont Rd.	1.700	steep slopes, moorlands/downs, prominent location	public acquisition
016-02-17.01	5 Florida Rd.	1.920	moorland & downs, adjoins protected open space and freshwater wetland	public acquisition
016-02-17.02	1 Florida Rd.	1.009	moorland & downs, adjoins protected open space and freshwater wetland	public acquisition
016-2-19.02	55 Fairmont Avenue	2.300	SCWA well field, groundwater recharge area	private conservation if no longer needed for well field
016-02-22.00	91 Fairview Avenue	5.600	historic structure (former Manor barn), freshwater wetlands, steep slopes, archaeological resources	private conservation (protect historic barn & setting)
19-1-1.4	269 Fairview Ave.	1.120	moorland vegetation, adjoins block of protected moorland and freshwater wetlands.	public acquisition
19-1-24.4	34 Flanders Rd	0.486	part of block of moorland vegetation	public acquisition
19-1-24.2	26 Flanders rd	0.603	part of block of moorland vegetation	public acquisition
19-1-24.3	30 Flanders Rd	0.582	part of block of moorland vegetation	public acquisition
19-1-24.5	22 Flanders Rd	0.698	part of block of moorland vegetation	public acquisition
19-1-26.6	33 Farrington Rd	1.215	part of block of moorland vegetation	public acquisition
19-1-26.7	31 Farrington Rd.	1.030	part of block of moorland vegetation	public acquisition
019-1-20.1	167 Fairview Avenue	0.997	freshwater wetlands and moorland	public acquisition
019-01-25.00	40 Flanders Road	3.700	SCWA well field, existing structures, moorland & down, steep slopes, groundwater recharge area	private conservation if no longer needed for well field
019-04-14.01	20 Gloucester Avenue	0.454	contains Peter's Run and freshwater wetlands, flood prone	public acquisition
019-05-22.04	Lake Bottom	<1.0 underwater	underwater land at mouth of Peter's Run, State Significant Habitat	public acquisition
019-05-22.13	Lake Bottom	1.700	underwater land at mouth of Peter's Run, State Significant Habitat	public acquisition

## Montauk School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
019-06-09.07	103 Fairview Avenue	0.480	contains slopes, pond and adjoining wetlands	public acquisition
019-07-30.03	20 Gates Ave.	0.469	freshwater wetlands, poor drainage, flood prone	public acquisition
019-07-44.08	19 Georgia Place	0.466	adjoins freshwater wetlands and Peter's Run, poor drainage, may lack dry access	public acquisition
019-07-44.11	67 Gilbert Road	0.429	freshwater wetlands and Peter's Run, poor drainage, Lake Montauk watershed	public acquisition
19-7-44.21	15 Garfield Ave.	0.458	extensive freshwater wetlands, part of Lake Montauk primary watershed, adjoins extensive protected open space to the south	public acquisition
19-8-1.007	89 Fairview Ave.	0.774	extensive freshwater wetlands	public acquisition
019-10-01.04	18 Garfield Ave	1.120	Lake Montauk watershed, freshwater wetlands, adjoins protected and recommended open space	public acquisition
019-10-10.02	122 West Lake Drive	0.835	freshwater wetlands, flood prone, adjoins open space to the east and northeast	public acquisition
019-10-10.03	116 West Lake Drive	0.939	freshwater wetlands, flood prone, adjoins open space to the east and northeast	public acquisition
020-03-03.00	66 East Lake Drive	18.900	freshwater wetlands, moorland & downs, historic & archaeological resources, adjoins protected open space	public acquisition
020-03-04.00	44 East Lake Drive	0.241	freshwater wetlands that flow into Lake Montauk via culvert	public acquisition
020-03-15.00	30 East Lake Drive	0.977	wetlands, Lake Montauk watershed, adjacent to protected parkland	public acquisition obtain trail easement, easement over wetlands and buffer
020-03-16.00	28 East Lake Drive	0.889 acres	moorlands, wetlands, single family residence, part of moorland block	protect undeveloped portion of lot
020-03-19.00	18 East Lake Drive	0.878	wetlands, Lake Montauk watershed, adjacent to protected parkland	public acquisition obtain trail easement, easement over wetlands and buffer

## Montauk School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
020-03-20.00	16 Montauk Hwy	5.600	wetlands, lake Montauk watershed, drainage ditches, old trail, maritime shrub forest	public acquisition acquire 50' wide strip for trail protection easement over wetlands and upland buffer
020-06-03.05	10 South Genesee Court	0.455	low elevations, freshwater wetlands associated with Stepping Stone Pond, flood prone	public acquisition
021-02-03.05	Old Montauk Highway	2.000	pasture land	PDR to maintain agriculture
021-2-24.011	110 Old Montauk Highway	6.450	moorland, freshwater wetlands, contiguous to large block of protected open space	public acquisition
021-2-24.012	108 Old Montauk Highway	5.585	moorland, freshwater wetlands, contiguous to large block of protected open space	public acquisition
022-01-07.00	190 Old Montauk Hwy	40.200	ocean front bluffs & moorland, (including Caswell's Point, freshwater wetlands, trails, Local Significant Habitat	public acquisition
027-02-17.00	215 Second House Road	47.600	LIRR Montauk train station & rail yard, existing dwelling & two private commercial uses, freshwater wetlands, pond (Little Fort Pond)	obtain parcel from MTA/LIRR and protect pond, wetlands and buffer area
028-0-0 Fort Pond Road, p/o South Edgemere St. & Echo Terrace	Roadway		unopened private roads freshwater wetlands (Wuchebehsuc), historic and archaeological resources (Massacre Valley), Fort Pond drainage shed, steep slopes	abandonment and incorporation into adjacent public land
028-01-32.00	16 Echo Terrace	0.350	archaeological resources (Massacre Valley), Fort Pond drainage shed, steep slopes	public acquisition
028-01-33.00	10 Echo Terrace	0.180	archaeological resources (Massacre Valley), Fort Pond drainage shed, steep slopes	public acquisition
028-02-25.01	96 South Fairview Avenue	0.441	one of 3 adjoining parcels containing freshwater wetlands, adjoins Montauk Downs golf course	public acquisition

## Montauk School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
028-02-25.02	94 South Fairview Avenue	0.440	one of 3 adjoining parcels containing freshwater wetlands, adjoins Montauk Downs golf course	public acquisition
028-02-25.03	90 South Fairview Avenue	0.445	one of 3 adjoining parcels containing freshwater wetlands, adjoins Montauk Downs golf course	public acquisition
028-04-26.00	85 South Edgemere Street	1.136	eastern shoreline of Fort Pond, archaeological resources	public acquisition
28-5-5.2	15 South Fay Street	0.629	freshwater wetlands and moorland	public acquisition
28-5-5.5	11 South Fay Street	0.529	freshwater wetlands and moorland	public acquisition
028-05-23.02	12 South Fay Street	0.368	freshwater wetlands and ditches, adjoining to existing open space	public acquisition
028-05-28.01	6 South Fawn Street	0.340	part of an interconnected network of Montauk moorland & freshwater wetlands	public acquisition
028-05-28.05	172 South Essex Street	<1.0	part of an interconnected network of Montauk moorland & freshwater wetlands	public acquisition
028-05-28.06	8 South Fawn Street	0.326	part of an interconnected network of Montauk moorland & freshwater wetlands	public acquisition
028-05-45.00	26 South Faraday Street	2.300	part of network of freshwater swamps with interconnected streams, moorland, trail network	public acquisition
028-05-50.00	South Franklin Street	0.530	part of network of freshwater swamps with interconnected streams, moorland, trail network	public acquisition
028-05-51.00	South Essex Street	1.350	part of network of freshwater swamps with interconnected streams, moorland, trail network	public acquisition
028-06-4.001	161 South Fairview Avenue	0.503	part of network of freshwater swamps with interconnected streams, moorland, trail network	public acquisition
28-6-13.002	18 South Faber Street	1.000	SCWA future well field and pump station, part of moorland/wetland open space block	public acquisition
028-06-13.03	22 South Faber Street	0.449	freshwater wetlands, standing water, poor drainage, adjoins public well field	public acquisition

## Montauk School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
028-06-13.04	28 South Faber Street	0.457	freshwater wetlands, standing water, poor drainage	public acquisition
028-06-15	11 South Flagg Street	0.499	cleared vacant land adjoining large block of moorland and wetlands	public acquisition
028-06-16.02	17 South Flagg Street	0.483	cleared vacant land adjoining large block of moorland and wetlands	public acquisition
028-06-16.03	29 South Faber Street	4.600	part of network of freshwater swamps with interconnected streams, moorland, trail network	public acquisition
028-06-16.04	19 South Faber Street	0.466	cleared vacant land adjoining large block of moorland and wetlands	public acquisition
028-06-22.001	45 South Faraday Street	1.210	part of an interconnected network of Montauk moorland & freshwater wetlands	public acquisition
028-06-23.00	41 South Faber Street	0.326	part of an interconnected network of Montauk moorland & freshwater wetlands	public acquisition
028-06-24.00	33 South Faber Street	0.338	part of an interconnected network of Montauk moorland & freshwater wetlands	public acquisition
028-06-29.04	167 South Fairview Avenue	0.617	part of an interconnected network of Montauk moorland & freshwater wetlands	public acquisition
028-06-31.00	South Field Street	0.388	part of an interconnected network of Montauk moorland & freshwater wetlands	public acquisition
028-06-32.005	South Faber Street	0.103	part of an interconnected network of Montauk moorland & freshwater wetlands	public acquisition
028-06-32.006	South Falin Street	<1.0	part of an interconnected network of Montauk moorland & freshwater wetlands	public acquisition
028-06-32.07	South Faber Street	0.686	part of an interconnected network of Montauk moorland & freshwater wetlands	public acquisition
028-09-01.000	12 South Flagg Street	2.700	part of network of freshwater swamps with interconnected streams, moorland, trail network, adjoins protected open space	public acquisition
029-01-18.08	30 North Surfside Avenue	0.528	freshwater wetlands, adjoins protected open space	public acquisition
029-01-19.06	25 Fisher Place	<1.0	freshwater wetlands, adjoins protected open space	public acquisition

## Montauk School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
030-0-0, 31-0-0 Otis Road (between Benson Dr. & Hoppin Ave.)	Roadway		unopened (private) road, freshwater wetlands, Crane Creek drainage into Lake Montauk (Great Pond)	public acquisition
031-01-09.00	31 Brisbane Road	0.172	freshwater wetlands and surface waters, flood prone	public acquisition
031-02-22.00	40 Caswell Road	0.189	freshwater wetlands and standing water, flood prone	public acquisition
031-02-32	38 Agnew Avenue			
031-03-02.05	10 Brisbane Road	0.209	freshwater wetlands, flood prone	public acquisition
031-03-03.00	20 Brisbane Road	0.661	freshwater wetlands, poor drainage, \ flood prone	public acquisition
031-03-04.00	26 Brisbane Road	0.167	wetlands associated with drainage ditch running length of parcel to south, flood prone	public acquisition
031-3-05.00	28 Brisbane Road	0.166	wetlands associated with drainage ditch running diagonally across parcel, flood prone	public acquisition
031-03-10.00	8 Reuter Place	0.168	freshwater wetlands, adjoins open protected open space to west	public acquisition
031-03-41.00	15 Otis Road	0.168	freshwater wetlands, standing water, flood prone	public acquisition
032-01-01.00	38 South Greenwich Street	<1.0	freshwater wetlands, Stepping Stones Pond and Lake Montauk (Great Pond) drainage shed, adjoins protected open space (Town-owned wetlands).	public acquisition
032-01-02.10	6 South Genesee Ct.	0.423	freshwater wetlands, adjoins protected open space	public acquisition
032-01-02.13	26 South Fulton St.	0.461	freshwater wetlands, adjoins open space	public acquisition
032-02-02.00	9 South Fulton Drive	<1.0	freshwater wetlands, Lake Montauk (Great Pond) drainage shed, adjoins protected open space	public acquisition

## Montauk School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
032-02-03.00	7 South Fulton Drive	<1.0	freshwater wetlands, Lake Montauk (Great Pond) drainage shed, adjoins protected open space	public acquisition
032-02-04.00	65 Old West Lake Drive	<1.0	freshwater wetlands, Lake Montauk (Great Pond) drainage shed, adjoins protected open space	public acquisition
032-02-05.00	61 Old West Lake Drive	0.350	freshwater wetlands, Lake Montauk (Great Pond) drainage shed, adjoins protected open space	public acquisition
032-02-06.00	57 Old West Lake Drive	0.350	freshwater wetlands, Lake Montauk (Great Pond) drainage shed, adjoins protected open space	public acquisition
032-02-11.01	23 South Greenwich Street	0.576	freshwater wetlands	public acquisition
032-02-35.00	16 South Goodrich Place	0.620	freshwater wetlands, Lake Montauk (Great Pond) drainage shed, adjoins protected open space	public acquisition
032-04-18.00	18 Miller Avenue	0.574	stream & freshwater wetlands bisecting front of lot	public acquisition
032-07-06.00	26 Seaside Avenue	0.973	freshwater wetlands, adjoins Shadmoor State Park	public acquisition
033-01-03.00	none	0.087	moorland, freshwater wetlands, adjoins Amsterdam Beach Parkland, landlocked	public acquisition
033-03-04.00	165 Deforest Road	19.800	rebuilt historic dwelling, oceanfront bluffs & moorland (Frisbies Point, Great Bend), freshwater wetlands, scenic views, partly within Montauk Association historic district, Local Significant Habitat, surrounded by protected open space	public acquisition/private conservation
044-01-01.00	365 Montauk Hwy	30.000	Town-owned land, former Montauk Landfill now partly used as Montauk Recycling & Transfer Station, eastern part of Hither Hills/Hither Woods open space block (approx. 3,000 acres), scenic views, trail corridor, near public water supply wells, adjoins protected open space	reuse for active recreation facility or allow to revert to natural state

## Montauk School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
044-01-09.04	385 Montauk Highway	2.231	woodland, part of Hither Hills open space block (approximately 3,000 acres)	public acquisition
048-00-00.00. South Davis Avenue (South Davis Drive)	Roadway		unopened private road (unopened from Suffolk County Water Authority property north to Old Midland Rd.), adjoins protected open space	abandonment and incorporation into adjacent Montauk Mountain Preserve
048-02-04.05	130 second House Road	2.700	wooded, steep slopes, swale, freshwater wetlands, Fort Pond watershed	public acquisition
048-02-21.04	35 South Endicott	0.562	peninsula at end of S. Endicott, Fort Pond shorefront	public acquisition
048-03-02.02	1 Fort Lane	1.000	woodland, adjoins protected open space	public acquisition
048-03-11.00	16 Midland Road	5.000	woodland, part of Hither Hills open space block (approximately 3,000 acres)	public acquisition
048-03-12.02	41 Upland Road	2.5	Hither Hills woodland, trail corridor	public acquisition
048-03-13.00	28 Upland Road	3.341	woodland, part of Hither Hills open space block (approximately 3,000 acres)	public acquisition
048-03-18.00	22 Upland Road	5.485	woodland, part of Hither Hills open space block (approximately 3,000 acres)	public acquisition
048-03-22.10	31 Upland Road	7.614	woodland, part of Hither Hills open space block (approximately 3,000 acres)	public acquisition
048-03-53.01	Midland Road	5.200	SCWA well site, protected plant species, eastern part of Hither Hills/Hither woods open space block (approx. 3,000 acres), adjoins protected open space	public acquisition/private conservation if SCWA ceases to use site for public water supply well
049-02-21.00	7 South Etna Avenue	0.557	freshwater wetlands in southwestern portion of lot, poor drainage	public acquisition
049-02-18	79 South Etna Ave	0.329	freshwater wetlands, stream, moorland vegetation	public acquisition
049-04-01.00	90 South Erie Avenue	1.900	existing school & other buildings (Little Flower Roman Catholic grade school), playground, open fields	public acquisition in whole or in part if & when property becomes available (for downtown Montauk Park and active recreation facilities)
052-01-09.03	74 S. Essex St.	0.538	freshwater wetlands, standing water, poor drainage, flood prone	public acquisition

## Montauk School District Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
052-01-10.03	835 Montauk Highway	0.496	freshwater wetlands, steep slopes, highway corridor	public acquisition
052-01-12.00	9 South Faraday Street	0.652	freshwater wetlands, standing water, poor drainage	public acquisition
052-01-14.00	19 South Faraday Street	0.600	freshwater wetlands, standing water, poor drainage	public acquisition
067-04-34.00	500 Old Montauk Hwy	34.900	oceanfront bluffs & moorland, Benson Reservation, scenic views, public beach access	obtain consent of landowner Montauk Beach property Owners Association (MBPOA) for rezoning to Parks & Conservation
072-2-25	57 Lincoln Rd.	0.122	extensive freshwater wetland, large area of standing water, flood prone adjoins protected open space	public acquisition
072-2-28	69 Lincoln Rd.	0.231	Extensive freshwater wetlands, standing water, flood prone	public acquisition
070-04-23.00	54 Lincoln Road	0.304	freshwater wetlands, standing water, poor drainage	public acquisition

*Village of East Hampton*

*Open Space Program*

*Planning, Management & Implementation*

*Prepared By*

*Gene E. Cross, Jr., AICP*

*September 8, 2009*

*Revised Open Space Plan Adopted By The Board of Trustees December 18, 2009*

*The Board of Trustees  
of the  
Incorporated Village of East Hampton*

*Paul F. Rickenbach, Jr., Mayor*

*Barbara Borsack*

*Elbert T. Edwards*

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*Forward*

In 1998 this Open Space Program was the first Comprehensive Plan element adopted by the Village Board of Trustees. The adoption of this Program set the stage for the Village Comprehensive Plan which followed in 2002.

In 1998 voters approved the Community Preservation Fund whereby proceeds from a 2% real estate transfer tax were made available for open space acquisitions. The Village of East Hampton entered into an agreement with the Town of East Hampton to share the proceeds from this 2% transfer tax. As stipulated by this agreement, properties in the Village acquired with monies from this fund would be owned by the Town of East Hampton but managed exclusively by the Village. An example of this relationship was the acquisition of the property known as the Buick Dealership which was purchased jointly but is being managed by the Village.

The Community Preservation Fund moneys can only be applied to properties identified in the Community Preservation Project Plan in accordance with Section 64-e of the New York State Town Law. This allows the Village and Town to update its list of proposed acquisitions from time to time. Accordingly, this document is the second revision of the original Open Space Program, re-addressing and expanding the programs within the preceding documents. The most notable addition at this time is the Historic Preservation Program to further facilitate the protection and preservation structures and properties that form a substantial contribution to the historic character of the Village.

In 2002, the Village adopted the Comprehensive Plan which contains a series of prioritized recommendations which are reviewed by the Planning and Zoning Committee (see Addendum). Implementation of these recommendations is the ongoing focus of the Planning & Zoning Committee. Where deemed appropriate

and necessary, legislation to implement these recommendations is drafted, reviewed and then forwarded to the Board of Trustees for public hearing and possible adoption into the Village Code. While many of these recommendations have been acted upon, others remain to be considered. Gradually, the Village Code is being brought into alignment with the Comprehensive Plan.

In 2004, revisions to this document were made to further the notion that it is necessary to understand a problem prior to effecting a solution. A clear understanding of development potential, the predominance of redevelopment and the posture of the Village in the review of applications is critical in order to identify:

- which open spaces should be protected;
- how existing procedures should be expanded and improved;
- what procedures need to be initiated, and;
- what mechanisms need to be created.

Over the years, public and private holdings have been amassed constituting significant open spaces. Such holdings include Herrick Park, the Nature Trail and the Maidstone Club as well as Village Greens at Banister Park, Town Pond, the Sheep Fold, Methodist Lane, Egypt Lane and various Nature Conservancy holdings. This assemblage of open space is accented by the waters of Hook Pond, Georgica Pond and the Atlantic Ocean. In addition, the Village has acquired numerous easements on private property over the years.

This revision reflects various changes, established open space since 2004 as well as additional recommendations.

*Introduction*

The Village has been growing and developing for over three-and-a-half centuries. As a result, few vacant parcels remain and few opportunities to create new lots remain. In 1987, all Residential Districts were rezoned so as to greatly diminish the number of potential new lots that could have been created through subdivision activity. Although there remains limited potential for new development, Village agencies have the more challenging task of managing redevelopment whereby existing development patterns dictate. Significant opportunities exist to implement broad policies within this process of ongoing change.

Numerous impacts are associated with extensive existing development. Consequently, the review of an application usually involves an attempt to mitigate existing impacts along with potential impacts. This additional complication dictates that Village agencies strive to attain the epitome of "good planning," where the needs of the applicant are recognized within the context of the Village Code in order to achieve what is best for the community.

As the village is already extensively developed, the process of redevelopment is most prevalent. Public and private partnerships are necessary to bring about the protection of open space on a parcel-by-parcel basis.

The Comprehensive Plan for the Village of East Hampton states as one of its goals "to protect and preserve the Village's great beauty and natural areas." Among the objectives in furtherance of this goal are to "protect open spaces that will further preserve the scenic, ecological, and historical character of the Village"; to "continue to preserve and protect the Village's beaches, primary dunes, and double dunes"; and to "protect and preserve the Village's wetlands". Another stated goal of the Comprehensive Plan is to "protect and preserve the historic character of the

Village" with the objective of adding "to the Village's inventory of historic resources (sites, structures, open spaces and landmarks)". In furtherance of these goals, the Village Board of Trustees acted in 2007 to authorize the Planning Board to utilize the tools available pursuant to §7-738 of New York State Village Law and permit the Planning Board to require the implementation of a cluster subdivision plan where in the Planning Board's discretion "such a plan will promote the most appropriate use of land, preserve the natural and scenic qualities of open lands, preserve agricultural lands, protect cultural and historic sites and promote flexibility in planning and design to encourage and promote the most appropriate use of land."

In a community with hundreds of acres of land yet to be subdivided, the adoption of mandatory cluster provisions would be an invaluable tool. However, given the extent of existing development, the Village must continue to rely upon other means of protecting open space features.

An important distinction has been made between "open space" and "the character of the village." While open spaces contribute to the character of the village, village character is not a substitute for open space. To a large extent, the character of the village has been shaped by zoning and other controls. Open space is achieved by acquisition or some legal device such as an easement.

An easement is a public benefit over private property wherein the property owner retains title. The easement method of restricting the use of property by agreement can be used by local government as a means of protecting open space. Section 247 of the General Municipal Law empowers a county, city, town or village to acquire open space easements. This law also provides that the valuation placed on any such open space or area for

purposes of real estate taxation shall take into account and be limited by the limitation on future use of the land.

The Open Space Policy of the Village has evolved over time. Subsequently, the initial adoption of this Program in 1998 and subsequent revision in 2004 together with the adoption of a Comprehensive Plan have contributed to the protection of various open space features. Various chapters of the Village Code already contribute to the policies and standards which effectively protect features such as beach grass, coastal areas, dunes, flood plains and wetlands. The adoption of legislation intended to protect these features such as Chapter 101, Coastal Hazard Erosion Areas; Chapter 124, Preservation of Dunes; Chapter 160, Flood Damage Prevention and Chapter 163, Freshwater Wetlands were important in recognizing these features and establishing requirements such as minimum setbacks to ensure their protection.

Properties considered for inclusion in the Open Space Program were identified by category, field inspection, review of tax rolls, and aerial photographs. This Program will:

1. establish the importance of open spaces both historically and culturally;
2. identify remaining potential open spaces;
3. outline adoption and acquisition procedures; and,
4. promote an open space planning and management program.

*Historic Background*

The design of the Village of East Hampton today is directly related to the way the settlement was plotted in 1648. The settlers laid out their plantations in typical Puritan New England fashion with a nucleus of houses and barns concentrated on either side of a wide common. Outlying lands were divided into lots for growing crops, pasturing livestock, and harvesting salt hay and timber.

The broad village common, which is now Main Street, was laid out on the plain north of Hook Pond. The common was flanked on either side by home lots of eight to twelve acres each. The home lots extended from the common east to Hook Pond and west to Highway Behind the Lots, presently known as Toilsome Lane.

The adjacent fertile plains were divided into lots for crops and pasture. The Eastern Plain, extending from Egypt Lane east to Cross Highway, was divided into large lots defined and accessed by Further, Middle and Hither Lanes. Great Plain ran from Hook Pond to Lily Pond and Little Plain from Lily Pond to Georgica Pond.

Each of the proprietors lived at the farmhouse on his Main Street home lot and traveled to a number of scattered outlying lots to tend to his crops and livestock. This pattern continued in East Hampton into the twentieth century. Even today, farmers utilize some of the same scattered outlying fields. East Hampton is one of the few places where the original design of a seventeenth-century New England agricultural plantation is still so evident.

The discovery by artists of East Hampton's picturesque agrarian landscape in the last quarter of the nineteenth century led to the establishment of the "summer colony." The intact design of the original settlement provided ample open land adjacent to the

Main Street core for new development. The heart of the summer colony extended from the south end of Main Street into the open fields of the Great Plain along Ocean Avenue and Lily Pond Lane.

Main Street home lots were subdivided and roads built to accommodate new summer cottages on Hunting Lane and Dunemere Lane. During the twentieth century the continued division of the original home lots has resulted in the following residential streets: Fithian Lane, The Circle, David's Lane, Sara's Way, Pondview Lane, Dayton Lane, Meadow Way, and Mill Hill Lane.

The Eastern Plain began to be developed early in this century. Here, the large agricultural lots were suited to sizable estates in comparison to the more modest scale of the earlier summer colony on the Great Plain.

Today, many landscapes, open spaces and neighborhoods give the village its historic character. The Main Street core and many outlying properties are reminders of East Hampton's first 250 years as an agrarian community. Certain landscapes still recall the picturesque beauty of turn-of-the-century East Hampton which inspired the visiting artists, who promoted the village as a summer retreat. The summer colony of unpretentious, shingled cottages which grew along Ocean Avenue into the Great Plain developed its own open and informal neighborhood character. The scale and openness of the larger summer estates on the Eastern Plain complement the few remaining open agricultural parcels.

Although greatly simplified, this summary of the evolution of the village demonstrates that many remaining open spaces and landscapes have a vital historic and cultural value.

*Past Methods*

## PAST METHODS

The Village has amassed an extensive system of open spaces by a variety of methods over the past three-and-a-half centuries.

## ACQUISITIONS

In the past, acquisition has provided the most definitive means of securing open space, by taking properties out of private ownership and the realm of development. In the Village of East Hampton, such acquisitions have significantly distinguished the agrarian, historic and cultural character of the community.

Examples of past open space acquisitions include: the Hook Mill Green at the north end of Main Street; the property associated with the former Sea Spray Inn at the Main Beach, and the Sheep Fold at Egypt Lane, Gay Lane and Pantigo Road. More recent purchases include: the lawn between Main Street and what was known as the Old Barn Bookshop; the residential parcel that adjoined Herrick Park on Newtown Lane; the Gardiner Mill Lot on James Lane, and the former Mark R. Buick property at Pantigo Road and Accabonac Road.

## GIFTS

A number of open space holdings have been gifted, most notable of which are several parcels which make up the Nature Trail. Others include Herrick Park (managed by the Neighborhood Association), and a two-acre addition to the Nature Trail south of David's Lane.

## EASEMENTS

Though not an outright gift, the dedication of easements to the Village results in a significant allocation of open space. Easements which protect open space exist in a variety of forms. The mutual benefit is that the public enjoys the protection of an open space feature while the landowner retains title. Such easements are created in accordance with Section 247 of General Municipal Law, "Acquisition of Open Spaces and Areas."

The provisions of this Section of State Law read as follows:

1. Definitions. For the purpose of this chapter an "open space" or "open area" is any space or area characterized by (1) natural scenic beauty or, (2) whose existing openness, natural condition, or present state or use, if retained, would enhance the present or potential value of abutting or surrounding urban development, or would maintain or enhance the conservation of natural or scenic resources. For purposes of this section natural resources shall include but not be limited to agricultural lands defined as open lands actually used in bona fide agricultural production.
2. The acquisition of interests or rights in real property for the preservation of open spaces and areas shall constitute a public purpose for which public funds may be expended or advanced, and any county, city, town or village after due notice and a public hearing may acquire, by purchase, gift, grant, bequest, devise, lease or otherwise, the fee or any lesser interest, development right, easement, covenant, or other contractual right necessary to

achieve the purposes of this chapter, to land within such municipality. In the case of a village the cost of such acquisition of interests or rights may be incurred wholly at the expense of the village, at the expense of the owners of the lands benefited thereby, or partly at the expense of such owners and partly at the expense of the village at large as a local improvement in the manner provided by article twenty-two in the Village Law entitled "Local Improvements."

3. After acquisition of any such interest pursuant to this act the valuation placed on such an open space or area for purposes of real estate taxation shall take into account and be limited by the limitation on future use of the land.

4. For purposes of this section, any interest acquired pursuant to this section is hereby enforceable by and against the original parties and the successors in interest, heirs and assigns of the original parties, provided that a record of such acquisition is filed in the manner provided by section two hundred ninety-one of the Real Property Law. Such enforceability shall not be defeated because of any subsequent adverse possession, laches, estoppel, waiver, change in character of the surrounding neighborhood or any rule of common law. No general law of the state which operates to defeat the enforcement of any interest in real property shall operate to defeat the enforcement of any acquisition pursuant to this section, unless such general law expressly states the intent to defeat the enforcement of any acquisition pursuant to this section.

As a consequence of this legislation, numerous Scenic and Conservation Easements have been dedicated in the history of the village. The terms and conditions of these easements are individualized yet can be generally categorized with respect to the feature(s) designated for protection.

Buffer, Agricultural, Duneland and Wetland Easements each contain specific terms and conditions relative to the features which they seek to protect. Buffer Easements constitute a general category which protect some form of vegetation such as a hedgerow or a wooded area. Agricultural Easements usually preserve the soil and retain the open vistas while making the land available for some form of agricultural use. Duneland Easements and Wetland Easements are intended to protect natural features.

Years ago, Large Lot Easements evolved as a product of the subdivision process. When an applicant proposed the creation of a lot which exceeded the minimum lot size requirement of zoning by 150% or more, an easement precluding further subdivision was required. Further division of the burdened property was typically discouraged by limiting improvements to those associated with a single-family residence. Dedication of such easements on newly created lots in excess of 150% of the minimum lot size requirement served to prevent further subdivision of such lots. In many instances, the limitations of these Large Lot easements may have been rendered moot when the Village rezoned Residential Land d in 1987. For example, lots which exceeded 150% of the minimum lot size requirement of 40,000 square feet, prior to the upzoning, may no longer exceed the current minimum lot size requirement of 80,000 square feet by 150%.

Among the easements which have been dedicated in connection with developed properties, approximately half are Large Lot Easements.

Most of these easements came about prior to the 1987 rezoning. Prior regulations governing the division of property provided an inducement to create four lots or less, known as a Minor Subdivision or Subdivision Waiver. In this process, an extensive review was abbreviated and certain requirements (including the creation of streets) were waived. This form of division was prevalent whenever the potential yield did not warrant the additional expense of time and money associated with the requirements applicable to a full subdivision. As a consequence, land owners opted to create four lots or less and thereby avoid the requirements applicable to major subdivisions. In sacrificing density, these lots often exceeded minimum lot area requirements. Large Lot Easements were offered to preclude further subdivision and ensure that the limited improvements required at the time of subdivision would remain adequate. Consequently, Minor Subdivisions (Subdivision Waivers), which generated numerous Large Lot Easements, have been an effective tool in further controlling density and retaining the character of the village in the form of large lots.

Comparatively, there are relatively few easements protecting dune lands and wetlands.

### ZONING AND OTHER CONTROLS

Existing “open spaces” are part of village character. In addition to the aforementioned techniques, other measures have helped contribute to and protect natural and cultural features.

As noted, the Village opted to rezone all Residential Districts in 1987. In so doing, the emphasis was to limit density and future development in order to retain village character. At the

time, a possible alternative might have been to adopt subdivision regulations which could have included “mandatory clustering” to secure open spaces in the form of Reserved Areas. This alternative would not have reduced density and would have affected only those parcels with remaining development potential of more than four lots. While “open spaces” might have been extracted in the form of Reserved Areas, development of these properties would have occurred at a higher density. In contrast, the rezoning had a more uniform effect on all residential lands and respected the existing development pattern. With the exception of certain Filed Maps, all Residential Districts were rezoned as noted in the following table:

Prior to Upzoning	After Upzoning
Residence District C (12,000 sq. Ft.)	Residence District R-20 (20,000 sq. ft.)
Residence District B (20,000 sq. Ft.)	Residence District R-40 (40,000 sq. ft.)
Residence District A (40,000 sq. ft.)	Residence District R-80 (80,000 sq. ft.)
Residence District AA (80,000 sq. ft.)	Residence District R-160 (160,000 sq. ft.)

Other than minimum lot size requirements, the dimensional requirements were retained for each district with respect to the setbacks of the existing development pattern.

This increase in minimum lot size requirements for all residential districts contributed significantly to the character of the village in that it reduced further development potential and population density. The typical exclusionary effects of large-lot or open density zoning were offset by the predominance of small lots, many of which were less than one half acre in size, which existed at the time. Although this action rendered approximately 85% of the existing parcels lawfully preexisting, nonconforming with respect to

lot area, the broad diversity of parcel sizes within the Village provided a wide spectrum of housing opportunities.

As previously stated, this rezoning included lots which previously exceeded zoning by 150% for which Large Lot Easements had been dedicated. As a result of this rezoning, many of these lots are substandard in size by current minimum lot area requirements..

Given the extent to which the Village had developed over three and a half centuries, the 1987 rezoning affected most residential properties. Other alternatives such as tightening subdivision controls, rezoning of undeveloped land only, requiring a high percentage of Reserved Area and/or incorporating mandatory cluster would have only affected approximately 15% of the remaining parcels.

#### SUFFOLK COUNTY SANITARY CODE - ARTICLE 6

In 1987, the Suffolk County Department of Health Services adopted Article 6 of the Sanitary Code which created "Groundwater Management Zones." Generally speaking, the purpose of this Article is to protect groundwater resources by imposing density requirements over water recharge areas.

Suffolk County Department of Wastewater Management rates the design flow (water usage) of a single-family residence at 300 gallons/day. Most lands in the Village of East Hampton are located in Groundwater Management Zone IV where the maximum permitted density of the Health Department is 600 gallons of effluent a day for each 40,000 square feet of land. This translates

into a minimum lot size of 20,000 square feet per residence. Those portions of the Village lying north of Montauk Highway and west of Main Street are in Zone V where the maximum density is 300 gallons of effluent a day or a maximum density of one house for each 40,000 square feet of land.

In addition to compliance with Village Zoning, the subdivision required approval of the Health Department as well as that of the Planning Board. Years ago, the most restrictive density requirements of the two agencies prevailed. At the time, the consequences of Article 6 were:

- that the division of land in Zone V is subject to a minimum standard of one lot/40,000 sq. ft. regardless of Village Zoning, and
- that the Health Department requirements validate the Village's minimum lot size requirement of 20,000 sq. ft.

The Health Department Density Requirements of one house for each 40,000 square feet superseded the 20,000 square feet minimum of Village Zoning in place at the time..

Years ago, the Planning Board granted Preliminary Approval to "The Field Off Toilsome" (a.k.a. "The Borden Farm") in accordance with the provisions of Residence District R-20 (20,000 sq. ft.), only to grant Final Approval for 40,000 sq. ft. lots as a result of the Health Department's minimum lot size requirement. In the review of "The Field Off Toilsome" (11 acres) the Planning Board ascertained that fifteen acres represented the minimum acreage for viable agricultural use.

More recently, the Health Department is promoting the protection of ground water within the Pine Barrens Region. To accomplish this, applicants have the option of purchasing development rights within the Pine Barrens Region for transfer to outlying areas. To ensure that the residential density within the Village would not be increased by this program, the Village rezoned those properties lying north of Montauk Highway and west of Main Street from Residence District R-20,000 to Residence District R-40,000.

### EXISTING REVIEW PROCEDURES

Applications in various jurisdictions are heard and determined by the Design Review Board, the Planning Board and the Zoning Board of Appeals. Together with the review of site plans, subdivisions, variances and appeals, these Village agencies regulate natural and cultural features including coastal areas, dunelands, wetlands and properties located in Historic Districts. The current planning policy of the Village with respect to these features is evidenced by the existing regulations and controls of the Village Code which provide for the rigorous protection of these features. As an example, development along the ocean is controlled by Chapter 101, Coastal Erosion Hazard Areas, Chapter 124, Preservation of Dunes and Chapter 160, Flood Damage Prevention. Preservation of Dunes requires setbacks for the Atlantic Double Dunes east of Old Beach Lane which range between three hundred and five hundred feet landward of the Primary Dune Crest.

Properties abutting Georgica and Hook Ponds and other wetlands are subject to the most stringent setbacks in the State. These regulations manage existing development by encouraging the relocation of nonconforming sanitary systems to conforming locations 200 feet from the upper edge of wetlands.

