1. Subdivision Review-55 Wainscott Hollow, LLC Final
   Documents:
   55 WAINSCOT03089120161201142437.PDF

2. Site Plan Review-NCW PCS, LLC At St. Peter’s Chapel PWSF
   Documents:
   NEW CINGULAR ST PETERS03089320161201142840.PDF

3. Site Plan Review-NCW PCS, LLC At Amagansett Fire Department PWSF
   Documents:
   NEW CINGULAR AMAGANSETT FIRE03091220161201163035.PDF

4. Site Plan Review-Wainscott Village Associates | Barry’s Boot Camp
   Documents:
   BARRYS BOOTCAMP03056820161123143703.PDF

5. Site Plan Review-D.L. Talmage Commercial
   Documents:
   DL TALMAGE0304992016122155043.PDF

6. Site Plan Review-240 Fort Pond (The Arbor)
   Documents:
   240 FORT POND03090120161201154039.PDF

7. Other-Climate Action Plan
   Documents:
   DRAFT CLIMATE ACTION PLAN OCTOBER 2015.PDF
SUBDIVISION INITIAL EVALUATION
55 Wainscott – Hollow Road – Final Subdivision
SCTM# 300-197-4-2.1

Prepared by: Eric Schantz
Planner

Date: November 30, 2016

1. APPLICATION INFORMATION:

A. INFORMATION RECEIVED: Final subdivision map, common driveway plan and details, NYSDEC SPDES permit
B. DATE SUBMITTED: November 21, 2016
C. OWNER: 55 Wainscott Hollow Road, LLC
D. APPLICANT/AGENT: Mary Jane Asato, Esq. @ Bourke, Flanagan & Asato
E. SCHOOL DISTRICT: Wainscott
F. STREET NAME: Wainscott-Hollow Road, Sayre’s Path
G. TYPE OF STREET: Town
H. ZONING DISTRICT: A5: Residence, AGO
I. SEQRA - TYPE OF ACTION: Unlisted
J. INVOLVED AGENCIES: N/A (SEQRA declaration made)
K. OTHER REVIEW: Office of Fire Prevention, Bridgehampton Fire Department, engineer
L. WAS PROPERTY PREVIOUSLY SUBDIVIDED: No
M. IF YES, DATE OF SUBDIVISION: N/A

2. DESCRIPTION OF PROJECT

A. TYPE OF SUBDIVISION PROPOSED: Open Space
B. TOTAL ACREAGE: 39.89
C. YIELD (NUMBER OF LOTS): 7
D. RANGE OF LOT SIZE (SQUARE FEET): 20,003 sq ft. to 107,593 sq ft.
E. ACRES OF RESERVED AREA: ~28 acres
F. ACRES OF SCENIC EASEMENT: N/A
G. PERCENT OF RESERVED AREA: 70%
H. PERCENT OF TOTAL OPEN SPACE: 70%
I. TYPE OF ACCESS PROVIDED: Common driveway
J. LENGTH OF ACCESS: road: ~1,300'
K. IS SIGHT DISTANCE ACCEPTABLE: To be determined by Engineer
L. IMPROVEMENTS ON SUBJECT PARCEL:
   - One single-family residence
   - Barn
   - Two (2) storage containers

M. MOST RECENT CERTIFICATE OF OCCUPANCY (date & description): Includes subsequent permitting history

1/5/00-C.O.17046(38152,38158)-RONALD LAUDER-MOVED EXISTING RESID. TO CONFORMING LOCATION WITH 672 SQ FT INTERIOR ALTERAT., 476 SQ FT 2ND STORY ADDITION ALL TO EXISTING ONE FAMILY RESIDENCE HAVING ONE KITCHEN ONLY.

2/25/08 - B.P 52847 - 55 WAINSCOTT HOLLOW, LLC - DEMOLISH THREE (3) RESIDENCES, 2 FRAME GARAGES, 2 BARNs, 3 FRAME SHEDS. (INSPECTION DAY TUESDAY).

11/19/09 - SITE PLAN - 55 WAINSCOTT HOLLOW, LLC - DEMOLITION & REMOVAL OF ALL EX. STRUCTURES & CONSTRUCT 14,566 SQ. FT. SINGLE FAMILY HOME W. 983 SQ. FT. ATTACHED GARAGE, 60' X 120' TENNIS COURT, 30' X 58' SW. POOL W. 160 SQ. FT. POOL HOUSE, & 1124 SQ. FT. COVERED PORCH - DENIED.

2/15/12-SITE PLAN - 55 WAINSCOTT HOLLOW - CONSTRUCT A 14,566 SQ. FT. RESIDENCE WITH TENNIS COURT, SW. POOL, CABANA & COVERED PORCH - GRANTED.

6/14/12-A.R.B - 55 WAINSCOTT HOLLOW, LLC, OWNER - RE: ADDITIONAL ROOF HEIGHT - GRANTED.

7/9/12-MEMO TO PL. BD. W. B.P. APPL. - RE: HAVE CONDITIONS & CONCERNS OF YOUR SITE PLAN DATED: 2/15/12 BEEN MET, PRIOR TO THE ISSUANCE OF A. B.P.?

7/24/12 - MEMO FROM PL. BD. W.B.P APPL. - RE: BP CAN ISSUE.

7/27/12 - B.P 57180 - 55 WAINSCOTT HOLLOW, LLC - BUILD NEW 9 BEDROOM SINGLE FAMILY RESIDENCE WITH 6484 AT FIRST FLOOR, 6790 SQ. FT. AT SECOND FLOOR, (1) 215 SQ. FT. SIDE PORCH, (1) 125 SQ. FT. SUNROOM PORCH, 768 SQ. FT. SUNROOM, 475 SQ. FT. SCREENED PORCH, 1040 SQ. FT. ATTACHED GARAGE, 1384 SQ. FT. LOWER LEVEL RECREATION ROOM, 166 SQ. FT. FRONT
PORCH, 658 SQ. FT. COVERED REAR PORCH, 1371 SQ. FT. SECOND FLOOR DECKS, 1740 SQ. FT. GUNITE SWIMMING POOL WITH PROPER FENCING AND DRY WELL, 1864 SQ. FT. SWIMMING POOL PATIO, 160 SQ. FT. POOL HOUSE, 1164 SQ. FT. COVERED PORCH AND ONE TENNIS COURT PER SITE PLAN OF 2/16/12, D.E.C. OF 12/11/08 AND ALL APPLICABLE CODES. (B.O.H #R03-07-0167) (INSPECTION DAY TUESDAY) (CO FEE PAID). ***PLANS ARE FOLDED & FILED IN BOX ON TOP CABINETS****

N. VARIANCES REQUIRED: None

3. SUBMISSION REQUIREMENTS PURSUANT TO CHAPTER 220 (LIST ITEMS & SECTION NUMBER FOR ITEMS NOT SUBMITTED)

See issues for discussion below

4. SITE ANALYSIS:
   A. SOIL TYPE: PsA: Plymouth loamy sand silty substratum 0 to 3% slopes, PIA: Plymouth loamy sand 0 to 3% slopes, PiB: Plymouth loamy sand 3 to 8% slopes, RdA: Riverhead sandy loam 0 to 3% slopes, BgB: Bridgehampton silt loam 2 to 6% slopes
   B. FLOOD HAZARD ZONE: X
   C. DESCRIPTION OF VEGETATION: Parcel is mostly cleared farmland, existing buildings are situated on two patches of mixed grass and mature deciduous trees.
   D. RANGE OF ELEVATIONS: No corner elevations given, roughly 40’ to 30’ ASL
   E. NATURE OF SLOPES: Flat to gently sloping
   F. TYPE OF WETLANDS WITHIN NRSP JURISDICTION: N/A
   G. SETBACK FROM ANY WETLAND OR WATER BODY: N/A
   H. ARE THERE TRAILS ON SITE? No
   I. DEPTH TO WATER TABLE: 22’ below grade….(G.W. elevation of 11.5’ ASL)
   J. DISTANCE TO PUBLIC WATER: @ Wainscott Hollow Road
   K. SOURCE OF WATER SUPPLY: Public
   L. NUMBER OF ACCESS POINTS: 4
   M. METHOD OF WASTE DISPOSAL: Individual sanitary systems
   N. DOES THE SITE CONTAIN HISTORIC OR ARCHAEOLOGICAL RESOURCES? None have been identified
   O. IS THE SITE CONTAINED WITHIN:

<p>| NYS Significant Coastal Fish &amp; Wildlife Habitat | No |
| Local Significant Coastal Fish &amp; Wildlife Habitat | No |
| US Fish &amp; Wildlife Significant Ecological Complex | No |
| PEP CLPS list | No |
| Town Community Preservation Fund List | Yes |</p>
<table>
<thead>
<tr>
<th>Recommended Scenic Area of Statewide Significance</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suffolk County designated Pine Barrens</td>
<td>No</td>
</tr>
<tr>
<td>South Fork Special Groundwater Protection Area</td>
<td>No</td>
</tr>
<tr>
<td>Town Overlay District</td>
<td>AGO</td>
</tr>
</tbody>
</table>

**Other Background Information:**
Final Subdivision application has been made to divide a roughly 40 acre parcel into seven (7) lots plus an agricultural reserve area.

There is one existing residence as well as a barn and storage containers along Wainscott Hollow Road. The remainder of the property is a large contiguous farm field. The residence has been identified as the David A. Edwards Home by the Town’s Historic Preservation Consultant. However, this building is not formally recognized by the State, or Federal governments as historically significant.

The subject parcel is zoned A5: Residence and is within a New York State agricultural district established pursuant to the Agricultural and Markets Law (25-AA, 303-304). It is also within the Town’s Agricultural Overlay District and contains Class II prime agricultural soils, which are protected under §193 of the Town Code.

The parcel is within the East Hampton section of the map of Scenic Areas of Statewide Significance and, due primarily to the expansive amount of farmland, contains scenic views that are important to the rural character of the Town. The distribution pattern of buildings on open farmland is also a key element of the historic agrarian character of this area of Wainscott.

The parcel is 100% cleared of naturally-occurring vegetation and there are currently a number of mature deciduous trees with expansive lawn areas as an under-story in the developed areas of the parcel (along Wainscott - Hollow Road). The land is generally flat with a gradual downward slope to the southeast corner of the property (where a slight swale is located) and on towards Wainscott-Hollow Road. The property and the greater area are all part of the watershed for Wainscott Pond.

The Town of East Hampton’s Community Preservation Project Plan was last revised by the Planning Department July 7, 2011. This plan establishes the priority for preservation of land within the Town, with agricultural lands ranked as the highest priority. The plan also includes site-specific listings of every parcel of land which the Town and the incorporated villages within the Town intend to acquire either through fee title or the purchase of development rights methods. The subject parcel is included in this list. The plan calls for the farmland portion of the parcel to be preserved through the purchase of development rights. For the rest of the property, private conservation is recommended.

Surrounding properties are residential and agricultural in use with residential zoning districts neighboring the subject parcel.
The Planning Board previously reviewed a site plan application to situate a single-family residence and associated accessory structures on this parcel in 2009. This application was denied and, subsequent to a decision by the New York State Supreme Court as part of an Article 78 proceeding which overturned the Board’s decision, the applicants re-submitted to the Board in 2011 (also for a single-family residence and associated accessory structures) and this site plan application was approved. A building permit has been issued for the structures included in the approved site plan.

Issues for Discussion:

Preliminary Subdivision
The Board did not vote to approve the preliminary subdivision map. A subsequent decision by the New York State Supreme Court as part of an Article 78 proceeding has overturned the Board’s decision. The Board may wish to consult with Counsel as to the Court’s findings and the Board’s appropriate course of action for the final subdivision process.

The submitted final subdivision map is identical to the preliminary map but contains the added notations that were listed in the draft resolution of preliminary approval. Therefore, it appears that the final map is complete.

Common Driveway
The applicants have submitted a common driveway plan which will need to be reviewed by an engineer. The application cannot be deemed complete until this plan is found acceptable. It is the understanding of the Planning Department that this will be completed before the December 7, 2016 meeting but as of the date of this memo this has not been confirmed.

Bridgehampton Fire Department
By letter dated November 3, 2016 the Bridgehampton Fire Department identified the appropriate location for a new hydrant. The submitted map illustrates this feature in its required location.

Conclusion
In conclusion, the application is incomplete pending approval of an engineer. Should this be obtained then it appears that the application would be complete and ready for approval.

ES

Planning Board Consensus

Is the final subdivision application complete and ready for approval?

Additional comments:  ____________________________________________
Additional Board Comments:
November 22, 2016

TO: Planning Board
FROM: Eric Schantz
Senior Planner
RE: New Cingular Wireless (aka AT & T) @ St. Peter’s Chapel Personal Wireless Service Facility (PWSF) - Site Plan/Special Permit
SCTM# 300-103-6-23

Last Review Date: July 13, 2016

Items and Date Received: Set of equipment details and elevations and site plan, visual renderings for 2 different mounting options (pole & campanile)

Background Information: Application has been made to construct a new Personal Wireless Service Facility (PWSF) consisting of nine (9) antennas, eighteen (18) remote radic heads and associated equipment. Also proposed is a 12’ X 12’ equipment shelter with HVAC units and one roof-mounted GPS unit.

The parcel is zoned B: Residence and is situated on Old Stone Highway in Springs. It contains a chapel building which pre-dates the adoption of zoning. The property is entirely bordered by residential zoning and uses. The parcel to the immediate south and east is also owned by the owner of the subject parcel.

Issues for Discussion:

Mounting Options
At the time of the last review it was the consensus of the Board that other options should be provided by the applicants. Specifically, three (3) potential options were discussed:

1.) A re-design of the initial proposal which included renovation/enlargement of the existing Chapel bell tower

2.) Utilizing a ~50’ tall wooden utility pole situated in one of the areas to the center of the property within the existing trees, or
3.) A campanile structure located elsewhere on the property, ideally towards the center of the property or to the southeast of St. Peter’s Chapel.

The applicants have submitted revised plans and visual renderings for the latter two of the three options listed above. The Board should discuss whether or not either proposal is acceptable and if any additional visual information is needed.

**Zoning Board of Appeals**

As noted at the time of the previous review, relief will need to be granted by the Zoning Board of Appeals. It appears that either of the two options offered will require the following relief:

- A Natural Resources Special Permit (NRSP) pursuant to section 255-4-20
- A variance of 34’ from section 255-4-30 whereas a minimum required setback from a freshwater wetland is 100’ and a setback of 66’ is proposed.
- A variance of 1.5’ from section 255-11-10 whereas a minimum side yard setback of 10’ is required and a setback of 8.5’ is proposed.
- A variance (scale to be determined) from section 255-11-72 D (Pyramid Law) for the campanile.