Since adoption of the Commercial Districts in 2000, the Board of Trustees diminished coverage and created a transitional yard requirement. In 2004, this document was revised to include the Commercial Streetscape Program to promote the creation of open space in the commercial districts. Currently, the Planning & Zoning Committee is evaluating requirements pertaining to commercial properties.

Similarly, Historic District Guidelines manage the changes which may occur to those portions of the community which contribute most to its heritage.

The expansion and/or alteration of preexisting, nonconforming uses, other than residential uses in a residence district, are managed by a Special Permit Process which requires:

- 1) Preliminary Review by the Design Review Board;
- 2) Review and Approval by the Zoning Board of Appeals; and
- 3) Final Site Plan Approval by the Design Review Board.

Such a system of checks and balances is indicative of the type of review dictated by the extent of existing development. The priority must be to ensure that proposed changes will fit within the context of the existing development pattern of the village.

Beyond these existing measures, Recommended Actions of the Comprehensive Plan included Open Space considerations for commercial properties and have resulted in the adoption of Design Review Guidelines.

*Remaining  
Development Potential*

POTENTIAL NEW PARCELS REMAINING

Prior to determining which tools are most appropriate in securing protection of "open spaces," it is first necessary to examine the extent to which the village is already developed.

Approximately 90% of the residential land in the Village has been developed and redeveloped over the past three-and-a-half centuries. Of approximately 2,200 parcels, about 300 remain undeveloped. The character of the Village has evolved from this ongoing process. Local Law #16 of 1987 rezoned all of the residential lands in the Village in order to limit development and provide open areas. These changes were designed to increase the minimum lot area requirement of residential land throughout the Village. As a consequence of this action, the residential development potential of the Village was significantly reduced.

In 1987, the Suffolk County Health Department created Groundwater Management Zones with the adoption of Article 6 of the Sanitary Code. All lands north of Montauk Highway and west of Main Street are included in Zone V, wherein the minimum lot size is 40,000 sq. ft. These Health Department requirements supersede local zoning for properties north of Montauk Highway and west of Montauk Highway and North Main Street. In these instances, development potential is further restricted.

The following table clearly demonstrates that little development potential remains. More importantly, it becomes apparent that understanding the remaining development potential of the Village is critical in determining the appropriate means by which "open spaces" might be protected.

RESIDENTIAL PROPERTIES IN EXCESS OF FOUR ACRES WITH FUTURE DEVELOPMENT POTENTIAL

SCTM #	Size/Acres	District	Zone V	Yield	Soils	Use
301-2-7-8	5.2	R-20/80	Yes	4	Prime	Res. Estate
301-4-4-1	10.6	R-20	No	18	Prime	Agricultural
301-4-8-16	5	R-80	No	2	Some	Res. Estate
301-6-1-9.1	57.1	R-160	No	14		Res. Estate
301-7-3-2	8.2	R-160	No	2		Res. Estate
301-8-9-2.1	9.3	R-160	No	2	Prime	Res. Estate
301-8-12-13.4	6.7	R-80	No	2		Res. Estate
<hr/>						
7 Parcels	102.1 acres					44 Parcels
Net Increase (44-7) or 37 Parcels						

Note: Parcels are identified by Suffolk County Tax Map Number. The table then identifies the acreage of the parcel as indicated by the tax maps. In addition to identifying the Village Zoning District, the table notes whether or not the parcel is located in Zone V as established by the Health Department (if so, a minimum lot size of 40,000 sq. ft. applies). On the basis of parcel size and minimum lot size, a yield is established. Where a subdivision road is anticipated as necessary, the calculation was adjusted by estimating 110 feet of road per lot (by adding a factor of 5,500 sq. ft. per lot, 11,000 in Residence District 160). The presence of prime agricultural soils is noted as identified in the Suffolk County Soils Survey. The current use is indicated as either Agricultural or Residential Estate (Res. Estate). Note minimum lot area requirements are as follows: R-20 = 20,000 sq. ft.; R-40 = 40,000 sq. ft.; R-80 = 80,000 sq. ft. and; R-160 = 160,000 sq. ft.

(The Table does not include premises of the Maidstone Club. Refer to the map section in rear of report for location of these parcels).

Summary

There remain only seven parcels in excess of four acres with the potential for further subdivision in the Village. Four of these parcels could each be split into two lots. In addition to the two parcels having a potential yield in excess of four lots, there are numerous smaller parcels which exceed zoning and may have the potential to be divided into two or more lots. All inclusive, it is estimated that less than 100 new lots might be created by subdivision under current zoning as this number includes existing lots. The point is simply this: there is little potential for the creation of new lots in the Village.

Evidently, the past rezoning has severely limited the potential for further subdivision. Where such opportunities do exist, they generally occur at much lower densities than that of the surrounding area.

PARCELS REMAINING FOR AGRICULTURAL USE

The Village is located on a flat outwash plain along the shoreline of the Atlantic Ocean. Accordingly, a "General Soil Map" compiled by the United States Department of Agriculture, Soil Conservation Service in 1972 classifies the soils in the Village of East Hampton as either the "Bridgehampton - Haven Association" or "Dune Land - Tidal Marsh Association". The first of these two classifications includes most of the lands in the Village while the latter is restricted to the shoreline. As such, a significant portion of the Village is classified as "prime agricultural soil."

While any vacant parcel of land consisting of "prime agricultural soils" is viable for farming, the following are those in excess of four acres which have the potential to be further divided:

- The first parcel is situated between Lily Pond Lane and Apaquogue Road and is the most significant. This property (inclusive of two smaller parcels) is currently before the Planning Board as a 4 lot subdivision with easements and a Reserved Area in excess of 50 %. The property borders freshwater wetlands and, therefore, future improvements will be subject to the rigorous setbacks of Chapter 163, Freshwater Wetlands. These controls will protect a substantial portion of the property and ensure an adequate buffer about the wetland. SCTM #301-15-2-7.2, 12-7-6 & 9.3
- The second parcel is located east of Accabonac Road and directly south of the railroad tracks. While the parcel has good viability for agricultural use, it has no visibility to the public. The property has the potential to be divided into 18 lots in accordance with the provisions of the R-20 Residence District. This density may be constrained by the irregular shape of the property. SCTM # 301-4-4-1

These parcels total less than 32 acres and have the potential to be divided into a total of 22 lots , a net increase of 18 lots.

## RAMIFICATIONS

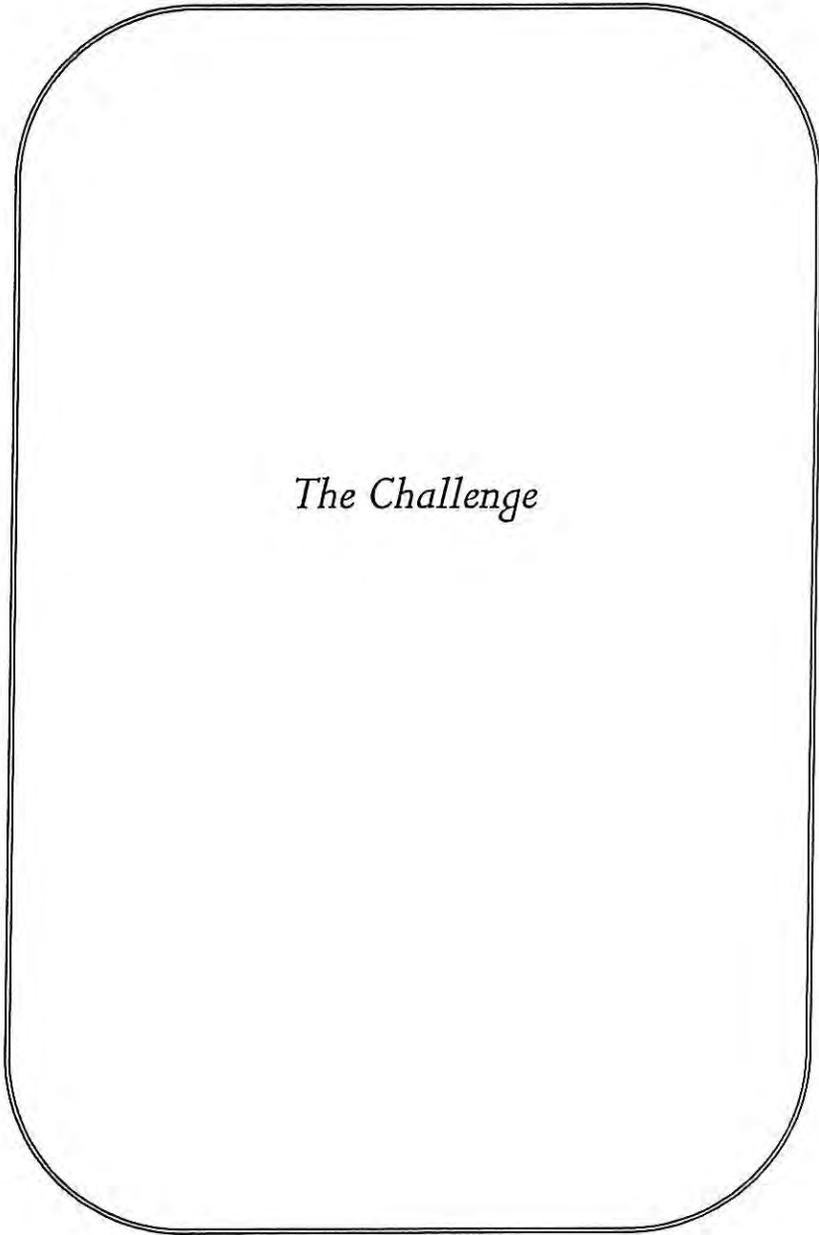
As noted in the Table, five of the seven properties can be divided into only four lots or less. The two remaining parcels in excess of four acres would be subject to current subdivision regulations and open space allocations.

Most of the potential subdivision activity of the Village has taken place. This is particularly true of lands bordering wetlands and dunelands which are in demand for residential development. The difficulty in creating meaningful, unified, open spaces in the Village is that features worthy of protection often transcend property lines and involve multiple property owners.

While acquisition of fee title or development rights is the most effective means of protecting property, the relatively high value of residential property in the village also enters the equation. Given the predominant condition of land which has already been subdivided and open space features which transcend property lines, the most effective and realistic method of protecting natural features is to enable the approving authorities to consider the creation of easements.

Therefore, it is fundamental that the Village adopt a program which targets these "open space" features, facilitates formalized methods of protecting these features one parcel at a time and offers a means to assemble the pieces into a unified whole. The extent of existing development also dictates that this Program incorporate policies with respect to ongoing redevelopment.

A direct appeal to the individual property owner may be the most straightforward approach to protecting a particular feature. However, implementation of this Comprehensive Plan Element is heavily dependent upon the consistent application of these Programs by the Village's agencies in the review of individual properties.



*The Challenge*

Planning in the Village of East Hampton is primarily about managing redevelopment. Approximately 90% of the residential land in the village is developed and an even higher percentage of commercial property is improved to some degree. In contrast to a community consisting primarily of large vacant tracts with extensive development potential, the extent to which the village is developed limits the "planning tools" available to implement this Open Space Program. As previously noted, the adoption of a mandatory cluster law in lieu of the decision by the Village Board to upzone in 1987 would have produced little benefit.

The review process for regulating Special Permit Uses, such as a preexisting nonconforming commercial use on residential property, which involves both the Design Review Board and the Zoning Board, is an example of a review procedure specifically designed to manage redevelopment.

Essentially, the extent to which the village is developed means that opportunities for the implementation of this Open Space Program are, for the most part, limited to review procedures which manage redevelopment.

The extent to which the village is already developed also raises an important consideration with respect to the nature of the review process. In reviewing proposals for undeveloped property, review logically focuses upon potential impacts. However, in the village, most property was developed long before the adoption of current rules and regulations. Therefore, undoing the impacts associated with existing development often presents as great a challenge as proposed redevelopment. Permit requests present an opportunity to mitigate impacts associated with the existing improvements as well as those associated with proposed redevelopment.

The process of redevelopment and change is ongoing. The opportunities to implement this Open Space Program require that such considerations be incorporated in the review procedures which regulate redevelopment. These changes need to be consistent with the overriding need to address impacts associated with existing development as well as the impacts associated with any proposed redevelopment. The goal is to develop a set of "open space" programs which are: consistent with the Village's policies regarding redevelopment; consistent with the principles of good planning; and consistent with the Village's Comprehensive Plan.

#### COOPERATIVE PLANNING

The policy of the Village is to work cooperatively with applicants within the framework of the Village Code to achieve what is most favorable for the community. Adoption of the Open Space Program, Commercial Districts Study and the Comprehensive Plan were important steps in achieving the vision for the future of the Village. The following policies, indicative of the way the Village manages its affairs were instrumental in achieving these goals:

A proactive approach attempts to deal with an anticipated problem before it occurs. A reactive approach deals with a problem after it is detected and is more appropriately termed crisis management.

A user-friendly approach facilitates people working together toward a common goal, consensus building and action. The concept of working

together results in more energy being expended toward an end beneficial to all concerned.

Planning is a cooperative effort between diverse interests to bring about solutions that benefit all concerned by defining goals and building consensus. Planning seeks to find solutions that benefit all concerned in contrast to solutions which tend to benefit one interest at the expense of another.

Planning is the process through which substantive community benefits are achieved. How the Village plans (procedural aspects of planning) is critical to its success in serving the community's needs (substantive aspects of planning). There is much to be gained from the process of planning, particularly in a community where residents are encouraged to participate and learn in the process.

Different planning processes may yield different results in terms of substance, efficiency and effectiveness.

Good planning thrives when planning decisions are made in accordance with long range goals and objectives.

The Village recognizes that good planning is that which strives to achieve the long range goals and objectives of the community as a whole.

The incorporation of these policies is just as critical to the success of this Open Space Program as it is to any other planning initiative and places the Village in a proactive stance. Identifying appropriate means of permanently protecting "open spaces" in a manner consistent with these policies is imperative.



*Available Tools*

## OPEN SPACE CHARACTER

Since the adoption of the first zoning map in 1925, a number of commercial uses along Montauk Highway have existed as preexisting nonconforming commercial uses in residential districts. This foresight, which served to eliminate “strip commercial zoning”, contributed significantly to the residential nature and character of the Village.

The predominant zoning classification of the Village, since 1987, is Residence District R-160 which requires almost four acres (160,000 sq. ft.) of land for an individual house lot. A significant portion of the balance of the Village is zoned Residence District R-80, which requires a minimum lot size of about two acres (80,000 sq. ft.). The most restrictive lot size employed by the Health Department for single family residential districts is one house per acre, while the least restrictive is one house per half-acre. These standards are based upon the capabilities of the soil and ground water conditions to handle waste and to ensure water quality. In comparison, the R-160 and R-80 districts are considered low or open density classifications and contribute significantly to the open space character of the Village.

The residential and open space character of the Village has recently been augmented by Code amendments which have been adopted in accordance with the Recommended Actions identified in the Comprehensive Plan. Residential Setbacks now relate to parcel size rather than Zoning District. Additional legislation restricts the maximum gross floor area of residences to 10% of the lot area plus 1000 sq. ft. and similarly restricts the gross floor area of accessory buildings to 2% of the lot area plus 200 sq. ft.

The Village has adopted a transitional yard requirement ensuring a buffer between residential and nonresidential uses. Establishing a minimum front yard setback for commercial properties outside the Core Commercial District, with adherence to the policy of placing buildings to the front of the site and parking to the rear, would be an effective means of controlling redevelopment and maintaining open streetscapes.

The Commercial District Study and Comprehensive Plan have recommended that the coverage limitation for commercial properties (all impervious areas) be reduced from 90% to 80% in the Core Commercial areas and 70% in areas outside the Core. Further limiting coverage will encourage two-story construction with little impact upon development potential.

Zoning has proven to be an effective means of establishing, protecting and preserving village character. While zoning controls continue to play an important role in defining the open space character of the village, they do not constitute open space.

## RESERVED AREAS

Reserved Areas are dedicated Open Spaces which typically evolve in the process of subdividing land predominantly in divisions of four lots or more. In that so few village properties are subject to full subdivision procedures, the creation of Reserved Areas has limited application and/or benefit.

## CLUSTERING

Clustering is a means of protecting natural and man made features while allowing development. Once a lot yield has been established for a property, the development is "clustered" away from more sensitive lands. This process applies only for full subdivisions (five lots or more). In that so few village properties are subject to full subdivision procedures, mandatory clustering has limited application and/or benefit.

## COVENANTS AND RESTRICTIONS

Other than dunelands and wetlands, there are few areas of indigenous vegetation in the Village. However, in the review of certain applications, it is apparent that areas of non-indigenous vegetation should be maintained. In such instances, a more effective means of managing development is the adoption of a set of Covenants and Restrictions. Such documents can be more comprehensive than easements and can facilitate management by incorporating procedures for review. For example, such a document could contain language that would allow modification (after a public hearing before the appropriate Board) by a majority plus one vote. Whereas easements are most appropriate in the management of natural resources, Covenants and Restrictions may be more effective in maintaining buffers between properties.

## PUBLIC OWNERSHIP

Public ownership is the most effective means of protection. There exist a variety of means to acquire land and/or development rights. In some instances, lands have been gifted for public use. In other instances, development rights have been gifted for tax benefits while the land remains in private ownership. Most of these properties are permanently protected by deed restrictions or some legal device. However, there may be public properties which are not so protected. In addition to easements, the Nature Conservancy holds title to a number of properties within the village. However, given the value of land in the village, wholesale public acquisition of property is prohibitive in many instances, particularly in the instance of larger parcels. Therefore, the expenditure of public funds should be evaluated on the basis of a prioritized list, public benefit and opportunity.

## THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

Effective January 1, 1996, the State Environmental Quality Review Act (SEQR) was modified to incorporate residential construction and associated improvements as Type II Actions (actions which require no review under SEQR). As a consequence, the ability of agencies to prepare an Environmental Assessment Form, Part II for the purpose of identifying impacts (both existing and proposed) and appropriate mitigation was removed. A constructive mechanism which generates conditions designed to mitigate impacts no longer applies to most applications. In particular, the ability to impose effective mitigation in the review of area variances was impaired by these changes to SEQR.

## THE ROLE OF THE AREA VARIANCE

The area variance has been the principal mechanism applied to coastal areas, dunelands and wetlands. In 1996 New York State adopted an expanded list of Type II Actions (actions which are not subject to review in accordance with SEQR). SEQR no longer applies in the instance of many applications such as those having to do with single-family residential construction, minor accessory structures and area variances (see Section 617.5 of 6 NYCRR). As a result, the mitigative measures which normally evolve from the SEQR process into conditions of approval do not arise in the review of such applications. While the review process allows conditions to be attached to determinations, each approval in regard to coastal, duneland and wetland setbacks is, by definition, the granting of a variance (see Chapters 101, 124 and 163 of the Village Code). Rather than mitigating the existing and potential impacts of development, the focus of the process is now about varying the requirements of the Code.

## EASEMENTS

In the past, various types of easements have been acknowledged as meaningful mitigation. The application and review procedures present an opportunity to mitigate both existing and proposed impacts.

The dedication of easements is applicable in the instance of a variety of natural and man-made features including dunelands, wetlands, vegetative buffers and building facades. Both dunelands and wetlands are linear systems that transcend property lines. Easements can be employed by any of the Boards in the instance of both residential and nonresidential properties.

Such dedications are not to be taken lightly, as they are customarily granted in perpetuity. The assessed value of a property with an easement is likely to have less value than a comparable property without an easement.

While a great deal of flexibility exists in the substance of easements, the procedure for exacting such dedications as a condition of land development approvals is a delicate matter. The relationship required by a recent United States Supreme Court decision is that impact fees are an appropriate and probably essential part of an exaction program that imposes burdens on property owners that are "roughly proportional" to the impacts of a proposed project. While it is appropriate for a municipality to impose an impact fee, the exaction of an easement should be credited toward such a fee. If the fee exceeds the value of the easement, the owner should pay the difference; if the value of the easement exceeds the fee, the landowner should be justly compensated. The higher property values associated with land in the village do not work in favor of an exaction program, where easements are required to offset the impacts of development. However, higher land values do provide a tax incentive for a voluntary program.

To the extent that redevelopment takes place, lot lines between properties are sometimes adjusted. A basic tenet of zoning is equal treatment of all properties within a given district under the law. Therefore, consistency is advisable to protect these features. Examples being the extent of easements (to the wetland edge or some distance beyond) and the width of transition or "no-mow" zones. For this reason, easements, as buffers between properties, must be given careful consideration.

Acknowledging the voluntary dedication of easements to be considered as possible meaningful mitigation for a project could serve to limit future development and compensate for the loss of the benefits previously derived from the SEQR process.

#### Historic Preservation Easements

These easements are tailored to protect the most important features of an individual property and may address any of the following: exterior features; interior features and spaces; timber frame components; potential expansion; setting and use.

#### Duneland Easements

Applications involving dunelands are subject to the provisions of Chapter 101, Coastal Erosion Hazard Areas; Chapter 124, Preservation of Dunes; Chapter 160, Flood Damage Prevention; and Chapter 278, Zoning (see Village Code). Chapter 124 of the Code treats dune formations east and west of Old Beach Lane differently. The area to the west is a primary dune formation which has seen considerable development while the area to the east is a double dunes (primary and secondary) system which, for the most part, has not been impacted by development.

While the double dunes system east of Old Beach Lane is appropriate for some form of protection, the primary dune west of Old Beach Lane is so impacted by development, reliance upon the Code provides the most effective and responsive means of control. Another area of dunelands

worthy of protection exists along the ocean frontage of certain properties on West End Road.

#### Wetland Easements

Village wetlands are those associated with Hook Pond and Georgica Pond and their tributaries, such as the natural drainage system which runs through the Nature Trail. To some extent, these features are protected by public holdings.

However, the majority of these lands are in private ownership and are developed. Inevitably, an owner will apply for some type of improvement. Such an application gives the land owner and the Village an opportunity to consider additional ways of protecting critical areas and offset impacts associated with existing development.

As a consequence of the legal complications which can ensue by imposing easements as a condition of an approval, landowner's should be put on notice that easements offered in conjunction with a redevelopment proposal may be considered and accepted as meaningful mitigation.

#### Scenic & Conservation Easements

The imposition of scenic and conservation easements is an effective means of protecting property while allowing the property owner to retain title and to enjoy tax relief.

### Agricultural Easements

Agricultural easements allow agricultural uses and prohibit certain kinds of development. Such easements have the potential to be employed over portions of smaller parcels containing prime agricultural soils. Such easements should not permit the growing of trees and shrubs for commercial landscaping, as such practices obfuscate the open vistas and diminish the resource of prime soils. As noted in the Section of this report entitled "Remaining Development Potential," page 14, three parcels of agricultural significance are offered for consideration.

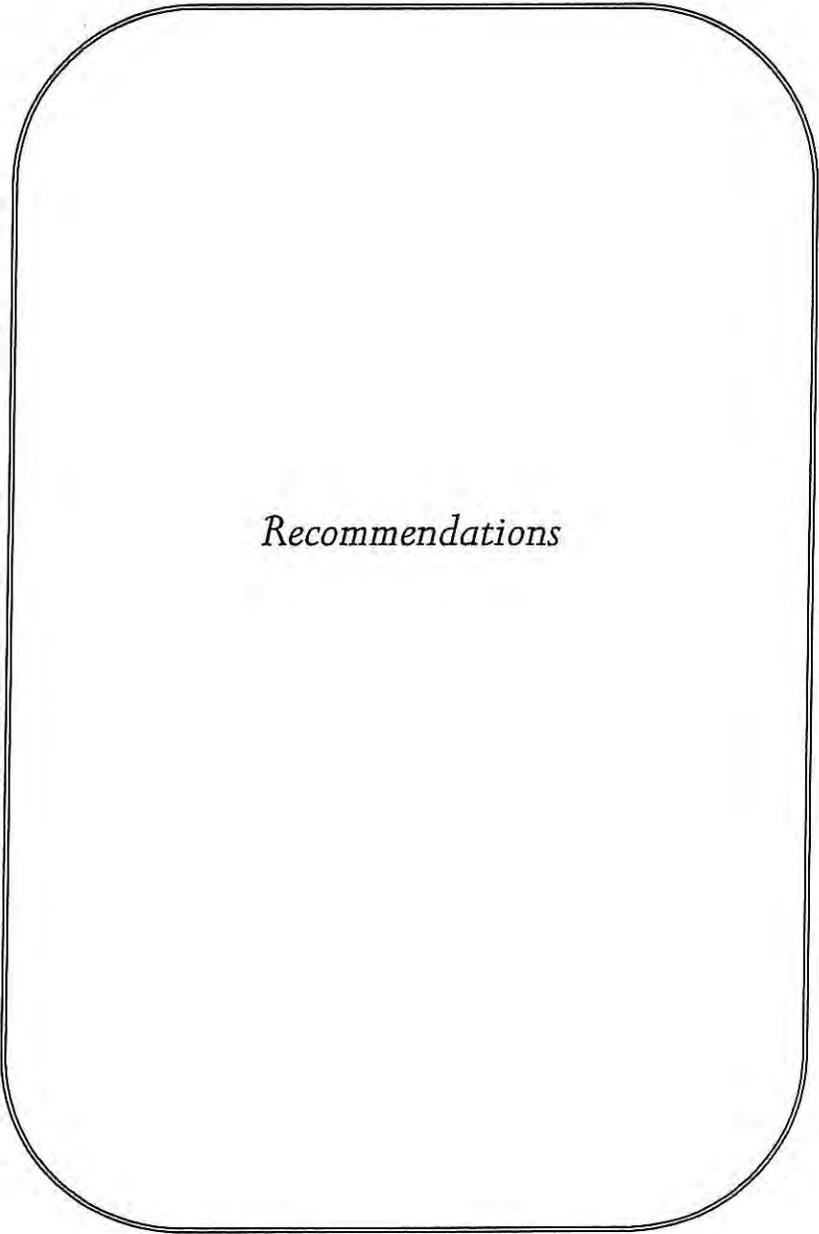
### Large Lot Easements

The opportunity to obtain Large Lot Easements is generally limited to the creation of parcels which exceed the minimum lot area requirements by 150%. In such instances, the dedication of a Large Lot Easement eliminates the prospect of a future area variance to further divide the property.

### SUMMARY

The above represent a variety of methods available to protect/procure open space and retain the character of the village which can be applied singularly or in combination. However, the high value of real estate and changes to SEQR emphasize the necessity for due diligence in regard to the implementation of the recommendations of this report, especially with respect to easements. While Village agencies continue to be successful in obtaining mitigation, property owners need to be made aware of acceptable mitigation measures (including the dedication of easements) as early as possible in the application and review process.

Parcels pertinent to this program are identified as Existing Public Lands and Easements, Recommended Open Space, Historic Places and Properties, Commercial Streetscape Conservation Program or Public Lands with Private Benefit.



*Recommendations*

TO FORMALLY READOPT THIS PROGRAM

This document is a Comprehensive Plan element which contains substantive and procedural recommendations and should be formally readopted by the Board of Trustees after appropriate public hearings. As implementation of the Program is largely contingent upon the dedication of easements, the Board should move forward to modify the Village Code to educate applicants and avail Village Agencies of this important tool.

The original version of this document was adopted by the Board of Trustees in July of 1998. Formal readoption of this revised document by the Board of Trustees is recommended.

ALTERNATE FUNDING FOR OPEN SPACE ACQUISITION

While the cost of real estate in the village is prohibitive, the acquisition of development rights provides a means of significantly reducing impacts associated with development. While Community Preservation Funds exist for joint Village/Town acquisition of properties listed in the Community Preservation Project Plan, there exist opportunities for the Village to acquire properties directly.

Prior to the creation of this fund, the Village acquired a small parcel just north of the Long Island Railroad right-of-way to the west side of North Main Street. This parcel (SCTM # 0301-04-01-31) was identified in conjunction with an adjoining property which is presently before the Town and Village Planning Boards as "The Village Lane" subdivision. At the present time, that portion of the property located within the village is proposed as a reserved area.

Two additional parcels along the frontage of Pantigo Road just west of Amy's Lane were also acquired with Village funds consistent with the purposes of the Village Corridor Conservation Program.

COMMUNITY PRESERVATION FUND

Pursuant to the agreement, any land purchased from the Fund will be owned by the Town of East Hampton unless purchased with the matching funds provision, in which case, the Village and Town will be co-owners. There was community concern about the Town owning or co-owning property located in the Village and this was addressed by the inter-municipal agreement adopted in 1998. (See Town/Village Agreement at the rear of this document.)

Other than approval of the 2% real estate transfer tax, efforts to implement the recommendations of this Program have been slow to come about. Village government has explored implementation through the efforts of the Peconic Land Trust and has protected several open spaces by acquisition or easement.

The principal deterrent has been finding property owners willing to sell their property. Real estate values in the village have forestalled implementation, as the anticipated value of land for purposes consistent with zoning often exceeds appraisal value.

PUBLIC/PRIVATE PARTNERSHIPS

The Comprehensive Plan did not support the creation of an Open Space Zoning District. Additionally, there has been limited interest and cooperation by the owners of the properties recommended for protection. Despite these circumstances, the Village needs to promote open space.

These observations justify the need to generate public awareness as a means of fostering the creation of public/private partnerships. As noted herein, code requirements and review procedures should be further enhanced to promote public awareness and cooperation.

TO ESTABLISH CRITERIA FOR ACQUISITION

Open space can serve a number of purposes: preservation and/or conservation, education, passive recreation, and/or active recreation. Most of the properties identified in this Program can be protected by the dedication of easements. However, certain properties are more appropriate for acquisition. Given the prohibitive value of land in the village, it will be necessary to utilize innovative means to acquire these lands.

The creation of a prioritized list could identify those parcels considered most readily available, as well as those most appropriate for acquisition. However, the priorities assigned by such a list could easily be disputed. More importantly, it is critical that the Village be prepared to act as opportunities arise.

Having determined that a parcel would be useful as open space for one purpose or another, the following examples illustrate the open space criteria necessary to distinguish when acquisition or other form of protection is appropriate:

SCTM #: 301-02-02-28  
301-02-02-29

These two parcels were the site of Vetault Flowers and residence which have been used as such since the early 1900's. They front on Newtown Lane, opposite Osborne Lane, in the Commercial Zoning District. Presently, the flower shop continues to exist while the residence has been returned to it's original use. The property also contains an old barn. Both of these properties have a high potential for redevelopment. The owner has sought to maintain the current character of the property and has been approached regarding the possibility of removing the threat of redevelopment for perpetuity.

The criteria which apply:

- Property with historic use
- Structures with historic significance
- High potential for redevelopment
- High visibility
- Potential open space with high pedestrian accessibility

SCTM #: 301-02-03-08  
301-02-05-02

These properties are located near the intersection of Toilsome Lane and Sag Harbor Turnpike and had the potential for further subdivision. One property presently contains a paddock while the other is cultivated annually. Acquisition of development rights is recommended.

The criteria which applied:

- Agricultural lands
- Potential for future development
- Located at an intersection
- High visibility to the community

SCTM #: 301-03-02-06.02

The Odd Fellows Hall is listed on the National Register of Historic Places. The front lawn could be acquired in much the same fashion as the front lawn of the Old Barn Book Store was acquired several years ago. An additional benefit would be the dedication of a facade easement to protect the historic character of this structure.

The criteria which apply:

- Historic significance
- High pedestrian visibility
- Unique open space in Core Commercial District
- Potential for redevelopment

SCTM #: 301-03-05-7.05

This property is located on Fithian Lane and has been the subject of a Wetland Application whereby minimal development has been approved. Consequently, only a Building Permit is required in order to proceed. The property is directly adjoining wetlands and lands of the Nature Trail.

The criteria which apply:

- Contains Freshwater Wetlands
- Undisturbed
- Adjoins the Nature Trail
- Potential for imminent development
- Potential to augment existing open space

SCTM #: 301-04-01-29

This property is located on the west side of North Main Street and is part of a larger parcel that extends into the Town of East Hampton. The property has been subdivided and that portion of the property within the Village was set aside as a Reserved Area. In addition to being visible, this open space allocation was further justified by presence of a major drainage swale. Subterranean and surface water traverses the site and contributes to the drainage shed leading through the Nature Trail to Hook Pond. As the parcel was overgrown, provision was made to clear the overgrowth and maintain its openness by mowing it twice a year. This open space is augmented by an adjoining parcel to the south (SCTM #:301-04-01-31), which was acquired by the Village as recommended by the Open Space Program and provides visual buffer along the railroad right-of-way.

The criteria which applied:

- Minimizing environmental effects to wetlands
- High visibility to pedestrian and vehicular traffic
- Management of roadside vista
- Potential to augment existing open space

SCTM #: 301-04-04-29

This property is an agricultural piece located on Pantigo Road between the phone company property and Town Hall. It was recommended for acquisition because of its high visibility and use as an agricultural parcel. Rather than outright purchase, acquisition of development rights was deemed more appropriate in order to encourage its continued use as an agricultural parcel. Nonagricultural uses were eliminated to protect the open vista..

The criteria which apply:

- Agricultural land
- High visibility to pedestrian and vehicular traffic
- Management of roadside vista

SCTM #: 301-06-01-06  
301-06-01-08

These relatively small parcels are located at the north side of Montauk Highway at the intersection of Daniels Hole Road and are included in the Open Space Program as elements of the Village Corridor Program. While the threat of development is low due to the size of the parcels, the

effects of development would be significant due to their high visibility.

The criteria which apply:

- High visibility from major vehicular corridor
- Potential for significant visual impact
- Management of road vistas and landscape
- Potential to augment existing open space

SCTM #: 301-07-05-1.1  
301-07-05-1.2  
301-07-05-1.3  
301-07-05-1.4

These four parcels, on Montauk Highway immediately east of Georgica Road, are part of an old subdivision that laid dormant for years. Several years ago, ownership changed and the parcels were developed. In the instance of one of the parcels, a hedgerow along the highway has been replaced by a retaining wall to hold back substantial fill which was brought in. These parcels were incorporated into the Open Space Program to preclude such development practices along the highway. While the Open Space Program recommended acquisition, any mitigation of further impacts should be explored.

The criteria which apply:

- High visibility from major vehicular corridor
- Potential for further visual impact
- Management of road vistas and landscape

SCTM #: 301-15-02-07.02

This parcel is known as the Olin Property, fronting on Lily Pond Lane and Apaquogue Road, and was temporarily protected by an easement which expired in 2007. The size of this parcel (20 acres) and the presence of both wetlands and agricultural lands render this an important open space. Application to divide the property into 5 residential lots is presently before the Planning Board. The plan proposes the creation of a view shed easement, a conservation and Reserved Area in excess of 50% of the total parcel size

The criteria which applied:

- Parcel size
- Agricultural land
- Freshwater Wetlands
- Prominent visual corridors known to the community
- Potential for significant visual impact
- Management of roadside vistas and landscape

DEDICATION OF EASEMENTS - AN ESSENTIAL TOOL FOR PROTECTION OF OPEN SPACE

In the absence of SEQR, specific reference to acceptable mitigation including easements, no-mow zones and the relocation of sanitary systems are essential amendments to the Code.

In order to promote open space through the dedication of easements, it is necessary to promote the tools by which such open spaces are created, the regulations by which they are managed and the enforcement provisions necessary to protect them and ensure their restoration if disturbed.

Moreso than any other device, this Open Space Program relies upon the dedication of easements. Yet, the Village Code contains little or no reference to easements. Likewise, the long-standing practice of Village Agencies to require the dedication of easements is not referenced within the Code.

Applicants need to be made aware that easements are acknowledged as meaningful mitigation and that Village Agencies are enabled to require them.

Formalizing the process by which easements are dedicated, distinctly delineates requirements for applicants as well as the instruments whereby Village Agencies are specifically empowered to evaluate and impose them.

Including such provisions in the Code will codify heretofore unwritten policies providing a consistent framework for Village Agencies.

In the dedication of wetland easements, the creation of no-mow zones and covenants limiting the use of fertilizers are appropriate considerations. In the process of restricting the location of new structures and sanitary systems consistent with required setbacks, the review process could encourage the relocation of nonconforming sanitary systems to increase horizontal and vertical separation to surface and ground waters. Rather than intensifying an existing impact in the instance of an expansion or new construction, such mitigation effectively reduces impacts associated with prior development.

INDIVIDUALIZATION OF EASEMENT AGREEMENTS

Implementation of this Program should be facilitated by incorporating applicable requirements into the Code. The majority of the recommendations of this Program are contingent upon the voluntary dedication of easements. Consequently, easements offer the most effective means of securing open space and warrant consideration in the review of all applications.

Many of the recommended easements, such as those along wetlands and dunelands, are intended to create significant unified open space allocations which transcend property lines. While it is necessary to customize easements to the specific circumstances of each property, this recommendation can be accomplished by the dedication of similar easements over individual properties. To facilitate easement dedication and avoid inconsistencies, it is recommended that standard easement formats be drawn up with respect to the various features to be protected. As an example, the standard format for a wetlands easement would reflect the requirements of Chapter 163. The creation of standard easement documents would also enable refinement over time.

Including the purpose and intent of a proposed easement could aid in determining the adequacy of the conditions being offered and enhance reconsideration of dedicated easements by future Village agencies. It is imperative that the terms and conditions of the easement are stated clearly state to ensure adherence and facilitate enforcement.

To ensure the success of these programs, it is suggested that the first focus be upon those areas where easements presently exist. The goal would be to encourage other landowners to dedicate easements similar to those of their neighbors. The mutual benefit to the property owner, the village and the community should be emphasized in order to promote the easement to adjoining property owners. Where possible, the grantor should receive a benefit, such as a reduction in taxes, for further restricting development of property beyond those limitations established by the Village Code.

As previously noted, efforts to promote the dedication of easements should include a mechanism for managing compliance and instituting enforcement. Current inventory and mapping of existing easements will facilitate the management of these easements and ensure that policy decisions among various Village agencies is uniform and consistent.

Given the legal complexities surrounding this issue, the promotion of voluntary easement programs is recommended to protect:

- dunelands
- wetlands
- agricultural lands
- public corridors
- other resources

Note that while encouraging the use of facade easements serves to protect village character, in this context they are not considered open space.

IMPROVING THE EFFECTIVENESS OF EASEMENTS

A detailed inventory and mapping of all existing easements and open space holdings is a necessary tool in procuring additional open space. Coupled with the standard provision for annual inspection, this inventory would document the effectiveness of existing easements and point out deficiencies. As a consequence, the language of future easements could be refined to ensure that the easement would result in the anticipated protection.

As an example, incorporating a statement describing the goal of the easement would clarify the conditions for all parties involved and reduce the potential for misinterpretation and subsequent violations.

Should the Village pursue the dedication of easements in the implementation of this Open Space Program, it is necessary to build upon past experiences, refine the language and enhance the effectiveness of these agreements.

COASTAL EROSION AND FRESHWATER WETLANDS PERMITS

It is recommended that the regulations for Coastal Erosion Permits and Freshwater Wetlands Permits be reworked in order to encourage compliance with the Code.

The focus of the review would promote positive adherence to specific standards and mitigation of impacts. The criteria by which these permits would be issued would be an inducement to the applicant to alleviate existing and potential impacts and to contribute to the strength of the Village Code by encouraging compliance. This same process would also include the authority to consider variances and would require adherence to applicable standards. The ability to grant such permits beyond setbacks would make it more difficult to justify variances within setbacks.

Section 7-725.b of New York State Village Law outlines such a permit procedure and incorporates provision for the granting of variances. This may provide a mechanism to facilitate these goals.

POLICY AS PRACTICE

An integral part of this Program should be flexibility and management in the control of open space. One example would be the potential utilization of Declarations of Covenants and Restrictions in the protection of non-pristine open space features (such as buffers between properties).

A necessary component of this effort is the adoption of a Chapter of the Village Code containing standard formats of various types of easements (to educate applicants and encourage dedication) and suggested language for Declarations of Covenants & Restrictions, as well as other legal instruments.

*Open Space Programs*

## “OPEN SPACE” PROGRAMS

For the most part, the areas deemed worthy for consideration generally fall into one of several major categories. These programs include:

- Historic Preservation Program
- Beach Access
- Double Dunes Preservation
- Wetlands Preservation
  - Georgica Pond
  - Hook Pond
- Village Corridor Conservation
- Cultural Lands Conservation
- Commercial Streetscape

Different mechanisms for protection are appropriate for different categories; however, within each category, the same mechanism is appropriate. Generally, easements provide an effective means to protect most of these features. In other instances, acquisition is recommended.

Certain parcels are worthy of protection but do not fit within general categories. In these instances, more creative solutions are appropriate. Each of these parcels is identified singularly with a discussion of alternate means of protection.

The attributes of each of these categories is discussed and a specific recommendation is made with respect to the method by which the various features can be adequately protected. In the instance of dunelands and wetlands, the tools are at hand.

The village enjoys an abundance of open space. The character of this resort community is distinguished by over four miles of beach along the Atlantic Ocean, the waters of Georgica Pond and Hook Pond, and the surrounding large lot zoning (which limits one house to each four acres). Where relatively few vacant parcels and little potential for further subdivision exist, there is little opportunity for any new broad sweeping programs to affect vacant lands. However, there is potential to institute programs with respect to ongoing redevelopment.

Public awareness of the various methods by which open space can be procured may encourage public cooperation and private participation. Numerous properties and easements have been given to the Village. Increased public awareness would encourage future giving.

The double dunes area east of Old Beach Lane is partially protected by Nature Conservancy Holdings. The logical goal is for more control of this sensitive area, either by acquisition or by easement through the Conservancy. The primary dunes west of Old Beach Lane are already impacted, yet adequately protected by existing regulations.

It is recommended that a standard policy be established to encourage the dedication of easements over wetlands. The policy should establish the purpose of the easement and limitations, as well as the extent of land to be burdened. In that wetlands in the village are linear systems that transcend property lines, standardization, in order to adjoin properties, will be treated

equally. Particular issues, such as docks and walkways affording access to the water, should be addressed. Once a standard easement is devised and circulated for review by the various agencies of the Village, a program encouraging the dedication of such easements should be initiated.

Presently, wetland permits may be issued by the Design Review Board, the Planning Board or the Zoning Board of Appeals. The Code should be adjusted so that all agencies operate under the same policies and standards. These changes should occur within Chapter 163, Freshwater Wetlands, in that the various agencies operate within this section of the Code. Methods for resolving disputes and violations, as well as enforcement, should be outlined inclusive of these changes.

#### HISTORIC PRESERVATION PROGRAM

Historic places and properties form a substantial part of the community character of the Inc. Village of East Hampton. The historic buildings and landscapes that represent distinct phases in the evolution of East Hampton from its settlement in 1648, its growth as an agrarian community and its discovery and development as a summer resort beginning in the 1870s are responsible for much of East Hampton's unique character.

Farmhouses from the 17<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup> centuries, barns, windmills, public buildings and craftsman's shops along with the historic landscapes associated with them, which include the early common, original home lots and agricultural lands, are at the core of East Hampton's historic identity.

The character of East Hampton was enriched in the late 19<sup>th</sup> century with its discovery and flowering as a summer resort.

The harmonious relationship between the old agrarian East Hampton and the early summer colony is another valuable and distinguishing feature of Village character today. The boarding houses, carriage barns, summer cottages and artists studios from the 1870s to the 1920s all make an essential contribution to East Hampton's historic character.

Since it was incorporated in 1920 the Village of East Hampton has taken steps to preserve its historic character. The Village has preserved a number of historic buildings and lands by purchasing and maintaining them: Hook Mill and green; Home Sweet Home and Pantigo Mill; the Sheep Pound; the Beecher House and the Gardiner Mill. The Village has also accepted easements to preserve historic properties including a historic preservation easement protecting the elaborately-carved 1699 timber frame of the Rev. Nathaniel Hunting House within the Hunting Inn and an agricultural and a scenic easement to preserve a portion of the Gardiner Home Lot and setting of the Gardiner Windmill.

The Village has been active in preserving historic buildings and landscapes by designating four historic districts (Main Street, Hook, Hunting Lane and Ocean Avenue) and continues to work to expand that program.

Since its inception in 1998 the Village has used the Peconic Bay Community Preservation Fund to preserve through purchase and easements important historic buildings and lands including the North End Common, the Hook Schoolhouse and the Thomas Moran Studio. Agricultural lands preserved through the Fund have had added significance as the setting for historic buildings such as the Dayton parcel on Toilsome Lane across from the 1828 Josiah Dayton House.

Using the Community Preservation Fund to preserve historic buildings and lands remains a priority of the Village of East Hampton today. The methods of preservation include acquisition, historic preservation easements and in some cases agricultural and scenic easements when open land is important to the setting of historic buildings.

1. Land of historic value. The list includes two parcels that are particularly important to the setting of the Village Green area of the Main Street Historic District and to the setting of the Gardiner Windmill. The vacant parcel 8-9-1.5 is part of the 1648 Gardiner home lot and contributes to the setting of the Gardiner Windmill. The nine-acre parcel 8-9-2.1, which can be subdivided, is the 1648 home lot of Rev. Thomas James. The front half of this parcel is open land and is important to the setting of the historic district and the Gardiner Windmill.

2. Small historic buildings. The most important unprotected historic buildings in the Village are the Dominy Clock Shop and Dominy Woodworking Shop which now stand on Further Lane. These nationally-significant buildings along with Dominy tools, objects and manuscripts provide the clearest picture of the lives of rural craftsmen in America during the early Federal period. These buildings should be in the public domain. This project would include acquisition and moving the buildings to their original site, which is owned by the Village. The c. 1860 East Hampton Post Office is a small building that is now part of a house on Buell Lane. Should this structure ever be threatened, it could easily be purchased and moved back to its original location on the grounds of the Beecher House, now Village Hall.

3. Historic barns. The 18<sup>th</sup> and 19<sup>th</sup> century barns that survive in the Village are the buildings that best recall our long history as an agrarian community. Carriage barns represent a continuation of the same tradition into the era of the early summer colony. While some of these barns are within historic districts they remain threatened because of issues concerning use, maintenance and the potential for being remodeled for residential or commercial use. Historic districts do not specifically protect the timber frame or interior space, which are essential to the integrity of a barn. The program for protecting these barns includes the potential for purchase, relocation and historic preservation easements.

4. Buildings of extraordinary significance within historic districts. Some very important properties warrant protection beyond what can be accomplished through historic district designation. Additional measures, including acquisition and easements, may become necessary to protect and enhance the contributions the following properties make to the historic districts: the "Mill Cottage" at 28 James Lane is extremely important to the setting of the Gardiner Mill; the Gardiner Cottage at 48 James Lane, a rare and very small 18<sup>th</sup> century house, is important to the setting of the Gardiner Mill and the Village Green; the Isaac W. Miller House at 223 Main Street, an intact 18<sup>th</sup> century saltbox, is important to the setting of the Village Green and the Moran Studio; the Osborne Office at 135 Main Street is an 18<sup>th</sup> century saltbox with many intact interior features; and the Dayton-Stratton House at 83 Pantigo Road is one of four houses with a carved 17<sup>th</sup> century timber frame.

5. Individual landmark houses dating from 1650 to 1850. A group of twenty houses built before 1850, which are scattered throughout the Village, do not have even the level of protection afforded by a historic district. Some of these are among the rarest and most valuable buildings that represent the early history of East Hampton as an agrarian community. This group includes: one of only four seventeenth-century houses in the Village; six 18<sup>th</sup> century Saltbox houses; two eighteenth-century Cape Cod cottages; three Georgian period 2 ½ story, center-chimney houses; and eight Federal period houses. The program for protecting these houses includes the potential for purchasing historic preservation easements.

6. Important buildings moved here from elsewhere on the South Fork. Two extraordinary historic buildings have been moved to the Village from elsewhere on the South Fork: the Hayground Windmill and the Amagansett Methodist Episcopal Church. The program for protecting these buildings includes the potential for purchase, relocation and historic preservation easements.

#### CULTURAL LANDS CONSERVATION PROGRAM

Cultural lands in the form of open spaces, landscapes, neighborhoods and sites provide the unique characteristics which distinguish the Village from all other places. In order to encourage the conservation of these features, their importance to the identity of the Village needs to be understood and valued by the public. Through conservation, the property owner continues to enjoy the use of the property while those features which contribute to the cultural fabric of Village life are retained for future generations.

Given their diversity, a wide variety of tools is appropriate in the conservation of these features. These include: acquisition, partial acquisition, acquisition of development rights (for both residential and nonresidential properties), the dedication of easements and the adoption of a Declaration of Covenants and Restrictions.

Developing the means to conserve these properties facilitates public participation. The development of tools which benefit the property owner as well as the village is essential. Such tools need to accomplish the desired level of conservation while ensuring the continued enjoyment of the property by the owner.

#### BEACH ACCESS PROGRAM

The ocean beaches are public lands controlled by the Trustees of the Commonality of the Town of East Hampton whose authority dates back to the Dongan Patent of 1659. In the late 1960's, there was a countywide policy to promote public access to the water. This policy encouraged the widening of public streets, which terminated at the shoreline, to one hundred (100) feet. Such road widening presently exists at Wiborg's Beach and Two Mile Hollow Beach. In 1980, the Village acquired the property of the former Sea Spray Inn; a portion of this property supplements parking at Main Beach.

Access to village beaches and jurisdiction over parking regulations fall under the aegis of the Village Trustees. A beach sticker permit program, affording village residents and nonresidents access to parking facilities at village beaches, has been implemented. These permits are free to village residents and are sold to nonresidents for \$200.

Presently, the ocean beaches in the village are utilized by an equal proportion of village residents and others. As the demand for access to these facilities gradually increases, the number of nonresident permits can be diminished thereby assuring access for village residents. The Comprehensive Plan identified expanding beach facilities in the Town in order to lessen demand on village beaches. The Comprehensive Plan did not support expansion of village beach facilities.

The following recommended actions appear in the Comprehensive Plan:

- NR 4 Continue to protect beaches and dunes consistent with Chapters 6, 10, and 14 of the Village Code
- NR 5 Consider efforts to protect Village-owned beaches and dunes
- PF 8 Continue to assess the overall demand and supply for beach parking at the Village's five beaches
- PF 9 Take actions as needed to ensure beach access parking by maximizing the number of parking spaces within existing lots without expanding the land devoted to parking
- PF 10 Consider establishing "village residents only" parking areas
- PF 11 Continue to restrict street parking where beach access parking spills over into adjacent residential neighborhoods

- PF 12 Institute more aggressive ticketing and towing of vehicles without permits
- PF 13 Reconsider the option of limiting lockers to village residents, relocating reserved parking for locker holders and/or eliminating reserved parking for locker holders
- PF 14 Ensure adequate lifesaving protection at village beaches
- PF 15 Ensure that signage adequately addresses safety concerns
- PF 16 Produce a public information brochure about beach safety
- PF 17 Continue periodic evaluations of limits to driving on the beach
- PF 18 Add bicycle racks at beaches

#### DOUBLE DUNES PRESERVATION PROGRAM

The "double dunes" area is bounded to the east by the easterly boundary of the Incorporated Village of East Hampton, to the south by the edge of beach grass along the seaward face of the primary dune, to the west by the easterly side of Old Beach Lane and to the north by the twenty (20) foot contour line, which runs continuously between said road and the easterly boundary of the village.

Within this area, several “double dune” easements have been dedicated to the Nature Conservancy. The purpose of this Program is to encourage the dedication of similar easements on adjoining properties. The end result would be protection of the entire “double dunes” area through cooperation with the Nature Conservancy.

It is suggested that the Village and/or the Nature Conservancy make a direct appeal to the owners of the subject properties. The appeal should include a map of the “double dunes” area and copies of the existing easements. While the benefits of this Program to the village are obvious, the benefits and advantages to the property owner should be enunciated.

#### WETLANDS PRESERVATION PROGRAM

Georgica Pond is classified as a Tidal Wetland by the New York State Department of Environmental Conservation. Each year, the Town Trustees open the Pond to the ocean. Any activities involving the shoreline or the bottom lands require approval by the Trustees.

Hook Pond is classified as a Freshwater Wetland by the New York State Department of Environmental Conservation. This system extends through the Nature Trail and empties into the ocean by means of a culvert. Town Pond is interconnected to this system. The Maidstone Club owns an extensive portion of the frontage, which is an integral part of the existing golf course. The Village owns several large parcels, which constitute the Nature trail and the Sea Spray Property. The remaining frontage is in private ownership.

In many instances, lawns extend to the edge of wetlands. In reviewing various applications, the Zoning Board of Appeals has suggested provision of a “no-mow zone” in order to afford a natural transition between those areas that are maintained and those areas that should be protected. The obvious objection on the part of the landowner would be any control which would impair water views. The New York State Department of Environmental Conservation has an unwritten policy which allows phragmites to be topped.

An ideal solution would be to amend Chapter 163, Freshwater Wetlands of the Village Code so as to require the approving authority to consider the imposition of easement or buffer areas with respect to any application affecting wetlands. The Boards would then be empowered to impose wetland easements, so long as the easement is related to the relief which the applicant is seeking. Such easements would serve as mitigation for proposals by applicants that may otherwise have an adverse impact on the overall wetland qualities. This recommendation is critical as the dedication of easements is the primary means to implement this Open Space Program.

In the instance of wetlands, the intent would be to ensure the preservation of wetlands by creating a system of easements. By requiring the Boards to give consideration to easements, every possible opportunity to foster and encourage easements will be accomplished. This solution also enables property owners to retain ownership of the easement area and may entitle them to a tax benefit.

The following actions are found in the Comprehensive Plan:

- NR 6 Continue to mitigate impacts of new development and redevelopment on wetlands

- NR 7 Provide information to the public on land management techniques
- NR 8 Enforce existing regulations on activities within wetland buffers consistent with Chapter 163 of the Village Code
- NR 9 Encourage property owners to convey easements on wetlands

#### VILLAGE CORRIDOR CONSERVATION PROGRAM

The preservation of open space along the main transportation corridors is justified by the number of people who benefit. In addition, travel along these corridors is facilitated by less development. This Program is suitable for purchase from the Community Preservation Fund.

Many Village Greens are located at the convergence of several streets. Consider a residence on Banister Park or the Green at Egypt Lane and Middle Lanes surrounded by tall privet. The benefits reaped from existing open spaces of this nature are sufficient basis to continue this practice wherever possible.

#### COMMERCIAL STREETScape CONSERVATION PROGRAM

East Hampton Village is renowned for the Elms which once covered Main Street. The vision of the early settlers who initially laid out the 42 home lots on the broad expanse of Main Street with the placement of the elm trees is awe inspiring. While many of these trees have fallen to Dutch Elm Disease, the Ladies Village

Improvement Society and the Village have replaced the trees as necessary.

The Commercial Districts Study and the Comprehensive Plan recommended the need to expand open spaces throughout the Village's commercial districts. Acquisition of commercial properties in their entirety is an expensive proposition. However, setting aside portions of commercial properties as open space is consistent with other devices such as zoning controls and site plan review.

As redevelopment of nonresidential properties occurs over time, including preexisting and nonconforming uses in residential districts, the allocation of open space should be incorporated in the review process.

Consequently, this Program has been amended to render all commercial use properties eligible to be considered for partial acquisition. These properties include all properties which are commercially zoned and noncommercial properties containing a commercial use. As the future redevelopment of commercial use properties has yet to occur, it is difficult to predetermine when acquisition for open space purposes would be appropriate.

In the instance of a commercial property where the existing improvements are proposed to be demolished, the first consideration would be the allocation of open space. Considerations would include setback areas, buffers to adjoining residential properties and open spaces that transcend property lines from one commercial property to the next. The second consideration would be the placement of the building on the site, and the third, the placement of parking. This sequence could be incorporated into Chapter 121, Design & Site Plan Review.

In the instance of an improved property, the location of the building might not change. However, reconfiguration of parking and circulation might be accomplished in consideration of those portions of the site which should remain open.

Rather than reduce development potential, the more likely effect of this approach will be redevelopment at two stories, thereby affording more of the site available for open space and provision for parking and circulation.

Just as the Wetlands Program is largely contingent upon the review process, the Commercial Streetscape Program would be largely contingent upon zoning controls and Site Plan Review. Reducing coverage and establishing a front yard setback outside the Core would enhance commercial streetscapes.

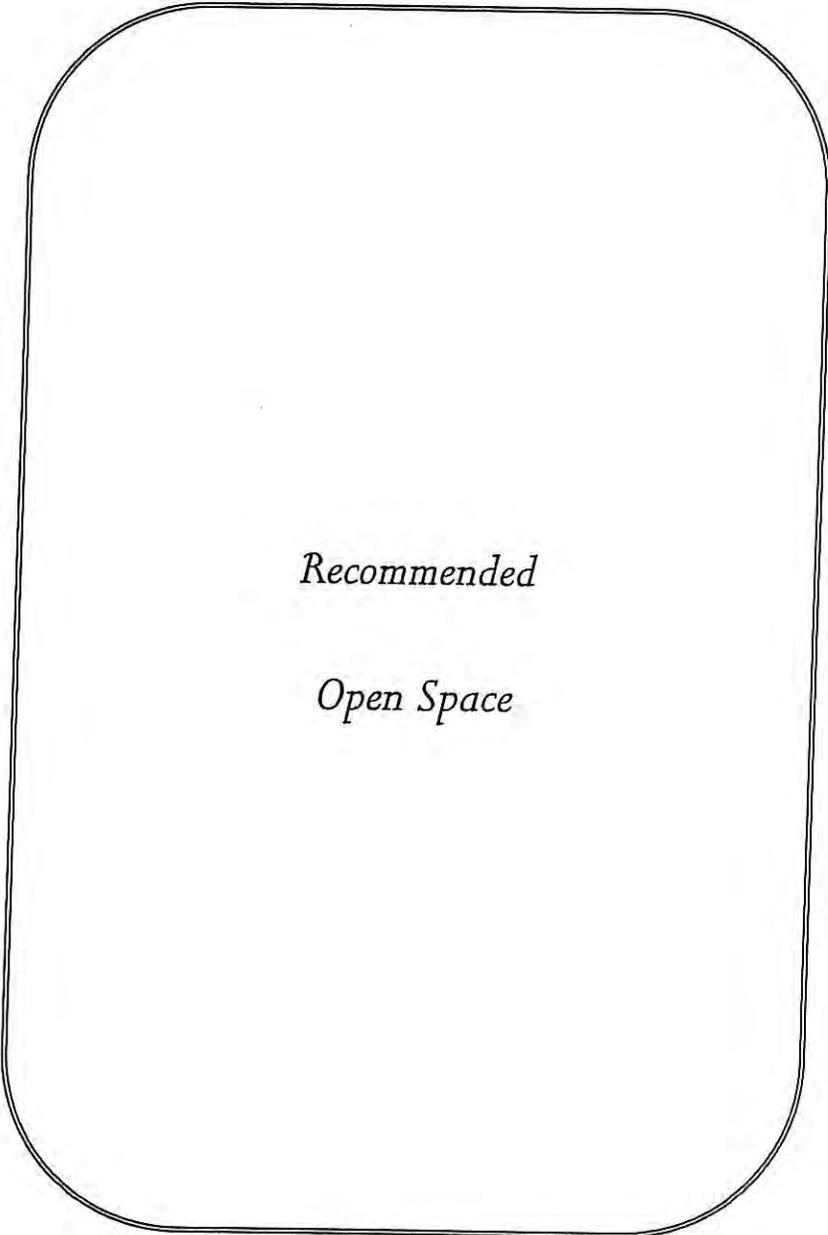
Preservation of open space in the village is of primary concern to village residents. Greens and open spaces were an integral part of the original design of the village in the seventeenth century — perceived by the original residents as critical to village life. Development has taken a number of these important green spaces — most notably much of the North End Village Green.

Efforts should be directed to maintain open space throughout the Village's commercial districts not only those properties of greatest historical importance. Open space is most directly protected by public acquisition. The Village has identified a number of parcels for acquisition in its Open Space Program. The Village should move as quickly as possible to secure funds for these purchases and to complete the transactions.

The Village has developed a set of site planning design guidelines for properties in the commercial districts. These clearly articulate the Village's priorities with respect to creating open

spaces, protecting critical visual links, and providing pedestrian connections.

While most commercial properties are improved, redevelopment is an ongoing process. As properties come before the Design Review Board and Zoning Board of Appeals, consideration of additional buffer areas and allocation of open areas is taken into consideration.



*Recommended*

*Open Space*

These maps were prepared from information taken from the tax maps prepared by the Real Property Tax Service Agency for Suffolk County. They are schematic in nature and are intended to provide information relative to the size, location, and relationship of parcels one to another in concert with details of ownership and other tax related information. Tax Map Numbers as presented relate to the 2003 maps. Those areas which are identified for inclusion due to the presence of wetlands should be subject to a site by site wetlands inspection, flagging and mapping prior to commitment by means of an easement or some other device. This would also apply to other natural features such as dunes, areas of significant vegetation or cultural/historic importance.

The Suffolk County Tax Map Numbers identify District, Section, Block and Lot. District 301 includes all parcels in the Village. The tax maps of the Village consist of 16 Sections and several Subsections. Block numbers are circled and lot numbers are within each lot. As the accepted means of parcel identification, Suffolk County Tax Map Numbers are used to note existing and proposed open space holdings. As all parcels are located in District 301, parcels identified are categorized Section by Section in order to correspond to the maps that follow. In those instances where the protection of an open space feature involves more than one parcel, all affected parcels are listed.

Redrafting the tax maps resulted in a detailed examination on a parcel by parcel basis. As so often is the case, the process has proven as critical as the substance. This in-depth analysis has altered the recommendations of the Open Space Program in several important ways. Foremost was the establishment of four general categories of Open Space: Existing Public Lands and Easements, Recommended Open Space, Commercial Streetscape Conservation Program and Private Lands with Public Benefit.

The following pages include a detailed inventory of properties which are pertinent to this Open Space Program and associated maps. Each listing details four classifications which include the tax map number, acreage, characteristics and disposition. In the instance of Existing Public Lands & Easements, the acreage relates to the actual size of the open space. In all other categories, the total acreage of the parcel is given, as the extent to be protected has yet to be determined.

These categories are defined as follows:

#### Existing Public Lands and Easements

This classification is reserved for parcels which are owned by the Village, Town, County, State or Federal Government regardless of their intended purpose. However, public lands in this classification are not necessarily protected open space. Properties subject to some legal instrument such as a deed restriction, Covenants and Restrictions, or easements qualify as protected open space. All other lands should be subject to further scrutiny to ascertain the existence of such legal devices.

Also incorporated in this category are existing easements over private property which benefit the public. The beaches along the Atlantic Ocean are the property of the Trustees of the Town of East Hampton as are the underwater lands of Hook Pond and Georgica Pond.

#### Recommended Open Space

This classification identifies those parcels intended to be eligible for acquisition or partial acquisition through Community Preservation Funds and/or those parcels where

protection can be achieved by some other means such as a reserved area, scenic easement, deed restriction, covenants and restrictions, etc. Public and private lands included as Recommended Open Space may warrant further protection to ensure they remain as open space.

#### Commercial Streetscape Conservation Program

The principle distinction between this Open Space Program and the program as originally adopted is the creation of this category. This is a direct result of a recommendation initially made in the Commercial District Study of 2000 and later reiterated in the Village Comprehensive Plan of 2002, wherein the Village should seek to achieve Open Space within its Commercial Districts. In addition to commercially zoned properties (Core Commercial District, Commercial District, Manufacturing-Industrial District, Limited Office District), some Special Permit Properties are also included. Foremost are residentially zoned properties which contain a preexisting nonconforming commercial use. If commercial properties are appropriate for partial open space consideration, then such consideration is even more important for preexisting nonconforming commercial uses in residential districts. Additionally, Special Permit uses identified in Section 278-7 D. of the Village Code including churches, schools and libraries were also included. These uses are nonresidential uses which exist in residential districts. Those Special Permit properties which are not included are those which include only residential uses and the buildings or structures associated with those uses.

Currently, commercial properties and commercial Special Permit properties which adjoin residential properties are subject to a transition zone which requires the creation of a

buffer twice the width of the adjoining residential setback. This area is intended for landscaping and prohibits cars, parking areas and other structures. The inclusion of commercial properties and the commercial Special Permit properties makes these properties eligible for partial acquisition through Community Preservation Funds.

#### Private Lands with Public Benefit

The creation of this category came as a direct result of the detailed analysis which occurred in the preparation of these maps. A number of privately held properties are accepted as having public benefit consistent with open space. Owners of such properties include: The Maidstone Club, The Nature Conservancy, The Peconic Land Trust, Cemetery Associations and other private organizations. This classification does not distinguish these properties according to purpose, but simply acknowledges the fact that they are privately controlled and offer public benefit.

It is conceivable that public as well as private lands could be further protected. These categories are not intended to be mutually exclusive as a single property may have multiple considerations for inclusion in the Open Space Program. For example, a parcel may possess wetlands, dune lands or other significant natural features which warrant inclusion.

Like planning, the Open Space Program is an ongoing process. This speaks to the appropriateness to revisit and amend the recommendations of this document from time to time.

**Existing Public Lands & Easements**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
301-1-5-18	0.43	drainage field

Disposition  
unprotected Village property

**Recommended Open Space**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
301-1-6-7	3.00	residential land
301-1-6-8	2.30	residential land
301-1-6-10	0.27	residential land
301-1-6-p/o9	1.40	convergence of rights-of-way

Recommended Disposition  
Reserved Area, partial acquisition  
Reserved Area, partial acquisition  
Reserved Area, partial acquisition  
partial acquisition or scenic easement

**Historic Preservation Program**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
301-1-6-8		historic barn (George Lisberg Barn)
301-1-7-4.1		historic property (Henry Filer House)

Recommended Disposition  
acquisition or historic preservation easement  
easement

**Commercial Streetscape Conservation Program**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
301-1-7-p/o1	0.10	106 Newtown Lane, commercial property
301-1-7-p/o2	0.25	100 Newtown Lane, commercial property
301-1-7-3	0.02	10 ft. wide access, commercial property
301-1-7-p/o4.1	0.31	98 Newtown Lane, commercial property
301-1-7-p/o4.2	0.27	94 Newtown Lane, commercial property

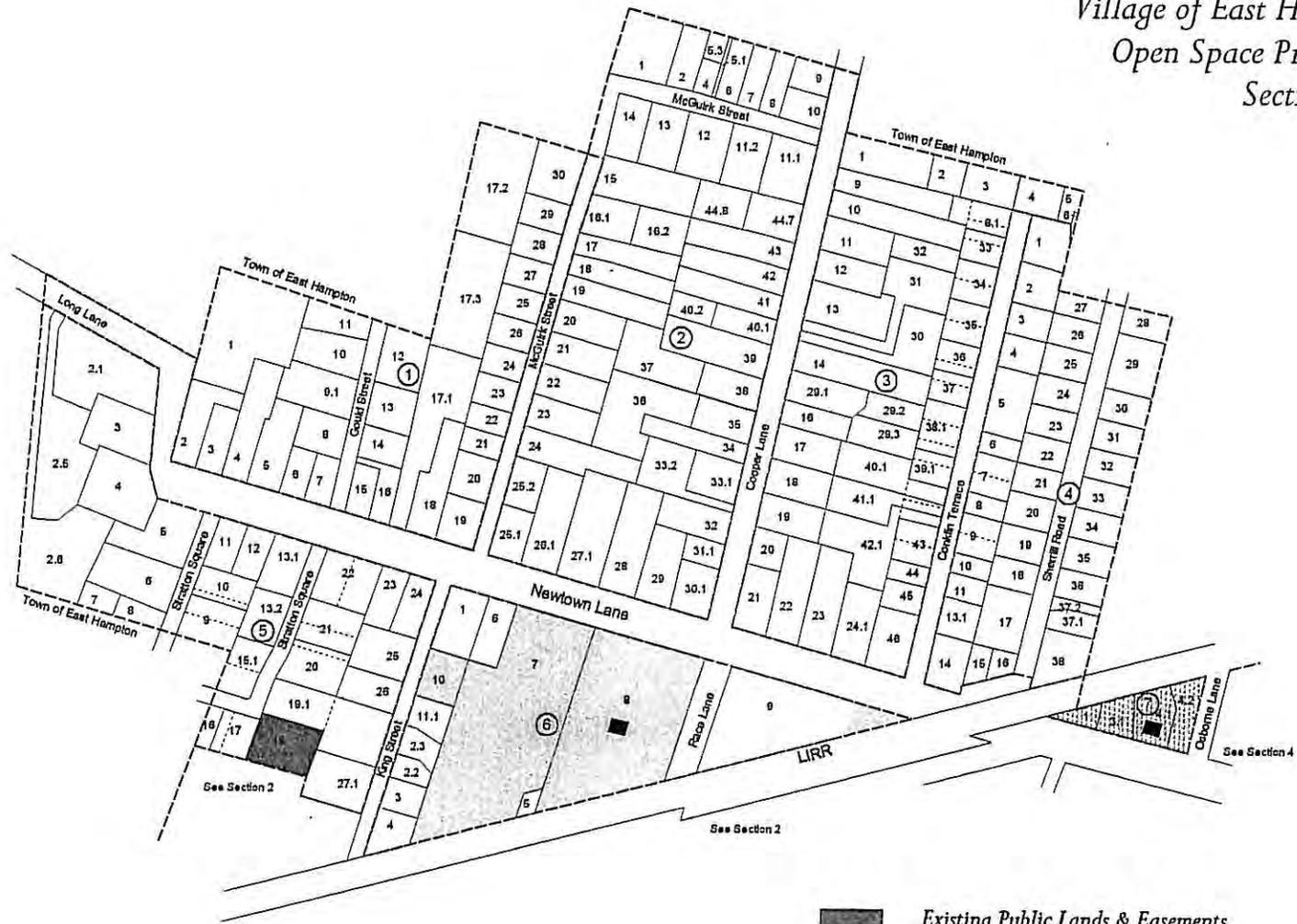
Recommended Disposition  
partial acquisition  
partial acquisition  
acquisition  
partial acquisition  
partial acquisition

**Private Lands with Public Benefit**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
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Recommended Disposition

Village of East Hampton  
Open Space Program  
Section 1



Section 2

Recommended Open Space

Existing Public Lands & Easements

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Disposition</u>
301-2-7-1.3	10.00	YMCA & municipal parking	Village property, retain ownership/enhance landscaping
301-2-7-2.1	0.55	Osborne Jackson House	unprotected Village property, retain setting & landscaping

Recommended Open Space

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-2-2-p/o27	2.30	Pleasant Lane, vacant property	acquisition, partial acquisition, easement
301-2-3-p/o8.3	3.20	horse paddock, road convergence	partial acquisition, agricultural easement
301-2-5-2	4.60	agricultural land	acquisition of Development Rights, agricultural easement
301-2-7-37	1.10	park expansion	acquisition

Historic Preservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-2-1-8		historic barn (Gardiner Barn)	acquisition or historic preservation easement
301-2-2-28		historic property in a commercial district	easement
		historic barn (Mulford/Vetault Barn)	acquisition or historic preservation easement
301-2-2-29		historic property in a commercial district	easement
301-2-2-31		historic property in a commercial district	easement
301-2-3-4.6		individual landmark house (1650 - 1850)	historic preservation easement
301-2-3-8.3		individual landmark house (1650 - 1850)	historic preservation easement
301-2-7-9.5		extraordinasry building in a historic district	acquisition or historic preservation easement

Commercial Streetscape Conservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-2-1-p/o1	2.70	King Street, Special Permit property	partial acquisition
301-2-1-3	0.38	60 Gingerbread Lane, vacant commercial property	acquisition
301-2-1-p/o4	0.30	58 Gingerbread Lane, commercial property	partial acquisition
301-2-1-p/o5	0.82	50 King Street, commercial property	partial acquisition
301-2-1-7	0.31	4 King Street, vacant commercial property	acquisition
301-2-1-p/o8	0.34	40 Fresno Place, commercial property	partial acquisition
301-2-1-p/o9	0.25	8 Fresno Place, commercial property	partial acquisition
301-2-1-p/o11	0.13	22 Gingerbread Lane, commercial property	partial acquisition
301-2-1-p/o15.1	1.60	10 Fresno Place, LIPA/parking, commercial property	partial acquisition