The campanile design would also require the following variance:

- A variance of 25’ from section 255-11-10 whereas a maximum height of 25’ is allowed and a height of 50’ is proposed for the campanile.

**Noise**

At the time of the last review the Board had requested information regarding the noise produced by the HVAC units. This information has not yet been submitted. The amended proposal includes an 8’ tall wall as a sound barrier. The applicants should submit manufacturer’s information for the generator and any other sound-generating equipment and an estimate of anticipated decibel levels at each property line should be provided.

**Town Engineer**

The Board should read the comments of the Town Engineer. It is noted that it does not appear that any additional information pertaining to drainage control has been submitted, as required by the Board at the time of the last review.

**Conclusion**

In conclusion, the application is incomplete pending the resolution of the aforementioned issues and the submission of the required items.
Planning Board Consensus

*Does the Board find either of the 2 proposed options acceptable?*

Additional comments: ________________________________

*Should information pertaining to noise level be submitted?*

Additional comments: ________________________________

*Additional Board Comments:*

______________________________________________

______________________________________________
WIRELESS SITE PLAN INITIAL EVALUATION
New Cingular Wireless PCS, LLC (AT & T) @ Amagansett Fire
Department Personal Wireless Service Facility (PWSF) – Site Plan/Special
Permit Modification
SCTM# 300-150-3-16.2
App#A0520160022

Prepared by: Eric Schantz
Senior Planner

Date: November 29, 2016

1. APPLICATION INFORMATION

A. INFORMATION RECEIVED: cover letter, visual renderings, structural analysis,
RF engineer’s report. A set of plans prepared by Salient Architects, LLC dated
revised November 4, 2016 including: Title Sheet (ANT-100.00), Code Review Notes
(ANT-101.00), General Notes (ANT-102.00), General Notes (ANT-103.00), Site Plan
(ANT-110.00), Compound Plan (ANT-111.00), Antenna Layout Plan (ANT-140.00),
Tower Elevation (ANT-120.00), Equipment Layout Plan (ANT-130.00), Sector
Photos (ANT-150.00), Equipment Specifications (ANT-160.00), General Information
(E-100.00), DC Wiring Diagram (E-110.00), Communications Diagram (E-111.00),
RRH Riser Diagram & RRH Grounding Plan (E-120.00), and Grounding & Weather
Proofing Details (E-130.00)

B. DATE SUBMITTED: November 14, 2016

C. TYPE OF APPLICATION SUBMITTED:

☐ Tier One
☒ Tier Two
☐ Tier Three

D. OWNER: Amagansett Fire Department
E. CARRIER: New Cingular Wireless PCS, LLC (aka AT & T)
F. APPLICANT/AGENT: Shore 2 Shore Wireless, Inc.
G. SCHOOL DISTRICT: Amagansett
H. STREET NAME: 439 Main Street
K. TYPE OF STREET: State
L. ZONING DISTRICT: A: Residence, Affordable Housing Overlay District
M. SEQRA - TYPE OF ACTION: Type II
N. INVOLVED AGENCIES: N/A
O. OTHER REVIEW: Town Engineer, Office of Fire Prevention, Architectural Review Board

2. DESCRIPTION OF PROJECT

A. AREA OF PARCEL (SQUARE FEET): ~209,422 sq. ft.
B. MOST RECENT CERTIFICATE OF OCCUPANCY (date & description):
   10/9/15 - C.O. 30790 (59755) - AMAGANSETT FIRE DISTRICT - EQUIPMENT CABINET, ASSOCIATED CABLES AND CONDUCT FOR THREE (3) WIRELESS COMMUNICATION ANTENNAS INSTALLED ON EXISTING MONOPOLE. **SPRINT**
C. DESCRIPTION OF EXISTING STRUCTURES: Firehouse and associated accessory structures along with 150’ tall monopole
D. DESCRIPTION OF PROPOSED STRUCTURES: replacement of antennas, remote radio heads and other equipment as noted below.
E. EXISTING & PROPOSED LOT COVERAGE: Information not provided (no change)
F. EXISTING & PROPOSED TOTAL COVERAGE: Information not provided
G. HEIGHT OF PROPOSED STRUCTURES: 141’ 8” AGL
   HEIGHT OF EXISTING SUPPORT STRUCTURE: 150’ AGL
   CENTER LINE OF PROPOSED ANTENNAS: 141’ 8” AGL
   HEIGHT OF PROPOSED CABINETS: N/A
H. NUMBER OF EXISTING PARKING SPACES: None for PWSFs
I. NUMBER OF PARKING SPACES REQUIRED: To be determined
J. TOTAL PARKING SPACES PROVIDED: None
K. VARIANCES REQUIRED: None appear to be needed
L. DOES EXISTING & PROPOSED LIGHTING COMPLY WITH BOARD POLICY? No information provided
M. NUMBER OF ACCESS POINTS: 1 (no change)
N. IS SIGHT DISTANCE ACCEPTABLE? To be determined by the Town Engineer
O. ARE THERE OTHER CARRIERS USING THIS SITE? Yes (Sprint, T-Mobile, Verizon)
P. DOES PROP. FACILITY COMPLY WITH FCC STANDARDS? Yes

3. SUBMISSION REQUIREMENTS PURSUANT TO CHAPTER 255 NOT SUBMITTED:

   See issues for discussion

4. SITE ANALYSIS:
   A. SOIL TYPE: BgB: Bridghempton silt loam, till substratum, 2 – 6% slopes
B. FLOOD HAZARD ZONE: X
C. DESCRIPTION OF VEGETATION: 100% cleared (lawn & landscaping)
D. RANGE OF ELEVATIONS: Not provided
E. NATURE OF SLOPES: flat
F. TYPE OF WETLANDS WITHIN NRSP JURISDICTION: N/A
G. SETBACK FROM ANY WETLAND OR WATER BODY: > 500'
H. ARE THERE TRAILS ON SITE? No
I. DEPTH TO WATER TABLE: Information not provided.
J. DOES THE SITE CONTAIN HISTORIC OR ARCHAEOLOGICAL RESOURCES? None have been identified

K. SITE CONTAINED WITHIN:

| NYS Significant Coastal Fish & Wildlife Habitat | No |
| Local Significant Coastal Fish & Wildlife Habitat | No |
| US Fish & Wildlife Significant Ecological Complex | No |
| PEP CLPS list | No |
| Town Community Preservation Fund List | No |
| Recommended Scenic Area of Statewide Significance | No |
| Suffolk County designated Pine Barrens | No |
| South Fork Special Groundwater Protection Area | No |
| Town Overlay District | AHOD |

Other Background Information:
Application has been made to modify an existing Personal Wireless Service Facility (PWSF) consisting of: three (3) antennas mounted near the top (141" 8" AGL) of a 150’ tall, monopole. Applicants propose to replace three (3) existing antennas with three (3) new antennas of similar size and design and to replace three (3) existing remote radio heads, all in their existing mounting locations, and to install associated equipment and cabling. Also proposed is new ground level equipment within the existing enclosure.

The parcel is zoned A: Residence and is situated on Main Street in Amagansett. It is owned by the Amagansett Fire District. The tower also contains equipment for the Town and the Amagansett Fire Department. It is 100% cleared of naturally-occurring vegetation.

Pursuant to SEQRA and Chapter 128 of the Town Code the proposed project is a Type II action.

Issues for Discussion:

Visual Impacts
The applicants have submitted photographs of the existing antenna arrays and have illustrated in the submitted elevation plans what antennas are to be removed, replaced or relocated. The Board should determine if any additional information pertaining to potential visual impacts should be submitted.
RF Engineer’s Report
The applicants have submitted an RF Engineer’s report (prepared by Sharo RF Services dated November 9, 2016) which verifies that the proposed changes to the facility will be in compliance with Federal Communications Commission standards.

Structural Analysis
The applicants have submitted a structural analysis (prepared by American Tower Corporation dated prepared September 19, 2016) which verifies that the existing tower can accommodate the proposed new antennas.

Architectural Review Board (ARB)
This application has been referred to the ARB who offered no comments with regard to the proposed project. Ultimately, the Planning Board should make ARB approval a condition of site plan approval, should it choose to grant it.

Town Engineer
The Board should read the comments of the Town Engineer (if available)

Office of Fire Prevention
This application will be referred to the Office of Fire Prevention for comments. These comments are still pending at this time.

Public Hearing
Tier II modifications qualify as minor site plans pursuant to section 255-6-45 of the Town Code, making them eligible to have the public hearing waived. The facility is in a highly visible area along the Town’s main roadway. However, the Board has previously approved this facility and a public hearing was held at that time (June 22, 2016). No members of the public spoke at this hearing and no written comments were submitted. As the Board did require a public hearing for the previous application, the Board may wish to require one at this time for consistency. However, the subject application does not add any additional equipment to the facility and is not anticipated to have any obvious change to the overall appearance of the facility.

Conclusion
In conclusion, the Board should discuss the potential visual impacts and determine if any additional information is needed and whether or not a public hearing will be required.

ES

Planning Board Consensus

Does any additional information regarding potential visual impacts need to be submitted at this time?

Additional comments: 

Page 4 of 5
Will a public hearing be required?

Additional comments: __________________________________________

Additional Board Comments: ___________________________________
To: Planning Board

From: JoAnne Pahvul, AICP
Assistant Planning Director

Re: Wainscott Village Associates I – Barry’s Boot Camp
SCTM#300-197-2-11.1

The Planning Department prepared the attached initial evaluation of the subject site plan on July 25, 2016. The application was subsequently removed from the Planning Board’s agenda at the applicant’s request. The applicant requested that the application be placed on the Board’s December 7th agenda.

Since the application was submitted in June 2016, the Town Board adopted a resolution approving a moratorium on granting site plan approvals for certain site plans as described below.

The Planning Board shall not be authorized, empowered, or required to do, and shall not do, any of the following:

(1) Grant site plan approval to such application pursuant to Chapter 255 ("Zoning") of the East Hampton town Code and/or Section 274-a of the New York Town Law for any site plan for a non-residential use, which proposes new development upon a parcel, or if expansion is permitted under current zoning, proposed to increase the total area of any existing structures currently approved for and used for one or more non-residential uses, by more than twenty five percent (25%) of the structure(s) legally existing square footage, if such increase in building area results in an increase in the allowable occupancy of the site.

There is no change in the size of the building, only a change in the use, from retail to exercise studio. According to the Fire Marshal, the change of use increases the formula for maximum occupancy from 1 per 60 sq. ft. of gross floor area for retail to 1 per 50 sq. ft. for an exercise studio. The project requires an additional 42 parking spaces that cannot be accommodated on site and therefore the applicant has submitted a request for a
variance from the parking requirement to the Zoning Board of Appeals. The Planning Board should discuss with Counsel whether this project falls under the moratorium or is exempt.

If it is determined that the project is subject to the moratorium, the Planning Board can proceed to review the site plan submitted, request and review additional information, and send comments to the Zoning Board of Appeals on the requested variance from the requirement for 42 additional parking spaces. The Board would be unable to deem the application complete or schedule it for a public hearing.
TOWN OF EAST HAMPTON
300 Pantigo Place – Suite 105
East Hampton, New York 11937-2684

Planning Department
Marguerite Wolfson
Director

Telephone (631) 324-2178
Fax (631) 324-1476

SITE PLAN/SPECIAL PERMIT EVALUATION
Wainscott Village Associates I – Barry’s Boot Camp
SCTM#197-2-11.1

Prepared by: JoAnne Pahwul, AICP
Assistant Planning Director

Date: July 25, 2016

1. APPLICATION INFORMATION

A. INFORMATION RECEIVED:
B. DATE SUBMITTED: June 17, 2016
C. OWNER: Wainscott Village Associates I LLC
D. APPLICANT/AGENT: Eagan & Matthews PLLC
E. SCHOOL DISTRICT: Wainscott
F. STREET NAME: 352 Montauk Highway
G. TYPE OF STREET: ST 27
H. ZONING DISTRICT: Central Business
I. SEQRA - TYPE OF ACTION: Unlisted
J. INVOLVED AGENCIES: Suffolk County Department of Health
K. OTHER REVIEW: Fire Marshal/Fire Department

2. DESCRIPTION OF PROJECT

A. PROPOSED USE(S) AS CLASSIFIED BY TOWN CODE: Exercise Studio
B. EXISTING USE(S) AS CLASSIFIED BY TOWN CODE: Multi-business Complex
C. ARE THE EXISTING & PROPOSED USES PERMITTED OR SPECIAL PERMITTED BY THE TOWN CODE? Special Permit
D. AREA OF PARCEL (SQUARE FEET): 1.39 Acres
E. MOST RECENT CERTIFICATE OF OCCUPANCY:
   6/10/87 – C.O. 7508 – Wainscott Village Associates – 1 structure, 2-story, containing retail store with storage only on the 2nd floor; 1 structure, 2-story, 2 retail stores with storage only on the 2nd floor + 1 structure, 2-story containing 1 restaurant & deli with storage only on the second floor
   7/20/15 C.O. 30556 – Wainscott Village Associates – Interior Alteration to
an existing portion of the e Group “m” retail and created Group “3” offices in back half of building B.

F. DESCRIPTION OF EXISTING STRUCTURES: Three, two story buildings with storage only permitted on the second floor; According to the Assessors records the buildings are 6,227, 4,463, and 4,688 sq. ft. respectively

G. DESCRIPTION OF PROPOSED STRUCTURES: Conversion of 3,058sq. ft. of retail space to exercise studio

H. H. EXISTING & PROPOSED LOT COVERAGE: N/A
I. EXISTING & PROPOSED TOTAL COVERAGE: N/A
J. HEIGHT OF PROPOSED STRUCTURES: N/A
K. NUMBER OF STORIES OF PROPOSED STRUCTURES: One
L. NUMBER OF EXISTING PARKING SPACES: 95
M. NUMBER OF PARKING SPACES REQUIRED: 140
N. TOTAL PARKING SPACES PROVIDED: 95
O. VARIANCES REQUIRED: Parking & Special Permit Standards
P. DOES EXISTING & PROPOSED LIGHTING COMPLY WITH BOARD POLICY?
Q. DISTANCE TO PUBLIC WATER: Water main in Montauk Highway
R. SOURCE OF WATER SUPPLY: Not determined
S. METHOD OF WASTE DISPOSAL: Private on-site sanitary system
T. DO SANITARY CALCULATIONS COMPLY WITH SCDHS STANDARDS? Not determined
U. NUMBER OF ACCESS POINTS: Two
V. IS SIGHT DISTANCE ACCEPTABLE? Yes
W. IS THE PROPOSAL ADA COMPLIANT? To be determined by Town Engineer

3. SUBMISSION REQUIREMENTS PURSUANT TO CHAPTER 255 (LIST ITEMS AND SECTION FOR THOSE ITEMS NOT SUBMITTED)
   - Site plan depicting the existing parking layout, sanitary system, and sanitary calculations for the existing uses be submitted.