## Commercial Streetscape Conservation Program - Cont'd.

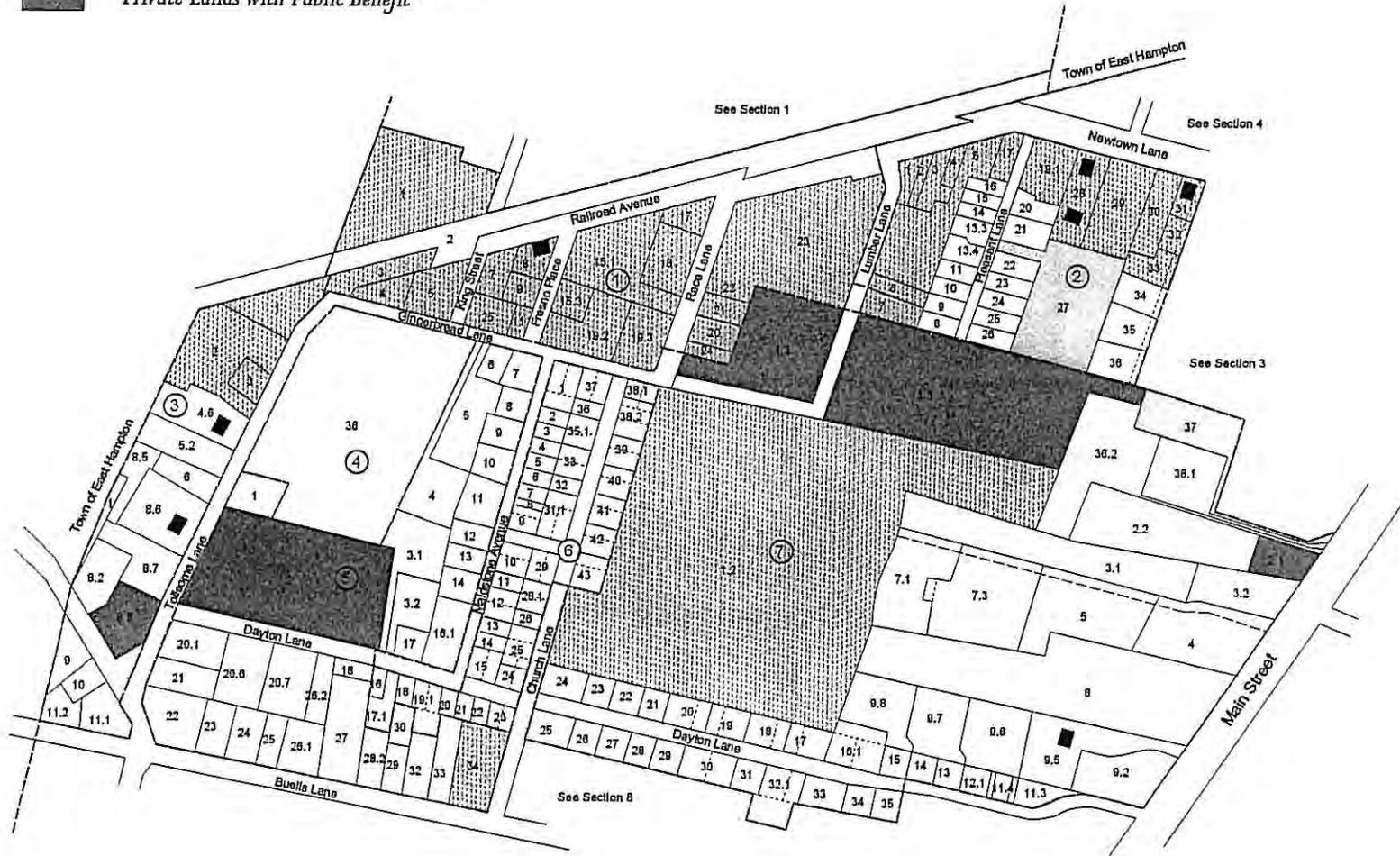
<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-2-1-p/o15.3	0.29	11 Fresno Place, commercial property	partial acquisition
301-2-1-p/o17	0.30	17, 19 & 21 Race Lane, commercial property	partial acquisition
301-2-1-p/o18	0.64	20 Race Lane, commercial property	partial acquisition
301-2-1-p/o19.2	0.84	12, 14 & 16 Gingerbread Lane, commercial property	partial acquisition
301-2-1-p/o19.3	0.59	8 & 10 Gingerbread Lane, commercial property	partial acquisition
301-2-1-p/o20 & 24	0.46	36 Race Lane, commercial property	partial acquisition
301-2-1-p/o21	0.26	32 Race Lane, commercial property	partial acquisition
301-2-1-p/o22	0.19	26 Race Lane, commercial property	partial acquisition
301-2-1-p/o23	3.78	21 Railroad Avenue, commercial property	partial acquisition
301-2-1-p/o25	0.38	22 - 44 Gingerbread Lane, commercial property	partial acquisition
301-2-2-p/o1	0.13	15 Lumber Lane, commercial property	partial acquisition
301-2-2-p/o2	0.19	11 Railroad Avenue, commercial property	partial acquisition
301-2-2-p/o3	0.30	9 Railroad Avenue, commercial property	partial acquisition
301-2-2-p/o4	0.12	7 Railroad Avenue, commercial property	partial acquisition
301-2-2-p/o5	1.71	3 Railroad Avenue, commercial property	partial acquisition
301-2-2-p/o6	0.23	11 Lumber Lane, commercial property	partial acquisition
301-2-2-p/o7	0.35	15 Lumber Lane, commercial property	partial acquisition
301-2-2-p/o17	0.23	105 Newtown Lane, commercial property	partial acquisition
301-2-2-p/o19.1	0.66	99 Newtown Lane, commercial property	partial acquisition
301-2-2-p/o28	0.72	95 Newtown Lane, commercial property	partial acquisition
301-2-2-p/o29	1.06	91 Newtown Lane, commercial property	partial acquisition
301-2-2-p/o30	0.50	87 Newtown Lane, commercial property	partial acquisition
301-2-2-p/o31	0.27	83 Newtown Lane, commercial property	partial acquisition
301-2-2-p/o32	0.21	7 Muchmore Lane, commercial property	partial acquisition
301-2-2-p/o33	0.38	11 Muchmore Lane, Limited Office District	partial acquisition
301-2-3-p/o1	0.50	5 Toilsome Lane, commercial property	partial acquisition
301-2-3-p/o2	1.88	17 Toilsome Lane, commercial property	partial acquisition
301-2-3-p/o3	0.26	15 Toilsome Lane, commercial property	partial acquisition
301-2-5-34	0.87	Buells Lane & Church Lane, church pkg, Special Permit	enhance buffers, partial acquisition
301-2-7-p/o1.2	21.80	John Marshall Elementary School	retain active recreation areas

## Private Lands with Public Benefit

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
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Village of East Hampton  
 Open Space Program  
 Section 2

-  Existing Public Lands & Easements
-  Recommended Open Space
-  Historic Preservation Program
-  Commercial Streetscape Conservation Program
-  Private Lands with Public Benefit



**Existing Public Lands & Easements**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Disposition</u>
301-3-2-6.1	0.02	public walkway, commercial property	Village property, retain ownership
301-3-4-p/o33.1	1.40	municipal parking, public walkway, commercial property	Village property, retain ownership
301-3-5-8	0.08	wetlands, The Nature Trail	Village property, retain ownership
301-3-5-9	1.03	wetlands, The Nature Trail	Village property, retain ownership
301-3-6-p/o13.1	2.10	municipal parking, public walkway, commercial property	Village property, retain ownership
301-3-6-24.2	0.07	vest pocket park, public walkway, commercial property	Village property, retain ownership
301-3-7-p/o25	0.52	Village Hall, unprotected village property	retain lawn & setting

**Recommended Open Space**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-3-5-7.5	1.00	wetlands	wetland easement

**Historic Preservation Program**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-3-2-6.2		historic property in a commercial district	easement
301-3-5-4		individual landmark house (1650 - 1850)	historic preservation easement
301-3-7-24		historic barn (Hand Barn)	acquisition or historic preservation easement

**Commercial Streetscape Conservation Program**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-3-1-p/o1	0.08	56 Newtown Lane, commercial property	partial acquisition
301-3-1-p/o2	0.05	54 Newtonw Lane, commercial property	partial acquisition
301-3-1-p/o3	0.05	52 Newtown Lane, commercial property	partial acquisition
301-3-1-p/o4	0.05	50 Newtown Lane, commercial property	partial acquisition
301-3-1-p/o5	0.05	48 Newtown Lane, commercial property	partial acquisition
301-3-1-p/o6	0.08	46 Newtown Lane, commercial property	partial acquisition
301-3-2-p/o1	0.09	40 Newtown Lane, commercial property	partial acquisition
301-3-2-p/o2	0.10	36 Newtown Lane, commercial property	partial acquisition
301-3-2-p/o3.1	0.13	34 Newtown Lane, commercial property	partial acquisition
301-3-2-p/o4.2	0.08	34 Newtown Lane, commercial property	partial acquisition
301-3-2-p/o4.3	0.05	32 Newtown Lane, commercial property	partial acquisition

## Commercial Streetscape Conservation Program - Cont'd.

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-3-2-p/o5	0.05	30 Newtown Lane, commercial property	partial acquisition
301-3-2-p/o6.2	0.18	28 Newtown Lane, commercial property	partial acquisition
301-3-2-p/o7	0.22	16 Newtown Lane, commercial property	partial acquisition
301-3-2-p/o8.1	0.23	14 Newtown Lane, commercial property	partial acquisition
301-3-2-p/o9	0.04	6 Newtown Lane, commercial property	partial acquisition
301-3-2-p/o10	0.02	3 North Main Street, commercial property	partial acquisition
301-3-2-p/o11	0.05	2 Newtown Lane, commercial property	partial acquisition
301-3-2-p/o12	0.05	8 Alley, commercial property	partial acquisition
301-3-3-p/o1.1	0.30	10 Pantigo Road, Limited Office District	partial acquisition
301-3-3-p/o2	0.23	8 Main Street, commercial property	partial acquisition
301-3-3-p/o3	0.62	2 Fithian Lane, commercial property	partial acquisition
301-3-4-p/o1	1.01	67 Newtown Lane, commercial property	partial acquisition
301-3-4-p/o5	0.16	51 Newtown Lane, commercial property	partial acquisition
301-3-4-p/o6	0.11	47 Newtown Lane, commercial property	partial acquisition
301-3-4-p/o7.1	0.08	84 Park Place, commercial property	partial acquisition
301-3-4-p/o7.2	0.07	41 Newtown Lane, commercial property	partial acquisition
301-3-4-p/o8	0.13	37 Newtown Lane, commercial property	partial acquisition
301-3-4-p/o9	0.11	33 Newtown Lane, commercial property	partial acquisition
301-3-4-p/o10	0.14	29 Newtown Lane, commercial property	partial acquisition
301-3-4-p/o12	0.16	27 Newtown Lane, commercial property	partial acquisition
301-3-4-p/o13	0.23	25 Newtown Lane, commercial property	partial acquisition
301-3-4-p/o14	0.03	19 Newtown Lane, commercial property	partial acquisition
301-3-4-p/o15	0.03	17 Newtown Lane, commercial property	partial acquisition
301-3-4-p/o16	0.04	Newtown Lane, alley	partial acquisition
301-3-4-p/o17	0.02	11 Newtown Lane, commercial property	partial acquisition
301-3-4-p/o18	0.04	7 Newtown Lane, commercial property	partial acquisition
301-3-4-p/o19	0.05	1 Main Street, commercial property	partial acquisition
301-3-4-p/o20	0.02	19 Main Street, commercial property	partial acquisition
301-3-4-p/o21	0.04	21 Main Street, commercial property	partial acquisition
301-3-4-p/o22	0.04	23 Main Street, commercial property	partial acquisition
301-3-4-p/o23	0.09	27 Main Street, commercial property	partial acquisition
301-3-4-p/o24	0.17	33 Main Street, commercial property	partial acquisition
301-3-4-p/o25	0.14	35 Main Street, commercial property	partial acquisition
301-3-4-p/o26	0.08	39 Main Street, commercial property	partial acquisition

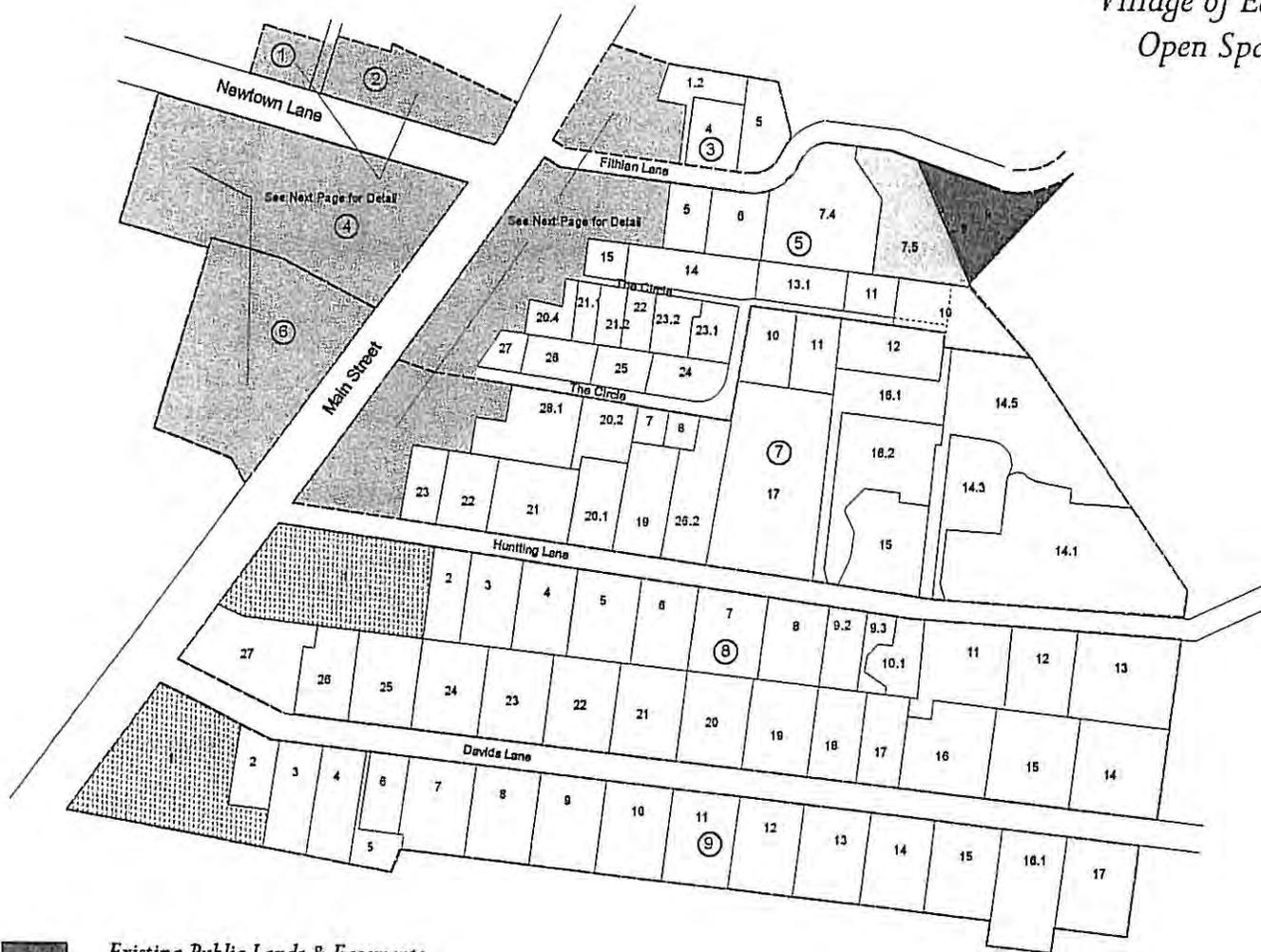
## Commercial Streetscape Conservation Program - Cont'd.

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-3-4-p/o34	0.35	41 Main Street, commercial property	partial acquisition
301-3-4-p/o35	0.16	Newtown Lane & Park Place, commercial property	partial acquisition
301-3-5-p/o1.1	0.25	2 Main Street, commercial property	partial acquisition
301-3-5-p/o2	0.17	10 Main Street, commercial property	partial acquisition
301-3-5-p/o3	0.20	14 Main Street, Limited Office District	partial acquisition
301-3-5-p/o4	0.47	7 Fithian Lane, Limited Office District	partial acquisition
301-3-5-p/o16	0.40	20 Main Street, commercial property	partial acquisition
301-3-5-p/o20.3	0.70	36 Main Street, movie theatre, commercial property	partial acquisition
301-3-5-p/o29	0.40	Newtown Lane & The Circle, commercial property	partial acquisition
301-3-6-p/o11	0.90	20 Park Place, commercial property	partial acquisition
301-3-6-p/o14	0.06	87 Main Street, commercial property	partial acquisition
301-3-6-p/o15	0.04	85 Main Street, commercial property	partial acquisition
301-3-6-p/o16	0.04	83 Main Street, commercial property	partial acquisition
301-3-6-p/o17	0.14	81 Main Street, commercial property	partial acquisition
301-3-6-p/o18	0.05	79 Main Street, commercial property	partial acquisition
301-3-6-p/o19	0.04	30 Park Place, commercial property	partial acquisition
301-3-6-p/o20	0.09	75 Main Street, commercial property	partial acquisition
301-3-6-p/o21.1	0.09	65 Main Street, commercial property	partial acquisition
301-3-6-p/o21.2	0.06	32 Main Street, commercial property	partial acquisition
301-3-6-p/o22	0.11	67 Main Street, commercial property	partial acquisition
301-3-6-p/o23	0.05	63 Main Street, commercial property	partial acquisition
301-3-6-p/o24.3	0.21	38 Park Place, commercial property	partial acquisition
301-3-6-p/o25.3	0.14	57 Main Street, commercial property	partial acquisition
301-3-6-p/o26.1	0.10	53 Main Street, commercial property	partial acquisition
301-3-6-p/o27.1	0.05	51 Main Street, commercial property	partial acquisition
301-3-7-p/o1	0.80	66 The Circle, commercial property	partial acquisition
301-3-7-p/o2	0.09	60 The Circle, commercial property	partial acquisition
301-3-7-p/o3	0.18	56 The Circle, commercial property	partial acquisition
301-3-7-p/o24	0.25	78 Main Street, commercial property	partial acquisition
301-3-8-p/o1	2.00	Hunting Inn, Special Permit Property	partial acquisition
301-3-9-p/o1	2.00	Presbyterian Church	partial acquisition

## Private Lands with Public Benefit

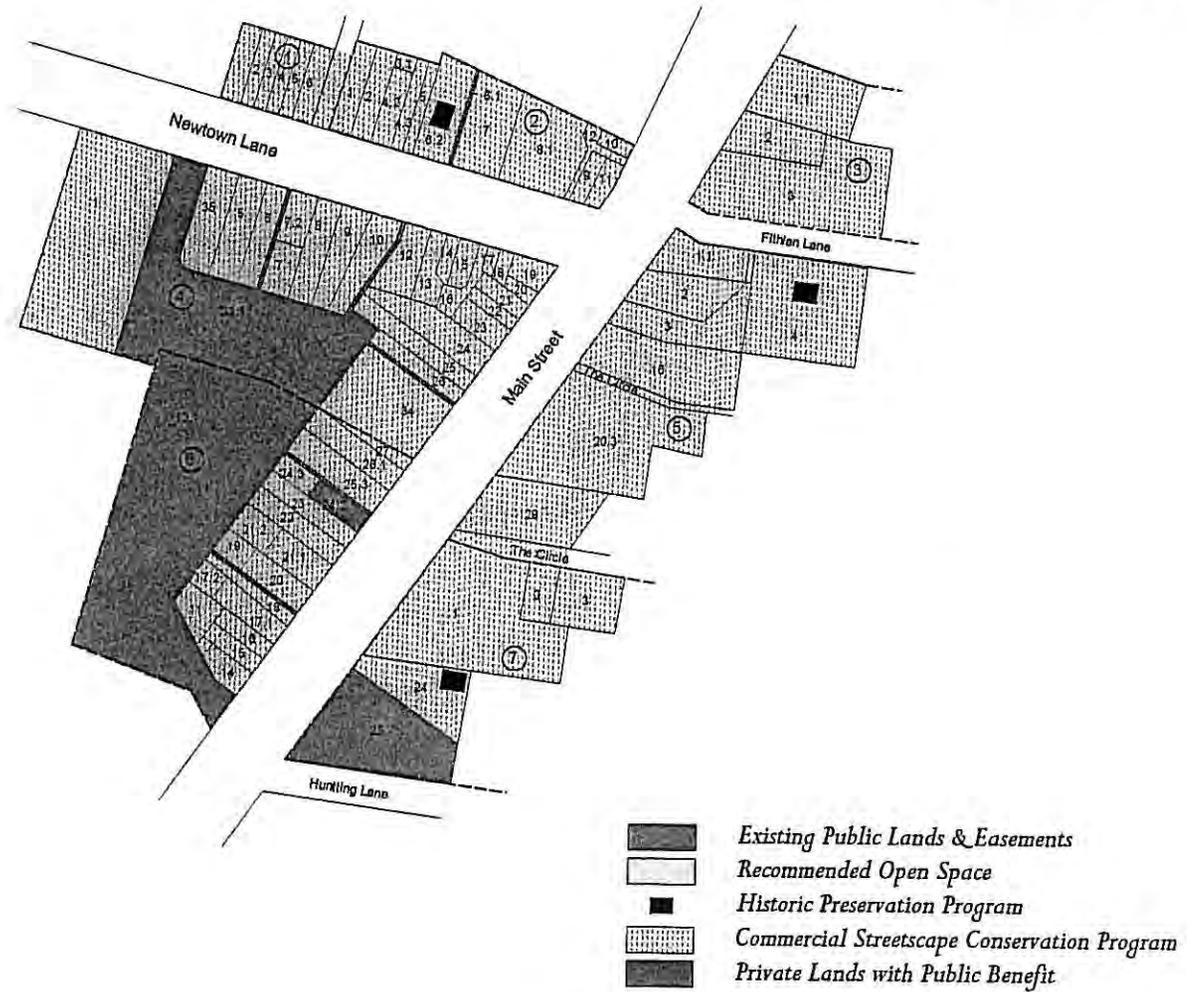
<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
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Village of East Hampton  
Open Space Program  
Section 3



-  Existing Public Lands & Easements
-  Recommended Open Space
-  Historic Preservation Program
-  Commercial Streetscape Conservation Program
-  Private Lands with Public Benefit

Village of East Hampton  
Open Space Program  
Section 3 Detail



## Existing Public Lands &amp; Easements

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Disposition</u>
301-4-1-10.3	2.50	Emergency Services Building	maintain buffers
301-4-1-30	0.69	park for passive recreation	village green
301-4-1-31	0.69	park for passive recreation	village green
301-4-2-p/o7	0.23	Schenck Parking Lot	maintain buffers & islands
301-4-2-p/o20.3	1.00	Schenck Parking Lot	maintain buffers & islands
301-4-3-1	0.10	unprotected village green	scenic easement
301-4-3-3	0.34	unprotected village green	scenic easement
301-4-3-7	1.20	unprotected village green	scenic easement
301-4-3-8	0.69	park for passive recreation	village green
301-4-4-31	3.30	Town Hall	maintain open space, prohibit structures
301-4-5-4.1	7.60	park for active recreation	Herrick Park
301-4-5-5.2	0.50	Village property	retain landscaping
301-4-6-6.1	0.12	drainage swale	wetland easement
301-4-6-p/o10.1	1.60	wetlands	wetland easement
301-4-6-13	0.70	road convergence, Sheep Pound	village green
301-4-6-25	16.50	wetlands	The Nature Trail
301-4-7-41.1	0.16	hedgerow	scenic easement
301-4-7-41.2	0.16	hedgerow	scenic easement
301-4-7-41.3	0.16	hedgerow	scenic easement
301-4-7-41.4	0.16	hedgerow	scenic easement
301-4-7-41.5	0.16	hedgerow	scenic easement
301-4-7-30	0.70	drainage area	Reserved Area
301-4-7-p/o 41.7	5.80	agricultural land	Agricultural Easement
301-4-8-1	0.20	buffer	Reserved Area
301-4-9-2.3	0.16	hedgerow	scenic easement
301-4-9-2.4	0.16	hedgerow	scenic easement
301-4-9-2.5	0.16	hedgerow	scenic easement
301-4-9-2.6	0.16	hedgerow	scenic easement
301-4-9-2.8	0.50	village corridor	acquisition
301-4-9-2.10	0.50	village corridor	acquisition
301-4-10-1	7.00	wetlands	The Nature Trail

Recommended Open Space

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-4-10-6	1.60	road convergence	Egypt Green
301-4-1-29	2.50	natural drainage swale	Reserved Area, acquisition
301-4-4-29	3.00	agricultural land	acquisition of Development Rights or Reserved Area
301-4-10-p/o2	1.20	wetlands	wetland easement
301-4-10-p/o3	0.47	wetlands	wetland easement
301-4-10-p/o5.2	1.10	wetlands	wetland easement
301-4-10-p/o7.1	0.34	wetlands	wetland easement

Historic Preservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-4-1-22.1		individual landmark house (1650 - 1850)	historic preservation easement
301-4-4-11.1		extraordinary building in a historic district	historic preservation easement
301-4-7-17		individual landmark house (1650 - 1850)	historic preservation easement
301-4-7-41.6		individual landmark house (1650 - 1850)	historic preservation easement
301-4-8-10		individual landmark house (1650 - 1850)	historic preservation easement
301-4-11-3.3		individual landmark house (1650 - 1850)	historic preservation easement
301-4-11-29.1		individual landmark house (1650 - 1850)	historic preservation easement

Commercial Streetscape Conservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-4-1-p/o8	0.10	83 North Main Street, commercial property	partial acquisition
301-4-1-p/o9	0.26	79 North Main Street, commercial property	partial acquisition
301-4-1-p/o10.1	0.68	92 North Main Street, commercial property	partial acquisition
301-4-1-p/o19.1	0.57	69 North Main Street, commercial property	partial acquisition
301-4-1-p/o33.1	0.30	special permit property	partial acquisition
301-4-1-p/o34	0.27	74 commercial property	partial acquisition
301-4-1-p/o35	0.04	76 North Main Street. vacant commercial property	partial acquisition
301-4-1-p/o36	0.12	80 North Main Street, commercial property	partial acquisition
301-4-2-p/o1	0.27	8 Osborne Lane, commercial property	partial acquisition
301-4-2-p/o2	0.49	88 Newtown Lane, commercial property	partial acquisition
301-4-2-p/o3	3.70	East Hampton Middle School	preserve front lawn
301-4-2-p/o4.1	0.52	66 Newtown Lane, commercial property	partial acquisition

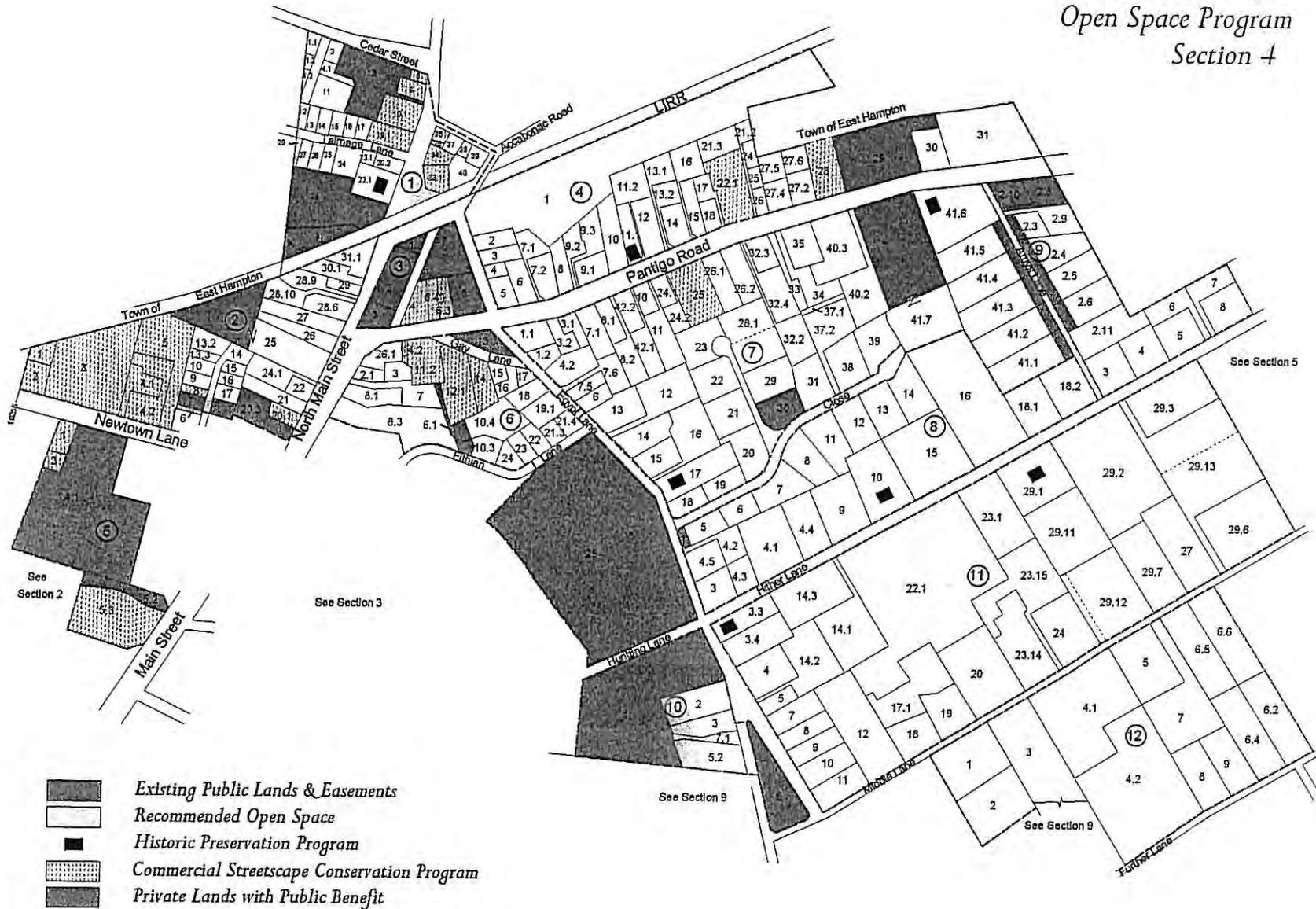
**Commercial Streetscape Conservation Program - Cont'd.**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-4-2-p/o4.2	1.07	66 Newtown Lane, commercial property	partial acquisition
301-4-2-p/o5	1.80	83 Newtown Lane, commercial property	partial acquisition
301-4-2-p/o6	0.06	Part of Barnes Lane, right-of-way	acquired & merged with 301-4-2-7
301-4-2-p/o8	0.14	special permit property	partial acquisition
301-4-2-p/o20.1	0.26	9 North Main Street, Limited Office District	partial acquisition
301-4-3-p/o4	0.50	Methodist Church	retain front lawn, scenic easement
301-4-3-p/o6.3	0.27	43 Pantigo Road, commercial property	partial acquisition
301-4-3-p/o6.4	0.20	41 Pantigo Road, commercial property	partial acquisition
301-4-4-p/o22.1	1.50	special permit property	partial acquisition
301-4-4-p/o28	1.10	special permit property	partial acquisition
301-4-5-1	0.33	77, 78 & 79 Newtown Lane, commercial property	partial acquisition
301-4-5-3	0.18	8 Muchmore Lane, commercial property	partial acquisition
301-4-5-5.3	2.40	Gardiner Brown House, 95 Main St., special permit property	partial acquisition
301-4-6-p/o4.2	0.08	34 Pantigo Road, commercial property	partial acquisition
301-4-6-p/o11.2	0.91	38 Pantigo Road, commercial property	partial acquisition
301-4-6-p/o12.1	1.21	12 Gay Lane, commercial property	partial acquisition
301-4-6-p/o14	0.67	18 Gay Lane, commercial property	partial acquisition
301-4-7-p/o25	1.30	special permit property	partial acquisition

**Private Lands with Public Benefit**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-4-2-p/o25	1.75	Peconic Land Trust	maintain open space
301-4-3-2	1.00	East Hampton Cemetery Association	maintain open spaces & buffers

Village of East Hampton  
Open Space Program  
Section 4



Section 5

Recommended Open Space

Existing Public Lands & Easements

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
301-5-1-p/o5.1	0.21	buffer
301-5-1-p/o5.3	0.23	buffer
301-5-3-p/o10.1	5.00	vista

Recommended Disposition  
 Declaration of Covenants & Restrictions  
 Declaration of Covenants & Restrictions  
 retain vista, scenic easement

Recommended Open Space

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
301-5-3-p/o11.1	6.90	agricultural land
301-5-3-13.2	4.10	agricultural land

Recommended Disposition  
 retain vista, agricultural land, purchase Development Rights  
 retain vista, agricultural land, purchase Development Rights

Historic Preservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
301-5-2-6.5		individual landmark house (1650 - 1850)

Recommended Disposition  
 historic preservation easement

Commercial Streetscape Conservation Program

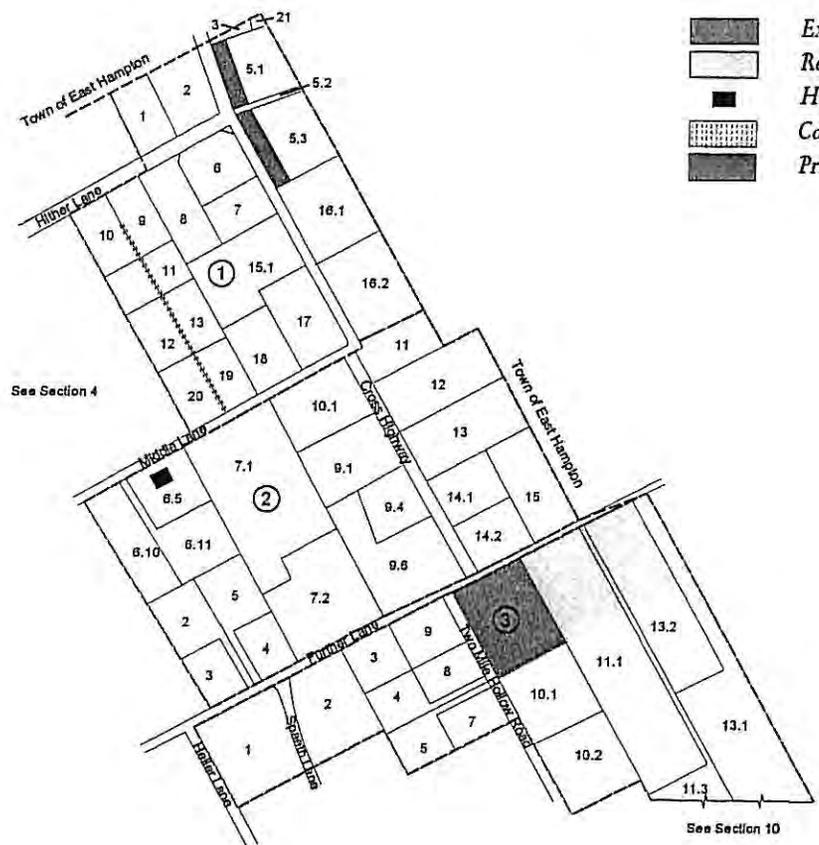
<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
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Recommended Disposition

Private Lands with Public Benefit

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
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Recommended Disposition



-  Existing Public Lands & Easements
-  Recommended Open Space
-  Historic Preservation Program
-  Commercial Streetscape Conservation Program
-  Private Lands with Public Benefit

Village of East Hampton  
 Open Space Program  
 Section 5

Section 6

Recommended Open Space

Existing Public Lands & Easements

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
301-6-1-2	0.50	village corridor, New York State
301-6-1-3	2.50	village corridor, road convergence
301-6-1-5	3.10	village corridor

<u>Recommended Disposition</u>
scenic easement
Reserved Area
Reserved Area

Recommended Open Space

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
301-6-1-1	3.30	village corridor, wetlands
301-6-1-p/o6	0.50	village corridor
301-6-1-p/o7	1.30	village corridor
301-6-1-p/o8	0.30	village corridor
301-6-1-p/o9.1	57.10	wetlands

<u>Recommended Disposition</u>
acquisition, wetland easement
acquisition, scenic easement
acquisition, scenic easement
acquisition, scenic easement
wetland easements, Reserved Area

Historic Preservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
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<u>Recommended Disposition</u>
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Commercial Streetscape Conservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
301-6-1-p/o4.1	2.20	special permit property

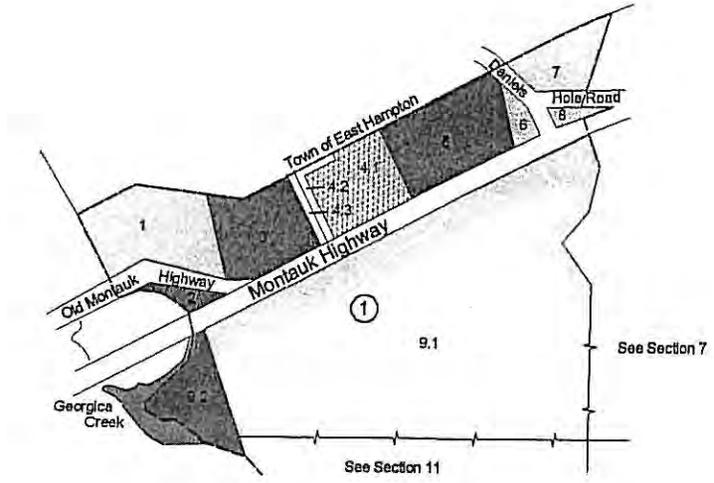
<u>Recommended Disposition</u>
partial acquisition

Private Lands with Public Benefit

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
301-6-1-9.2	2.00	wetlands

<u>Recommended Disposition</u>
Nature Conservancy

Village of East Hampton  
 Open Space Program  
 Section 6



-  Existing Public Lands & Easements
-  Recommended Open Space
-  Historic Preservation Program
-  Commercial Streetscape Conservation Program
-  Private Lands with Public Benefit

**Existing Public Lands & Easements**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-7-1-p/o2	5.30	Trustees of the Town of East Hampton, village corridor	scenic easement
301-7-1-3	1.74	Trustees of the Town of East Hampton	wetlands
301-7-1-5.3	4.90	village corridor	Trustees of the Town of East Hampton
301-7-2-2.3	4.20	village corridor, agricultural land	Reserved Area
301-7-2-13.1	0.01	agricultural land	Reserved Area
301-7-2-13.2	0.01	agricultural land	Reserved Area
301-7-2-24	6.00	village corridor, agricultural land	Reserved Area
301-7-3-p/o4	2.00	wetlands	scenic easement

**Recommended Open Space**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-7-1-p/o4	2.80	village corridor	scenic easement
301-7-1-6	0.38	village corridor	acquisition
301-7-2-p/o18	0.90	village corridor	scenic easement
301-7-2-p/o19	1.30	village corridor	scenic easement
301-7-3-p/o1	1.10	village corridor	scenic easement
301-7-3-p/o2	8.20	village corridor, wetlands	scenic easement, wetland easement
301-7-3-p/o3	1.70	village corridor, wetlands	scenic easement, wetland easement
301-7-3-p/o4	2.00	village corridor, wetlands	scenic easement, wetland easement
301-7-3-p/o5	2.00	village corridor	acquisition, scenic easement
301-7-3-p/o6	2.40	wetlands	wetland easement
301-7-3-p/o7	2.50	wetlands	wetland easement
301-7-3-p/o8	1.90	wetlands	wetland easement
301-7-4-p/o1	1.90	village corridor	scenic easement
301-7-4-p/o2	1.90	village corridor	scenic easement
301-7-4-p/o3	1.90	village corridor	scenic easement
301-7-4-p/o4	2.00	village corridor	scenic easement
301-7-4-p/o14.1	1.90	wetlands	wetland easement
301-7-4-p/o14.2	2.00	wetlands	wetland easement
301-7-4-p/o15	1.10	wetlands	wetland easement
301-7-4-p/o16	2.20	wetlands	wetland easement
301-7-4-p/o17	2.40	village corridor	scenic easement
301-7-5-p/o1.1	1.00	village corridor	scenic easement

**Recommended Open Space - Cont'd.**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-7-5-p/o1.2	1.00	village corridor	scenic easement
301-7-5-p/o1.3	1.00	village corridor	scenic easement
301-7-5-p/o1.4	1.00	village corridor	scenic easement

**Historic Preservation Program**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-7-2-12		individual landmark house (1650 - 1850)	historic preservation easement
301-7-2-15		individual landmark house (1650 - 1850)	historic preservation easement

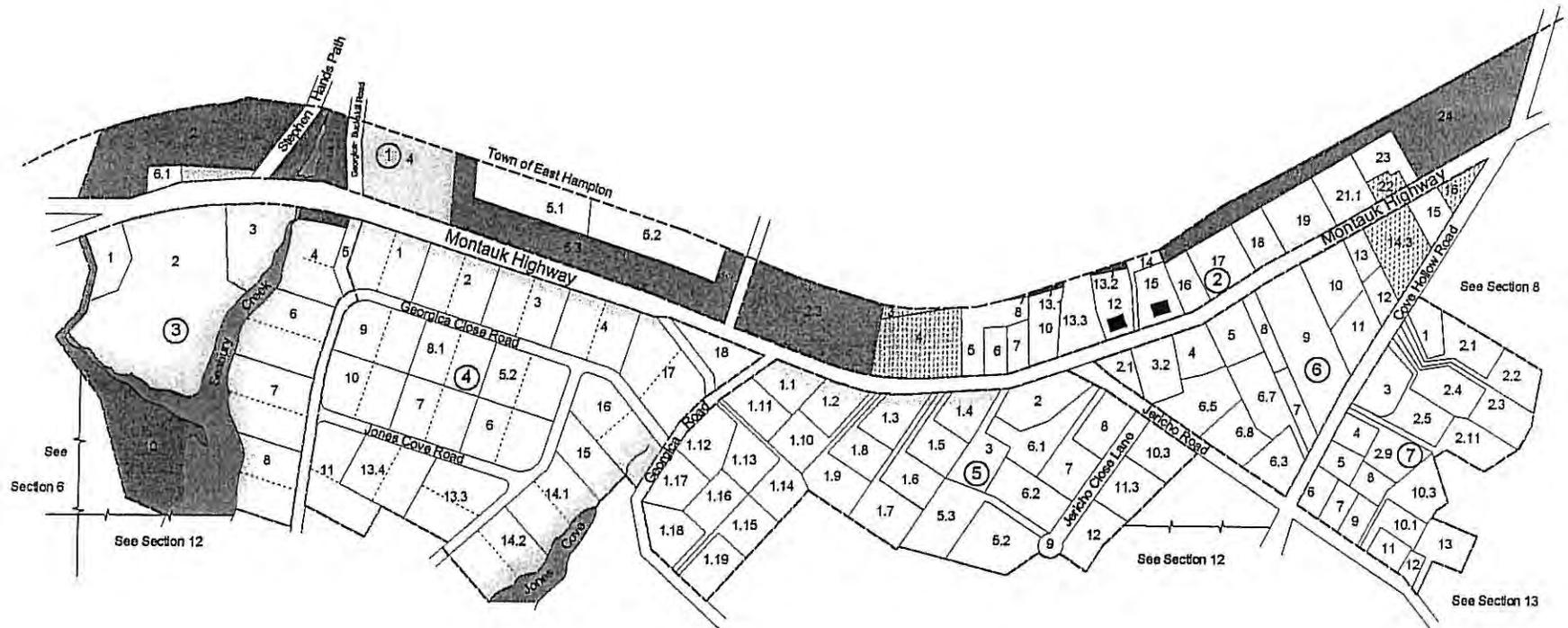
**Commercial Streetscape Conservation Program**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-7-2-p/o3	0.29	special permit property	partial acquisition
301-7-2-p/o4	2.20	special permit property	partial acquisition
301-7-2-p/o8	0.01	special permit property	partial acquisition
301-7-2-p/o22	0.32	special permit property	partial acquisition
301-7-6-p/o14.3	1.50	special permit property	partial acquisition
301-7-6-p/o16	0.31	special permit property	partial acquisition

**Private Lands with Public Benefit**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-7-3-10	4.00	wetlands	Nature Conservancy

Village of East Hampton  
Open Space Program  
Section 7



-  Existing Public Lands & Easements
-  Recommended Open Space
-  Historic Preservation Program
-  Commercial Streetscape Conservation Program
-  Private Lands with Public Benefit

**Existing Public Lands & Easements**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-8-5-15	0.24	historic site	Home Sweet Home
301-8-8-1	1.10	road convergence	Village Green
301-8-8-3	2.80	wetland, village green	Town Pond, Village Green
301-8-8-4	0.08	road convergence	Village Green
301-8-9-1.3	0.16	historic site	Gardiner Mill, Village property
301-8-9-1.4	3.70	agricultural land	agricultural easement
301-8-9-1.5	3.70	agricultural land	agricultural easement
301-8-10-3	2.40	road convergence	Village Green, Bannister Park
301-8-12-p/o2.3	2.20	village corridor	scenic easement
301-8-12-p/o2.5	2.90	village corridor	scenic easement
301-8-12-p/o2.6	2.30	village corridor	scenic easement
301-8-15-14	0.12	buffer	Reserved Area
301-8-15-13	0.40	buffer	Reserved Area

**Recommended Open Space**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-8-9-p/o2.1	9.30	wetlands	wetland easement
301-8-9-p/o8.2	2.60	wetlands	wetland easement
301-8-9-p/o8.3	4.10	wetlands	wetland easement
301-8-9-p/o14.3	2.80	wetlands	wetland easement
301-8-9-p/o14.4	2.40	wetlands	wetland easement
301-8-12-p/o5.7	1.10	village corridor	scenic easement
301-8-12-p/o5.8	1.10	village corridor	scenic easement
301-8-12-p/o5.13	1.10	village corridor	scenic easement
301-8-12-p/o5.14	1.10	village corridor	scenic easement
301-8-14-p/o4	1.50	wetlands	wetland easement
301-8-14-p/o5	1.90	wetlands	wetland easement
301-8-14-p/o8	1.90	wetlands	wetland easement
301-8-14-p/o9	1.10	wetlands	wetland easement
301-8-14-p/o10	2.80	wetlands	wetland easement
301-8-14-p/o11	1.30	wetlands	wetland easement
301-8-14-p/o12	3.40	wetlands	wetland easement
301-8-14-p/o13	3.00	wetlands	wetland easement

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**Recommended Open Space - Cont'd.**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-8-14-p/o14	3.40	wetlands	wetland easement
301-8-14-p/o15	2.80	wetlands	wetland easement
301-8-14-p/o16	1.50	wetlands	wetland easement

**Historic Preservation Program**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-8-3-3.1		small historic building (Post Office c. 1860)	acquisition
301-8-3-24.3		historic barn (Hedges Barn)	acquisition or historic preservation easement
301-8-7-51		extraordinary building in a historic district	historic preservation easement
301-8-7-53		extraordinary building in a historic district (Jeremiah Osborne House)	acquisition or historic preservation easement
		historic barn (Osborne Barn)	historic preservation easement
301-8-9-1.4		extraordinary building in a historic district	acquisition or historic preservation easement
301-8-9-1.5		land of historic value	acquisition or easement
301-8-9-3		extraordinary building in a historic district	acquisition or historic preservation easement
301-8-9-9.4		individual landmark house (1650 - 1850)	historic preservation easement
301-8-9-12		extraordinary building in a historic district	acquisition or historic preservation easement
301-8-12-6		individual landmark house (1650 - 1850)	historic preservation easement
301-8-13-22		individual landmark house (1650 - 1850)	historic preservation easement

**Commercial Streetscape Conservation Program**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-8-2-p/o48.1	8.10	Most Holy Trinity Church, special permit property	partial acquisition
301-8-3-p/o19	0.58	1770 House, special permit property	partial acquisition
301-8-3-p/o20	0.20	East Hampton Historical Society, special permit property	partial acquisition
301-8-3-p/o21	0.20	Clinton Academy, special permit property	partial acquisition
301-8-3-p/o22	0.29	East Hampton Star, special permit property	partial acquisition
301-8-3-p/o29.1	2.30	East Hampton Library, special permit property	partial acquisition
301-8-5-p/o3	1.10	Guild Hall, special permit property	partial acquisition
301-8-5-p/o7	3.00	Mulford Farm, special permit property	partial acquisition
301-8-5-p/o8	1.50	St. Luke's Church, special permit property	partial acquisition
301-8-5-p/o9	0.47	The Pink House, special permit property	partial acquisition

**Commercial Streetscape Conservation Program - Cont'd.**

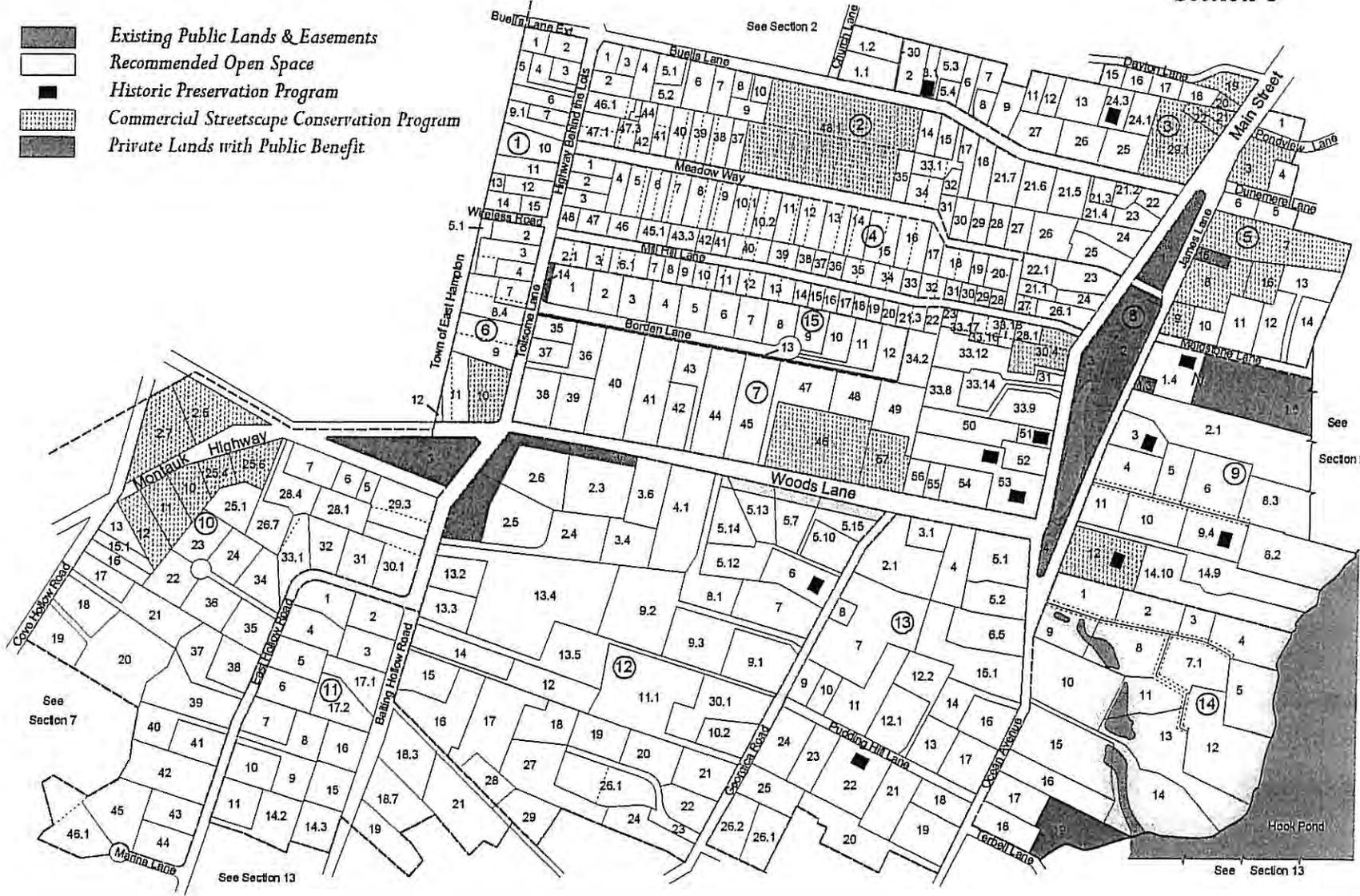
<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-8-5-p/o16	0.70	St. Luke's Church, special permit property	partial acquisition
301-8-6-p/o10	1.20	Getty Station, special permit property	partial acquisition
301-8-7-p/o30.3	0.92	Maidstone Arms Restaurant & Inn, Special Permit property	partial acquisition
301-8-7-p/o46	3.30	Jewish Center of the Hamptons, special permit property	partial acquisition
301-8-7-p/o57	1.10	Jewish Center of the Hamptons, special permit property	partial acquisition
301-8-9-p/o12	2.00	The Hedges Inn, special permit property	partial acquisition
301-8-10-p/o2.5	1.03	50 Montauk Highway, Apple Bank, commercial property	partial acquisition
301-8-10-p/o2.7	2.30	74 Montauk Highway, Red Horse, commercial property	partial acquisition
301-8-10-p/o10	0.70	65 Montauk Highway, Hardscrabble, commercial property	partial acquisition
301-8-10-p/o11	1.10	74 Montauk Highway, East Hampton Bowl, commercial	partial acquisition
301-8-10-p/o12	1.00	75 Montauk Highway, Florist, commercial property	partial acquisition
301-8-10-p/o25.4	0.50	57 Montauk Highway, commercial property	partial acquisition
301-8-10-p/o25.6	0.75	47 Montauk Highway, commercial property	partial acquisition

**Private Lands with Public Benefit**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-8-8-2	1.80	cemetery	East Hampton Cemetery Association
301-8-14-19	1.60	wetlands	Peconic Land Trust

# Village of East Hampton Open Space Program Section 8

-  Existing Public Lands & Easements
-  Recommended Open Space
-  Historic Preservation Program
-  Commercial Streetscape Conservation Program
-  Private Lands with Public Benefit



**Existing Public Lands & Easements**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-9-1-3.3	2.50	wetlands	Nature Trail
301-9-1-9.29	1.50	wetlands	Nature Trail
301-9-1-9.30	5.20	wetlands	Nature Trail
301-9-1-p/o13.1	0.21	buffer	conservation easement
301-9-1-p/o13.9	1.40	wetland & hedgerow	conservation easement
301-9-1-p/o13.10	0.89	wetland & buffer	conservation easement
301-9-3-13	1.00	wetlands	Nature Trail
301-9-3-15	0.25	road convergence	Village Green
301-9-4-p/o26	3.70	wetlands	wetland easement
		Ocean Beach	Trustees of the Town of East Hampton
	1.70	Wiborg's Beach parking lot	maintain parking

**Recommended Open Space**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-9-1-p/o4	0.85	wetlands	wetland easement
301-9-1-p/o5	1.10	wetlands	wetland easement
301-9-1-p/o6	1.50	wetlands	wetland easement
301-9-1-p/o7	1.00	wetlands	wetland easement
301-9-1-p/o8	0.50	wetlands	wetland easement
301-9-1-p/o10	1.10	wetlands	wetland easement
301-9-1-p/o11	1.30	wetlands	wetland easement
301-9-3-p/o11	1.40	wetlands	wetland easement
301-9-3-p/o12	2.40	wetlands	wetland easement
301-9-3-p/o14	1.00	wetlands	wetland easement
301-9-4-p/o14	3.10	wetlands	wetland easement
301-9-4-p/o15.1	4.40	wetlands	wetland easement
301-9-4-p/o23	1.60	dunelands	duneland easement
301-9-4-p/o24	1.60	dunelands	duneland easement
301-9-4-p/o25	1.60	dunelands	duneland easement
301-9-5-p/o10.1	2.40	dunelands	duneland easement
301-9-5-p/o11	2.40	dunelands	duneland easement
301-9-5-p/o12	2.40	dunelands	duneland easement
301-9-5-p/o13	2.40	dunelands	duneland easement

**Recommended Open Space - Cont'd.**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-9-5-p/o14	2.40	dunelands	duneland easement
301-9-5-p/o21.3	2.40	dunelands	duneland easement
301-9-5-p/o21.4	2.40	dunelands	duneland easement
301-9-6-p/o7.2	7.10	dunelands	duneland easement
301-9-6-p/o9.1	6.50	dunelands	duneland easement
301-9-6-p/o11.1	8.60	dunelands	duneland easement

**Historic Preservation Program**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-9-1-4		individual landmark house (1650 - 1850)	historic preservation easement
301-9-1-5		individual landmark house (1650 - 1850)	historic preservation easement
301-9-1-7		individual landmark house (1650 - 1850)	historic preservation easement
301-9-6-11.1		small historic building	acquisition

**Private Lands with Public Benefit**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-9-2-5	23.80	Maidstone Club	retain open space benefit
301-9-3-p/o10	7.90	Maidstone Club, wetlands	retain open space benefit, wetland easement
301-9-4-p/o11	33.50	Maidstone Club, wetlands	retain open space benefit, wetland easement
301-9-4-p/o17	79.30	Maidstone Club, wetlands, dunelands	retain open space benefit, dunelands & wetlands easements
301-9-5-22	36.2	Maidstone Club	retain open space benefit, duneland easements
301-9-6-p/o1	13.6	Maidstone Club	retain open space benefit, duneland easements



**Existing Public Lands & Easements**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
	2.41	Two Mile Hollow Beach parking	maintain parking

**Recommended Open Space**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-10-1-p/o10	4.20	dunelands	duneland easement
301-10-1-p/o11	3.70	dunelands	duneland easement
301-10-1-p/o32	3.80	dunelands	duneland easement
301-10-1-p/o33	1.80	dunelands	duneland easement
301-10-1-p/o34	3.30	dunelands	duneland easement
301-10-1-p/o36.1	5.90	dunelands	duneland easement
301-10-2-p/o3	4.70	dunelands	duneland easement

**Historic Preservation Program**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-10-1-11		important building move here from elsewhere on South Fork	acquisition or historic preservation easement
301-10-1-22		important building move here from elsewhere on South Fork	acquisition

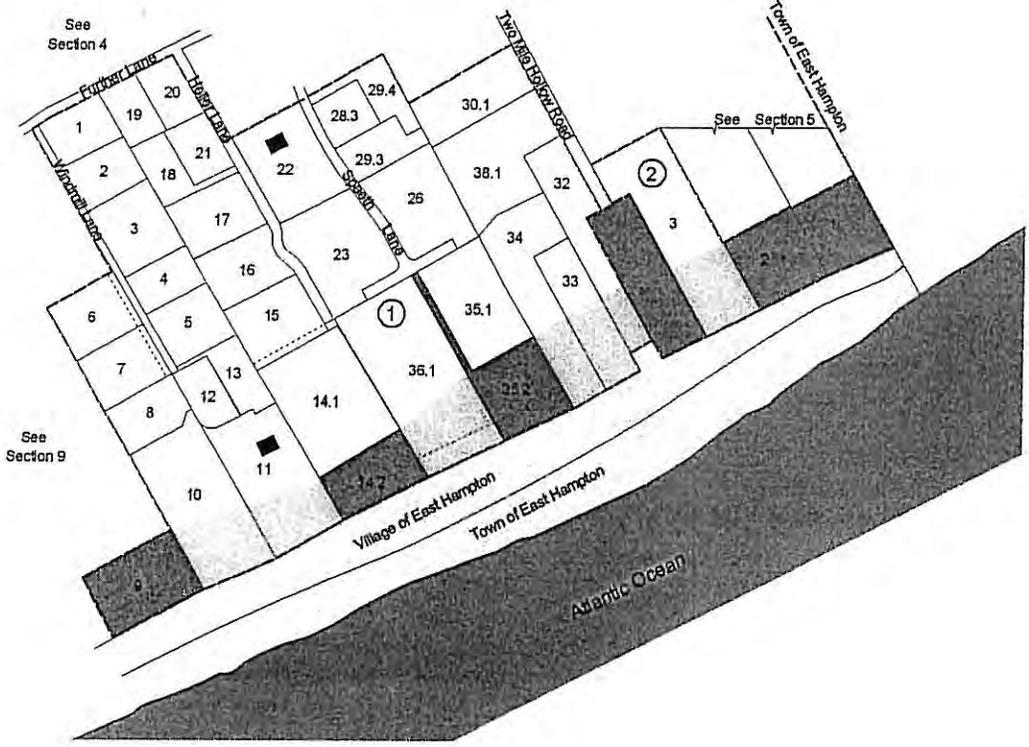
**Commercial Streetscape Conservation Program**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
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**Private Lands with Public Benefit**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-10-1-9	2.20	Atlantic Double Dunes	The Nature Conservancy
301-10-1-14.2	1.70	Atlantic Double Dunes	The Nature Conservancy
301-10-1-35.2	2.50	Atlantic Double Dunes	The Nature Conservancy
301-10-2-1	2.00	Atlantic Double Dunes	The Nature Conservancy
301-10-2-2	2.00	Atlantic Double Dunes	The Nature Conservancy

Village of East Hampton  
 Open Space Program  
 Section 10



-  Existing Public Lands & Easements
-  Recommended Open Space
-  Historic Preservation Program
-  Commercial Streetscape Conservation Program
-  Private Lands with Public Benefit

**Existing Public Lands & Easements**

Tax Map Number      Acreage      Characteristics

Recommended Disposition

**Recommended Open Space**

Tax Map Number      Acreage      Characteristics

Recommended Disposition

**Historic Preservation Program**

Tax Map Number      Acreage      Characteristics

Recommended Disposition

**Commercial Streetscape Conservation Program**

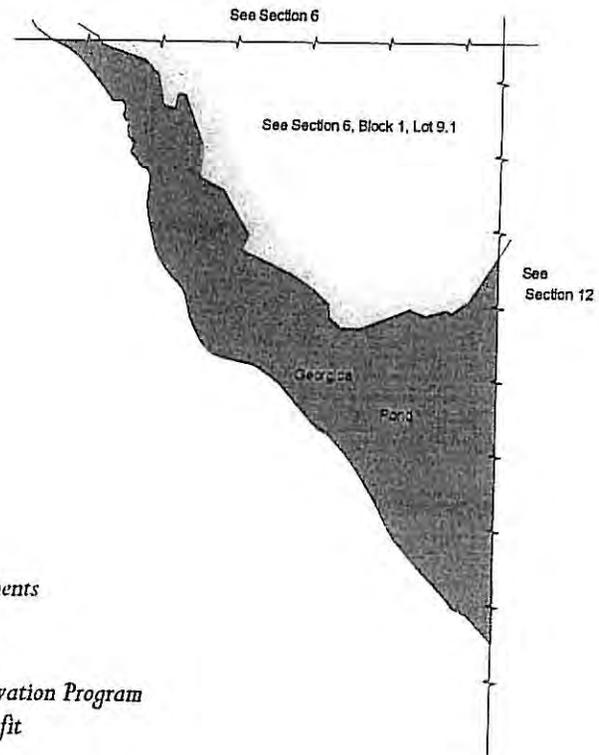
Tax Map Number      Acreage      Characteristics

Recommended Disposition

**Private Lands with Public Benefit**

Tax Map Number      Acreage      Characteristics

Recommended Disposition



-  Existing Public Lands & Easements
-  Recommended Open Space
-  Historic Preservation Program
-  Commercial Streetscape Conservation Program
-  Private Lands with Public Benefit

*Village of East Hampton  
Open Space Program  
Section 11*

Existing Public Lands & Easements

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-12-9-16	3.50	buffer	Reserved Area
301-12-9-17	1.20	buffer	Reserved Area
301-12-9-18	0.75	buffer	Reserved Area
301-12-9-20	0.57	buffer	Reserved Area
301-12-10-p/o1	2.70	wetlands	wetland easement
301-12-10-p/o2	2.70	wetlands	wetland easement
301-12-10-p/o3	2.90	wetlands	wetland easement
301-12-10-p/o4	2.60	wetlands	wetland easement
301-12-10-p/o5	2.60	wetlands	wetland easement
301-12-10-p/o6	2.60	wetlands	wetland easement
301-12-10-p/o7	3.40	wetlands	wetland easement
301-12-10-p/o8	3.20	wetlands	wetland easement
301-12-10-p/o9	3.10	wetlands	wetland easement
301-12-10-16	1.20	buffer	Reserved Area
		Cove Hollow parking area	maintain parking

Recommended Open Space

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-12-1-p/o1	2.10	wetlands	wetland easement
301-12-1-p/o2	2.10	wetlands	wetland easement
301-12-1-p/o3	2.40	wetlands	wetland easement
301-12-1-p/o4	2.90	wetlands	wetland easement
301-12-1-p/o7.1	3.70	wetlands	wetland easement
301-12-1-p/o8	1.80	wetlands	wetland easement
301-12-4-p/o2.1	1.90	wetlands	wetland easement
301-12-4-p/o2.3	3.00	wetlands	wetland easement
301-12-4-p/o2.4	2.70	wetlands	wetland easement
301-12-4-p/o3	2.70	wetlands	wetland easement
301-12-4-p/o7.1	2.10	wetlands	wetland easement
301-12-4-p/o8	4.90	wetlands	wetland easement
301-12-4-p/o9	2.50	wetlands	wetland easement
301-12-4-p/o10	3.00	wetlands	wetland easement
301-12-4-p/o11.6	9.20	wetlands	wetland easement

**Recommended Open Space - Cont'd.**

301-12-4-p/o19.2	0.18	wetlands	wetland easement
301-12-4-p/o20.2	0.02	wetlands	wetland easement
301-12-4-p/o20.3	2.00	wetlands	wetland easement
301-12-4-p/o21.1	1.70	wetlands	wetland easement
301-12-4-p/o21.2	2.90	wetlands	wetland easement
301-12-4-p/o22	3.00	wetlands	wetland easement
301-12-5-p/o1	3.60	wetlands	wetland easement
301-12-5-p/o2	1.50	wetlands	wetland easement
301-12-5-p/o3	3.90	wetlands	wetland easement
301-12-5-p/o4	1.00	wetlands	wetland easement
301-12-5-p/o5	2.30	wetlands	wetland easement
301-12-5-p/o9	5.10	wetlands	wetland easement
301-12-5-p/o10	3.00	wetlands	wetland easement
301-12-5-p/o11	5.20	wetlands	wetland easement
301-12-5-p/o12	5.10	wetlands	wetland easement
301-12-7-p/o3	2.10	wetlands	wetland easement
301-12-7-p/o4	1.40	wetlands	wetland easement
301-12-7-p/o5	0.80	wetlands	wetland easement
301-12-7-p/o6	1.20	wetlands	wetland easement
301-12-7-p/o7	3.10	wetlands	wetland easement
301-12-7-p/o9.3	0.60	wetlands	wetland easement

**Historic Preservation Program**

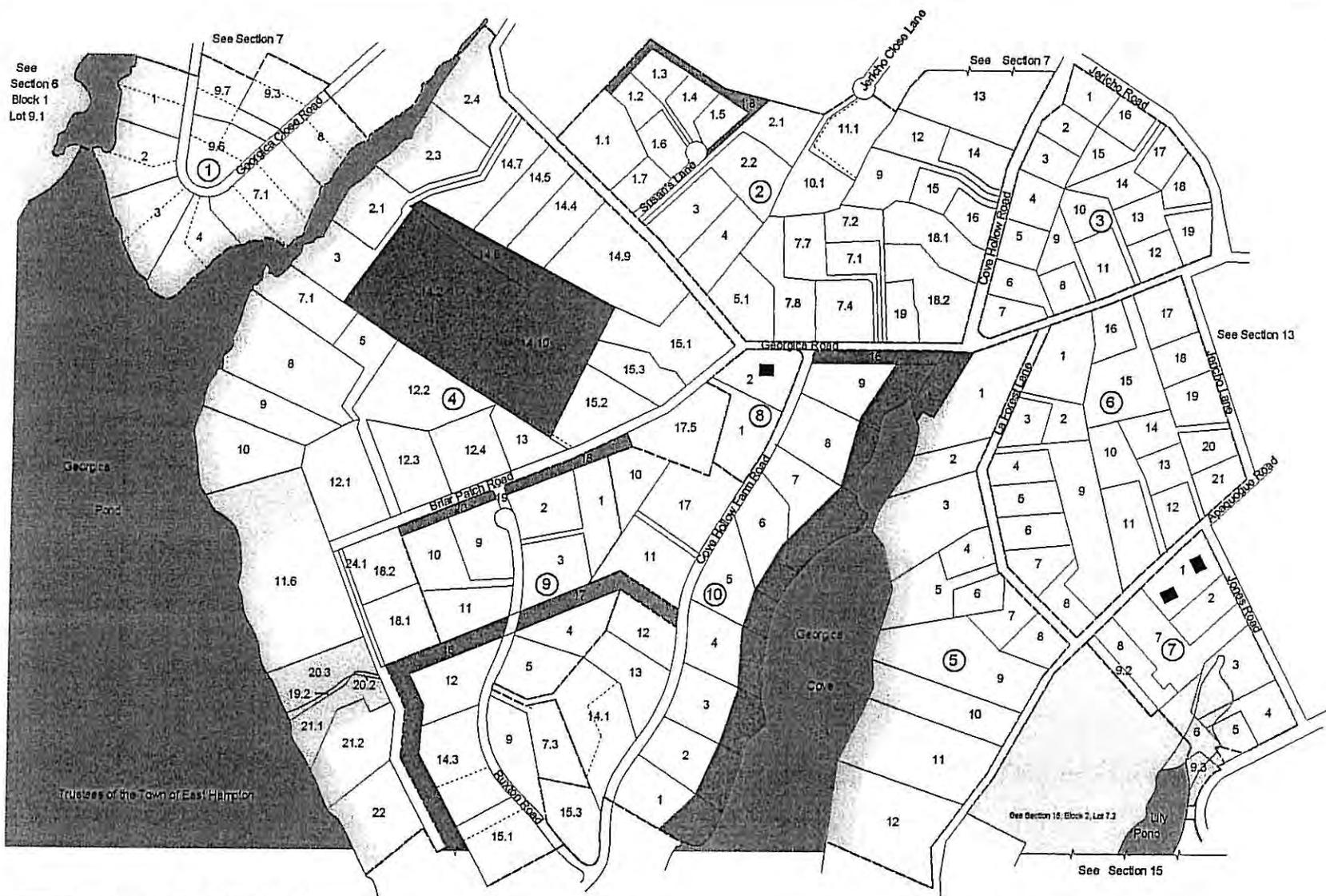
<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-12-7-1		individual landmark house (1650 - 1850)	historic preservation easement
		historic barn	historic preservation easement
301-12-8-2		individual landmark house (1650 - 1850) Baldwin Cook Talmadge House	historic preservation easement

**Commercial Streetscape Conservation Program**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
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**Private Lands with Public Benefit**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-12-4-14.2	9.10	prime agricultural lands	The Nature Conservancy
301-12-4-14.8	1.50	prime agricultural lands	The Nature Conservancy
301-12-4-14.10	7.00	prime agricultural lands	The Nature Conservancy



-  Existing Public Lands & Easements
-  Recommended Open Space
-  Historic Preservation Program
-  Commercial Streetscape Conservation Program
-  Private Lands with Public Benefit

Village of East Hampton  
 Open Space Program  
 Section 12

**Existing Public Lands & Easements**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-13-5-p/o8.1	0.76	dune	scenic easement
301-13-5-p/o8.2	1.28	dune	scenic easement
301-13-10-18	1.70	Village Parking	Village property
301-13-10-19	16.60	Sea Spray	Village property
301-13-13-21	1.30	Main Beach Pavilion Ocean Beaches	Village property Trustees of the Town of East Hampton

**Recommended Open Space**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-13-10-p/o3	1.50	wetlands	wetland easement
301-13-10-p/o4	1.80	wetlands	wetland easement
301-13-10-p/o5	4.40	wetlands	wetland easement
301-13-10-p/o6.1	3.20	wetlands	wetland easement
301-13-10-p/o6.2	1.90	wetlands	wetland easement
301-13-10-p/o15	1.00	wetlands	wetland easement
301-13-10-p/o17	1.00	wetlands	wetland easement
301-13-11-p/o6	8.50	dunelands	duneland easement
301-13-11-p/o10	3.50	dunelands	duneland easement
301-13-11-p/o11	2.70	dunelands	duneland easement
301-13-12-p/o3	2.80	dunelands	duneland easement
301-13-12-p/o4.2	2.80	dunelands	duneland easement
301-13-12-p/o6.2	2.00	dunelands	duneland easement
301-13-12-p/o9.1	4.20	dunelands	duneland easement
301-13-12-p/o12	2.20	dunelands	duneland easement
301-13-12-p/o13.3	2.10	dunelands	duneland easement
301-13-12-p/o20	1.40	dunelands	duneland easement
301-13-13-p/o6	1.30	dunelands	duneland easement
301-13-13-p/o7.2	4.00	dunelands	duneland easement
301-13-13-p/o11.1	1.60	dunelands	duneland easement
301-13-13-p/o12	2.40	dunelands	duneland easement

**Historic Preservation Program**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
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**Commercial Streetscape Conservation Program**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
301-6-4-p/o4.2	0.91	real estate office, Special Permit Property

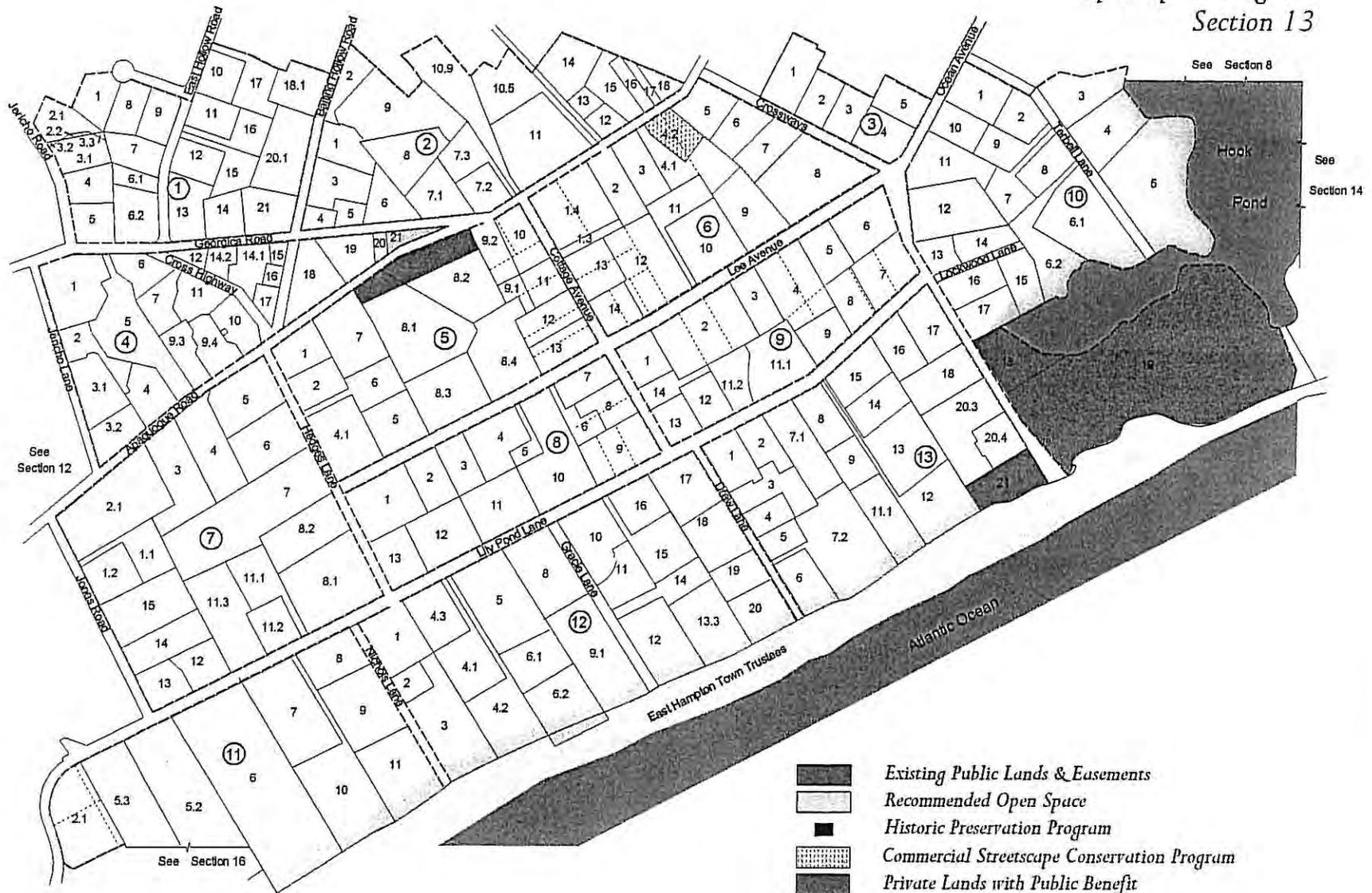
Recommended Disposition  
partial acquisition