4. SITE ANALYSIS:
   A. SOIL TYPE: HbA, CcC
   B. FLOOD HAZARD ZONE: DESCRIPTION OF VEGETATION: Cleared
   C. RANGE OF ELEVATIONS: Approximately 36-37’
   D. NATURE OF SLOPES: Relatively flat
   E. TYPE OF WETLANDS WITHIN NRSP JURISDICTION: N/A
   F. SETBACK FROM ANY WETLAND OR WATER BODY: N/A
   G. ARE THERE TRAILS ON SITE? No
   H. DEPTH TO WATER TABLE: Approximately 30’
   I. DOES THE SITE CONTAIN HISTORIC OR ARCHAEOLOGICAL RESOURCES? None have been identified
   J. AGRICULTURAL DATA STATEMENT REQUIRED: No
   K. IS THE SITE CONTAINED WITHIN:
Other Background Information:

Issues:
Application is made to convert retail space in the Wainscott Village shopping center into an exercise studio. The proposed use is already operating on the site. No exterior improvements are proposed, including additional parking. A floor plan has been submitted that shows that the exercise studio occupies 3,058 sq. ft.

History
The Wainscott Village multiple business complex site plan/special permit use, was approved by the Planning Board on November 6, 1985 for the subject site. This special permit was based on a site plan prepared by Arthur Spaet and Associates dated revised September 10, 1985. Three buildings containing 12,960 sq. ft. of retail space, a 50 seat restaurant, and 95 parking spaces were approved. The site is comprised of two parcels; the main parcel consists of 60,548 sq. ft. and contains the buildings and 58 of the required parking spaces and the second, 15,000 sq. ft. parcel located across Wainscott Northwest Road to be utilized for the remaining 37 parking spaces.

A copy of the 1985 site plan/special permit approval is attached. It includes the following conditions among others.

(d) Only storage is to be permitted on the second floor of the structures;
(e) Ninety-five (95) dust free parking spaces shall be provided;
(k) It is understood that this project maximizes total coverage, site parking and that this constrains any additional uses on site.

Special Permit Use
§255-2-45 (Number of Uses) of the Town Code limits the number of commercial uses on a parcel to two unless a special permit is obtained for additional uses. A Multi Business Complex special permit was obtained in 1985 for multiple retail uses and a restaurant on the site. The proposed exercise studio use is a permitted use in a Central Business zoning district, but represents an additional use and after consultation with Counsel it appears that a new special permit for a Multi Business Complex is required. A copy of the general special permit standards and those specific to the use area attached for the Board’s consideration.

Floor Plans
The floor plans submitted indicate that 3,058 sq. ft. of retail space have been converted to the exercise studio. The floor plan should be revised to indicate the use of the various spaces shown, including bathrooms.

The Fire Marshal has determined that the two rooms being utilized for actual exercising have a rated capacity of 57.

Parking Requirements
The 1985 approval required 95 parking spaces, 75 for the retail uses and 17 for a 50 seat restaurant with 6 employees. Thirty eight (38) of these spaces are located in an overflow parking lot situated across Wainscott Northwest Road and 57 are located on the same site as the buildings.

The parking requirements were based on one space per 180 sq. ft. for 12,960 sq. ft. of retail space and 20 spaces for a 50 seat restaurant with 6 employees, which resulted in a requirement for 92 spaces. Ninety five spaces were required in order to allow for a potential conversion of the restaurant to another retail space and to meet the special permit standards.

The general special permit standards include the following standard for parking.

§255-5-40 (General Special Permit Standards) H. Parking. There is room for creation of off-street parking and truck loading spaces at least in the number required by the applicable provisions of this chapter, but in any case adequate for the actual anticipated number of occupants of the proposed use, whether employees, patrons, and visitor; and, further, that the layout of the spaces and related facilities can be made convenient and conducive to safe operations.

The conversion of 3,058 sq. ft. from retail space to an exercise studio increases the parking requirements. The Town Code requires that all of the requisite parking be contained on site. The Planning Department has calculated that 17 spaces would be required for this retail area and that, based on one space per 50 square feet, 62 spaces are required for the exercise studio. This results in a net increase of 45 spaces. As there is no room on the site to create additional parking, the applicant is seeking a variance from this parking requirement. A variance from the special permit requirement stated above also appears to be required.

The applicant should submit a site plan that depicts the parking layout in both parking lots and that includes parking calculations for current uses including the exercise studio.

Variance
Since the proposal does not meet zoning with regard to number of parking spaces and the special permit standard (§255-5-40) for parking, the Planning Board will not be able to approve the project until and unless the Zoning Board of Appeals first grants the variances. The applicant has submitted an application to the ZBA.
Observations
The Planning Department visited the site and made the following observations with regard to parking.

- The closest space in the secondary parking lot, across Wainscott Northwest Road, is 500' from the exercise studio.
- The Planning Department observed the changing of classes on a week day and a Saturday. No one from the classes appeared to utilize the secondary parking lot.
- The Wainscott Village businesses have installed signs reserving spaces for their customers, some with boot and tow signs. This indicates that parking availability has been an issue. It also indicates that the owners are attempting to control the issue.
- Some of the spaces in both parking lots are being taken up by trailers with kayaks and surf boards.
- There is on-street parking available on Bathgate Road.

Other Approvals
Under Suffolk County Department of Health standards, the sanitary wasteflow has increased from 0.03 gpd for a dry store to 0.1 gpd for a fitness center and this change requires review by the Suffolk County Department of Health Services.

The sanitary calculations for the current uses should be noted on the site plan and the existing sanitary depicted. It is noted that the wastewater design flow analysis prepared by D. B. Bennett dated October 30, 2015 did not accurately represent the size of the exercise studio. Additionally, this analysis is based on 100 restaurant seats and should instead be based on the 50 seats approved in the multiple business complex special permit.

In 1985, it was determined that the sanitary flow for the project exceeded SCDHS standards for a conventional sanitary system, and a denitrification system was approved and installed. The system subsequently failed and a bypass and conventional system were installed. According to the SCDHS, the applicant never finalized the approval for the installation of this system and this will likely be required at this time.

SEQRA
The project is an Unlisted Action pursuant to SEQRA and Chapter 128 of the Town Code. The Planning Board should discuss whether to request lead agency status for the project.

Title of Plans
All plans submitted for this application, including but not limited to site plans, drainage plans, and landscaping and lighting plans, must be labeled with the title of the project. This title must be consistent with the title that the application was filed under unless an official request is made to modify the application name. All correspondence submitted should also be consistent with this title. This consistency is essential for record keeping purposes and any plans not so labeled will be required to be revised accordingly.
Conclusion
In conclusion, the lack of parking is the main issue that needs to be addressed with regard to this application. Since the project doesn’t meet zoning with regard to parking or the special standards for a multiple business complex, the Planning Board will not be able to act until and unless the applicant first obtains the variances. The Board should discuss sending comments to the ZBA regarding the requested variances.

The Planning Department recommends that a site plan depicting the existing parking layout, sanitary system, and sanitary calculations for the existing uses be submitted.

Obtaining approval from the Suffolk County Department of Health Services is normally a condition of site plan approval.

Planning Board Consensus
The Board should discuss sending comments to the ZBA regarding the requested variances.

Additional comments: ______________________
__________________________
__________________________

The Planning Department recommends that a site plan depicting the existing parking layout, sanitary system, and sanitary calculations for the existing uses be submitted.

Additional comments: ______________________
__________________________
__________________________

The Planning Board should discuss whether to request lead agency status for the project.

Additional comments: ______________________
__________________________
__________________________
Additional Board Comments:
255-5-40 General Standards

No special permit shall be granted unless the issuing board shall specifically find and determine that:

A. Nature of use. The use proposed will be in harmony with and promote the general purposes of this chapter as the same are set forth in § 255-1-11 hereof.

B. Lot area. The lot area is sufficient, appropriate and adequate for the use, as well as reasonably anticipated operation and expansion thereof.

C. Adjacent properties. The proposed use will not prevent the orderly and reasonable use of adjacent properties, particularly where they are in a different district.

D. Compatibility. The site of the proposed use is a suitable one for the location of such a use in the Town, and, if sited at that location, the proposed use will in fact be compatible with its surroundings and with the character of the neighborhood and of the community in general, particularly with regard to visibility, scale and overall appearance.

E. Effect on specific existing uses. The characteristics of the proposed use are not such that its proposed location would be unsuitably near to a church, school, theater recreational area or other place of public assembly.

F. Use definition. The proposed use conforms to the Town Code definition of the special permit use where such definition exists or with the generally accepted definition of such use where no definition is included in the Code.

G. Circulation. Access facilities are adequate for the estimated traffic generated by the proposed use on public streets and sidewalks, so as to assure the public safety and to avoid traffic congestion; and, further, that vehicular entrances and exits shall be clearly visible from the street and not within 75 feet of the intersection of street lines at a street intersection, except under unusual circumstances.

H. Parking. There is room for creation of off-street parking and truck loading spaces at least in the number required by the applicable provisions of this chapter, but in any case adequate for the actual anticipated number of occupants of the proposed use, whether employees, patrons and visitors; and, further, that the layout of the spaces and related facilities can be made convenient and conducive to safe operation.

I. Buffering and screening. Adequate buffer yards and screening can and will be provided to protect adjacent properties and land uses from possible detrimental impacts of the proposed use.
J. Runoff and waste. Adequate provision can and will be made for the collection and disposal of
stormwater runoff, sewage, refuse and other liquid, solid or gaseous waste which the proposed
use will generate.

K. Environmental protection. The natural characteristics of the site are such that the proposed use
may be introduced there without undue disturbance or disruption of important natural features,
systems or processes and without significant negative impact to groundwater and surface waters
on and off the site.

L. Compliance with other laws. The proposed use can and will comply with all provisions of this
chapter and of the Code, including Chapters 180 and 185 thereof, which are applicable to it, and
can meet every other applicable federal, state, county and local law, ordinance, rule or
regulation.

M. Conformity with other standards. The proposed use can and will meet all of the general
standards for special permit uses in particular districts set forth in § 255-5-45 and also meets all
of the specific standards and incorporates all of the specific safeguards required of the particular
use, if any, by § 255-5-50
§255-6-60 MULTIPLE-INDUSTRIAL COMPLEX

(1) This use shall only be permitted where the Planning Board determines that it is in the community interest to all the simultaneous master planning of a large industrial site, composed of one or more lots, so as to bring into being thereon multiple uses without subdivision. In making this determination, the Planning Board shall ask the advice of the Architectural Review Board regarding the design, scale and appearance of the proposed complex, and the compatibility of same with adjacent properties, the neighborhood and the community in which it is proposed to be located.

(2) The size of the resulting complex of uses, and the rate at which it is to come into existence, shall not result in environmental degradation, economic disruption or over-burden public services or facilities, including streets, parking lots, police, fire and other necessary services, as they exist in the community.

(3) The total number of individual industrial uses permitted to come into existence on the entire site shall not exceed the number which would have been possible on the individual properties of which the site is composed.

(4) The coverage and total coverage on the site shall not exceed, and preferably should be well below, that allowed in the district for buildings, structures and other improvements on a single lot. Further, the number of parking spaces provided shall be at least equal to the total number of such spaces which district regulations would require of the uses were each located on a separate site.

(5) The Planning Board may require the merger of some or all of the single and separate lots included in the site, may require the filing of instruments preventing subdivision of the site and, if necessary, may require the dedication to the Town of one or more rights-of-way, streets or parking areas. Cooperative or condominium ownership of individual facilities, spaces or buildings may be permitted or prohibited as the Planning Board deems appropriate.\(^{[3]}\)
WHEREAS, pursuant to Articles V and VI of Chapter 153 (Zoning) of the Town Code of the Town of East Hampton, application has been made by Wainscott Village Associates for a special permit and site plan approval for a multiple business complex for premises situate Montauk Highway, Wainscott, and

WHEREAS, a public hearing was held on said application on October 9, 1985, and

WHEREAS, a negative declaration has been made pursuant to S.E.Q.R., and

WHEREAS, this Board makes the following findings of fact:

1. The subject premises contains 2 parcels. The main parcel contains 60,548 square feet. The second parcel contains 15,000 square feet to be utilized for parking. Both parcels are situate in the Central Business District.

2. The site plan meets the standards enumerated in Section 153-6-60.

3. The use proposed will be in harmony with and promote the general purposes of Chapter 153 as the same are set forth in Section 153-1-11 hereof.

4. The lot area is sufficient, appropriate and adequate for the use, as well as reasonably anticipated operation and expansion thereof.

5. The proposed use will not prevent the orderly and reasonable use of adjacent properties.

6. The site of the proposed use is a suitable one for the location of such a use in the Town and, if sited at that location, the proposed use will in fact be compatible with its surroundings and with the character of the neighborhood and of the community in general, particularly with regard to visibility, scale and overall appearance.

7. The characteristics of the proposed use are not such that its location would be unsuitably near to a church, school, theatre, recreational area or other place of public assembly.

8. The proposed use conforms with the Town Code definition of special permit use.

9. Access facilities are adequate for the estimated traffic generated by the proposed use on public streets and sidewalks, so as to assure the public safety and to avoid traffic congestion.
10. There is room for creation of off-street parking and truck loading spaces at least in the number required by the applicable provisions of Chapter 153, and for the actual anticipated number of occupants of the proposed use, whether employees, patrons, and visitors; and further, the layout of the spaces and related facilities is convenient and conducive to safe operation.

11. Adequate buffer yards and screening will be provided to protect adjacent properties and land uses from possible detrimental impacts of the proposed use.

12. Adequate provision will be made for the collection and disposal of storm water runoff, sewage, refuse, and other liquid, solid or gaseous waste which the proposed use will generate.

13. The natural characteristics of the site are such that the proposed use may be introduced there without undue disturbance or disruption of important natural features, systems or processes, and without significant negative impact to groundwater and surface waters on and off the site.

14. The proposed use will comply with all provisions of Chapter 153 and of the Code, including Chapters 104 and 106 thereof, which are applicable to it, and can meet every other applicable federal, state, county, and local law, ordinance, rule or regulation.

15. The proposed use will meet all of the general standards for special permit uses in particular districts set forth in Section 153-5-45, and also meets all of the specific standards, and incorporates all of the specific safeguards, required of the particular use, if any, by Section 153-5-50.

NOW, therefore, be it

RESOLVED, that a special permit and site plan approval are hereby granted to the proposed multiple business complex as shown on site plan prepared by Arthur L. Spaet and Associates revised September 10, 1985 conditioned and modified as follows:

(a) Approval of the Suffolk County Department of Health Services.

(b) Approval of the Architectural Review Board.

(c) The following uses are approved for the first floor of the project:

i. Retail stores

ii. A restaurant in the location shown on the floor plan which accompanies the application.
(d) Only storage is to be permitted on the second floor of
the structures.

(e) Ninety-five (95) dust free parking spaces shall be provided.

(f) A traffic circulation plan shall be developed by the Town Engineer
and approved by this Board.

(g) Approval of the State Department of Transportation for access on
the state highway.

(h) All drainage shall be contained on site, approved by Town Engineer.

(i) No light from the subject premises shall shine on adjacent
properties.

(j) An acceptable landscaping plan dated August 22 shall be maintained.

(k) It is understood that this project maximizes total coverage
site parking and that this constrains any additional uses on site.

(l) Applicant shall improve Bathgate Road to specifications outlined
by the Town Engineer.

(m) As an alternative to site improvements required by this Board,
acceptance by the Town Board of an undertaking secured by cash or other
acceptable surety in the amount of $45,000.00. No certificate of occupancy
is to be issued for this construction until all requirements of this site
approval have been met and the requirements of building construction have
been met.

(o) No signs may be erected until approved by Architectural Review
Board and until sign permit has been issued by the Building Inspector.

(p) Approval of the Town Fire Inspector.

(q) The special permit and site plan approval granted herein shall
be valid for 6 months from the date all conditions of approval are met.

(r) Payment of an inspection review fee of $700.00.

(s) Grant to and acceptance by the Town of an aircraft noise easement.

Form to be approved by Counsel to this Board.  

(t) Approval of the Bridgehampton Fire Department for fire protection

(devices.

(u) The parking area for the second parcel shall be modified as indicate
in the memo and sketch of the Planning Department, dated October 18, 1985.

(v) Two (2) loading berths shall be provided.

cc: applicant
TO: Planning Board

FROM: Eric Schantz
       Senior Planner

RE: DL Talmage Commercial Site Plan/Special Permit Modification II
    SCTM# 300-147-1-22.2, 22.3 and 300-145-5-25 & 26
    Application # A0520080064

Last Review Date: June 9, 2016

Items and Date Received: N/A

Background Information:
Application was approved by the Planning Board in 2009 for four 7,790 sq. ft. service commercial structures with four accessory apartments. The approval was subsequently modified in 2010 to re-order the phases of development.

The subject property is located on Sherrill Foster’s Path and is zoned CS: Commercial Service. The lots were created as part of the Commercial Heights Subdivision.

Issues for Discussion:

Eliminate Phasing
The applicants are proposing to no longer have phases of the site plan but rather to complete all work at once. The original approval included the development of Lot 1 and the access road as Phase I and then the subsequent development of Lot 2 as Phase II, Lot 3 as Phase III and Lot 4 as Phase IV.

The applicants were granted a modification approval in June 2016 to have the completion of the access road constitute Phase I, the development of Lots 3 and 4 as Phase II and the development of Lots 1 and 2 as Phase III.

The Planning Department has no objections to the removing the phasing aspect of the site plan approval.
Conclusion
Should the Board agree to remove the phasing of the site plan then the modification is ready for approval.

ES

Planning Board Consensus

Is the modification ready for approval?

Additional comments: ________________________________

______________________________

______________________________
TO: Planning Board

FROM: Marguerite Wolfsohn
Planning Director

RE: 240 Fort Pond LLC (The Arbor Restaurant) Site Plan
SCTM#300-16-2-38

Last Review Date: November 2, 2016 (resolution of approval was scheduled for November 16, 2016)

Items and Date Received: Letter from Tina Piette, Esq. requesting changes to the conditions of approval

Background Information: The subject 26,144 sq. ft. parcel is zoned Neighborhood Business and located in Montauk with frontage on Flamingo Avenue, Edgemere Street and Fort Pond Road. The site is improved with a one story, 5,711 sq. ft. restaurant that pre-exists zoning, with a partial second story utilized for employee housing.

Site plan application is made for two patios for outdoor dining. The first a 20’ x 45’ or 900 sq. ft. patio on the southerly side containing a service bar and a 240 sq. ft. seating area and the second a 12’ x 30’ or 360 sq. ft. patio on the westerly side. A 400 sq. ft. arbor, revisions to the parking lot that include the realignment of parking spaces and the removal of paving, and the provision of landscaping are also proposed. The site is pre-existing, nonconforming with regard to parking, 31 spaces are provided where 60 spaces would be required under the current Town Code.

Issues for Discussion:

Requested Changes to Conditions of Approval
At the November 16, 2016 Planning Board meeting, the applicant objected to several aspects of the resolution of approval that had been prepared for adoption by the Board. A letter from Tina Piette dated November 16, 2016 and an e-mail sent November 27, 2016 8:09 PM, also from Tina Piette, were submitted regarding these objections.

Ms. Piette objects to conditions 3.4 and 3.5 of the draft resolution of approval.
Condition 3.4 states:
“The outdoor bar shall be utilized as a service bar only and there shall be no seating or
direct service to customers at the bar.”

Condition 3.5 states:
“There shall be no use of the lawn, landscaped areas, or designated parking areas by
patrons for dining or drinking, whether seated or standing.”

Ms. Piette also requests that the Board replace a condition of the site plan approval dated
May 18, 1983 for a 700 sq. ft. open-deck addition to an existing restaurant that states “No
music or entertainment is to take place upon the outside deck.” She requests that the
current pending resolution be revised to include a condition that “states that it shall
comply with all local noise ordinances pursuant to Section 185 of the East Hampton
Town Code”

**Condition 3.4: Use of the Service Bar by Patrons**
The Town Code¹ defines a Bar or Tavern use as

“A business use or establishment which is primarily engaged in the sale and
service of alcoholic beverages for on-premises consumption, subject to the
regulatory authority of the New York State Liquor Authority…”

A Restaurant is defined as

“A use in a building having as its sole purpose the preparation and serving of food
for consumption on the premises within furnished dining areas, and including as a
possible accessory the serving of alcoholic beverages with meals…..”

The existing use is Restaurant and it is certainly reasonable that a restaurant have a bar
where patrons may wait for tables. It is also reasonable that a restaurant bar may serve
patrons who only visit the bar for drinks and do not sit at a table for food. However, if
most of the people who visit the business only visit the bar, the use is Bar or Tavern and
not Restaurant.

It is also possible that a site could have both uses. An example would be a business that
serves mostly food during the day but serves mostly alcoholic drinks at night. Two uses
are permitted on a commercial property and both uses can be in the same building.

The indoor bar area contains 13 seats at the bar and a high top table area with 40 seats.
The main dining area contains 54 seats and the private dining area contains 18 seats.
Total seating in the restaurant interior thus equals 125 seats. The Fire Marshal’s rated
capacity for the restaurant interior is also 125. This indicates that a busy night with all
tables filled would allow for 72 people dining while 53 wait inside at the bar for tables. If

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¹ See attachment for full definition.
all of the tables are not filled, more people can congregate in the open interior areas but no more than 125 people can occupy the interior of the restaurant.

The original 740 sq. ft. patio had a small bar and a rated capacity that closely matched the 40 seats approved for that area. The current application is to replace the 740 sq. ft. patio with approximately 1,900 sq. ft. of patios with only 40 dining seats confined to a 600 sq. ft area. The circular bar area covers 160 sq. ft., leaving approximately 1,140 sq. ft. of patio space plus the 400 sq. ft. under the connecting arbor (1,540 sq.ft. total) for undefined uses other than seating that could include drinking areas including and associated with the outdoor bar. The potential use of these areas has not been taken into account in the parking requirements or sanitary flow.

The Planning Board should confirm that the use of the expanded patio area for standing and drinking with direct customer service at the circular bar is a reasonable accessory for the existing restaurant use.

**Condition 3.5: Use of the Lawn Area for Dining/Drinking**
The applicant objects to Condition 3.5 that states that “There shall be no use of lawn, landscaped areas, or designated parking area by patrons for dining or drinking whether seated or standing.” Deletion of this condition could allow for additional areas that could be utilized for standing and drinking.

At the work sessions, the Planning Board expressed concerns that the design appeared to allow a lot of space for standing and drinking outdoors and suggested that the outdoor area be confined/limited so as not to allow for this.

The NYS Liquor Authority ([https://www.sla.ny.gov/extension-of-premises](https://www.sla.ny.gov/extension-of-premises)) also requires that outdoor spaces be defined and approved. Their website states:

"**Extension of Premises:**
At establishments with an on-premises license, the sale and consumption of alcohol must be confined to the area that has been licensed by the Authority. The licensee needs to be aware of whether outside areas such as patios, backyards, balconies, deck, etc., were disclosed and approved when the license was issued. Disciplinary actions may be taken against a licensee who allows drinks to be consumed in unlicensed areas. Licensees can file an application with the Authority to add an unlicensed area to the licensed premises."

The Planning Department recommends that Condition 3.5 remain in the resolution of approval unless the site plan is revised to clearly indicate the additional areas that are proposed to be available for people to congregate. Parking and sanitary improvements to serve that expansion should also be provided if the plan is revised. Parking and sanitary requirements are meant to insure that businesses can operate without adversely impacting neighboring properties, causing traffic problems or health issues. These calculations are based on plans that assume the number of people that will use a site is in proportion to the
size of the physical improvements. A narrative describing how a property will be used helps to determine the accuracy of the parking and sanitary calculations.

**Condition of Previous Site Plan: No Outdoor Music**

As noted above, this condition was placed on the property as part of a site plan approval granted in 1983. Since this time (1985), the Town has adopted Chapter 185 of the Town Code which imposes noise limitations on both residential and commercial properties. These standards call for lower noise levels at a property line after 7PM and no use of amplified speakers after 9PM. Additionally, it is noted that the definition of “restaurant” in section 255-1-20 of the Town Code states that: “…Outdoor musical entertainment is only allowed from 1:00 p.m. through 9:00 p.m., unless such musical entertainment is part of a "catered affair" as herein defined or part of a mass gathering permit issued pursuant to Chapter 151 of the Town Code.”

For these reasons, the Planning Department does not object to removing this condition of approval as it appears that the current regulations of the Town Code provide ample protection from adverse impacts of outdoor music. However, the Board should determine if it agrees.

**Conclusion**

In conclusion, the Board should discuss whether or not Condition 3.4 (use of the outdoor bar by patrons) and the condition of the previous site plan approval which prohibited outdoor music can be removed. The Planning Department strongly recommends that Condition 3.5 which prohibits use of the lawn for dining or drinking remain as this would have significant implications upon parking and sanitary flow. This is particularly important on a property with a sub-standard sanitary system within relatively close distance of Fort Pond, an already impaired waterbody.

**Planning Board Consensus:**

The Board should determine whether Condition 3.4 should remain in the resolution of approval or be removed.

Additional comments: __________________________________________

___________________________________________________________

The Board should determine whether Condition 3.5 should remain in the resolution of approval or be removed.

Additional comments: ________________________________________
The Board should determine whether the resolution of approval should be revised to allow music or entertainment on the outside patio if it conforms to Chapter 185 of the Town Code.

Additional comments: ____________________________________________

______________________________________________________________

Additional comments: ________________________________________
ACKNOWLEDGEMENT

The Town of East Hampton designates its existing Energy Sustainability Committee as its Climate Smart Community Committee and internal Green Team. The Committee includes the following members:

- Councilwoman Sylvia Overby, Town Board Liaison
- Gordian Raacke, Chairman
- Frank Dalene
- Nay Htun
- Linda James
- Janet Van Sickle
- Margaret Turner
- John Franceschina
- Krae Van Sickle
- Scott Bluedorn
- Dominick Stanzione
- Kimberly Shaw, Ex-officio
- Marguerite Wolffsohn, Ex-officio
- John Sousa-Botos, Secretary, Ex-officio

The Committee acknowledges the contributions of Cameron Engineering & Associate, LLC, and the Sustainability Institute at Molloy College for assisting with the development of this Plan in the course of performing their work as Climate Smart Community Coordinators contracted for and sponsored by the New York State Energy Research and Development Authority (NYSERDA).

NOTICE

New York State Climate Smart Communities Program is sponsored by the New York State Energy Research and Development Authority (NYSERDA). The opinions expressed in this report do not necessarily reflect those of NYSERDA or the State of New York, and reference to any specific product, service, process, or method does not constitute an implied or expressed recommendation or endorsement of it. Further, NYSERDA, the State of New York, and their contractors make no warranties or representations, expressed or implied, as to the fitness for particular purpose or merchantability of any product, apparatus, or service, or the usefulness, completeness, or accuracy of any processes, methods, or other information contained, described, disclosed, or referred to in this report. NYSERDA, the State of New York, and the contractors make no representation that the use of any product, apparatus, process, method, or other information will not infringe privately owned rights and will assume no liability for any loss, injury, or damage resulting from, or occurring in connection with, the use of information contained, described, disclosed, or referred to in this report.
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APPENDICES

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PREAMBLE

Accelerating climate change continues to escalate the need for communities and municipalities to develop strategies combating current challenges to local infrastructure and the projected intensity of impacts on community assets, natural resources and public health.

The Town of East Hampton’s Climate Action Plan is not definitive. Rather it is the start of a process, an educational tool, to engage this coastal community’s awareness of a rising sea level, coastal erosion, a warmer ocean and more extreme and frequent weather events.

If this Climate Action Plan stirs the East Hampton community to a sense of urgency, to call on its town leadership to plan and to act as climate change continues to intensify, the planning process has succeeded. If this Climate Action Plan presents pathways that residents use to strive towards a sustainable and resilient future for their community, the Plan has demonstrated the power of raising a community’s awareness. The East Hampton Climate Action Plan will have provided the working platform to address the current and future impacts of a changing climate in this coastal community.
EXECUTIVE SUMMARY

This Climate Action Plan ("CAP") was produced as part of the New York State Climate Smart Communities program. The East Hampton Town Board moved to become a member of the Climate Smart Community on April 3, 2009 (RES-2009-427) and reaffirmed this action on March 4, 2010 (RES-2010-209). The draft CAP was developed by the East Hampton Climate Smart Community Committee.