**Private Lands with Public Benefit**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
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Recommended Disposition

Village of East Hampton  
Open Space Program  
Section 13



Section 14

Recommended Open Space

Existing Public Lands & Easements

Tax Map Number      Acreage      Characteristics  
Ocean Beaches

Recommended Disposition  
Trustees of the Town of East Hampton

Recommended Open Space

Tax Map Number      Acreage      Characteristics

Recommended Disposition

Historic Preservation Program

Tax Map Number      Acreage      Characteristics

Recommended Disposition

Commercial Streetscape Conservation Program

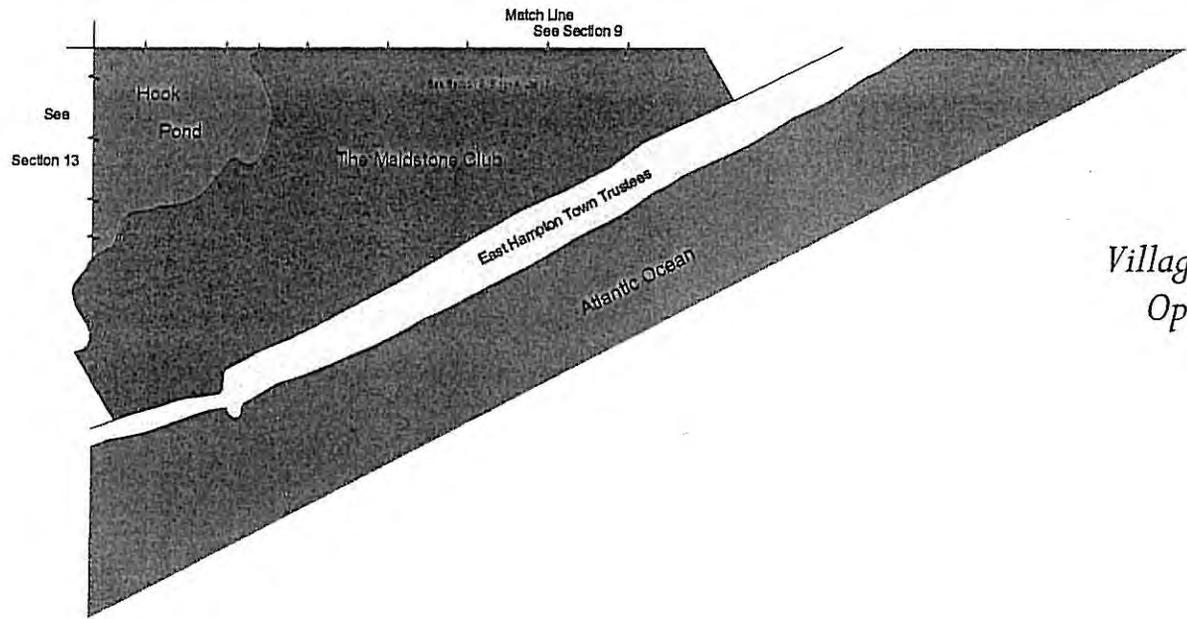
Tax Map Number      Acreage      Characteristics

Recommended Disposition

Private Lands with Public Benefit

See      Tax Map Number      Acreage      Characteristics  
301-9-4-p/o17      79.30      wetlands

Recommended Disposition  
retain open space benefit, wetland easement



*Village of East Hampton  
Open Space Program  
Section 14*

-  Existing Public Lands & Easements
-  Recommended Open Space
-  Historic Preservation Program
-  Commercial Streetscape Conservation Program
-  Private Lands with Public Benefit

Existing Public Lands & Easements

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-15-1-p/o1	1.40	wetlands	wetland easement
301-15-1-p/o2	2.20	wetlands	wetland easement
301-15-1-p/o3	1.80	wetlands	wetland easement
301-15-1-p/o4	2.90	wetlands	wetland easement
301-15-1-p/o5	3.90	wetlands	wetland easement
301-15-1-p/o6	3.50	wetlands	wetland easement
301-15-1-p/o7	3.80	wetlands	wetland easement
301-15-1-p/o8	1.90	wetlands	wetland easement
301-15-2-7.2	19.30	agricultural land thru 2007	Agricultural Easement thru 2007
301-15-4-10	2.90	Village Beach	Village Coast Guard Beach
301-15-4-15	0.12	duneland, County of Suffolk	duneland easement
301-15-5-12.1	0.75	Access	Village Access
301-15-5-18	0.21	duneland, County of Suffolk	duneland easement
301-15-6-p/o2	2.00	wetlands	wetland easement
301-15-6-p/o3	2.80	wetlands	wetland easement
301-15-6-p/o4	2.40	wetlands	wetland easement
301-15-6-p/o5	2.60	wetlands	wetland easement
		Ocean Beaches	Trustees of the Town of East Hampton
		Access, Georgica Gut	Trustees of the Town of East Hampton

Recommended Open Space

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-15-2-p/o7.2	19.30	agricultural lands, scenic vistas (easement thru 2007)	agricultural easement, purchase Development Rights
301-15-3-p/o1	3.30	wetlands	wetland easement
301-15-3-p/o3	4.10	wetlands	wetland easement
301-15-3-p/o4	1.70	wetlands	wetland easement
301-15-3-p/o7.1	1.60	wetlands	wetland easement
301-15-3-p/o8	1.10	wetlands	wetland easement
301-15-3-p/o9	2.00	wetlands	wetland easement
301-15-3-p/o10	1.30	wetlands	wetland easement
301-15-4-p/o1	2.90	duneland	duneland easement
301-15-4-p/o2	2.50	duneland	duneland easement

**Recommended Open Space Cont'd.**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-15-4-p/o4	1.90	duneland	duneland easement
301-15-4-p/o5	2.10	duneland	duneland easement
301-15-4-p/o6	2.30	duneland	duneland easement
301-15-4-p/o7	3.70	duneland	duneland easement
301-15-4-p/o12	1.20	duneland	duneland easement
301-15-4-p/o13	1.20	duneland	duneland easement
301-15-4-p/o14	2.70	duneland	duneland easement
301-15-5-p/o3	3.00	wetlands	wetland easement
301-15-5-p/o4	2.50	dunelands	duneland easement
301-15-5-p/o5	4.00	dunelands, wetlands	duneland & wetland easements
301-15-5-p/o6	0.94	dunelands	duneland easement
301-15-5-p/o8	1.20	dunelands	duneland easement
301-15-5-p/o9	1.30	dunelands	duneland easement
301-15-5-p/o10	2.00	dunelands	duneland easement
301-15-5-p/o11.1	6.80	dunelands, wetlands	duneland & wetland easements
301-15-5-p/o14.1	2.20	dunelands	duneland easement
301-15-5-p/o16.2	12.00	dunelands, wetlands	duneland easement

**Historic Preservation Program**

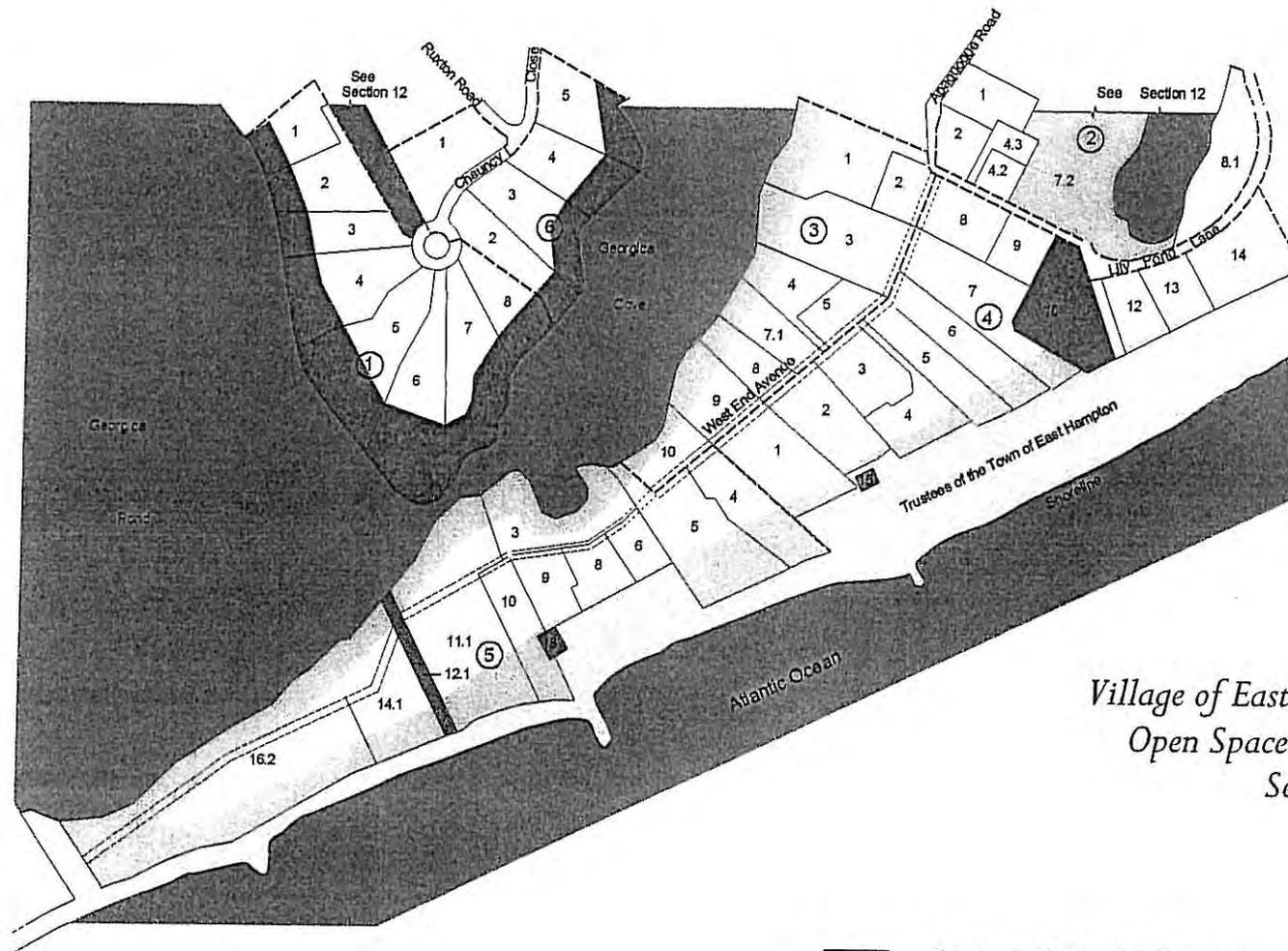
<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
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**Commercial Streetscape Conservation Program**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
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**Private Lands with Public Benefit**

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
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*Village of East Hampton  
Open Space Program  
Section 15*

-  Existing Public Lands & Easements
-  Recommended Open Space
-  Historic Preservation Program
-  Commercial Streetscape Conservation Program
-  Private Lands with Public Benefit

Section 16

Recommended Open Space

Existing Public Lands & Easements

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
		Ocean Beaches

Recommended Disposition  
Trustees of the Town of East Hampton

Recommended Open Space

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
301-16-1-p/o1	2.00	dunelands
301-16-1-p/o2.1	3.00	dunelands

Recommended Disposition  
duneland easement  
duneland easement

Commercial Streetscape Conservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
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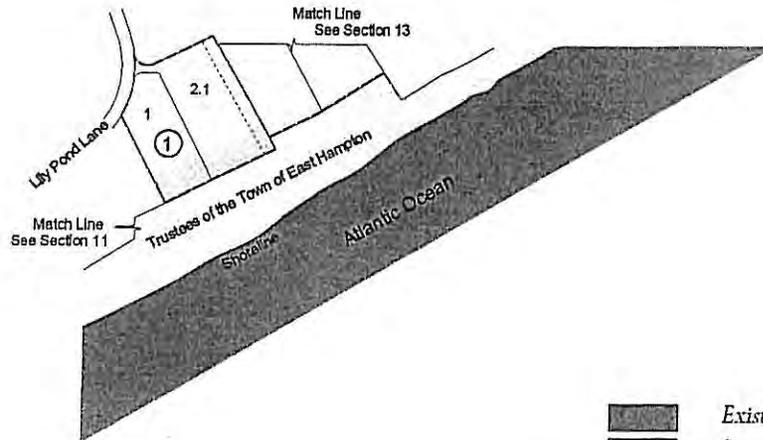
Recommended Disposition

Private Lands with Public Benefit

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
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Recommended Disposition

*Village of East Hampton  
Open Space Program  
Section 16*



-  Existing Public Lands & Easements
-  Recommended Open Space
-  Historic Preservation Program
-  Commercial Streetscape Conservation Program
-  Private Lands with Public Benefit

*Addendum*

Following are the Goals and Recommended Action Summary from Village of East Hampton Comprehensive Plan, February 15, 2002

## GOALS

### Village Neighborhoods Goal:

Preserve and protect the existing character and quality of life in each of the Village's diverse residential neighborhoods.

### Commercial Districts Goal:

Maintain the areas of the Village's commercial districts as they currently exist and keep the size and scale of commercial buildings compatible with the character of the Village.

### Natural Resource Protection Goal:

Protect and preserve the Village's great beauty and natural areas.

### Historic Character Preservation Goal:

Protect and preserve the historic character of the Village.

### Transportation System Goal:

Facilitate the flow of traffic through the area while preserving the character of the Village.

### Public Facilities and Services Goal

Provide facilities and services that meet the needs of the Village's population.

### Working with the Town of East Hampton Goal:

Improve Village/Town interaction.

## RECOMMENDED ACTION SUMMARY

### NEIGHBORHOOD PRESERVATION

- NP1 Retain existing residential zoning districts and related area requirements in Chapter 57 of the Village Code
- NP2 Revise existing limitations on gross floor area to accomplish more compatible residential development and redevelopment
- NP3 Consider additional limits on accessory structures and buildings
- NP4 Maintain limitations on the height of primary structures and consider limiting the height of accessory buildings and structures
- NP5 Consider use of an “encroachment plane” regulation which could vary in degrees according to lot size
- NP6 Require setbacks that are based upon lot size
- NP7 Require all site plans and surveys to show all improvements to a property
- NP8 Require all site plans and surveys to show all required setbacks and calculations
- NP9 Continue to manage the Village’s street trees
- NP10 Work cooperatively with owners of private property containing elm trees
- NP11 Minimize street treatments that detract from Village character
- NP12 Maintain unobstructed vegetated borders along public rights-of-way
- NP13 Require private property owners to remove obstructions in vegetated borders along public rights-of-way
- NP14 Maintain road shoulder edges to reduce unevenness and ruts
- NP15 Prohibit overflow parking from commercial uses into residential neighborhoods
- NP16 Prohibit installation of lighting on nonresidential properties that adversely impact adjacent residential neighborhoods
- NP17 Prohibit special events that impinge on adjacent residential properties
- NP18 Enforce existing noise regulations
- NP19 Require landscaped buffers between residential and nonresidential uses
- NP20 Identify all existing buildings that contain rental rooms
- NP21 Establish standards, requirements, and enforcement provisions for lodging facilities
- NP22 Conduct annual inspections of all buildings that include rental rooms

- NP23 Enforce regulations pertaining to rented rooms in single-family homes
- NP24 Prohibit the extension or enlargement of nonconforming uses where rooms are rented
- NP25 Increase the amount of fines for violation of regulations pertaining to renting rooms and extension or enlargement of nonconforming uses
- NP26 Limit lodging facilities with more than two guest rooms to those now legally existing
- NP27 Enforce regulations against group rentals
- NP28 Require nonresidential uses in residential districts to operate so as not to diminish quality of life for neighbors (*see NP15 through NP19*)
- NP29 Monitor nonresidential properties in residential districts on a regular basis to ensure that they conform to the status under which they operate
- NP30 Redefine the criteria for initiating action against a property owner for extension or enlargement of a nonconforming use
- NP31 Prohibit extensions or enlargements of preexisting or nonconforming uses with the intention that the property revert to its primary residential and conforming use
- NP32 Establish weight limits for trucks on all Village streets
- NP33 Encourage commercial vehicles on Town or Village business to use primary roads rather than secondary residential streets
- NP34 Aggressively enforce village speed limits
- NP35 Protect neighborhood character by limiting traffic lights to the minimum required in accordance with safety design standards
- NP36 Maintain restrictions on daytime and overnight parking
- NP37 Require owners to provide adequate parking for new construction on private property
- NP38 Consider extending the quiet hours in Chapter 38 beyond the hours from 11:00 p.m. to 7:00 a.m.
- NP39 Limit hours of operation for construction crews
- NP40 Establish limits for the duration of construction to one building permit (1 year) with a potential for one six-month extension
- NP41 Consider limiting the hours of operation for professional landscape crews
- NP42 Consider limitations on outdoor lighting
- NP43 Define "special events" and indicate "special area of congestion"

- NP44 Establish guidelines, policies, and procedures to control the number of events on each seasonal weekend
- NP45 Establish a Special Events Planning Committee
- NP46 Prepare and publish a calendar of special events
- NP47 Encourage special parking and transportation arrangement to ease congestion during special events

### COMMERCIAL NEEDS

- C1 Prohibit expansion of the Village's Commercial Districts
- C2 Consider, where appropriate, reducing the extent of the Village's Commercial Districts
- C3 On a district-by-district basis, consider further limiting the size of nonresidential buildings in the village's six commercial districts
- C4 Prohibit overflow parking from the commercial districts into residential neighborhoods
- C5 Prohibit installation of lighting in commercial areas that adversely impacts residential areas
- C6 Prohibit uses and activities that impinge on adjacent residential properties
- C7 Enforce existing noise regulations consistent with the purpose and intent of Chapter 38 of the Village Code

- C8 Require landscaped buffers between nonresidential and residential uses
- C9 Under certain circumstances, consider reducing parking requirements of second floor apartments
- C10 Consider reducing the impervious cover limitations for development projects that include second floor apartments
- C11 Consider permitting a limited number of small-scale multifamily residential developments in the commercial districts
- C12 Establish design guidelines for small-scale multifamily developments
- C13 Evaluate the feasibility of securing wastewater disposal permits for new housing in the commercial districts by transferring development rights within the Village (*same as PF28*)
- C14 Consider alternatives to encourage housing units in one or more of the commercial districts to be "affordable"
- C15 Seek to acquire public open space in the commercial districts
- C16 Decrease the maximum allowable coverage to 80 percent in the Core Commercial District and to 70 percent in the Commercial District and Manufacturing-Industrial District

- C17 When properties are redeveloped in the commercial districts, require landowners to incorporate open spaces that provide critical visual links and pedestrian connections
- C18 Adopt simple and concise design guidelines for commercial development
- C19 Develop and implement streetscape plans and design guidelines for each commercial district
- C20 Coordinate development of a streetscape plan for the North Main Street area with the Town
- C23 Evaluate, develop, and implement plans to improve the appearance and efficiency of public parking facilities
- C22 Without compromising safety, design and locate signs so that they are aesthetically pleasing

**NATURAL RESOURCES**

- NR1 Establish criteria to define open space properties that should be acquired
- NR2 Continue to seek to acquire high priority open space
- NR3 Seek to acquire public open space in the commercial districts similar to the Old Barn Book Store Park on Main Street (*same as (17)*)
- NR4 Continue to protect beaches and dunes consistent with Chapters 6, 10, and 14 of the Village Code

- NR5 Consider efforts to protect Village-owned beaches and dunes
- NR6 Continue to mitigate impacts of new development and redevelopment on wetlands consistent with Chapter 163 of the Village Code
- NR7 Provide information to the public on land management techniques to protect wetlands
- NR8 Enforce existing regulations on activities within wetland buffers consistent with Chapter 163 of the Village Code
- NR9 Encourage property owners to convey conservation easements on wetlands
- NR10 Continue to install leaching pools along Village roadways for storm drainage
- NR11 Consider additional stormwater management improvements that will help to reduce discharges into Village ponds
- NR12 Routinely inspect and maintain stormwater management facilities
- NR13 Coordinate with the Town of East Hampton regarding management strategies to reduce the impacts of stormwater runoff from the Town
- NR14 Encourage public awareness regarding the proper handling and disposal of household hazardous waste

**NRI5** Minimize Village use of fertilizers and lawn chemicals on Village open space

**NRI6** Mitigate impacts of beach activities on critical habitat areas

### HISTORIC CHARACTER PRESERVATION

**H1** Periodically review and update the Village's inventory of historic resources

**H2** Where appropriate, continue to utilize opportunities to coordinate Village initiatives with other government agencies

**H3** Identify individual properties and districts which are potentially eligible for the National Register

**H4** Coordinate with owners of highly significant properties to identify those who are interested in having their property nominated to the National Register

**H5** Identify additional areas of the Village where creation of a local historic district would contribute to protecting the historic character of the Village

**H6** Cooperate with property owners to ascertain interest in local historic districts

**H7** Where there is public support, create additional local historic districts

### TRANSPORTATION

**T1** Seek to reduce the volume of traffic on Montauk Highway by reducing automobile dependency and by developing alternate travel routes

**T2** Periodically review local traffic conditions and consider transportation system improvements as needed that are compatible with Village character

**T3** Limit traffic lights to the minimum required for safety

**T4** Consider implementing a traffic safety campaign informing the community through an instructional mailing and notices in the newspapers

**T5** Continue to operate and evaluate the Lumber Lane Shuttle

**T6** Consider shortening the Lumber Lane Shuttle route to reduce turnaround time

**T7** Seek methods to increase ridership of the Lumber Lane Shuttle

**T8** Enforce speed limits to protect pedestrians

**T9** Improve crosswalks and encourage their use

**T10** Seek more highly visible and attractive means to alert drivers to crosswalks

**T11** Improve and maintain shoulder edges for safe for bicycle and pedestrian use

- T12 Consider bicycle lanes where road widths are wide enough to accommodate them safely
- T13 Routinely coordinate with public and private bus service providers to review routes, service issues, and ridership trends
- T14 Routinely coordinate with the Long Island Rail Road to review service issues, ridership trends, and long-term capital improvement plans for the Rail Road
- T15 Do not add new areas of public parking — or expand the area of existing public parking lots — in or adjacent to the Village’s Commercial Districts
- T16 Maximize capacity within existing lots and along existing streets in the Village's Commercial Districts
- T17 Consider restricting certain areas of public parking lots or streets to vehicles with Village resident permits
- T18 Aggressively enforce existing on-street and public parking lot regulations
- T19 Increase parking fines to encourage voluntary compliance with parking time limits
- T20 Improve signage directing visitors to the Lumber Lane Lot
- T21 Redesign, improve and maintain an attractive, safe, secure and lighted walkway connecting the Lumber Lane Lot with the Reutershan Lot

- T22 Provide a safe, secure, and lighted walkway connecting the Lumber Lane Lot to Newtown Lane
- T23 Encourage local employers to request that their employees utilize the Lumber Lane Lot
- T24 Continue to require new commercial development projects to include adequate on-site parking to meet the demand that will be generated by future building occupants and customers

#### **PUBLIC FACILITIES AND SERVICES**

- PF1 Continue to manage and maintain Herrick Park
- PF2 Continue to cooperate with the East Hampton School District to permit student use of Herrick Park and to encourage the School District to participate in park maintenance
- PF3 Provide and maintain connections within and through the Park
- PF4 Provide and maintain adequate lighting that does not impact adjacent residential neighborhoods
- PF5 Continue to limit use of Herrick Park for special events
- PF6 Continue to manage and maintain the Nature Trail
- PF7 Continue to manage and maintain the various Village greens

- PF8 Continue to assess the overall demand and supply for beach parking at the Village's five beaches
- PF9 Take actions as needed to ensure beach access parking by maximizing the number of parking spaces within existing lots without expanding the land devoted to parking
- PF10 Consider establishing Village residents only parking areas
- PF11 Continue, to restrict street parking where beach access parking spills over into adjacent residential neighborhoods
- PF12 Institute more aggressive ticketing and towing of vehicles without permits
- PF13 Reconsider the option of limiting lockers to Village residents, relocating reserved parking for locker holders and/or eliminating reserved parking for locker holders
- PF14 Ensure adequate lifesaving protection at Village beaches
- PF15 Ensure that signage adequately addresses safety concerns
- PF16 Produce a public information brochure about beach safety
- PF17 Continue periodic evaluations of limits to driving on the beach
- PF18 Add bicycle racks at beaches
- PF19 Periodically review village needs for police protection and enforcement of the Village Code to determine if increased enforcement or personnel is appropriate
- PF20 Continue to recruit and train volunteer fire fighters and EMS technicians
- PF21 Continue to provide adequate facilities and equipment to provide for the fire protection and emergency medical care needs of Village residents
- PF22 Regularly review water quality data obtained by the County and from the SCWA and publish data in local newspapers
- PF23 Provide information to private property owners who still rely upon individual on-site wells regarding the importance of routinely testing their well water
- PF24 Provide information to residents and business owners regarding the importance of maintaining on-site wastewater disposal systems to reduce contamination of the Village's water resources
- PF25 Wherever possible, require property owners who are renovating older existing structures to upgrade and/or relocate on-site disposal systems so that they comply with current applicable requirements of the Code and County Health Standards
- PF26 Ensure that the Village Department of Code Enforcement is adequately staffed and empowered to complete its responsibilities
- PF27 Conduct annual inspections of all buildings that include rented rooms to ensure compliance with existing regulations

- PF28 Monitor nonresidential uses on a regular basis to, ensure that no violations have occurred and that they conform to the particular status under which they operate
- PF29 Ensure compliance with requirements of the ADA, where applicable
- PF30 Review a scale of fines for illegal actions that more effectively deter noncompliance, invoking home rule options if necessary
- PF31 Provide information to the public to enable compliance
- PF32 Continue to document approved conditions with Certificates of Occupancy, plans, and surveys
- PF33 Provide adequate communication to the public about the Administrative Boards and their processes
- PF34 Establish and make known selection criteria for members of each Administrative Board
- PF35 Announce Administrative Board openings to the public to afford an opportunity for interested persons to be considered
- PF36 Provide procedural and substantive training and orientation for all new appointments to Administrative Boards
- PF37 Encourage all members of Administrative Boards to attend appropriate available training and informational seminars

## WORKING WITH THE TOWN

- V/T1 Establish a joint Village/Town general planning coordination committee
- V/T2 Identify transportation issues of mutual concern
- V/T3 Coordinate and encourage railroad service for local and long-distance travel
- V/T4 Coordinate and encourage public and private bus service
- V/T5 Coordinate efforts to establish a transportation hub at the airport with adequate parking
- V/T6 Coordinate efforts to promote alternative routes for through traffic movement not destined for the Village
- V/T7 Coordinate efforts to improve railroad overpasses
- V/T8 Explore options for lessening traffic congestion, travel distances, infrastructure costs, and inconveniences to Village and Town residents
- V/T9 Cooperate to initiate joint review of development within 500 feet of Village/Town boundaries
- V/T10 Coordinate development of a consistent streetscape plan for the North Main Street area
- V/T11 Coordinate future land use planning for scenic approaches to the Village so as to mitigate adverse visual impacts

V/T12 Identify and implement measures to reduce contaminant loading to Village surface water resources from upstream areas in the Town

V/T13 Investigate opportunities to increase recycling in the Village and the Town

V/T14 Coordinate with the Town to ensure that waste disposal trucks with Town contracts only use major roadways and remain off Village residential streets

INTERMUNICIPAL AGREEMENT, dated as of October 22, 1998, between the Town of East Hampton and the Incorporated Village of East Hampton, both being municipal corporations and political subdivisions of the State of New York, acting by and through their Boards, pursuant to General Municipal Law Section 119-0.

WHEREAS, "AN ACT to amend the town law, in relation to authorizing certain towns in the Peconic Bay region to establish community preservation funds; and to amend the tax law, in relation to authorizing certain towns to impose a real estate transfer tax with revenues therefrom to be deposited in said community preservation fund and providing for the repeal of certain provisions, upon expiration thereof" hereinafter referred to as "the State Law", has been adopted by the New York State Legislature and signed by the Governor of the State of New York; and

WHEREAS, the State law provides, inter alia, that the Town of East Hampton may establish a community preservation fund pursuant to the provision of Town Law 64-e and Tax Law Section 1449-aa et. seq. utilizing revenues generated from the imposition of a transfer tax imposed upon the sale of transfer of parcels of property located in the Town of East Hampton, and adopt a community preservation project plan to preserve parcels of property in the Town, including the preservation of parcels located within the boundaries of the Incorporated Village of East Hampton; and

WHEREAS, the Town of East Hampton has adopted local laws pursuant to the State law, which provide for the establishment of a Community Preservation Fund, adopt a Community Preservation Project Plan, and impose a two percent (2%) real estate transfer tax on the conveyance of real property located in

the Town of East Hampton, including real property located within the Incorporated Village of East Hampton, subject to the approval of the electors of the Town of East Hampton of a proposition to be submitted in a mandatory referendum to be held on November 3, 1998; and

WHEREAS, the Community Preservation Project Plan adopted by the Town of East Hampton specifically includes the preservation of parcels and the acquisition of certain other property rights or interests in and over real property located within the Incorporated Village of East Hampton; and

WHEREAS, the Incorporated Village of East Hampton has estimated that approximately forty (40%) percent of the revenue anticipated to be generated by the proposed transfer tax within the Town of East Hampton will be directly attributable to the conveyance of parcels within the Incorporated Village of East Hampton; and

WHEREAS, the parties acknowledge that real property located within the Incorporated Village of East Hampton constitutes approximately twenty (20%) percent of the taxable property within the Town of East Hampton; and

WHEREAS, it is to the mutual benefit of the parties hereto to establish a mutual understanding and agreement with respect to the implementation of the State law as it affects revenues generated from the conveyance of real property within the Incorporated Village of East Hampton and the acquisition and preservation of real property or the acquisition of certain rights or interests in real property located within the Incorporated Village of East Hampton and it is to the mutual benefit of the parties to establish such understanding and agreement prior to the submission of the

proposition for the real estate transfer tax at the referendum scheduled in connection therewith:

NOW, THEREFORE, the parties agree as follows:

1. Ten (10%) percent of the revenue generated from the proposed real property transfer tax will be credited, on an annual basis, within the Community Preservation Fund for the purposes of acquiring real property rights and for the preservation of such real property rights and interests located within the Incorporated Village of East Hampton, pursuant to the sections of the Community Preservation Project Plan adopted by the Town of East Hampton which related to the recommendations for acquisition of property interests within the Village of East Hampton and for the preservation of open space in the Village. It is expressly understood and agreed between the parties that, although there is no requirement that ten (10%) percent of the revenue generated by such tax must be actually expended on property or property rights within the Village of East Hampton on an annual basis, it is the intention of the parties that such amount will be actually expended on property or property rights within the Village of East Hampton during the effective period of the State law and the term of this Agreement.
2. In order to foster the goal of preserving as many parcels identified on the Community Preservation Project Plan as possible, the parties agree to the following financial incentive: if the Incorporated Village of East Hampton dedicated additional Village revenues to Community Preservation Project Plan land preservation purposes, the Town agrees to match, dollar for dollar, said Village revenues with revenues generated from the real property transfer tax, up to a maximum of an additional ten (10%) of said transfer tax revenue. In summary, during the effective period of the State law and the term of this Agreement, the Village shall receive up to a guaranteed amount of twenty (20%) percent of the real property transfer tax revenues when the Village matches dollar for dollar all transfer tax revenues above the ten (10%) percent sum set forth in Section 1 above. The parties further agree that on or before December 31, 2005, the Village will give the Town written notice as to whether or not the Village shall seek said matching funds and, if so, whether the Village shall require the maximum amount of ten (10%) percent additional revenues or a lesser percentage.
3. One member of the seven -member advisory board established by the Town of East Hampton pursuant to Town Code Section 139-1-40, know as the East Hampton Community Fund Advisory Board, shall be a resident of the Village of East Hampton and shall be appointed pursuant to a nomination made by resolution of the Board of Trustees of the Village of East Hampton.
4. Title to any real property or to any interests or rights in real property located within the boundaries of the Incorporated Village of East Hampton acquired with funds from the Community Preservation Fund shall be vested in the Town of East Hampton. The Village of East Hampton shall have co-title to any real property rights acquired or real property rights or interests preserved within the boundaries of the Village when the Village contributes Village revenues pursuant to Section 2 above.
5. The State law provided that the Town, or a not-for-profit corporation under contract with the Town, shall administer and manage lands acquired and rights and interests preserved with the real property transfer tax revenues. The parties agree that pursuant to Section 119-o of the New York Town Law, the Village shall have the sole right and obligation to perform the functions, duties and powers set forth in the State law regarding the administration and management of any property acquired and any rights and

interests preserved within the boundaries of the Village; and, the Village shall hold the Town harmless from any liability, cost, attorneys fees, judgments or expenses arising out of the Village's administration and management of said property. Said management shall be exercised in accordance with the Community Preservation Project Plan and the applicable provisions of the State law. The parties further agree that any property managed by the Village pursuant to this Intermunicipal Agreement shall be made equally accessible to Village and Town residents; no financial or other burdens shall be additionally placed on Town residents regarding said parcel. In addition, both parties fully acknowledge the provision of the State law which states that property acquired or preserved with transfer tax revenues shall be kept "accessible to the public unless....public accessibility would be detrimental to the lands or any natural resources associated therewith."

6. This Agreement shall take effect immediately upon execution of the Agreement by the Mayor of the Village of East Hampton and the Supervisor of the Town of East Hampton pursuant to duly adopted resolutions by their respective Boards. It shall expire at midnight on December 31, 2010, except that the provisions of Section 5 of this Agreement shall survive said expiration date.

7. The provisions of the Agreement embody the entire agreement between the parties with respect to the subject matter stipulated herein. It shall not be changed or modified except in writing, and executed by both parties.

8. If any term, provision, or portion of any provision of this Agreement shall be deemed illegal, invalid and/or non-enforceable, the remainder of the Agreement shall be deemed to remain valid and shall be enforceable to the fullest extent permitted by law.

9. Any waiver by either party of any term, condition, covenant or provision of this Agreement shall not be deemed as a waiver at any time thereafter of the same or any other term, condition, covenant and/or provision of this Agreement. Moreover, a failure to assert any right or privilege shall not be deemed a waiver or relinquishment thereof. Except as otherwise expressly provided herein, any rights and powers shall be deemed cumulative, and not one of them shall be deemed exclusive of any other remedy provided by law, and exercise of any one shall not impair the right to exercise the other.

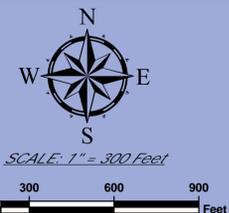
IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed by the respectively authorized representatives and their seals to be affixed hereto as of the day and year first set forth above.