This document is organized into four sections:

1. **Introduction** includes among other items data on greenhouse gas emission inventories and reduction targets, community-wide renewable energy goals and, as part of the Climate Action Plan, the required Climate Smart Community certification;

2. **Municipal Facilities and Operations** includes information on (6) sub sections which the Town can control directly, namely
   - Buildings
   - Renewables
   - Exterior Lighting
   - Fleet
   - Solid Waste & Waste Water
   - Operations

   Each sub section contains a description of (i) past actions and achievements; (ii) projects and policies currently under consideration, development or implementation; and (iii) potential future actions and initiatives.

3. **Community-wide Policies and Initiatives** includes items that the Town can affect by policy and describes (i) past actions and achievements; (ii) laws, codes, and regulations in effect; (iii) current programs and policies in effect and under consideration, and (iv) potential future actions & initiatives. The (6) sub sections here are
   - Initiatives to Promote Renewable Energy
   - Residential Buildings
   - Commercial & Industrial Buildings
   - Transportation
   - Educational Initiatives
   - Land Management

---

4. **Climate Change Adaptation and Resiliency** provides an overview of observed effects and projections of climate change, the Town’s plans to adapt to the effects of climate change including rising sea level, more intense rainfall, higher temperatures, and more frequent droughts. The (3) sub-sections are

- Climate Change in New York
- Community Self-Assessment and Planning
- Adaptation Strategies

The Town of East Hampton has adopted the transformative goals to meet 100 percent of community wide electricity consumption with renewable energy sources by the year 2020 and to meet the equivalent of 100 percent of economy wide energy consumption such as electricity, heating, and transportation with renewable energy sources by the year 2030. These goals can be reasonably met based upon existing and new national, state, and local initiatives. Since their adoption in 2014, the Town has begun the transformation to reduce greenhouse gas emissions and becoming a model resilient coastal community in the United States. The Town has been partnering with local organizations, schools, institutions and businesses to encourage public support for its transformative community goals and climate change awareness.

To develop a strategy and conceptual blueprint for reaching its 100% renewable energy goals, the Town has obtained a NYSERDA grant which will be used to develop its Decentralized Resilient Energy Assessment and Management ("D.R.E.A.M.") Plan. This plan will offer policy options, initiatives and programs designed to reduce energy waste, increase renewable energy sources, and lower GHG emissions community wide and from municipal facilities, fleet, and operations.

The Town has conducted a Municipal Facilities and Operations internal greenhouse gas emissions audit which is attached to this CAP as Appendix E. The Town government has begun implementing a paradigm change in internal operations to ensure a more sustainable and resilient future for East Hampton. For example, town staff has compiled a list of all municipal electric accounts and now tracks electricity consumption across all municipal operations. Similarly, the fuel consumption of its fleet of vehicles is now being captured and monitored.

Climate Change is a critical community issue. East Hampton has sponsored numerous educational workshops related to resiliency planning for coastal communities. The Town has been awarded over $12 million in grants and awards since 2014 to meet its transformative goals and demonstrate leadership in resiliency, floodplain management, and clean water projects. Issues related to water quality are global problems with local implications; East Hampton is vulnerable, both economically and environmentally, to these issues. The Town is dedicated to implementing a network of Green Reach Infrastructure Demonstration (G.R.I.D.) projects at Three Mile Harbor, Accabonac Harbor, and Lake Montauk. These projects will showcase natural and zero-carbon methods of addressing water quality issues including stormwater and nitrogen loading in water bodies.
1 INTRODUCTION

1.1 Climate Action Plan Summary

This Climate Action Plan is prepared in accordance with the Climate Smart Communities pledge adopted by the Town of East Hampton in 2010. East Hampton has been pursuing a number of energy and sustainability initiatives for several years.

Existing Plans, Studies and Reports

- Comprehensive Management Plan (CMP), 2005
- Local Waterfront Revitalization Plan (LWRP), July 2005 (RES-2005-999) and September 2007 (RES-2007-1357)
- Comprehensive Wastewater Management Plan, 2015 (RES-2013-318)
- Comprehensive Energy Vision, September 2013 (RES-2013-1110)

Pledges/Memberships/Associations

- 100 Renewable Energy Goals, May 2014 (RES-2014-662)
- Climate Smart Communities (RES-2010-209)
- Long Island Green Homes Consortium
- Clean Energy Leadership Taskforce

Greenhouse Gas Inventory

The Rauch Foundation funded an effort by the New York Institute of Technology ("NYIT") to draft a comprehensive regional greenhouse gas ("GHG") emissions inventory for Long Island’s ("LI") Nassau

---

4 Climate Smart Communities Guide to Local Action: http://www.dec.ny.gov/energy/50845.html
6 http://ehamptonny.gov/HtmlPages/TownCompPlan.htm
7 http://docs.dos.ny.gov/communitieswaterfronts/LWRP/East%20Hampton_T/Index.html
13 http://www.longislandgreenhomes.org/
14 http://www.molloy.edu/about-molloy-college/community-and-institutes/the-sustainability-institute/program-description
15 The inventory included a variety of different greenhouse gases, such as carbon dioxide, methane and nitrous oxide, expressed in terms of the global warming potential in equivalent units of carbon dioxide (CO2e).
and Suffolk counties. NYIT released the results of the inventory as a report and [interactive website][16] in 2013. The “Long Island Carbon Footprint Project” provides an inventory and analysis for 2010 and comparisons to 2005 emissions. The website also hosts an interactive map that provides emissions data by sector, source, region, and municipality. The Inventory methodology utilized by NYIT was based in large part on the protocols developed by the New York State (“NYS”) GHG Protocol Working Group that was administered by the New York State Energy Research and Development Authority (“NYSERDA”). The LI GHG inventory includes the following sources:

- Fuel use (oil and natural gas) and electricity
- Transportation
- Industrial processes
- Agriculture[17]
- Waste (wastewater and solid waste)
- Land use, land-use change, and forestry

The inventory utilizes data from the following sectors:

- Residential - building energy consumption
- Commercial and Industrial - building energy consumption
- Municipal - building energy consumption (included in commercial sector)
- Land Transportation - vehicle and fuel types, vehicle miles traveled (VMT)
- Marine Transportation - recreational only
- Solid Waste - generation rates and disposal types
- Waste Hauling - types and destinations
- Wastewater Treatment – wastewater treatment plants, and on-site wastewater systems
- Land Use - agriculture, forested areas, open space
- Streetlights - type

Most data collected in the inventory are parsed by taxing jurisdictions (town, county, and city) and in some cases by zip code. Other data were from the following sources:

- LIPA electric data by municipality (including villages and some unincorporated areas)
- National Grid gas data by zip code
- Fuel Oil – from the Oil Institute of Long Island
- Transportation data – by municipality, but includes vehicles traveling through

The NYIT project documented a significant reduction in emissions on Long Island from 2005-2010. As a region, Long Island reduced its overall emissions by 9.75 percent from 2005 to 2010. The following

---


[17] The agriculture sector GHG emissions were calculated in the 2005 ICLEI analysis but have not been computed for 2010 due to lack of appropriate data. See [http://www.nyit.edu/carbonfootprint/report/](http://www.nyit.edu/carbonfootprint/report/) for more information.
breakdown of GHG emissions for the Town of East Hampton was compiled by NYIT as part of their comprehensive GHG emissions inventory for Long Island’s Nassau and Suffolk counties:

<table>
<thead>
<tr>
<th>Source</th>
<th>2005</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electricity</td>
<td>183,936</td>
<td>190,462</td>
</tr>
<tr>
<td>Natural Gas</td>
<td>27,317</td>
<td>28,085</td>
</tr>
<tr>
<td>Fuel Oil</td>
<td>60,653</td>
<td>52,472</td>
</tr>
<tr>
<td>Gasoline</td>
<td>47,180</td>
<td>35,446</td>
</tr>
<tr>
<td>Diesel</td>
<td>45,844</td>
<td>45,963</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>364,930</strong></td>
<td><strong>352,428</strong></td>
</tr>
</tbody>
</table>

The NYS GHG Protocol Working Group also developed a template for future emissions tracking by municipalities. That template was populated with local data for each sector from the spreadsheets developed by NYIT. The template contains the raw data, calculations, emissions factors, and methodology used for the “Long Island Carbon Footprint Project”. The template will be used for tracking of future Town of East Hampton GHG emissions.

**Greenhouse Gas Emissions Reductions Targets**

Scientific consensus suggests that an 80 percent reduction in GHG emissions below 1990 levels by 2050 is necessary to reduce the impact of climate change. New York State policy has set this as a long-term target for statewide GHG emissions. The Town of East Hampton has moved beyond the statewide target and committed to one of the most aggressive energy use/GHG emissions reduction policies in the United States. The Town’s commitment to using 100% renewable energy sources for community-wide electricity consumption by 2020 and the equivalent of 100% renewable sources across all sectors by 2030 is the first such policy to be passed on the east coast of the U.S.

**Government Operations Goals**

The Town of East Hampton has direct control over a number of buildings and other facilities and a fleet of vehicles. Investment in and management of these assets can make significant changes in energy use and GHG emissions. The Town of East Hampton 100% renewable resolution includes all town facilities and fleet energy use.

**Community-wide Goals**

As a Town, East Hampton government has direct control of the policies that impact community emissions, including zoning authority/control over land use. This level of authority allows the Town to pursue emissions reductions for the built environment and transportation sector. These programs and policies are highlighted in Section 3 of this Plan.
There is reason to be somewhat optimistic concerning community-wide reductions in GHG emissions. The “Long Island Carbon Footprint Project” found that overall emissions in the Town of East Hampton dropped from 364,930 metric tons CO$_2$e in 2005 to 352,428 metric tons (MT) CO$_2$e in 2010, a reduction of approximately 4 percent. Analysis by the Sustainability Institute at Molloy College indicates that already planned changes to the Long Island Power Authority (“LIPA”) electric generation fleet on Long Island, along with projected reductions from energy efficiency programs and investments in renewable energy would reduce the carbon emitted by electric generation by an amount approximately equal to 10 percent of Long Island’s overall GHG emissions in 2010.

Vehicle related emissions make up about 31 percent of Long Island’s total GHG emissions. Emissions from on-road vehicles dropped from 12,960,118 MT CO$_2$e in 2005, 10,854,420 in 2010, a drop of 16.25 percent, even though vehicle miles traveled increased slightly during that period. This is believed to be due primarily to consumers choosing more fuel-efficient vehicles. It is anticipated that increases in federal fuel efficiency standards for new vehicles (new CAFE standard of 54.5 mpg by 2025) will have a significant effect on reducing GHG emissions in the Town of East Hampton, as these more efficient vehicles displace the existing fleet.

Climate Smart Community Certification

The Town of East Hampton is participating in the recently-launched Climate Smart Communities (“CSC”) certification process to document the efforts being made by the Town. The CSC certification program provides municipalities a unique platform to share and promote their climate action achievements. It is designed to align with the ten CSC pledge elements, which were adopted by the East Hampton Town Board on March 4, 2010 (RES 2010-209). The certification program awards communities using a point-based rating system based on four levels: Certified (150 pts), Bronze (250 pts), Silver (350 pts), and Gold (450 pts). There are over 120 climate actions that generate points towards a community’s CSC certification. Out of these 120 actions, 13 have been designated as "priority" actions, which are critical activities required across all levels of certification. The chart below provides a summary of the possible certification points based on these ten pledge elements and the points that are anticipated for the Town’s actions as described in this Climate Action Plan. The number of points that will ultimately be approved for the Town will depend on how well the Town’s actions correspond to the certification program’s detailed requirements. It appears from the chart that the Town could qualify for Bronze Certification, though it is possible that they could qualify for a higher certification level in the future. The full list of possible and anticipated certification points is found in Appendix B.
### Table 1: Summary of CSC Certification Points by Pledge Element

<table>
<thead>
<tr>
<th>Pledge Element</th>
<th>Possible Points</th>
<th>Percent of Total Points</th>
<th>Anticipated Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pledge Element 1: Pledge to Combat Climate Change by Becoming a Climate Smart Community</td>
<td>31</td>
<td>4%</td>
<td>31</td>
</tr>
<tr>
<td>Pledge Element 2: Set Goals, Inventory Emissions, Develop a Plan</td>
<td>40</td>
<td>5%</td>
<td>36</td>
</tr>
<tr>
<td>Pledge Element 3: Decrease Energy Demand from Local Government Operations</td>
<td>138</td>
<td>16%</td>
<td>27</td>
</tr>
<tr>
<td>Pledge Element 4: Encourage Renewable Energy for Local Government Operations</td>
<td>62</td>
<td>7%</td>
<td>30</td>
</tr>
<tr>
<td>Pledge Element 5: Realize Benefits of Recycling and Other Climate Smart Solid Waste Management Practices</td>
<td>49</td>
<td>6%</td>
<td>15</td>
</tr>
<tr>
<td>Pledge Element 6: Reduce Greenhouse Gas Emissions Through Use of Climate-Smart Land Use Tools</td>
<td>109</td>
<td>12%</td>
<td>42</td>
</tr>
<tr>
<td>Pledge Element 7: Plan for Adaptation to Unavoidable Climate Change</td>
<td>117</td>
<td>13%</td>
<td>54</td>
</tr>
<tr>
<td>Pledge Element 8: Support a Green Innovation Economy</td>
<td>56</td>
<td>6%</td>
<td>12</td>
</tr>
<tr>
<td>Pledge Element 9: Inform and Inspire the Public</td>
<td>18</td>
<td>2%</td>
<td>8</td>
</tr>
<tr>
<td>Pledge Element 10: Commit to an Evolving Process</td>
<td>11</td>
<td>1%</td>
<td>3</td>
</tr>
<tr>
<td>Innovation</td>
<td>15</td>
<td>2%</td>
<td>15</td>
</tr>
<tr>
<td>Performance Bonus</td>
<td>230</td>
<td>26%</td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>876</strong></td>
<td><strong>100%</strong></td>
<td><strong>273</strong></td>
</tr>
</tbody>
</table>
2 MUNICIPAL FACILITIES AND OPERATIONS

2.1 Buildings

Reducing energy consumption through energy efficiency improvements and conservation measures in existing buildings is one of the most cost effective ways to reduce greenhouse gas emissions. At the same time, this work will increase economic activity by creating local jobs and reducing municipal energy costs for taxpayers.

The Town of East Hampton owns and manages 30 buildings or independent suites. It has completed audits of the following buildings:

- Senior Center (2010)
- Highway Department Garage (2010)
- Ditch Plains Comfort Station (April, 2007)
- East Lake Drive Comfort Station (April, 2007)
- Lion’s Field Comfort Station (April, 2007)
- Soccer Field Comfort Station (April, 2007)
- West Lake Comfort Station (April, 2007)
- Marine Museum (April, 2007)
- Police Headquarters (April, 2007)
- Montauk Police Substation (April, 2007)
- Parks Department (September, 2006)
- Police Annex (September, 2006)
- Town Attorney and Purchasing Trailers (September, 2006)
- Compost Building (January, 2001)
- Highway Department (January, 2001)
- Trustees Donald Lamb Building (January, 2001)\(^\text{18}\)
- Shellfish Hatchery (January, 2001)
- Scavenger Waste Plant (October, 2000)\(^\text{19}\)

The Town of East Hampton has been an early adopter of many of these energy efficient technologies, which has resulted in significant returns in terms of energy and cost savings. The East Hampton Comprehensive Energy Vision (“CEV”) calls for an economically efficient and environmentally sustainable comprehensive municipal energy policy. The Town’s Natural Resources Department and Energy Sustainability Committee (“ESC”) have accomplished the following first steps to further this vision:

\(^{18}\) Building decommissioned/demolished/removed
\(^{19}\) Building decommissioned/demolished/removed
2.1.1 Past Actions and Achievements

- Upgrades of Heating, Ventilation, and Air Conditioning (HVAC), insulation, windows and lighting in several buildings;
- Invited one representative, approved by the East Hampton Town Board, from Public Service Enterprise Group (“PSEG”) Long Island and East Hampton Village to serve on the Energy & Sustainability Advisory Committee;
- Obtained funding from NYSERDA for the development and implementation of the CEV;
- Formulated a public outreach and participation process;
- Developed an intergovernmental outreach program and coordinate with other organizations (i.e. Suffolk County Planning, PSEG, NYSERDA);
- Established specific goals and milestones;

2.1.2 Projects and Policies Currently Under Consideration, Development or Implementation

- The Town’s Natural Resources Department and Energy Sustainability Committee have outlined the following next steps to further this vision:
  - Convene technical experts/consultant to create an energy policy plan as will be outlined in the Decentralized Resilient Energy Assessment and Management, “D.R.E.A.M.”, Plan;
  - The D.R.E.A.M. Plan will offer a roster of actionable policy options to reduce energy waste, increase renewable energy sources, and lower GHG emissions from municipal facilities, fleet, and operations;
  - Work towards a community solar awareness project in partnership with the Town of Southampton;
  - “NY Prize” – East Hampton Microgrid Project: Phase I (Feasibility Study);
  - “#UnplugEH” – A community outreach implementation program to communicate community goals and educate the public on phantom energy and identifying phantom devices;
  - Planned development of a Town Hall Annex building to consolidate all departments within the Town Hall Campus. The building will incorporate green technologies and solutions.

2.1.3 Potential Future Actions and Initiatives

- Consider and implement significant policy options and transformative initiatives offered in the D.R.E.A.M. Plan mentioned above, including the following:
- Continue with retrofits of municipal facilities, including: solar and renewable technologies, lighting, white/green roofs, improved insulation, and window replacements;
- Consider initiatives that modify behavioral patterns to increase energy efficiency in municipal operations;
• Consider policy requiring compliance with LEED principles, or equivalent, for new construction and major renovations of Town buildings, and for projects “built to suit” for long-term lease.
• Consider energy performance contracts for selected buildings;
• Consider policy requiring green roofs or cool roofs for new construction or renovation of facilities with flat roofs;
• Explore energy modeling technologies for Town buildings, referencing the Advanced Energy and Research Technology Center at SUNY Stony Brook University for assistance with new and emerging technologies;
• Explore partnerships with BOCES to encourage energy efficiency of school districts within the Town;
• Consider implementing web-based interface and dashboard of building automation systems to monitor and control the entire Town-owned building inventory. This can be electronically linked to building drawings, equipment operation guides, and maintenance records;
• Consider making municipal facilities available for third parties to install and test new or emerging technologies and systems;
• Consider adopting a comprehensive internal best practices policy to lead by example in addressing carbon monoxide hazards; establish best practices for maintenance of mechanical systems in municipal owned and operated buildings.
2.2 Renewables

Renewable energy technologies are clean sources of energy that have a lower environmental impact than conventional energy technologies. Most renewable energy investments are spent on materials and workmanship to build and maintain facilities, rather than on energy imports. This helps to create local jobs, lower greenhouse gas emissions, and reduce reliance on foreign sources of energy. As an example, the solar PV industry creates 22.4 jobs per megawatt while natural gas in comparison creates 1.1\textsuperscript{20}.

2.2.1 Past Actions and Achievements

- In May 2014, the East Hampton Town Board voted unanimously to meet 100% of community-wide electricity needs with renewable energy sources by 2020;
- Installed two electric vehicle charging stations at Town Hall and East Hampton Airport;
- Successfully awarded New York State’s “NY Prize” to develop a feasibility study for the East Hampton Microgrid Project;
- Installed solar panels at Bluff Road Town building and the Montauk Police substation.

2.2.2 Projects and Policies Currently Under Consideration, Development or Implementation

- In total, the Town has identified ten municipal properties as sites for future solar/renewable energy production, including landfills, brush dumps and rooftops. The 3 properties selected by the Town and Long Island Power Authority will produce up to 4.8 megawatts of power.
- The Town is in the process of preparing a response for the 2015 PSEG-Long Island South Fork Resources RFP\textsuperscript{21} to address the issues of load growth, power supply and transmission needs in East Hampton.

2.2.3 Potential Future Actions and Initiatives

- Develop and adopt comprehensive renewable energy codes to facilitate and regulate the siting of renewable energy technologies, i.e. a code for the siting of small wind turbines, larger solar arrays, etc.
- Monitor the technology development of other renewable energy technologies, including biofuels and tidal or wave energy devices and consider pilot projects as appropriate.
- Explore educational partnerships and training programs.
- The D.R.E.A.M. Plan will lay out a number of options for the deployment of renewable energy technologies and policies in the Town of East Hampton. See section 2.1.2 for more thorough information.


\textsuperscript{21} See https://www.psegliny.com/page.cfm/AboutUs/Proposals/SouthFork
2.3 Exterior Lighting

Improving the efficiency of exterior lighting is one of the simplest, yet most effective changes to be made at the municipal level. The typical warm LED street light uses 50 percent less energy per lumen than high-pressure sodium lighting, has an average lifespan 10 years longer than conventional lighting, and lower maintenance costs. The Town has 728 street lights.

2.3.1 Past Actions and Achievements

- Town adopted an outdoor lighting ordinance to reduce light pollution, which also reduces energy use and operational costs: “Dark Skies Equivalent Outdoor Lighting Standards”.

2.3.2 Projects and Policies Currently Under Consideration, Development or Implementation

- Consider timing and light sensors and/or remote energy management control of streetlights.

2.3.3 Potential Future Actions and Initiatives

- Perform audit of all exterior lighting in the Town, including street lights, traffic lights and parking lot lights.
- Convert metal halide and high-pressure sodium lighting fixtures to more efficient warm LED lights, specifically low Kelvin (2700K or lower). Depending on the type of exterior lighting, it may be possible to replace only the bulb rather than the whole fixture.
- Review placement, public benefit usefulness, hours of operation, fixture types, shielding, bulb types, light levels and uniformity for all municipal exterior lighting. Perform a Return on Investment report for potential opportunities to save energy.
- Recommend that shielding or removal of streetlighting that illuminates nature preserves, beaches, and waterways (with the exception of dock areas used at night).
- Install middle of the night shut offs for exterior lighting which is not necessary for pedestrian passage late at night.
- Explore feasibility of renewable sources of power for streetlights.
2.4 Fleet

There are numerous benefits to developing a more fuel efficient fleet. By purchasing and driving vehicles that have a higher fuel efficiency rating, the Town can decrease greenhouse gas emissions while cutting fuel costs. The initial additional cost associated with more fuel efficient vehicles can typically be recouped in a relatively short time.

The Town of East Hampton has a fleet that includes: 1 bus, 128 heavy trucks, 66 light trucks, 72 passenger vehicles, 4 hybrids and 16 marine boats. A breakdown is shown below:

<table>
<thead>
<tr>
<th>2014–Fuel Metric in Gallons</th>
<th>Number of Vehicles</th>
<th>Fuel</th>
<th>Department</th>
</tr>
</thead>
<tbody>
<tr>
<td>1312.10</td>
<td>Not Available</td>
<td>Gas</td>
<td>VFW</td>
</tr>
<tr>
<td>505.80</td>
<td>1</td>
<td>Gas</td>
<td>Supervisor</td>
</tr>
<tr>
<td>37.90</td>
<td>1</td>
<td>Hybrid</td>
<td>Pool Car</td>
</tr>
<tr>
<td>26.00</td>
<td>1</td>
<td>Gas</td>
<td>Town Clerk</td>
</tr>
<tr>
<td>651.40</td>
<td>2</td>
<td>Gas</td>
<td>Land Acquisition</td>
</tr>
<tr>
<td>14.20</td>
<td>1</td>
<td>Gas</td>
<td>Information Technology</td>
</tr>
<tr>
<td>186.60</td>
<td>1</td>
<td>Gas</td>
<td>Engineering</td>
</tr>
<tr>
<td>16805.30</td>
<td>27</td>
<td>Gas/Diesel</td>
<td>Parks</td>
</tr>
<tr>
<td>1479.40</td>
<td>3</td>
<td>Gas</td>
<td>Lifeguards</td>
</tr>
<tr>
<td>1249.50</td>
<td>4</td>
<td>Gas</td>
<td>Animal Control</td>
</tr>
<tr>
<td>375.20</td>
<td>3</td>
<td>Gas/Hybrid</td>
<td>Planning</td>
</tr>
<tr>
<td>958.90</td>
<td>4</td>
<td>Gas</td>
<td>Natural Resources</td>
</tr>
<tr>
<td>1310</td>
<td>4</td>
<td>Gas/Diesel</td>
<td>Fire Marshall</td>
</tr>
<tr>
<td>2734.10</td>
<td>5</td>
<td>Gas</td>
<td>Ordinance</td>
</tr>
<tr>
<td>56.20</td>
<td>1</td>
<td>Gas</td>
<td>Trustees</td>
</tr>
<tr>
<td>1354.30</td>
<td>4</td>
<td>Gas</td>
<td>Building Inspector</td>
</tr>
<tr>
<td>776.90</td>
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2.4.1 Past Actions and Achievements

- Installed two electric vehicle charging stations at Town Hall and East Hampton Airport.
- Established three year baseline inventory of town vehicle fleet including marine vehicles with annual fuel use and costs.

2.4.2 Projects and Policies Currently Under Consideration, Development or Implementation

- Replace or convert vehicles, focusing on alternative fuel vehicles, hybrids and electric vehicles to improve gas mileage, reduce emissions, and cut life-cycle/operational costs.
- Implement a green purchasing policy for fleet vehicles. Consider that energy savings can be deposited into a future Town environmental savings fund and be used to fund future municipal purchases.

2.4.3 Potential Future Actions and Initiatives

- Consider municipal capital leasing in place of purchases to eliminate upfront cost. An additional benefit is that capital lessees typically own the vehicle at the end of the lease.
- Determine best locations for additional charging/fueling stations, in coordination with other municipalities and private facilities. Potential locations could include municipal facilities, transit stations, schools, and office complexes.
- Explore the feasibility of reducing fleet size. This could be achieved through vehicle sharing between departments and sharing between the Town and special districts, such as the school district.
- Install GPS tracking and anti-idling technology in fleet vehicles.
- Require use of compressed natural gas (CNG) vehicles in future waste hauling contracts.
- Consider policies and programs which would offer town staff and others increased and attractive public transportation options.
2.5 Solid Waste and Wastewater

Wastewater management is generally managed by thousands of individual septic systems. There are several small-scale sewage treatment plants within the Town’s geographic borders, including a decommissioned Town-owned scavenger waste plant, the Village of Sag Harbor sewer district, and two small private wastewater facilities. Improving or upgrading septic systems within the Town is vital to reduce nitrogen discharges to the ground and surface waters. This helps to maintain healthy wetlands, bays, and lakes that are important to improve our resiliency against increased storm surges and flooding due to climate change. In September of 2014, the Town of East Hampton completed a Town Wide Comprehensive Wastewater Management Plan (CWMP) that was prepared by Lombardo Associates, Inc. The CWMP includes a lot by lot analysis of wastewater management needs and solutions for each of the Town’s approximate 20,000 developed properties. Each property is classified as to its adequacy of its wastewater system and its impact on water quality. Each property was evaluated to assess its compliance with each of eleven (11) needs categories, which ranged from groundwater bacterial contamination, legal compliance, nitrogen impact acceptability to having sufficient space for a code compliant system. Solutions were developed for properties that had needs and could rely upon individual systems. Community solutions were developed for needs areas, in particular for downtown Montauk, the Docks and Ditch Plains, that cannot rely on individual systems. Treatment and disposal/reuse sites were identified and preliminary project cost and user charge estimates prepared.

An initial assessment of water quality issues in each of the Town’s eight (8) major watersheds was performed along with the degree to which nitrogen and phosphorus loadings from various sources are affecting water quality. Additional watershed evaluations that are needed to refine water quality needs were identified. Suffolk County is currently performing several planning and feasibility studies to improve and streamline wastewater treatment throughout the County.

Efficient management of solid waste is also vital to the health of the Town, as every step in the life cycle of municipal solid waste (MSW) management contributes to greenhouse gas emissions— from the production of the products that eventually become municipal solid waste to its collection and eventual decomposition.

2.5.1 Past Actions and Achievements

- Establish East Hampton Recycling and Litter Committee (RES-2006-286, RES-2012-228, RES-2014-1045)
- Establish a Water Quality Advisory Committee (RES-2015-717)
- Close the Scavenger Waste Facility located at Springs Fireplace Road (RES-2014-731)
- Montauk Recycling Bin Project with The Montauk Chamber of Commerce (RES-2013-441)
2.5.2 Projects and Policies Currently Under Consideration, Development or Implementation

- Require the use of low-flush toilets or waterless urinals for municipal new construction.
- Amend the Town’s Comprehensive Plan to include the CWMP.