TOWN OF EAST HAMPTON

By: Catherine H. Lester  
Supervisor

VILLAGE OF EAST HAMPTON

By: Paul F. Rickenbach, Jr.  
Mayor



SAG HARBOR BAY

**LEGEND**

 RECOMMENDED CPF PROPERTIES

 EXISTING OPEN SPACE

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

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**TOWN OF EAST HAMPTON**

*CPF  
UPDATES*

**Village Of Sag Harbor  
Suffolk County, New York**

Date Prepared: November 2011

## Sag Harbor Village Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
003-01-20	198 Six Pole Hwy	<1.0	beach access, adjacent to Havens Beach	public acquisition/easement
003-01-21.1	395 Town Line Road	<1.0	wetlands	public acquisition/easement
002-01-08	410 Division Street	16.70	historic buildings & scenic vista/waterfront	public acquisition
003-01-03.1		<1.0	adjacent to Havens Beach	public acquisition
003-02-21.2		<1.0	waterfront, beach access	public acquisition
003-04-01		<1.0	beach access	public acquisition/easement
003-04-02		<1.0	beach access	public acquisition/easement
003-04-03		<1.0	beach access	public acquisition/easement
003-04-05		<1.0	beach access	public acquisition/easement
004-01-04		<1.0	beach access	public acquisition/easement
004-01-05		<1.0	beach access	public acquisition/easement
004-01-06		<1.0	beach access	public acquisition/easement
004-01-07		<1.0	beach access	public acquisition/easement
004-01-08		<1.0	waterfront	public acquisition
004-01-09		<1.0	beach access	public acquisition/easement
004-01-20		<1.0	beach access	public acquisition/easement
004-01-24		<1.0	beach access	public acquisition/easement
006-07-22		<1.0	Village Green	public acquisition/easement
006-08-15		<1.0	Village Green	public acquisition/easement
006-08-18		<1.0	Village Green	public acquisition/easement
007-02-05		<1.0	adjacent to protected parkland	public acquisition/easement
007-02-12		<1.0	adjacent to protected parkland	public acquisition
007-02-13		<1.0	adjacent to protected parkland	public acquisition
007-02-14		<1.0	adjacent to protected parkland	public acquisition
007-03-09		<1.0	Village Green	public acquisition/easement
007-03-11		<1.0	scenic corridor	public acquisition
007-03-20		<1.0	Village Green, abuts wetland	public acquisition/easement
007-03-21		<1.0	Village Green, adjacent to protected parkland	public acquisition/easement
007-03-27.2		<1.0	Village Green, abuts wetland	public acquisition/easement
007-04-01		<1.0	Village Green, scenic corridor	public acquisition

## Sag Harbor Village Open Space Recommendations

SCTM#	Address	Acres	Characteristics	Recommended Disposition
007-04-02		<1.0	Village Green, scenic corridor	public acquisition
007-04-04		<1.0	Village Green, scenic corridor	public acquisition
007-04-05		<1.0	Village Green, scenic corridor	public acquisition
007-04-06		<1.0	Village Green, scenic corridor	public acquisition
007-04-07		<1.0	Village Green, scenic corridor	public acquisition
007-04-08		<1.0	Village Green, scenic corridor	public acquisition
007-04-09		<1.0	Village Green, scenic corridor	public acquisition
007-04-10.1		.71	Village Green, scenic corridor	public acquisition
007-04-10.2		.78	Village Green, scenic corridor	public acquisition
007-04-10.3		.07	Village Green, scenic corridor	public acquisition
008-01-03.5		1.05	old field, adjacent to Cilia Farm	public acquisition
008-01-04.15		.78	Cilia farm, old field	public acquisition
008-01-04.14		.57	Cilia farm, old field	public acquisition
008-01-04.13		.60	Cilia farm, old field	public acquisition
008-01-04.12		.74	Cilia farm, old field	public acquisition
008-01-04.11		.71	Cilia farm, old field	public acquisition
008-01-04.10		.74	Cilia farm, old field	public acquisition
008-01-04.09		.60	Cilia farm, old field	public acquisition
008-01-04.08		.54	Cilia farm, old field	public acquisition
008-01-04.07		.50	Cilia farm, old field	public acquisition
008-01-04.06		.53	Cilia farm, old field	public acquisition
008-01-04.05		.53	Cilia farm, old field	public acquisition
008-01-04.04		.51	Cilia farm, old field	public acquisition
008-01-04.03		.49	Cilia farm, old field	public acquisition
009-02-29.2		.98	SCWA well field watershed	public acquisition
009-02-29.3		.95	SCWA well field watershed	public acquisition
009-02-29.4		1.07	SCWA well field watershed	public acquisition
009-02-29.5		1.12	SCWA well field watershed	public acquisition

## APPENDIX

## Historical and Statutory Notes

L.1987, c. 767 legislation

L.1987, c. 767, § 2; amended L.1996, c. 251, § 1, eff. June 30, 1996; L.2000, c. 97, § 1, eff. June 23, 2000, provides:

"This act [enacting this section] shall take effect July 1, 1987 and shall be operative only to and including June 30, 2003."

## § 64-e. Peconic Bay region community preservation funds.

1. As used in this section, the following words and terms shall have the following meanings:

(a) "Peconic Bay region" means the towns of East Hampton, Riverhead, Shelter Island, Southampton and Southold.

(b) "Community preservation" shall mean and include any of the purposes outlined in subdivision four of this section.

(c) "Board" means the advisory board required pursuant to subdivision five of this section.

(d) "Fund" means the community preservation fund created pursuant to subdivision two of this section.

2. The town board of any town in the Peconic Bay region is authorized to establish by local law a community preservation fund pursuant to the provisions of this section. Deposits into the fund may include revenues of the local government from whatever source and shall include, at a minimum, all revenues from a tax imposed upon the transfer of real property interests in such town pursuant to article thirty-one-D of the tax law. The fund shall also be authorized to accept gifts of any such interests in land or of funds. Interest accrued by monies deposited into the fund shall be credited to the fund. In no event shall monies deposited in the fund be transferred to any other account. Nothing contained in this section shall be construed to prevent the financing in whole or in part, pursuant to the local finance law, of any acquisition authorized pursuant to this section. Monies from the fund may be utilized to repay any indebtedness or obligations incurred pursuant to the local finance law consistent with effectuating the purposes of this section. A town in the Peconic Bay region may only adopt the local law authorized by this subdivision if it has incurred or authorized bonded indebtedness since nineteen hundred eighty for open space purposes equal to or greater than two hundred dollars per town resident. The number of residents shall be determined by the 1990 U.S. Census. Said local law shall make a finding that the town has complied with the per resident financial commitment requirement of this subdivision.

3. The purposes of the fund shall be exclusively, (a) to implement a plan for the preservation of community character as required by this section, (b) to acquire interests or rights in real property for the preservation of community character within the town including villages therein in accordance with such plan and in cooperation with willing sellers, (c) to establish a bank pursuant to a transfer of development rights program consistent with section two hundred sixty-one-a of this chapter, and (d) to provide a management and stewardship program for such interests and rights consistent with subdivision nine of this section and in accordance with such plan designed to preserve community character. Not more than ten percent of the fund shall be utilized for the management and stewardship program. If the implementation of the community preservation project plan, adopted by a town board, as provided in subdivision six of this section, has been completed, and funds are no longer needed for the purposes outlined in this subdivision, then any remaining monies in the fund shall be applied to reduce any bonded indebtedness or obligations incurred to effectuate the purposes of this section.

4. Preservation of community character shall involve one or more of the following: (a) establishment of parks, nature preserves, or recreation areas; (b) preservation of open space, including agricultural lands; (c) preservation of lands of exceptional scenic value; (d) preservation of fresh and saltwater marshes or other wetlands; (e) preservation of aquifer recharge areas; (f) preservation of undeveloped beachlands or shoreline; (g) establishment of wildlife refuges for the purpose of maintaining native animal species diversity, including the protection of habitat essential to the recovery of rare, threatened or endangered species; (h) preservation of pine barrens consisting of such biota as pitch pine, and scrub oak; (i) preservation of unique or threatened ecological areas; (j) preservation of rivers and river areas in a natural, free-flowing condition; (k) preservation of forested land; (l) preservation of public access to lands for public use including stream rights and waterways; (m) preservation of historic places and properties listed on the New York state register of historic places and/or protected under a municipal historic preservation ordinance or law; and (n) undertaking any of the aforementioned in furtherance of the establishment of a greenbelt.

5. The town board of any town in the Peconic Bay region which has established a community preservation fund shall create an advisory board to review and make recommendations on proposed acquisitions of interests in real property using monies from the fund. Such board shall consist of five or seven legal residents of the municipality who shall serve without compensation. No member of the local legislative body shall serve on the board. A majority of the members of the board shall have demonstrated experience with conservation or land preservation activities. The board shall act in an advisory capacity to the town board. At least one member of the board shall be an active farmer.

6. The town board of any town in the Peconic Bay region which has established a community preservation fund shall, by local law, adopt a community preservation project plan. This plan shall list every project which the town plans to undertake pursuant to the community preservation fund. It shall include every parcel which is necessary to be acquired in the town in order to protect community character. Such plan shall provide for a detailed evaluation of all available land use alternatives to protect community character, including but not limited to: (a) fee simple acquisition, (b) zoning regulations, including density reductions, cluster development, and site plan and design requirements, (c) transfer of development rights, (d) the purchase of development rights, and (e) scenic and conservation easements. Said evaluation shall be as specific as practicable as to each parcel selected for inclusion in the plan. The plan shall establish the priorities for preservation, and shall include the preservation of farmland as its highest priority. Funds from the community preservation fund may only be expended for projects which have been included in said plan. Said plan shall be updated not less than once every five years, but in no event until at least three years after the adoption of the original plan. A copy of the plan shall be filed with the commissioner of environmental conservation, the commissioner of agriculture and markets and the commissioner of the office of parks, recreation and historic preservation. Said plan shall be completed at least sixty days before the submission of the mandatory referendum required by section one thousand four hundred forty-nine-bb of the tax law.

7. The town board of any town in the Peconic Bay region which has established a community preservation fund pursuant to this section shall study and consider establishing a transfer of development rights program to protect community character as provided for by section two hundred sixty-one-a of this chapter. All provisions of such section two hundred sixty-one-a shall be complied with. If at any time during the life of the community preservation

fund a transfer of development rights program is established, the town may utilize monies from the community preservation fund in order to create and fund a central bank of the transfer of development rights program. If at any time during the life of the community preservation fund, a transfer of development rights program is repealed by the town, all monies from the central bank shall be returned to the community preservation fund.

8. No interests or rights in real property shall be acquired pursuant to this section until a public hearing is held as required by section two hundred forty-seven of the general municipal law; provided, however, that nothing herein shall prevent the town board from entering into a conditional purchase agreement before a public hearing is held. Any resolution of a town board approving an acquisition of land pursuant to this section, shall find that acquisition was the best alternative for the protection of community character of all the reasonable alternatives available to the town.

9. Lands acquired pursuant to this section shall be administered and managed in a manner which (a) allows public use and enjoyment in a manner compatible with the natural, scenic, historic and open space character of such lands; (b) preserves the native biological diversity of such lands; (c) with regard to open spaces, limits improvements to enhancing access for passive use of such lands such as nature trails, boardwalks, bicycle paths, and peripheral parking areas provided that such improvements do not degrade the ecological value of the land or threaten essential wildlife habitat; and (d) preserves cultural property consistent with accepted standards for historic preservation. In furthering the purposes of this section, the town may enter into agreements with corporations organized under the not-for-profit corporation law and engage in land trust activities to manage lands including less than fee interests acquired pursuant to the provisions of this section, provided that any such agreement shall contain a provision that such corporation shall keep the lands accessible to the public unless such corporation shall demonstrate to the satisfaction of the town that public accessibility would be detrimental to the lands or any natural resources associated therewith.

10. Rights or interests in real property acquired with monies from such fund shall not be sold, leased, exchanged, donated, or otherwise disposed of or used for other than the purposes permitted by this section without the express authority of an act of the legislature, which shall provide for the substitution of other lands of equal environmental value and fair market value and reasonably equivalent usefulness and location to those to be discontinued, sold or disposed of, and such other requirements as shall be approved by the legislature. Nothing in this section shall preclude a town, by local law, from establishing additional restrictions to the alienation of lands acquired pursuant to this section. This subdivision shall not apply to the sale of development rights by a town acquired pursuant to this section, where said sale is made by a central bank created by a town, pursuant to a transfer of development rights program established by a town pursuant to section two hundred sixty-one-a of this chapter, provided, however (a) that the lands from which said development rights were acquired shall remain preserved in perpetuity by a permanent conservation easement or other instrument that similarly preserves the community character referenced in subdivision four of this section, and (b) the proceeds from such sale shall be deposited in the community preservation fund.

(Added L.1998, c. 114, § 2, eff. June 21, 1998.)

#### Historical and Statutory Notes

L.1998, c. 114 legislation

L.1998, c. 114, § 1, provides:

"§ 1. Legislative findings and intent.

The legislature finds that the protection

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and preservation of open space, significant natural areas, and historic places and the provision of park and recreation opportunities, collectively called community character are public purposes that greatly concern the people of the state. It is for that reason that the legislature enacted the environmental protection fund to provide a dedicated and continuing source of funding to effectuate these and other public purposes. In addition, the legislature enacted and the voters approved in 1996, the State Clean Water/Clean Air Bond Act to provide an additional funding source for these public purposes.

The legislature also recognizes that certain local governments in the state, such as the Peconic Bay region of Suffolk county, have also made a substantial commitment of public funds to these public purposes. Specifically, since 1980, the five towns of the Peconic Bay region have expended or authorized over 50 million dollars in public funds to protect community character. Such an expenditure is unmatched by any other local governments in the state.

The Peconic Bay region has long been recognized for its plethora of unique natural resources and scenic beauty. The area has received state recognition as part of the Long Island Pine Barrens Maritime Reserve, national recognition as part of the National Estuary Program, and global recognition by the Nature Conservancy as one of its twelve great places.

The legislature further recognizes that the Peconic Bay region is currently under extreme development pressure with open space and farmland being converted to other land uses at an alarming pace.

The local planning departments in the region have established the fact that despite the availability of state funds and the unprecedented commitments of local funds, the rate of development is still outpacing conservation efforts. If not addressed, the unique rural character of the Peconic Bay region, including farmland, open space, historic places, and small hamlet centers could be lost forever. Not only would these valuable resources be jeopardized, but the substantial invest-

ment of the state in protecting community character in the Peconic Bay region would also be jeopardized.

The legislature further recognizes that existing traditional funding mechanisms such as state grant programs and local real property taxes will not provide adequate funding to preserve fundamental community character in the Peconic Bay region.

Therefore, while it has been the stated purpose of this legislature to reduce the state and local tax burden, the issue of the preservation of community character in the Peconic Bay region presents a unique circumstance. In summary, (1) the Peconic Bay region has made an unprecedented commitment of local funds, (2) the state has also made its own substantial investment towards such preservation, (3) the Peconic Bay region is confronting unprecedented development pressures which threaten this investment, and (4) traditional funding sources are not adequate to protect the community character of the Peconic Bay region.

Therefore, this legislature by this act, given these unique local circumstances, authorizes the towns within the Peconic Bay region to impose a real estate transfer tax subject to mandatory referendum, for the purposes of community preservation.

This legislature also wishes to insure that the expenditure of these funds are made pursuant to sound planning practices and that said funds are utilized solely for the purposes outlined in this act. Therefore, by this act, towns in the Peconic Bay region shall be authorized to establish a dedicated community preservation fund for the deposit of real estate transfer tax proceeds, and that a targeted list shall be established for the voluntary acquisition of open lands. In addition, a portion of the community preservation funds may be utilized in connection with the establishment of a transfer of development rights program pursuant to section 251-a of the town law in order to preserve lands identified pursuant to this act as necessary to protect community character."

#### Legislative Histories

L.1998, c. 114: For Legislative, Executive or Judicial memoranda relating to this law, see McKinney's 1998 Session Laws of New York, pp. 1457, 1586.

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MINUTES OF TOWN BOARD BROWN BAG MEETING HELD  
AUGUST 4, 1998

The Town Board of the Town of East Hampton held a meeting at the Montauk Firehouse, Montauk, New York, on August 4, 1998 beginning at 10:35 a.m. and adjourning at 1:15 p.m.

Those present were: Supervisor Lester; Councilwoman Pat Mansir; Councilman Pete Hammerle; and Councilman Len Bernard.

Also present was: Town Clerk Frederick W. Yardley; Deputy Town Attorney, Rick Whelan; Carol Morrison; Nancy McCaffrey; the Local Press; and other members of the community.

The following resolutions were offered:

**(801) ADOPT LOCAL LAW:  
COMMUNITY PRESERVATION FUND**

The following resolution was offered by Supervisor Catherine Lester, seconded by Councilman Pete Hammerle, and adopted:

*WHEREAS*, a Public Hearing was held by the Town Board of the Town of East Hampton on July 31, 1998, regarding a Local Law creating and establishing a dedicated fund for the preservation of open space within the Town of East Hampton (to be known as the "East Hampton Community Preservation Fund"), said Local Law to establish Article I of Chapter 139 ("Community Preservation Fund") of the East Hampton Town Code, 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, both as submitted in writing and as presented orally at the public hearing; and

*WHEREAS*, the Town Board has prepared and considered Environmental Assessment Forms which evaluate the possible 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 on the environment and, moreover, will have a significant beneficial impact on the environment;

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

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

**LOCAL LAW NO. 26 OF 1998  
INTRODUCTORY NO. 24 OF 1998**

A Local Law creating and establishing a dedicated fund for the preservation of open space within the Town of East Hampton (to be known as the "East Hampton Community Preservation Fund"), 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. - LEGISLATIVE FINDINGS:**

The Town of East Hampton possesses a rich heritage of scenic and natural resources, which are vital to the Town's sense of place and to its economic success as a resort community. The lands which comprise these resources are rapidly being lost to development, however, and the Town's special identity is in danger of being damaged forever. In furtherance of its objective of preserving the Town's remaining natural, scenic, and historic treasures, the East Hampton Town Board finds it necessary to establish a dedicated fund for their conservation. Such fund is specifically authorized under § 64-e of the New York Town Law and is necessary to the enactment of a two percent (2%) real estate transfer tax, which is also authorized by Town Law § 64-e and Article 31-D of the New York Tax Law and which the Town Board finds to be necessary to effectuate the Town's open space preservation goals.

It is the purpose of this Local Law to establish and create the East Hampton Community Preservation Fund to implement the Town's open space preservation plans and to meet the requirements of Town Law § 64-e.

The Town of East Hampton has incurred over \$20 million in bonded indebtedness since 1980 for the purpose of open space preservation. This represents an investment of more than \$1,300 per Town resident, well in excess of the \$200 per resident financial commitment required as a prerequisite to the creation of a community preservation fund pursuant to Town Law §64-e.

**SECTION II. - TOWN CODE AMENDED:**

The East Hampton Town Code is hereby amended to add thereto the following provisions, to be found at Chapter 139 ("Community Preservation Fund") of the Town Code at Article I of said chapter, said provisions to read as follows:

**CHAPTER 139  
COMMUNITY PRESERVATION FUND**

**ARTICLE I  
Community Preservation Fund**

**§§ 139-1-1 through 139-1-9. (Reserved.)**

**§ 139-1-10. Title.**

This chapter of the East Hampton Town Code shall be known and may be cited as the "Community Preservation Fund Law."

**§§ 139-1-11 through 139-1-14. (Reserved.)**

**§ 139-1-15. Purposes.**

This chapter is adopted for the purpose of protecting and preserving open and undeveloped lands in the Town of East Hampton, including wetlands, woodlands, agricultural lands, shorelands, and the other natural resources of the Town; for the purpose of protecting historic places and properties within the Town; and for the purpose of providing the Town's visitors and residents with outdoor recreational opportunities, all in accordance with the provisions of § 64-e of the New York Town Law and as more fully set forth therein.

**§§ 139-1-16 through 139-1-19. (Reserved.)**

**§ 139-1-20. Definitions.**

As used in this chapter, the following words and terms shall have the meanings indicated:

ADVISORY BOARD - shall mean the East Hampton Community Preservation Fund Advisory Board established and created by this chapter.

COMMUNITY PRESERVATION - shall mean and include all of the following:

- A. Establishment of parks, nature preserves, or recreational areas;
- B. Preservation of open space, including agricultural lands;
- C. Preservation of lands of exceptional scenic value;
- D. Preservation of fresh and saltwater marshes or other wetlands;
- E. Preservation of aquifer recharge areas;
- F. Preservation of undeveloped beach lands or shorelands;
- G. Establishment of wildlife refuges for the purpose of maintaining native animal species diversity, including the protection of habitat essential to the recovery of rare, threatened, or endangered species;

H.Preservation of pine barrens consisting of such biota as pitch pine and scrub oak;

I.Preservation of unique or threatened ecological areas;

J.Preservation of brooks or streams and riverine areas in natural, free-flowing condition;

K.Preservation of forested lands;

L.Preservation of public access to lands for public use including stream rights and waterways;

M.Preservation of historic places and properties listed on the New York State Register of Historic Places and/or protected under a local historic preservation ordinance or local law; and

N.Undertaking any of the aforementioned in furtherance of the establishment of a greenbelt.

COMMUNITY PRESERVATION PROJECT PLAN - shall mean the East Hampton Community Preservation Project Plan adopted by the East Hampton Town Board pursuant to Town Law § 64-e (6).

FUND - shall mean the East Hampton Community Preservation Fund established and created by this chapter.

§ 139-1-21 through 29. (Reserved.)

**§ 139-1-30. Community Preservation Fund established.**

A.The East Hampton Community Preservation Fund is hereby established as authorized by § 64-e of the New York Town Law.

B.Deposits into the fund may include revenues of the Town from whatever source, and shall include the revenues from a real estate transfer tax imposed by the Town pursuant to Article 31-D of the New York Tax Law.

C.The fund shall also be authorized to accept gifts of any such interests in land or funds. Interest accrued by monies deposited in the fund shall be credited to the fund.

D.In no event shall monies deposited in the fund be transferred into any other account.

E.Nothing contained in this chapter shall be construed to prevent the financing in whole or in part, pursuant to the New York Local Finance Law, of any acquisition authorized pursuant to this chapter. Monies from the fund may be utilized to repay any indebtedness or obligations incurred pursuant to the Local Finance Law, consistent with effectuating the purposes of this chapter.

**§§ 139-1-31 through 139-1-34. (Reserved.)**

**§ 139-1-35. Purposes of the fund.**

A. The purposes of the fund shall be exclusively:

- (1) To implement a plan for the preservation of community character as required by § 64-e (6) of the Town Law;
- (2) To acquire interests or rights in real property for the preservation of community character within the Town, including the portion of any village therein, in accordance with said plan;
- (3) To establish a bank pursuant to a transfer of development rights program consistent with § 261-a of the Town Law, at the sole discretion of the Town Board;
- (4) To provide a management and stewardship program for such rights and interests acquired by the fund, consistent with the provisions of this chapter and in accordance with said plan.

B. The acquisition of interests and rights in real property under the fund shall be in cooperation with willing sellers.

C. Not more than ten percent (10%) of the fund shall be utilized for the management and stewardship program provided for in paragraph A (4) of this section.

D. Upon the full implementation of the community preservation project plan, and funds being no longer required for the purposes set forth in subsection A above, any remaining monies in the fund shall be applied to reduce any bonded indebtedness or obligations incurred to effectuate the purposes of subsection A.

**§§ 139-1-36 through 139-1-39. (Reserved.)**

**§ 139-1-40. Advisory board established.**

A. The East Hampton Community Preservation Fund Advisory Board is hereby established to review and make recommendations on proposed acquisitions of interests in real property using monies from the fund, and to act in an advisory capacity to the Town Board with respect to the administration of the fund.

B. Such board shall consist of seven (7) members who shall be residents of the Town and who shall serve without compensation. No member of the Town Board shall serve on the advisory board.

C. A majority of the members appointed shall have demonstrated experience with

conservation or land preservation activities. In addition, at least one (1) member of the advisory board shall be an active farmer.

**§§ 139-1-41 through 139-1-44. (Reserved.)**

**§ 139-1-45. Acquisition of interests in property; public hearing and other requirements.**

A.No interest or right in real property shall be acquired by the fund until a public hearing is held as required by § 247 of the New York General Municipal Law. However, nothing herein shall prevent the Town Board from entering into a conditional purchase agreement before a public hearing is held.

B.Any resolution of the Town Board approving an acquisition of land pursuant to this Chapter shall include a finding that acquisition was the best alternative for the protection of community character of all reasonable alternatives available to the Town.

**§§ 139-1-46 through 139-1-49. (Reserved.)**

**§ 139-1-50. Management of lands acquired pursuant to chapter.**

A.Lands acquired pursuant to this chapter shall be administered and managed in accordance with the following requirements:

(1)Public use and enjoyment of the lands shall be allowed in a manner which is compatible with the natural, scenic, historic, and open space character of such lands;

(2)The native biological diversity of such lands shall be preserved;

(3)With regard to lands acquired as open space (as opposed to lands acquired for active recreation use or public water access, or improved lands acquired for historic preservation reasons), improvements shall be limited to those designed to enhance access for passive use of such open space lands, such as nature trails, boardwalks, bicycle paths, and peripheral parking areas, provided that such improvements do not degrade the ecological value of the land or threaten essential wildlife habitat; and

(4)With regard to historic properties, historic and cultural resources shall be managed and maintained in a manner which is consistent with accepted standards for historic preservation.

B.The Town may enter into agreements with corporations organized under the New York Not-For-Profit Corporation Law and which engage in land trust activities, in order to provide for the management and supervision of lands acquired by the fund, including less than fee interests in land. Any such agreements shall, however, provide that such corporations shall keep the lands under management accessible to the public unless such corporations shall demonstrate to the satisfaction of the Town Board that public access

would be detrimental to the lands or to any natural features associated therewith.

§§ 139-1-51 through 59. (Reserved.)

§ 139-1-60. **Alienation of land acquired using the fund.**

A. Rights or interests in real property which are acquired with monies from the fund shall not be sold, leased, exchanged, donated, or otherwise disposed of or used for other than the purposes permitted by this chapter without the express authority of an act of the State Legislature, which is required to provide for the substitution of other lands having equal environmental and fair market value and reasonably equivalent usefulness and location to those to be discontinued, sold, or disposed of, and which may impose other requirements as well.

B. In addition to an act of the State Legislature, real property acquired with monies from the fund shall not be sold, leased, exchanged, donated, or otherwise disposed of or used for other than the purposes permitted by this chapter, except after compliance with the disposal and divestiture procedures which are set forth in Chapter 103 ("Nature Preserve") of this Code, specifically § 103-14 B thereof.

C. This section shall not apply to the sale of development rights by the Town acquired pursuant to this chapter, where said sale is made by a central bank created by the Town and pursuant to a transfer of development rights program established by the Town pursuant to § 261-a of the Town Law. However, said development rights program shall provide:

(1) That the lands from which development rights are acquired shall remain preserved in perpetuity via a permanent conservation easement or other instrument that similarly preserves community character as defined in this article; and

(2) That the proceeds from any such sale shall be deposited in the fund.

### **SECTION III. - SEVERABILITY:**

If any clause, sentence, paragraph, section, or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

### **SECTION IV. - EFFECTIVE DATE:**

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

***AND BE IT FURTHER RESOLVED***, that the Town Clerk is directed to forward copies of this resolution to the following: Town Attorney Cynthia Ahlgren Shea; Deputy Town

Attorney Richard E. Whalen; Planning Director Lisa M. Liquori; State Assemblyman Fred W. Thiele; Mayor Paul F. Rickenbach, Jr., Incorporated Village of East Hampton; and Mayor Pierce Hance, Incorporated Village of Sag Harbor.

DATED: August 4, 1998  
BOARD

NEW YORK

BY ORDER OF THE TOWN

TOWN OF EAST HAMPTON,

FREDERICK W. YARDLEY  
TOWN CLERK

**(802) ADOPT LOCAL LAW:  
COMMUNITY PRESERVATION PROJECT PLAN**

The following resolution was offered by Supervisor Catherine Lester, seconded by Councilman Job Potter, and adopted:

*WHEREAS*, a Public Hearing was held by the Town Board of the Town of East Hampton on July 31, 1998, regarding a Local Law adopting a plan pursuant to § 64-e of the New York Town Law, for the preservation of open space and historic places within the Town of East Hampton, including the incorporated villages therein, said plan to be known as the "East Hampton Community Preservation Project Plan," 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, both as submitted in writing and as presented orally at the public hearing; and

*WHEREAS*, the Town Board has prepared and considered Environmental Assessment Forms which evaluate the possible 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 on the environment and, moreover, will have a significant beneficial impact on the environment;

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

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

**LOCAL LAW NO. 27 OF 1998  
INTRODUCTORY NO. 25 OF 1998**

A Local Law adopting a plan pursuant to § 64-e of the New York Town Law, for the preservation of open space and historic places within the Town of East Hampton,

including the incorporated villages therein, said plan to be known as the "East Hampton Community Preservation Project Plan," said Local Law to read as follows:

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

**SECTION I. - LEGISLATIVE FINDINGS:**

The Town of East Hampton possesses a rich heritage of scenic and natural resources, which are vital to the Town's sense of place and to its economic success as a resort community. The lands which comprise these resources are rapidly being lost to development, however, and the Town's special identity is in danger of being damaged forever. In furtherance of its goal of preserving the Town's remaining natural, scenic, and historic treasures, the East Hampton Town Board finds it necessary to adopt a plan for their conservation. Such plan is specifically authorized under § 64-e of the New York Town Law and will serve as the basis for the expenditure of any monies realized under the Community Preservation Fund Law's two percent (2%) real estate transfer tax, which is also authorized by Town Law § 64-e as well as Article 31-D of the Tax Law.

It is the purpose of this Local Law to establish and create the East Hampton Community Preservation Project Plan to help guide the Town's efforts to preserve open spaces and historic places, and to implement the requirements of Town Law § 64-e.

**SECTION II. - COMMUNITY PRESERVATION PROJECT PLAN ADOPTED:**

For the reasons set forth in Section I hereof, the Town Board of the Town of East Hampton hereby approves and adopts the "Community Preservation Project Plan (Open Space Plan)," prepared by the Town Planning Department July 7, 1998, said plan being intended to constitute the community preservation project plan which is required by § 64-e of the New York Town Law and Article I of Chapter 139 ("Community Preservation Fund") of the East Hampton Town Code.

**SECTION III. - SEVERABILITY:**

If any clause, sentence, paragraph, section, or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**SECTION IV. - EFFECTIVE DATE:**

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

***AND BE IT FURTHER RESOLVED***, that the Town Clerk is directed to forward a copy of the "Community Preservation Project Plan" adopted hereunder, together with a

copy of this resolution, to each of the following: (1) Commissioner, New York State Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233-1750; (2) Commissioner, New York State Department of Agriculture and Markets, 1 Winners Circle, Albany, New York 12235; and (3) Commissioner, Office of Parks, Recreation, and Historic Preservation, Agency Building #1, Empire State Plaza, Albany, New York 12238;

**AND BE IT FURTHER RESOLVED**, that the Town Clerk is directed to forward copies of this resolution to the following: Town Attorney Cynthia Ahlgren Shea; Deputy Town Attorney Richard E. Whalen; Planning Director Lisa M. Liquori; State Assemblyman Fred W. Thiele; Mayor Paul F. Rickenbach, Jr., Incorporated Village of East Hampton; and Mayor Pierce Hance, Incorporated Village of Sag Harbor.

DATED: August 4, 1998

BY ORDER OF THE TOWN BOARD  
TOWN OF EAST HAMPTON, NEW

YORK

FREDERICK W. YARDLEY  
TOWN CLERK

**(803) ADOPT LOCAL LAW:  
TWO PERCENT (2%) REAL ESTATE TRANSFER TAX**

The following resolution was offered by Supervisor Catherine Lester, seconded by Councilman Pete Hammerle, and adopted:

**WHEREAS**, a Public Hearing was held by the Town Board of the Town of East Hampton on July 31, 1998, regarding a Local Law imposing a two percent (2%) real estate transfer tax on the conveyance of interests in real property in the Town, with the revenues derived from this tax to be deposited in the East Hampton Community Preservation Fund for the purpose of preserving open space and historic places within the Town, said Local Law to establish Article II of Chapter 139 ("Community Preservation Fund") of the East Hampton Town Code, 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, both as submitted in writing and as presented orally at the public hearing; and

**WHEREAS**, the Town Board has prepared and considered Environmental Assessment Forms which evaluate the possible 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 on the environment and, moreover, will have a significant beneficial impact on the environment;

**NOW, THEREFORE, BE IT RESOLVED**, that a negative declaration is hereby made

pursuant to the State Environmental Quality Review Act (SEQRA); and

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

**LOCAL LAW NO. 28 OF 1998  
INTRODUCTORY NO. 26 OF 1998**

A Local Law imposing a two percent (2%) real estate transfer tax on the conveyance of interests in real property in the Town, with the revenues derived from this tax to be deposited in the East Hampton Community Preservation Fund for the purpose of preserving open space and historic places within the Town, 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. - LEGISLATIVE FINDINGS:**

The Town of East Hampton enjoys a worldwide reputation as a community of great scenic beauty, rich in natural resources and open spaces, including agricultural lands, woodlands, wetlands, waterways, dunes, bluffs, and other natural features. The Town also possesses a rich historic heritage as one of the oldest colonial settlements in the State of New York and, indeed, in the nation. Finally, because the second home industry and tourism are such important components of the local economy, the Town must preserve its scenic beauty and provide recreational areas in order to continue to attract visitors.

The Town's natural and historic resources collectively provide the people of East Hampton with an unequalled community character. In fact, the Nature Conservancy has included the region which includes East Hampton Town as one of its twelve "Last Great Places" in the Western Hemisphere. The Town has done much to foster, protect, and promote its community character. East Hampton enjoys a reputation as being creative and innovative in the area of land use and land conservation.

East Hampton was the first town in New York State to implement mandatory cluster development or open space subdivision, in order to protect valuable natural resources and natural features. Furthermore, the Town was a leader in using the purchase of development rights to protect farmland. Other innovations include large lot zoning, trail preservation, a natural resources protection law, a groundwater recharge overlay district and a harbor protection overlay district, all adopted in order to protect the Town's natural resources and scenic character.

Since 1980 the Town of East Hampton has expended over \$20 million in voter-approved bond issues to purchase farmland and other open space. This represents an investment of more than \$1,300 per person. Such financial commitment to the protection of community character is unmatched in the State of New York. Further, it more than

complies with the \$200 per resident threshold required under Town Law § 64-e for the creation of a community preservation fund, a necessary prerequisite to the imposition of the 2% real estate transfer tax.

Yet, the Town is today under extreme development pressure, with development out-pacing current conservation efforts. If exceptional action is not taken, East Hampton's unique character may be irretrievably lost and the substantial investment of the Town's citizens in protecting that character made moot. New financial resources are imperative if the Town is to complete the open space component of its Comprehensive Plan and preserve its special identity.

Pursuant to Article 31-D of of the New York Tax Law and § 64-e of the Town Law, East Hampton Town is authorized to create and establish a Community Preservation Fund, and to impose a two percent (2%) real estate transfer tax, with the revenue derived from said tax to be dedicated to the Community Preservation Fund. The creation of the fund and the imposition of the tax are subject to mandatory referendum. It is the purpose of this Local Law to establish and create the Community Preservation Fund and impose the real estate transfer tax in order to place the revenue derived from the tax in said dedicated fund.

The Town Board finds that this Local Law offers the only hope for implementing a substantial portion of the Town's open space preservation plan and achieving the balance between development and conservation which is needed to ensure the Town's community character.

## **SECTION II. - TOWN CODE AMENDED:**

The East Hampton Town Code is hereby amended to add thereto the following provisions, to be found at Chapter 139 ("Community Preservation Fund") of the Town Code at Article II of said chapter, said provisions to read as follows:

### **CHAPTER 139 COMMUNITY PRESERVATION FUND**

#### **ARTICLE II Real Estate Transfer Tax**

§§ 139-2-1 through 139-2-9. (Reserved.)

§ 139-2-10. Definitions.

As used in this chapter, the following words and terms shall have the meanings indicated:

**CONSIDERATION** - shall mean the price actually paid or required to be paid for the real property or interest therein, including payment for an option or contract to purchase real

property, whether or not expressed in the deed and whether paid or required to be paid by money, property, or any other thing of value. It shall include the cancellation or discharge of an indebtedness or obligation. It shall also include the amount of any mortgage, purchase money mortgage, lien, or other encumbrance, whether or not the underlying indebtedness is assumed or taken subject to.

(1) In the case of the creation of a leasehold interest or the granting of an option with use and occupancy of real property, consideration shall include, but not be limited to, the value of the rental and other payments attributable to the use and occupancy of the real property or interest therein, the value of any amount paid for an option to purchase or renew, and the value of rental or other payments attributable to the exercise of any option to renew.

(2) In the case of the creation of a subleasehold interest, consideration shall include, but not be limited to, the value of the sublease rental payments attributable to the use and occupancy of the real property, the value of any amount paid for an option to renew, and the value of rental or other payments attributable to the exercise of any option to renew, less the value of the remaining prime lease rental payments required to be made.

(3) In the case of a controlling interest in any entity that owns real property, consideration shall mean the fair market value of the real property or interest therein, apportioned based on the percentage of the ownership interest transferred or acquired in the entity.