2.5.3 Potential Future Actions and Initiatives

2.5.3.1 Wastewater

- Explore the feasibility of a decentralized wastewater district.
- Establish a Water Quality Improvement District.
- Consider a Water Protection Fee paid by all property owners. The fee would be based on water use, assessed value, on-site system, or sewered connection. All occupied properties contribute to higher nitrogen concentrations in groundwater and local waterways. Utilize the Water Protection Fee to upgrade onsite systems, construct new community wastewater treatment systems.
- Consider gray water reuse systems for appropriate Town facilities, such as golf courses and parks.
- Consider a referendum to authorize Community Preservation Funds to be utilized for Water Quality Improvement Projects including wastewater improvements.

2.5.3.2 Solid Waste

- Implement paperless office preference in Town offices.
- Ban use of disposable Styrofoam products throughout the Town.
- Explore the feasibility of a regional composting initiative - potential partners: five east end towns.
2.6 Operations

Environmentally manufactured products, “green” services and operations have a reduced effect on human health and natural resources when compared with competing products or operations. Often, small changes to purchasing and operating protocols contribute significantly to meeting the Town’s environmental goals, improving worker safety and health, and reducing health and disposal costs. These small shifts in the selection of products and office operational practices can have a major impact on energy use and expenses.

2.6.1 Past Actions and Achievements

2.6.2 Projects and Policies Currently Under Consideration, Development or Implementation

- Implement energy policy that includes use of programmable thermostats, automatic shutdown of computers, installation of light sensors, occupancy-driven heating and cooling, double-sided copying, reminders to shut off lights, no idling policy, and recycling in Town buildings.

2.6.3 Potential Future Actions and Initiatives

- Implement a green-purchasing policy. Energy savings can be deposited into a Town environmental savings fund and used to fund future Climate Smart projects and purchases. Remaining funds could be apportioned to fund community-wide Climate Smart projects;
- Implement a group purchasing policy. Where possible, look to collaborate with other municipalities and agencies in an effort to reduce capital costs. Organizations such as the Long Island Purchasing Council (LIPC) can help to facilitate group purchase agreements;
- Implement asset management system to track material, equipment, and labor expenditures to identify savings opportunities.
3 COMMUNITY-WIDE POLICIES AND INITIATIVES

CLIMATE SMART COMMUNITIES DEMONSTRATION PROJECT
TOWN OF EAST HAMPTON RENEWABLE ENERGY POLICY

On May 20, 2014, the East Hampton Town Board voted unanimously to meet 100% of community-wide electricity needs with renewable energy sources by 2020. Furthermore, the Town aims to meet 100% of community-wide energy consumption in all sectors (electricity, heating, and transportation) with renewable energy sources by 2030.

The Town of East Hampton is the first municipality on the east coast to adopt such a goal. Aspen, CO and San Francisco, CA are among a handful of US cities that have set 100% renewable energy goals to be met before the end of the decade. (Excerpt from Renewable Energy Long Island, July 7, 2014)

3.1 Community-Wide Policies and Initiatives to Promote Renewable Energy

With direct control over local zoning and land use, the Town of East Hampton can establish codes, policies, and guidelines to encourage the installation and use of renewable sources of energy.

3.1.1 Laws, Codes and Regulations in Effect

- In May 2014, the East Hampton Town Board voted unanimously to meet 100% of community-wide electricity needs with renewable energy sources by 2020;
- Fast track solar installation permitting. No permit fee for residential solar, although a certified plan or construction drawings of the solar panel installation is still required;
- Electric Vehicle Supply Equipment has been identified as accessory use with no building permit required for Level 1 or 2 charging stations.

3.1.2 Potential Future Actions and Initiatives

- Provide incentives, such as direct monetary rebates, aggregation purchases, or property tax abatements, for energy efficiency improvements, solar energy and other forms of renewable energy installations;
- Participate in inter-municipal efforts to develop unified commercial solar and wind permitting, and adopt fast-track permitting for commercial properties once developed;
- Adopt standards for geothermal heating and cooling systems;
- Consider a benchmarking residential and commercial properties for sale.
3.2 Residential Buildings

According to the US Energy Information Administration most recent Residential Energy Consumption Survey, US homes built in 2000 and later consume only 2 percent more energy on average than homes built prior to 2000, despite being on average 30 percent larger. The same agency also found a decline in the proportion of energy consumption used for heating and cooling (48 percent in 2009 vs. 58 percent in 1993). The study attributed the decline to increased adoption of equipment that is more efficient, better insulation, more efficient windows, and population shifts to warmer climates. Some of the decline is also due to increased energy consumption for appliances and electronics. Although larger appliances such as refrigerators and clothes washers are more efficient, the increasing number of energy-consuming devices has offset these efficiency gains.

3.2.1 Past Actions and Achievements

- Participated in Long Island Green Homes program, which promoted home energy audits and performance upgrades to residents;
- Developed flood and emergency preparation materials for distribution to homeowners. Potential information could include emergency preparedness procedures, directory of local resources and services, as well as information about flood insurance, home retrofits and resilient building material requirements for properties within flood hazard areas;

3.2.2 Laws, Codes and Regulations in Effect

- Solar fast track permitting
- Require home sellers to provide an elevation certificate for properties located within the floodplain/flood hazard area. Elevation certificates are an important part of the flood insurance process - securing one will enable a homebuyer to obtain an accurate flood insurance premium cost prior to closing.
- Clearing restrictions 1984, 1996 and 2004
- Coastal setback requirements (RES-2010-526 & RES-2015-912)
- Sanitary systems Inspections Chapter 210

3.2.3 Potential Future Actions and Initiatives

- Consider requiring newly built or substantially reconstructed subject dwellings to be rated by an independent Residential Energy Services Network ("RESNET") certified home energy rating system ("HERS") rater and to achieve a tiered home energy rating index of 60 or lower;
- Consider requiring Energy Performance Certificates ("EPC") at point of sale or rental: this low-cost strategy targets residential energy GHG emissions, the largest single portion of the region’s GHG emissions, by requiring homeowners or landlords to issue energy performance certificates (EPCs) at the point of sale or rent;
- Offer refunds of LEED certification fees for eligible projects;
- Offer property tax abatements for new or renovated homes that meet LEED or similar standards;
- Participate in carbon monoxide awareness campaign to promote health and safety of residents and to encourage home energy audits and regular maintenance of combustion appliances for both safety and energy efficiency;
- Continue to promote residential recycling and home composting campaign;
- Explore feasibility of permitting wind turbines on residential properties;
- Explore energy-efficiency measures for multi-family housing. These properties can offer unique opportunities due to shared systems as well as provide ideal locations for renewable energy generation;
- Consider requiring new residential construction to incorporate stormwater management features including pervious surfaces/paving, green/white roofs, catch basins, water recycling for irrigation/landscaping etc.;
- Consider providing free water and energy audits for low-income units in the Town;
- Consider rebates for upgrading substandard sanitary systems (see section 208) or rebates for installing alternative onsite.
- Consider energy and greenhouse gas emission impacts when making zoning decisions or establishing new zoning regulations.
3.3 Commercial and Industrial Buildings

Reducing energy and operating costs for local businesses helps both the environment and the local economy.

3.3.1 Past Actions and Achievements

- New York Prize (2015 Community Microgrid Feasibility Study)

3.3.2 Laws, Codes and Regulations in Effect

- Commercial lighting code & policy requires the minimum site lighting required for safety and ensures that light is not wasted\(^{22}\)

3.3.3 Potential Future Actions and Initiatives

- Introduce a code amendment to incentivize or require renewable energy sources on commercial/industrial properties;
- Explore the feasibility of requiring or incentivizing white/green roofs for commercial/industrial properties;
- Explore the feasibility of requiring bicycle racks for commercial/industrial properties;
- Explore the feasibility of requiring or incentivizing electric vehicle charging stations at employment or shopping centers;
- Develop an expedited permitting process for private installation of alternative fuel and electric vehicle charging infrastructure at commercial/industrial properties;
- Develop expedited permitting for site plans that incorporate sustainable features and/or practices;
- Explore the feasibility of a local green business incubator;
- Explore the feasibility of energy-efficiency benchmarking for commercial properties above a certain size (see NYC Local Law 84 of 2009);
- Collaborate with local utilities to review, revise, and promote energy-efficiency incentives for large commercial properties;
- Consider opting “in” when Suffolk County becomes a member and works with the New York State Energy Improvement Corporation’s Energize NY (“PACE”) Benefit Financing Program/Energize NY (local level). The Benefit Financing Program offers financing for energy upgrades on real property using PACE (Property Assessed Clean Energy) financing. The Energize NY program provides marketing and outreach assistance for energy upgrade programs at the local level. Establish PACE funding mechanism;
- Require LEED standards for new construction of large commercial buildings;
- Offer refunds of LEED certification fees for eligible projects;
- Offer property tax abatements for new or renovated commercial buildings that meet LEED or similar standards;

\(^{22}\) i.e. light fixtures should direct light only to areas proposed to be lit and motion controls and/or timers are used to limit the time a property is lit to the time lighting is actually needed.
• Require new commercial buildings to be designed to be 20 percent more energy efficient than if built to New York State Code requirements, as shown by “COMcheck”;
• Consider requiring new commercial buildings to be solar ready;
• Consider energy and greenhouse gas emission impacts when making zoning decisions or establishing new zoning regulations.
3.4 Transportation

The Town of East Hampton shall meet the equivalent of 100% of our economy-wide energy consumption with renewable energy sources by 2030, and this includes the transportation sector.

3.4.1 Past Actions and Achievements

- The Town has installed two electric vehicle charging stations at Town Hall and East Hampton Airport;
- The Town has completed, adopted, and is in the process of implementing its “Complete Streets” policy\(^{23}\).

3.4.2 Potential Future Actions and Initiatives

- Create municipal actions plans to implement the Volpe and SEEDs study recommendations;
- Continue work to develop Town-wide bicycle network, including a bike rental network, the provision of public parking (racks, lockers) and site plan requirements for bicycle racks/access;
- Provide incentives for carpooling/vanpooling: free park and ride lots, preferred parking at transit hubs etc.;
- Develop a car-sharing network: promote use of public/more efficient forms of transportation, such as local shuttles, trains and buses;
- Site and construct an intermodal transit hub, attempt to coordinate schedules across modalities.
- Develop a town-wide sidewalk plan to encourage pedestrian activity throughout the Town while preserving the town’s rural character;
- Utilize transportation assets for multiple functions such as road energy systems that use heat captured by asphalt to store and pipe heated water to nearby buildings;
- Develop expedited permitting processes for private installation of alternative fuel and electric vehicle charging infrastructure;
- Create a pilot demonstration project by constructing a solar roadway and/or a solar walkway;
- Develop additional bike lanes and safe bike routes to encourage safe and green transportation in our hamlets;
- Consider to use of municipal parking lots for share ride to alleviate parking issues at beaches.
- Encourage private enterprises such as “Free Ride” that help to reduce the use of private vehicles for transportation within the town.
- Examine the infrastructure necessary for increased public transportation use.

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\(^{23}\) RES-2011-650
3.5 Educational Initiatives

The Town of East Hampton has an active community outreach effort related to environmental issues, producing educational materials on solid waste, recycling, and reference guides on energy efficiency, residential retrofits, and green living.

The Natural Resources Department partners with other organizations such as the National Oceanographic and Atmospheric Administration (NOAA), National Disaster Preparedness Training Center (NDPTC), Renewable Energy Long Island, Peconic Estuary Program, and Peconic Institute to provide a multitude of educational workshops related to climate change adaptation and improving resiliency.

3.5.1 Current Programs and Policies

- Continue to provide educational workshops to the public to increase awareness of the Town’s energy goals, resiliency, and climate change adaptation;
- Public stewardship of endangered species protection;
- Long Island Green Homes Consortium;
- #UnplugEH;
- Partner with youth groups such as the Boy Scouts, to conduct MS4 stormwater compliance, GIS mapping, and education;
- Green Reach Infrastructure Demonstration G.R.I.D. Projects at Three Mile Harbor Accabonac Harbor, and Lake Montauk;
- Conducting educational programs related to energy utilizing FLIR devices for students to conduct home energy audits.

3.5.2 Potential Future Actions and Initiatives

- Consider establishing a community group outreach partner network that could communicate important Town information to their own respective members or contact list;
- Build local support for the inclusion of wind energy as a significant alternative to fossil fuels;
- Initiate a dialogue with all stakeholders who are engaged with wastewater/water quality management on benefits of a clean energy agenda to their local objectives;
3.6 Land Management

The Town of East Hampton is a leader in protecting its environment, community character and sense of place through the acquisition and management of the community’s unique natural environments, open spaces, farms and historic places. The Town’s preservation goals and objectives are protection of environmental quality, habitat protection, preservation of geological features, wetlands protection, providing recreational and educational opportunities, maintaining buffers to roads and developed areas, watershed protection, maintaining clean groundwater recharge, historic preservation, providing land for park use, and heritage preservation. The Town’s long standing policies of protecting large blocks of open space, confining intense development to existing commercial centers and limiting suburban sprawl have served to create development patterns that facilitate the policies and actions discussed in this plan.

The Town of East Hampton Community Preservation Fund is a 2% transfer tax for the specific purpose of preserving the community character of the East End of Long Island.

3.6.1 Laws, Codes and Regulations in Effect

- Community Preservation Fund has had a cumulative total revenue of $289,911,762 as of November 30, 2014;
- As of September 16, 2015, the Town has acquired interests or rights of 296 parcels which encompass approximately 1941 acres.

3.6.2 Current Projects and Policies

- Town continues to evaluate parcels available for acquisition;
- Town has been awarded $9.9 million from the United States Department of Agriculture to purchase 16 properties in Lazy Point to convert the land back to its natural state for floodplain management purposes.

3.6.3 Programs and Policies under Consideration for Potential Future Action

- Incentivize mixed use/mixed income development in village/hamlet centers, downtowns, and transit hubs by reducing Water Protection Fee (see section above). Discourage development in less desirable areas (valuable open space/undeveloped land etc.) by increasing Water Protection Fee and making program revenue neutral;
- Continue the Town’s policy of limiting commercial sprawl and confining its intense development to existing commercial centers.
- Consider creating an erosion control district for downtown Montauk
  - Town would like to advance with more detailed parcel/economic analysis;
  - Local Waterfront Revitalization Plan has already identified vulnerable infrastructure, including fuel tanks and substations.
- Consider policies for maintaining and improving ecosystem services for e.g. agriculture, horticulture and fishery.
4 CLIMATE CHANGE, PLANNING AND ADAPTATION

4.1 Climate Change in New York

The following summary of climate change effects is taken from the “Climate Smart Resiliency Planning Evaluation Tool for New York State Communities”, developed by the New York State Climate Smart Communities program.