(4) In the case of an assignment or surrender of a leasehold interest or the assignment or surrender of an option or contract to purchase real property, consideration shall not include the value of the remaining rental payments required to be made pursuant to the terms of such lease or the amount to be paid for the real property pursuant to the terms of the option or contract being assigned or surrendered.

(5) In the case of (i.) the original conveyance of shares of stock in a cooperative housing corporation in connection with the grant or transfer of a proprietary leasehold by the cooperative corporation or cooperative plan sponsor and (ii.) the subsequent conveyance by the owner thereof of such stock in a cooperative housing corporation in connection with the grant or transfer of a proprietary leasehold for a cooperative unit other than an individual residential unit, consideration shall include a proportionate share of the unpaid principal of any mortgage on the real property of the cooperative housing corporation comprising the cooperative dwelling or dwellings. Such share shall be determined by multiplying the total unpaid principal of the mortgage by a fraction, the numerator of which shall be the number of shares of stock being conveyed in the cooperative housing corporation in connection with the grant or transfer of a proprietary leasehold and the denominator of which shall be the total number of shares of stock in the cooperative housing corporation.

CONTROLLING INTEREST - shall mean (i.) in the case of a corporation, either fifty percent (50%) or more of the total combined voting power of all classes of stock of such corporation, or fifty percent (50%) or more of the capital, profits, or beneficial interest in

such voting stock of such corporation, and (ii.) in the case of a partnership, association, trust, or other entity, fifty percent (50%) or more of the capital, profits, or beneficial interest in such partnership, association, trust or other entity.

CONVEYANCE - shall mean the transfer or transfers of any interest in real property by any method including but not limited to sale, exchange, assignment, surrender, mortgage foreclosure, transfer in lieu of foreclosure, option, trust indenture, taking by eminent domain, conveyance upon liquidation or by a receiver, or transfer or acquisition of a controlling interest in any entity with an interest in real property. Transfer of an interest in real property shall include the creation of a leasehold or sublease only where (i.) the sum of the term of the lease or sublease and any options for renewal exceeds forty-nine (49) years, (ii.) substantial capital improvements are or may be made by or for the benefit of the lessee or sublessee, and (iii.) the lease or sublease is for substantially all of the premises constituting the real property. Notwithstanding the foregoing, conveyance of real property shall not include the creation, modification, extension, spreading, severance, consolidation, assignment, transfer, release or satisfaction of a mortgage; a mortgage subordination agreement, a mortgage severance agreement, or an instrument given to perfect or correct a recorded mortgage; or a release of lien of tax pursuant to this chapter or the Internal Revenue Code.

FUND - shall mean the East Hampton Community Preservation Fund created and established pursuant to § 64-e of the New York Town Law and Article I of this chapter.

GRANTEE - shall mean the person who obtains real property or an interest therein as a result of a conveyance.

GRANTOR - shall mean the person making the conveyance of real property or interest therein. Where the conveyance consists of a transfer or an acquisition of a controlling interest in an entity with an interest in real property, "grantor" shall mean the entity with an interest in real property or a shareholder or partner transferring stock or partnership interest.

INTEREST IN REAL PROPERTY - shall include title in fee, a leasehold interest, a beneficial interest, an encumbrance, development rights, air space and air rights, or any other interest with the right to use or occupancy of real property or the right to receive rents, profits or other income derived from real property. It shall also include an option or contract to purchase real property. It shall not include a right of first refusal to purchase real property.

PERSON - shall mean an individual, partnership, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee, or any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, any combination of individuals, and any other form of unincorporated enterprise owned or conducted by two (2) or more persons.

REAL PROPERTY - shall mean every estate or right, legal or equitable, present or future, vested or contingent, in lands, tenements or hereditaments, including buildings,

structures and other improvements thereon, which are located in whole or in part within the Town. It shall not include rights to sepulture.

RECORDING OFFICER - shall mean the County Clerk of the County of Suffolk.

TOWN - shall mean the Town of East Hampton.

TOWN SUPERVISOR - shall mean the Town Supervisor of the Town of East Hampton.

TREASURER (COUNTY TREASURER) - shall mean the treasurer of the County of Suffolk.

§§ 139-2-11 through 139-2-19. (Reserved.)

**§ 139-2-20. Imposition of real estate transfer tax.**

There is hereby imposed in the Town of East Hampton a tax on each conveyance of real property or interest therein where the consideration exceeds five hundred dollars (\$500.00), as authorized by Article 31-D of the New York Tax Law, the rate of such tax to be two percent (2%) of the consideration for the conveyance. Revenues from such tax shall be deposited in the Community Preservation Fund established pursuant to Article I of this chapter and may be used solely for the purposes of said fund. Such tax shall apply to any conveyance occurring on or after April 1, 1999, but shall not apply to conveyances made on or after such date pursuant to binding written contracts entered into prior to such date, provided that the date of execution of such contract is confirmed by independent evidence such as the recording of the contract, payment of a deposit, or other facts and circumstances as determined by the County Treasurer.

§§ 139-2-21 through 24. (Reserved.)

**§ 139-2-25. Payment of tax.**

A. The real estate transfer tax imposed pursuant to this article shall be paid to the Treasurer, or to the Recording Officer acting as the agent of the Treasurer upon designation as such agent by the Treasurer. Such tax shall be paid at the same time as the real estate transfer tax imposed by Article 31 of the New York Tax Law is required to be paid. Such Treasurer or Recording Officer shall endorse upon each deed or instrument effecting a conveyance a receipt for the amount of the tax so paid.

B. A return shall be required to be filed with such Treasurer or Recording Officer for purposes of the real estate transfer tax imposed pursuant to this article at the same time as a return is required to be filed for purposes of the real estate transfer tax imposed by Article 31 of the Tax Law. The Treasurer shall prescribe the form of return, the information that it shall contain, and the documentation that shall accompany the return. Said form shall be identical to the real estate transfer tax return required to be filed pursuant to § 1409 of the Tax Law, except that the Treasurer shall adapt said form to

reflect the provisions of this Article which are inconsistent with, different from, or in addition to the provisions of Article 31 of the Tax Law. The real estate transfer tax returns required to be filed pursuant to this section are required to be preserved for three (3) years and thereafter until such Treasurer or Recording Officer orders them to be destroyed.

C. The Recording Officer shall not record an instrument effecting a conveyance unless the return required by this section has been filed and unless the tax imposed pursuant to this article shall have been paid as provided in this section.

**§§ 139-2-26 through 139-2-29. (Reserved.)**

**§ 139-2-30. Liability for tax.**

A. The real estate transfer tax required hereunder shall be paid by the grantee. If the grantee has failed to pay the tax imposed pursuant to this article, or if the grantee is exempt from such tax, the grantor shall have the duty to pay the tax. Where the grantor has the duty to pay the tax because the grantee has failed to pay, such tax shall be the joint and several liability of the grantee and grantor.

B. For the purpose of the proper administration of this article and to prevent evasion of the tax hereby authorized, it shall be presumed that all conveyances are taxable. Where the consideration includes property other than money, it shall be presumed that the consideration is the fair market value of the real property or interest therein. These presumptions shall prevail until the contrary is proven, and the burden of proving the contrary shall be on the person liable for payment of the tax.

**§§ 139-2-31 through 139-2-34. (Reserved.)**

**§ 139-2-35. Exemptions from tax.**

A. Exemption for government agencies. The following entities shall be exempt from payment of the real estate transfer tax imposed by this article:

(1) The State of New York or any of its agencies, instrumentalities, political subdivisions, or public corporations (including a public corporation created pursuant to agreement or compact with another state or the Dominion of Canada);

(2) The United Nations; and

(3) The United States of America and any of its agencies or instrumentalities.

B. Exemption for certain conveyances. The real estate transfer tax imposed by this article shall not apply to any of the following conveyances:

(1) Conveyances to the United Nations, the United States of America, the State of New

York or any of their instrumentalities, agencies, or political subdivisions (or any public corporation, including a public corporation created pursuant to agreement or compact with another state or the Dominion of Canada).

- (2) Conveyances which are or were used to secure a debt or other obligation.
- (3) Conveyances which, without additional consideration, confirm, correct, modify, or supplement a prior conveyance.
- (4) Conveyances of real property without consideration and otherwise than in connection with a sale, including conveyances conveying realty as bona fide gifts.
- (5) Conveyances given in connection with a tax sale.
- (6) Conveyances to effectuate a mere change of identity or form of ownership or organization where there is no change in beneficial ownership, other than conveyances to a cooperative housing corporation of the real property comprising the cooperative dwelling or dwellings.
- (7) Conveyances which consist of a deed of partition.
- (8) Conveyances given pursuant to the Federal Bankruptcy Act.
- (9) Conveyances of real property which consist of the execution of a contract to sell real property without the use or occupancy of such property or the granting of an option to purchase real property without the use or occupancy of such property.
- (10) Conveyances of real property, where the entire parcel of real property to be conveyed is the subject of one (1) or more of the following development restrictions:
  - (a) An agricultural, conservation, scenic, or other open space easement which entirely prohibits the development of the property or which restricts its use solely to agriculture.
  - (b) Recorded covenants or restrictions which prohibit the development of the property.
  - (c) A purchase of development rights agreement.
  - (d) A transfer of development rights agreement, where the property being conveyed has had its development rights removed.
  - (e) Development restrictions which result from the inclusion of the property in an agricultural district or its subjection to an individual commitment, pursuant to Article 25-aa of the New York Agriculture and Markets Law.
  - (f) Development restrictions which result from the subjection of the property to a local land preservation agreement, such that the development of the property is entirely

prohibited or is restricted solely to agriculture, pursuant to Chapter 22 of the Town Code or corresponding provisions of a local law adopted by an incorporated village.

(11) Conveyances of real property, where the property is viable agricultural land as defined in subdivision (7) of § 301 of the Agriculture and Markets Law and the entire property to be conveyed is to be made subject to one of the development restrictions set forth in the preceding paragraph (10), provided that said development restrictions are evidenced by an easement, agreement, or other suitable instrument which is conveyed to the Town simultaneously with the conveyance of the real property.

(12) Conveyances of real property for open space, parks, or historic preservation purposes to any not-for-profit tax-exempt corporation operated for conservation, environmental, or historic preservation purposes.

**§§ 139-2-36 through 139-2-39. (Reserved.)**

**§ 139-2-40. Additional exemptions.**

A. There shall be allowed an exemption of two hundred fifty thousand dollars (\$250,000.) on the consideration of the conveyance of improved real property or an interest therein.

B. There shall be allowed an exemption of one hundred thousand dollars (\$100,000.) on the consideration of the conveyance of unimproved real property or an interest therein.

**§§ 139-2-41 through 139-2-44. (Reserved.)**

**§ 139-2-45. Credit for prior tax paid on creation of leasehold or grant of option or contract to purchase.**

A grantor shall be allowed a credit against the tax due on a conveyance of real property to the extent that tax was paid by such grantor on a prior creation of a leasehold of all or a portion of the same real property or on the granting of an option or contract to purchase all or a portion of the same real property by such grantor. Such credit shall be computed by multiplying the tax paid on the creation of the leasehold or on the granting of the option or contract by a fraction, the numerator of which is the value of the consideration used to compute such tax paid which is not yet due to such grantor on the date of the subsequent conveyance (and which such grantor will not be entitled to receive after such date) and the denominator of which is the total value of the consideration used to compute such tax paid.

**§§ 139-2-46 through 139-2-49. (Reserved.)**

**§ 139-2-50. Cooperative housing corporation transfers.**

A. Notwithstanding the definition of "controlling interest" contained in § 139-2-10 hereof or anything to the contrary found in the definition of "conveyance" contained in said section, the tax imposed pursuant to this article shall apply to the following:

(1) The original conveyance of shares of stock in a cooperative housing corporation in connection with the grant or transfer of a proprietary leasehold by the cooperative corporation or cooperative plan sponsor.

(2) The subsequent conveyance of such stock in a cooperative housing corporation in connection with the grant or transfer of a proprietary leasehold by the owner thereof. With respect to any such subsequent conveyance where the property is an individual residential unit, the consideration for the interest conveyed shall exclude the value of any liens on certificates of stock or other evidences of an ownership interest in and a proprietary lease from a corporation or partnership formed for the purpose of cooperative ownership of residential interest in real estate remaining thereon at the time of conveyance. In determining the tax on a conveyance described in paragraph A (1) above, a credit shall be allowed for a proportionate part of the amount of any tax paid upon the conveyance to the cooperative housing corporation of the real property comprising the cooperative dwelling or dwellings to the extent that such conveyance effectuated a mere change of identity or form of ownership of such property and not a change in the beneficial ownership of such property. The amount of credit shall be determined by multiplying the amount of tax paid upon the conveyance to the cooperative housing corporation by a percentage representing the extent to which such conveyance effectuated a mere change of identity or form of ownership and not a change in the beneficial ownership of such property, and then multiplying the resulting product by a fraction, the numerator of which shall be the number of shares of stock conveyed in a transaction described in paragraph A (1) and the denominator of which shall be the total number of shares of stock of the cooperative housing corporation (including any stock held by the corporation). In no event, however, shall such credit reduce the tax on a conveyance described in paragraph A (1) below zero, nor shall any such credit be allowed for a tax paid more than twenty-four (24) months prior to the date on which occurs the first in a series of conveyances of shares of stock in an offering of cooperative housing corporation shares described in paragraph A (1).

B. Every cooperative housing corporation shall be required to file an information return with the County Treasurer by July 15th of each year covering the preceding period of January 1 through June 30 and by January 15th of each year covering the preceding period of July 1 through December 31. The return shall contain such information regarding the conveyance of shares of stock in the cooperative housing corporation as the Treasurer may deem necessary, including, but not limited to, the names, addresses, and employee identification numbers or social security numbers of the grantor and the grantee, the number of shares conveyed, the date of the conveyance, and the consideration paid for such conveyance.

§§ 139-2-51 through 139-2-54. (Reserved.)

**§ 139-2-55. Designation of agent by County Treasurer.**

The County Treasurer is authorized by law to designate the Recording Officer to act as his agent for the purpose of collecting the tax imposed by this article. The Treasurer shall provide for the manner in which such person may be designated as his agent subject to such terms and conditions as he shall prescribe. The real estate transfer tax shall be paid to such agent as provided in § 139-2-25 hereof.

§§ 139-2-56 through 59. (Reserved.)

**§ 139-2-60. Liability of Recording Officer.**

A Recording Officer shall not be liable for any inaccuracy in the amount of tax imposed pursuant to this article that he shall collect so long as he shall compute and collect such tax on the amount of consideration or the value of the interest conveyed as such amounts are provided to him by the person paying the tax.

§§ 139-2-61 through 139-2-64. (Reserved.)

**§ 139-2-65. Refunds.**

Whenever the Treasurer shall determine that any moneys received under the provisions of this article were paid in error, he may cause such money to be refunded pursuant to such rules and regulations as he may prescribe, provided that any application for such refund is filed with the Treasurer within two (2) years from the date the erroneous payment was made.

§§ 139-2-66 through 139-2-69. (Reserved.)

**§ 139-2-70. Deposit and disposition of revenue.**

A. All taxes, penalties, and interest imposed by the Town under the authority of this article, which are collected by the Treasurer or his agents, shall be deposited in a single trust fund for the Town and shall be kept in trust and separate and apart from all other monies in possession of the Treasurer. Moneys in such fund shall be deposited and secured in the manner provided by § 10 of the General Municipal Law. Pending expenditure from such fund, moneys therein may be invested in the manner provided in § 11 of the General Municipal Law. Any interest earned or capital gain realized on the moneys so deposited or invested shall accrue to and become part of such fund.

B. The Treasurer shall retain such amount as he may determine to be necessary for refunds with respect to the tax imposed by the Town under the authority of this article, out of which the Treasurer shall pay any refunds of such taxes to those taxpayers entitled to a refund pursuant to the provisions of this article.

C. The Treasurer, after reserving such funds, shall on or before the twelfth day of each

month, pay to the Town Supervisor the taxes, penalties, and interest imposed by the Town under the authority of this article, collected by the Treasurer pursuant to this article during the proceeding calendar month. The amount so payable shall be certified to the Town Supervisor by the Treasurer, who shall not be held liable for any inaccuracy in such certification. However, any such certification may be based on such information as may be available to the Treasurer at the time such certification must be made under this section.

D. Where the amount so paid over to the Town in any such distribution is more or less than the amount due to the Town, the amount of the overpayment or underpayment shall be certified to the Town Supervisor by the Treasurer, who shall not be held liable for any inaccuracy in such certification. The amount of the underpayment or overpayment shall be so certified to the Town Supervisor as soon after the discovery of the overpayment or underpayment as reasonably possible and subsequent payments and distributions by the Treasurer to such Town shall be adjusted by subtracting the amount of any such overpayment from or by adding the amount of any such underpayment to such number of subsequent payments and distributions as the Treasurer and Town Supervisor shall consider reasonable in view of the underpayment or overpayment and all other facts and circumstances.

E. All monies received from the Treasurer by the Town Supervisor shall be deposited in the Community Preservation Fund established pursuant to Article I of this chapter.

§§ 139-2-71 through 139-2-74. (Reserved.)

**§ 139-2-75. Judicial review.**

A. Any final determination of the amount of any tax payable under this article shall be reviewable for error, illegality, or unconstitutionality, or any other reason whatsoever, by a proceeding under Article 78 of the Civil Practice Law and Rules if application therefor is made to the Supreme Court within four (4) months after the giving of the notice of such final determination; provided, however, that any such proceeding under Article 78 of the Civil Practice Law and Rules shall not be instituted unless:

(1) The amount of any tax sought to be reviewed, with such interest and penalties thereon as may be provided for by this chapter, shall be first deposited and there is filed an undertaking, issued by a surety company authorized to transact business in New York State and approved by the State Superintendent of Insurance as to solvency and responsibility, in such amount as a Justice of the Supreme Court shall approve, to the effect that, if such proceeding shall be dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding; or

(2) At the option of the petitioner, such undertaking may be in a sum sufficient to cover the taxes, interest, and penalties stated in such determination, plus the costs and charges which may accrue against him in the prosecution of the proceeding, in which event the petitioner shall not be required to pay such taxes, interest, or penalties as a condition

precedent to the application.

B. Where any tax imposed hereunder shall have been erroneously, illegally, or unconstitutionally assessed or collected, and application for the refund or revision thereof duly made to the Treasurer, and such Treasurer shall have made a determination denying such refund or revision, such determination shall be reviewable by a proceeding under Article 78 of the Civil Practice Law and Rules; provided, however, that:

(1) Such proceeding is instituted within four (4) months after the giving of the notice of such denial;

(2) A final determination of tax due was not previously made; and

(3) An undertaking is filed with the Treasurer in such amount and with such sureties as a Justice of the Supreme Court shall approve, to the effect that if such proceeding is dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding.

§§ 139-2-76 through 139-2-79. (Reserved.)

**§ 139-2-80. Apportionment of consideration subject to tax for property located only partly within Town.**

A. Where real property is situated partly within and partly without the boundaries of the Town, the consideration subject to tax is such part of the total consideration as is attributable to the portion of such real property situated within the Town or to the interest in such portion. If the consideration attributable to the property located in the Town is set forth in the contract, such amount may be used to compute the tax due.

B. If the contract does not set forth the amount of consideration attributable to the portion of real property or interest therein situated within the Town, the consideration shall be reasonably allocated between the portion of such property or interest therein situated within the Town and the portion of such property or interest therein situated without the Town. If the grantor and the grantee enter into a written agreement, signed by both the grantor and the grantee, which sets forth a reasonable allocation of consideration, that allocation of consideration may be used to compute the tax due. If the grantor and the grantee do not enter into such an agreement, or if the allocation of consideration set forth in such agreement is deemed unreasonable by the Treasurer, the allocation of consideration must be computed by multiplying the amount of consideration by a fraction, the numerator of which is the fair market value of the real property or interest therein situated within the Town, and the denominator of which is the total fair market value of all the real property or interest therein being conveyed. Except in the case of a transfer or acquisition of a controlling interest where consideration means fair market value of the real property or interest therein, the tax shall be computed on the allocated portion of the actual consideration paid, even if that amount is greater or less than the fair market value as determined by appraisal.

C. Where the methods provided under this section do not allocate the consideration in a fair and equitable manner, the Treasurer may require the grantor and grantee to allocate the consideration under such method as he prescribes, so long as the prescribed method results in a fair and equitable allocation.

§§ 139-2-81 through 139-2-84. (Reserved.)

**§ 139-2-85. Determination of tax; petition to Town Supervisor.**

A. If a return required by this article is not filed, or if a return when filed is incorrect or insufficient, the amount of tax due shall be determined by the Treasurer from such records or information as may be obtainable, including the assessed valuation of the real property or interest therein and other appropriate factors. Notice of such determination shall be given to the person liable for the payment of the tax. Such determination shall finally and irrevocably fix the tax unless the person against whom it is assessed, within ninety (90) days after the giving of notice of such determination, shall petition the Town Supervisor for a hearing, or unless the Treasurer, on the Treasurer's own motion, shall redetermine the same. The Town Supervisor may designate, in writing, a hearing officer to hear such an appeal, which hearing officer shall file a written report and recommendation with the Town Supervisor. In any case before the Town Supervisor under this article, the burden of proof shall be on the petitioner. After such hearing, the Town Supervisor shall give notice of the determination to the person against whom the tax is assessed and to the Treasurer. Such determination may be reviewed in accordance with the provisions of § 139-2-75 of this article. A proceeding for judicial review shall not be instituted unless:

(1) The amount of any tax sought to be reviewed, with penalties and interest thereon, if any, shall be first deposited with the Treasurer and there shall be filed with the Treasurer an undertaking, issued by a surety company authorized to transact business in New York State and approved by the State Superintendent of Insurance as to solvency and responsibility, in such amount and with such sureties as a Justice of the Supreme Court shall approve, to the effect that if such proceeding shall be dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of the proceeding; or

(2) At the option of the petitioner, such undertaking filed with the Treasurer may be in a sum sufficient to cover the taxes, penalties, and interest thereon stated in such decision, plus the costs and charges which may accrue against him in the prosecution of the proceeding; in which event, the petitioner shall not be required to deposit such taxes, penalties, and interest as a condition precedent to the commencement of the proceeding.

B. A person liable for the tax imposed by this article (whether or not a determination assessing a tax pursuant to subsection A hereof has been made) shall be entitled to have the tax due finally and irrevocably fixed prior to the ninety (90) day period referred to in subsection A by filing with the Treasurer a signed statement consenting thereto, in writing and in such form as the Treasurer shall prescribe.

C. The remedies provided by this section and § 139-2-75 of this article shall be the exclusive remedies available to any person for the review of tax liability imposed by this article.

**§§ 139-2-86 through 139-2-89. (Reserved.)**

**§ 139-2-90. Proceedings to recover tax due.**

A. Whenever any person shall fail to pay any tax, penalty, or interest imposed by this article, the Town Attorney shall, upon the request of the Treasurer, bring or cause to be brought, an action to enforce the payment of the same on behalf of the Town, in any court of the State of New York or of any other state or of the United States.

B. As an additional and alternative remedy, the Treasurer may issue a warrant, directed to the Sheriff of Suffolk County, commanding him to levy upon and sell any real and personal property of a grantor or grantee liable for the tax which may be found within the County, for payment of the amount thereof, with any penalty and interest and the cost of executing the warrant, and to return such warrant to the Treasurer the money collected by virtue thereof within sixty (60) days after the receipt of the warrant. The Sheriff shall, within five (5) days after the receipt of the warrant, file with the Clerk a copy thereof, and thereupon such Clerk shall enter into the judgment docket the name of the person mentioned in the warrant and the amount of the tax, penalty, and interest for which the warrant is issued. Such lien shall not apply to personal property unless such warrant is filed with the Department of State. The Sheriff shall then proceed upon the warrant in the same manner and with like effect as that provided by law in respect to executions issued against property upon judgments of a court of record, and for services in executing the warrant he shall be entitled to the same fees, which he may collect in the same manner. In the discretion of the Treasurer, a warrant of like terms, force, and effect may be issued and directed to any officer or employee of the county; and in the execution thereof, such officer or employee shall have all the powers conferred by law upon Sheriffs, but shall be entitled to no fee or compensation in excess of the actual expenses paid in the performance of such duty. Upon such filing of a copy of a warrant, the Treasurer shall have the same remedies to enforce the amount due thereunder as if the County of Suffolk had recovered the judgment therefor.

**§§ 139-2-91 through 139-2-94. (Reserved.)**

**§§ 139-2-95. Interest and civil penalties.**

A. Any grantor or grantee failing to file a return or to pay any tax within the time required by this article shall be subject to a penalty of ten percent (10%) of the amount of the tax due plus an interest penalty of two percent (2%) of such amount, for each month of delay or fraction thereof after the expiration of the first month after such return was required to be filed or such tax became due; such interest penalty shall not exceed twenty-five percent (25%) in the aggregate. If the Treasurer determines that such failure or delay was due to reasonable cause and not due to willful neglect, the Treasurer shall remit,

abate, or waive all of such penalty and interest penalty.

B.If any amount of tax is not paid on or before the last date prescribed in § 139-2-25 hereof for payment, interest on such amount at the rate of ten percent (10%) per month shall be paid for the period from such last date to the date paid.

C.The penalties and interest provided for in this section shall be paid to the Treasurer and shall be determined, assessed, collected, and distributed in the same manner as the tax imposed by this article and any reference to tax in this article shall be deemed to include the penalties and interest imposed in this section.

§§ 139-2-96 through 139-2-99. (Reserved.)

**§ 139-2-100. Confidentiality of transfer tax returns.**

A.Except in accordance with proper judicial order or as otherwise provided by law, it shall be unlawful for any officer or employee of the Town, or any person engaged or retained on an independent contract basis, to divulge or make known in any manner the particulars set forth or disclosed in any return required under this article. However, nothing in this section shall prohibit the Recording Officer from making a notation on an instrument effecting a conveyance indicating the amount of tax paid. No recorded instrument effecting a conveyance shall be considered a return for the purposes of this section.

B.The officers charged with the custody of such returns shall not be required to produce any of them or evidence of anything contained in them in any action or proceeding in any court, except on behalf of the Town in any action or proceeding involving the collection of a tax due under this article to which the Town or an officer or employee of the Town is a party or a claimant, or on behalf of any party to any action or proceeding under the provisions of this article when the returns or facts shown thereby are directly involved in such action or proceeding; in any of which events the court may require the production of and may admit in evidence so much of said returns or of the facts shown thereby as are pertinent to the action or proceeding and no more.

C.Nothing herein shall be construed to prohibit the delivery to a grantor or grantee of an instrument effecting a conveyance, or to the duly authorized representative of such grantor or grantee, of a certified copy of any return filed in connection with such instrument or to prohibit the publication of statistics so classified as to prevent the identification of particular returns or the items thereof or to prohibit the inspection by the legal representatives of the Town of the return of any taxpayer who shall bring action to set aside or review the tax based thereon.

D.Any officer or employee of the Town who wilfully violates the provisions of this section shall be dismissed from office and be incapable of holding any public office in the State for a period of five (5) years thereafter.

**SECTION III. - INTERGOVERNMENTAL AGREEMENT:**

The Town Board shall be authorized to, by resolution, enter into any intergovernmental agreement necessary with the County of Suffolk or any successor county, for the effective and efficient administration and enforcement of this local law.

**SECTION IV. - FORM OF PROPOSITION:**

Pursuant to § 1449-bb of the New York Tax Law and § 23 of the New York Municipal Home Rule Law, this Local Law is subject to mandatory referendum. Therefore, the following proposition shall be submitted to the electors of the Town of East Hampton at the general election to be held on November 3, 1998:

"SHALL LOCAL LAW NO. \_\_\_ OF 1998, ENTITLED 'A LOCAL LAW IMPOSING A TWO PERCENT (2%) REAL ESTATE TRANSFER TAX ON THE CONVEYANCE OF INTERESTS IN REAL PROPERTY IN THE TOWN, WITH THE REVENUES DERIVED FROM THIS TAX TO BE DEPOSITED IN THE EAST HAMPTON COMMUNITY PRESERVATION FUND FOR THE PURPOSE OF PRESERVING OPEN SPACE AND HISTORIC PLACES WITHIN THE TOWN,' BE APPROVED?"

**SECTION V. - SEVERABILITY:**

If any clause, sentence, paragraph, section, or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**SECTION VI. - EFFECTIVE DATE:**

This Local Law shall take effect on April 1, 1999, after filing with the Secretary of State and after approval at the general election to be held on November 3, 1998 by the affirmative vote of the qualified electors of the Town of East Hampton upon the proposition set forth in Section IV hereof, and provided further that the real estate transfer tax imposed by this Local Law shall expire and be deemed repealed as to any conveyance taking place after December 31, 2010.

***AND BE IT FURTHER RESOLVED***, that the Town Clerk is directed to forward copies of this resolution to the following: Town Attorney Cynthia Ahlgren Shea; Deputy Town Attorney Richard E. Whalen; Planning Director Lisa M. Liquori; State Assemblyman Fred W. Thiele; Mayor Paul F. Rickenbach, Jr., Incorporated Village of East Hampton; and Mayor Pierce Hance, Incorporated Village of Sag Harbor.

DATED: August 4, 1998

BY ORDER OF THE TOWN BOARD  
TOWN OF EAST HAMPTON, NEW

## MINUTES OF TOWN BOARD MEETING HELD OCTOBER 16, 1998

The Town Board of the Town of East Hampton held a meeting at the Court Room, Town Hall, 159 Pantigo Road, East Hampton, New York, on October 16, 1998 beginning at 10:10 a.m. and adjourning at 11:12 p.m.

Those present were: Supervisor Lester, Councilwoman Pat Mansir, Councilman Peter Hammerle, Councilman Job Potter, and Councilman Len Bernard.

Also present was: Town Clerk, Frederick W. Yardley; Town Attorney, Cynthia Shea; Carol Morrison; Sherry Wolfe; ; Local Newspaper reporters; and other members of the community.

(1020) The following resolution was offered by Supervisor Lester, seconded by Councilman Pete Hammerle, and adopted:

WHEREAS, the New York State Legislature adopted a law authorizing the Town of East Hampton to establish a community preservation fund and to impose a real estate transfer tax, with revenues therefrom to be deposited into said community preservation fund and used to preserve certain identified parcels of property in the Town, including the preservation of parcels located within the boundaries of the Incorporated Village of East Hampton; and

WHEREAS, the Town of East Hampton has always been a leader in the area of land preservation and conservation; and

WHEREAS, to further its objective of preserving the Town's remaining natural, scenic and historic treasures, the Town Board by resolutions nos. 801, 802 and 803 of 1998 enacted local laws to establish a community preservation fund, adopt a community preservation project plan, and impose a 2% real estate transfer tax; and

WHEREAS, the Town recognizes that the intent of the legislation is to protect the community character of the Town, including the Village, through land preservation of open space, farmland, parks and historic structures; and

WHEREAS, the Town and the Village desire to enter into an intermunicipal agreement which will ensure that a portion of the revenues generated from the real estate transfer tax will be expended acquiring real properties and preserving interests or rights in real properties which are located within the Incorporated Village of East Hampton; now, therefore, be it

RESOLVED, that the Town Supervisor is authorized to execute an intermunicipal agreement with the Incorporated Village of East Hampton, said agreement to be in a form approved by the Town Attorney and to provide for the following terms and conditions:

1. Ten (10%) percent of the transfer tax revenues generated over the 12 year term of the legislation shall be expended on Village property rights.

2. If the Village dedicates additional Village revenues to Community Preservation Project plan land preservation purposes, the Town agrees to match, dollar for dollar, said Village revenues with revenue generated from the real property transfer tax, up to a maximum of an additional ten (10%) percent of said transfer tax revenues.

3. The title to any property acquired or rights and interests preserved with transfer tax revenues shall be vested in the Town. The Village shall have co-title to properties and rights and interests when the Village contributes Village revenues to obtain the matching funds.

4. The Village shall have the sole right and obligation to administer and manage lands acquired and rights and interests preserved with transfer tax revenues within the boundaries of the Village, and the Village shall hold the Town harmless from any liabilities that arise out of the Village's administration and management of such property. Such properties managed by the Village shall be equally accessible to Village and Town residents; no additional financial or other burden shall be placed on Town residents regarding said parcels.

and; be it further

RESOLVED, that the Town Clerk is requested to send a copy of this resolution to:

Hon. Fred W. Thiele, Jr.  
P.O. Box 3062  
Bridgehampton, New York 11932

Hon. Paul Rickenbach, Mayor  
Village of East Hampton  
86 Main Street  
East Hampton, New York 11937

Larry Cantwell, Village Clerk  
Village of East Hampton  
86 Main Street  
East Hampton, New York 11937

Linda Riley, Village Attorney  
10 Oak Street  
Southampton, New York 11968

Michael Haran, Town Budget Officer  
Cynthia Ahlgren Shea, Town Attorney  
Lisa Liquori, Director of Planning  
Larry Penny, Director of Natural Resources

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(1020)The following resolution was offered by Supervisor Lester, seconded by Councilman Pete Hammerle, and adopted:

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WHEREAS, the Town of East Hampton has always been a leader in the area of land preservation and conservation; and

WHEREAS, to further its objective of preserving the Town's remaining natural, scenic and historic treasures, the Town Board by resolutions nos. 801, 802 and 803 of 1998 enacted local laws to establish a community preservation fund, adopt a community preservation project plan, and impose a 2% real estate transfer tax; and

WHEREAS, the Town recognizes that the intent of the legislation is to protect the community character of the Town, including the Village, through land preservation of open space, farmland, parks and historic structures; and

WHEREAS, the Town and the Village desire to enter into an intermunicipal agreement which will ensure that a portion of the revenues generated from the real estate transfer tax will be expended acquiring real properties and preserving interests or rights in real properties which are located within the Incorporated Village of East Hampton; now, therefore, be it

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1. Ten (10%) percent of the transfer tax revenues generated over the 12 year term of the legislation shall be expended on Village property rights.

2. If the Village dedicates additional Village revenues to Community Preservation Project plan land preservation purposes, the Town agrees to match, dollar for dollar, said Village revenues with revenue generated from the real property transfer tax, up to a maximum of an additional ten (10%) percent of said transfer tax revenues.

3. The title to any property acquired or rights and interests preserved with transfer tax revenues shall be vested in the Town. The Village shall have co-title to properties and rights and interests when the Village contributes Village revenues to obtain the matching funds.

4. The Village shall have the sole right and obligation to administer and manage lands acquired and rights and interests preserved with transfer tax revenues within the boundaries of the Village, and the Village shall hold the Town harmless from any liabilities that arise out of the Village's administration and management of such property. Such properties managed by the Village shall be equally accessible to Village and Town residents; no additional financial or other burden shall be placed on Town residents regarding said parcels.

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Cynthia Ahlgren Shea, Town Attorney  
Lisa Liquori, Director of Planning

## CPF Project Plan Update After Hearing

### Information

Legislative File #	RES-2011-614
Status	Adopted
Department	Land Acquisition
Meeting	Jul 7, 2011 7:00 PM
Category	Local Law
Sponsors	Councilman Dominick Stanzione
Functions	Acquisitions

### Document Body

**WHEREAS**, a public hearing was held by the Town Board of the Town of East Hampton on June 16, 2011, regarding a Local Law adopting a revised "Community Preservation Project Plan" pursuant to § 64-e of the New York Town Law, 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, both as submitted in writing and as presented orally at the public hearing; and

**WHEREAS**, the Town Board has prepared and considered Environmental Assessment Forms which evaluate 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 Review Act (SEQRA); and

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

#### **LOCAL LAW NO OF 2011 INTRODUCTORY NO OF 2011**

A Local Law providing for the adoption of a revised "Community Preservation Project Plan," pursuant to § 64-e of the New York Town Law, which provides for the preservation of open space, historic places, and recreational areas within the Town of East Hampton, including the incorporated villages therein, 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:**

The Town of East Hampton possesses a rich heritage of scenic and natural resources which are vital to the Town's sense of place and to its economic success as a resort community. The lands which comprise these resources are rapidly being lost to development. The Community Preservation Fund has provided the Town with the financial resources and long-range vision necessary to protect

these vital resources. The updated Community Preservation Project Plan provides the opportunity for the Town Board to assess its current protection priorities, and is specifically authorized by Section 64-e of the Town Law and will serve as the basis for the expenditure of any monies realized under the Community Preservation Fund Law's two (2%) real estate transfer tax, which is also authorized by § 64-e of the Town Law as well as Article 31-D of the Town Law.

**SECTION II. - COMMUNITY PRESERVATION PROJECT PLAN ADOPTED :**

For the reasons set forth in Section I hereof, the Town Board hereby approves and adopts the "Community Preservation Project Plan" prepared by the Town Planning Department and dated May 2011, said plan being intended to constitute, in its revised form, the Community Preservation Project Plan which is required by §64-e of the New York Town Law and Article I ("Community Preservation Fund") of the East Hampton Town Code.

**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: July 7, 2011**

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