4.1.1 Observed Effects of Climate Change

The New York State Energy Research and Development Authority (NYSERDA) released a report in 2011 that evaluated scientific work to date and discussed the projected the effects of climate change in New York over the next 100 years. The report, “ClimAID: the Integrated Assessment for Effective Climate Change Adaptation Strategies in New York State” is the work of more than 50 scientists. The report examines the effect of climate change on a number of sectors in seven geographic areas of the State. Those sectors include water resources, coastal zone, ecosystems, agriculture, energy, transportation, telecommunications, and public health. ClimAID noted the following critically important observations:

- Annual average temperatures have risen about 2.4 °F since 1970, with winter warming exceeding 4.4 °F;
- Sea level along New York's coastline has risen about a foot since 1900;
- Intense precipitation and heavy downpours have increased in recent decades.

4.1.2 Projected Climate Changes

The “ClimAid” report released by NYSERDA in 2011, projected climate changes through a 100 year window. Current climate change scientific investigation has collapsed this benchmark. As the world continues to track the rise of carbon dioxide concentrations in the atmosphere, the science community continues to model new projections using timeframes as short as 5 to 10 year time frame. If a community is not successful in adapting and coping with the accelerating impacts from sea rise, coastal erosion or more frequent and extreme weather events, the 100 year time frame is not relevant. After Super Storm “Sandy” in 2012, there is no climate change mystery about its impacts on the town of East Hampton.

After Super Storm Sandy, NYSERDA issued an updated report as a supplement24 to the 2011 ClimAid report detailing more recent findings of climate trends and future projections for Long Island and the New York metro region.

“The new climate projections for New York State use methods developed by the New York City Panel on Climate Change (NPCC) to provide updated climate information for the City following Hurricane Sandy (NPCC, 2014). The observed trends and future climate

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According to the updated report, mean annual temperature changes for our region are estimated to range from +1.5 °F (low estimate) to +3.2 °F (high estimate) in the 2020s. Precipitation changes are projected to range from -1 percent (low estimate) to +10 percent (high estimate) during that timeframe.\(^{25}\)

Sea level rise at Montauk Point in the 2020s is projected to be between 2 inches (low estimate) and 10 inches (high estimate). By the 2050s, sea level rise is projected (in the high estimate case) to be as much as 30 inches and by 2100 as much as 72 inches.\(^{26}\)

The updated report includes a number of other projections beginning in the 2020s, including an increase in severe weather events, intense precipitation, and coastal floods and storms.

The original 2011 ClimAID report\(^ {27}\) made the following predictions for the next 100 years in New York State:

- Annual average temperatures in New York State will rise by 4 to 9 °F by about 2080;
- Average precipitation will increase five to 15 percent by about 2080, with most of the increase in winter;
- Intense downpours will become more frequent;
- Short-term droughts will become more frequent;
- The number and duration of extreme heat events will increase;
- Along the seacoast and tidal portion of the Hudson River (to the Federal Dam at Troy), sea level could rise more than four feet by 2090.

### 4.1.3 Projected Effects of Climate Change

The report utilized the predicted climate changes to describe the potential effects on the State’s natural resources, built environment, and public health. The following potential effects of climate change from the ClimAID report will affect the residents of the Town of East Hampton:

- Infrastructure damage;
- Disruption of water, transportation, communication, and energy systems;
- More frequent and more intense rainstorms increase localized flash floods;
- Power outages affect apartment dwellers and vulnerable populations in particular;
- Public health impacts;
- Expansion of vector-borne diseases;
- Heat waves leading to increased illness and deaths from heat stress;
- Increased levels of air pollution, causing asthma and other respiratory illness.

\(^{25}\) Ibid, Table 3  
\(^{26}\) Ibid, Table 4  
\(^{27}\) See [http://www.nyserda.ny.gov/climaid](http://www.nyserda.ny.gov/climaid)
4.1.4 Hazard Mitigation Grant Program

The Hazard Mitigation Grant Program (HMGP) provides grants to states and local governments to implement long-term hazard mitigation measures after a major disaster declaration. The purpose of the HMGP is to reduce the loss of life and property due to natural disasters and to enable mitigation measures to be implemented during the immediate recovery from a disaster. The HMGP is authorized under Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.\(^{28}\)

As disasters occur, the Federal Emergency Management Agency (FEMA) also makes an additional percentage of the total damage amounts incurred available to local governments having an approved Hazard Mitigation Plan (HMP) for implementing rebuilding projects.

Suffolk County submitted the 2014 Update to the Suffolk County Multi-Jurisdictional Multi-Hazard Mitigation Plan to FEMA in April 2014. The County incorporated data updates from all participants to be included in the Suffolk County Hazard Mitigation Plan Update. The County indicated that its priority and mandate is to ensure that the Plan includes all municipalities that are willing to participate. They emphasize that the consequence of non-participation is the potential loss of federal funding for future hazard mitigation projects.

4.1.5 New York Rising Community Reconstruction Program

Through the New York Rising Community Reconstruction Program (NYRCR), New York State is assisting communities to rebuild better, more resilient and safer through community-driven plans that consider current damage, future threats to community assets, and the community’s economic future. In keeping with the National Disaster Recovery Framework, NYRCR Plans consider the needs, risks, and opportunities related to assets in the following recovery support functions: Community Planning and Capacity Building, Economic Development, Health and Social Services, Housing, Infrastructure, and Natural and Cultural Resources. To better align the Town’s climate strategies with future funding opportunities, the Town of East Hampton’s Climate Action Plan addresses adaptation and mitigation within a similar structure and framework, although it was not specifically part of the NY Rising process.\(^{29}\)

The final plans for the NYRCR communities are available on the Office of Storm Recovery’s website: [http://stormrecovery.ny.gov](http://stormrecovery.ny.gov). Implementation of those plans will begin in the later part of 2014.

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\(^{28}\) [http://www.fema.gov/hazard-mitigation-grant-program](http://www.fema.gov/hazard-mitigation-grant-program)

\(^{29}\) [http://stormrecovery.ny.gov/community-reconstruction-program](http://stormrecovery.ny.gov/community-reconstruction-program)
4.2 Community Self-Assessment and Planning

Performing a risk and vulnerability community assessment is the first step in developing comprehensive adaptation and mitigation strategies addressing climate change impacts on a coastal community. In the Town of East Hampton extreme weather events, rising sea levels, warmer ocean temperatures and coastal erosion are the most damaging effects climate change has on this community. The residential community is at risk from energy, transportation and communication failures, loss of property and homes, failure of the waterfront and ocean economies, and challenges to public health and natural resources.

The “Climate Smart Resiliency Planning Evaluation Tool for New York State Communities” recommends a number of measures to increase the resiliency of New York State communities. Most measures begin with an identification of vulnerable assets and populations. A vulnerability assessment is then performed of Town-owned or controlled sites and facilities, infrastructure, contaminated sites, utilities, transportation systems, building stock (commercial and residential), emergency facilities, parks/recreation/public access areas, vulnerable populations (should be updated on a regular schedule and/or as new data becomes available). Finally, an implementation plan is developed and responsibilities assigned for specific actions to individuals or organizations, and timelines are established for each action.

The Town of East Hampton is in the process of implementing two resiliency assessments and planning projects. The first project is the Coastal Erosion Assessment and Resiliency Plan (CARP) being funded by the New York State Department of State. The Second project is being conducted and implemented by Dewberry Consultants and is funded by the New York State Energy Research Development Authority.
4.3 Adaptation Strategies

The terms ‘adaptation’ and ‘resilience’ are related but often used interchangeably. A recent article defines ‘resilience’ this way: Community resilience is the capability to anticipate risk, limit impact, and bounce back rapidly through survival, adaptability, evolution, and growth in the face of turbulent change. Adaptation is the set of strategies that communities use to become more resilient. Adaptation strategies to increase the resilience of housing, infrastructure, natural and cultural resources, and health and social service facilities typically fall into the three categories - protection, accommodation, and retreat.

**Protection** strategies include natural (green or soft) solutions and constructed (gray or hard) solutions. Generally, natural protection strategies, including maintenance of local and regional ecosystems, habitat restoration, coastal buffers, wetland mitigation, urban reforestation, and expanded green infrastructure, are preferred to ‘hard’ structures. These ‘green’ solutions offer ecological benefits in addition to their value for adaptation. Certain community assets are location-dependent and therefore ‘hard’ protection systems may be the only feasible option.

**Accommodation** strategies do not prevent flooding or inundation, but allow structures to survive (i.e., it makes them more resilient). Examples include elevation of structures and stormwater system improvements.

**Retreat** strategies do not prevent flooding or inundation but offer options for the loss of use or property value. Examples include buyouts, acquisitions, transfer of development rights, purchase of development rights, rolling easements, and conservation easements.

Still other strategies involve new programs, policies, plans, actions, and data collection. These adaptation strategies are categorized in the NYRCR program as Community Planning and Capacity Building.

Following are the strategies included in Suffolk County’s Hazard Mitigation Plan as well as other strategies under consideration. The strategies from the Mitigation Plan and the others are arranged into the Recovery Support Function categories of the NYRCR program as follows.

### 4.3.1 Community Planning and Capacity Building

- Integrate climate change (including sea-level rise) planning into other plans and documents. To be effective, local comprehensive plans, hazard mitigation plans, emergency management plans, and post-disaster recovery plans should all address the potential impacts of sea-level rise.
- Expand emergency preparedness public awareness campaign, potentially collaborating with the Suffolk County Office of Emergency Management. Continue to distribute and post the Town’s "Emergency Preparedness Resource Information" flyer.
- The Town of East Hampton has adopted participation in the National Flood Insurance Program’s Community Rating System.

• Expand floodplain management activities to receive additional FEMA Community Rating System points (residents receive larger discounts on NFIP premiums)
• Promote ‘No Adverse Impact’ concepts from the National Association of Floodplain Managers.
• Track repetitive loss properties and develop potential strategies for transitioning properties to non-residential/public use.
• Coastal Resiliency Plan

4.3.2 Health and Social Services
• Consider partnerships with local hotels and other "safe" structures. Or consider storm-proofing Town facilities to increase shelter space
• Consider partnerships with local non-profits and/or elderly care specialists to assist individuals during emergency situations
• Provide access to cooling centers during dangerous heat waves
• In preparing for a storm or emergency event, efforts should be made to restrict access to highly vulnerable and/or dangerous areas. This can help evacuation times and reduce unnecessary risks

4.3.3 Housing
• Work with Suffolk County to expand the use transfer of development rights (TDRs) programs to reduce risks to vulnerable properties, direct development away from undeveloped land, and create compact, walkable communities.
• Investigate impact of building code revisions for properties in vulnerable areas. For example, waiving height limits in flood hazard areas to accommodate elevated properties.

4.3.4 Infrastructure
• Reduce reliance on municipal stormwater system through smart landscaping, pervious surfaces, open space protection, and on-site retention.
• Develop a wellhead protection program for primary and secondary recharge zones.
• Upgrade Town-wide emergency communication systems - radio, mobile cell towers, satellite phones
• Local Waterfront Revitalization Plan has already identified vulnerable infrastructure, including fuel tanks and substations

4.3.5 Natural and Cultural Resources
• Maintain and allow for the expansion of green/natural infrastructure. Set targets for forest coverage, wetlands, and pervious surfaces.
• Evaluate various restoration techniques in marshes and wetlands. Healthy wetlands will adapt and grow with sea level rise, providing a natural buffer for low-lying coastal areas.
• Preserve land for public uses for in high-risk areas to reduce vulnerability of residents and properties.
• Restore USGS monitoring of ground and surface water.
• Develop policies and plans for periods of declared drought.
APPENDICES

Appendix A: Municipal Energy Profile
TO BE ATTACHED DECEMBER 2015

Appendix B: Anticipated Certification Points for CSC Certification Program
---

**Appendices**

**Table 1: Climate Smart Communities Certification Program Checklist**

<table>
<thead>
<tr>
<th>Action Code</th>
<th>Action Name</th>
<th>Action Pathway Plan</th>
<th>Scope</th>
<th>Activity</th>
<th>Completeness</th>
<th>Applicability</th>
<th>Status</th>
<th>Action</th>
<th>Measures</th>
<th>Action Notes</th>
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<tbody>
<tr>
<td>A1</td>
<td>Develop a Climate Action Plan</td>
<td>Plan 1</td>
<td>Town</td>
<td>Yes</td>
<td>35</td>
<td>Yes</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>Local governments are required to ensure the plan is implemented</td>
</tr>
<tr>
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<td>Develop a Climate Action Plan</td>
<td>Plan 1</td>
<td>Town</td>
<td>Yes</td>
<td>35</td>
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<td>Key stakeholders are involved in the development of the plan</td>
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<td>Develop a Climate Action Plan</td>
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<td>3</td>
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<td>5</td>
<td>The plan includes target greenhouse gas emissions and mitigation strategies</td>
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<td>Town</td>
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<td>The plan includes a description of the community’s climate risk and vulnerability assessment</td>
</tr>
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<td>A5</td>
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<td>Plan 1</td>
<td>Town</td>
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</tr>
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<td>The plan includes a description of the community’s transportation and land use strategy</td>
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</tr>
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<td>The plan includes a description of the community’s water efficiency and conservation strategy</td>
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<td>Action Name</td>
<td>Action Package</td>
<td>Cost</td>
<td>Effect</td>
<td>Final Estimate</td>
<td>Final Estimate</td>
<td>Completion</td>
<td>Start Date</td>
<td>End Date</td>
<td>Notes</td>
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<tr>
<td>4.1</td>
<td>4.1 Adopt a clear set of development regulations that incorporate energy efficiency and renewable energy</td>
<td>Action Plan</td>
<td>$150,000</td>
<td>Moderate</td>
<td>$150,000</td>
<td>$150,000</td>
<td>2016</td>
<td>December 2015</td>
<td>April 2016</td>
<td>None</td>
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<td>4.2</td>
<td>4.2 Purchase renewable energy certificates (REC)</td>
<td>Action Plan</td>
<td>$50,000</td>
<td>Low</td>
<td>$50,000</td>
<td>$50,000</td>
<td>2016</td>
<td>January 2016</td>
<td>July 2016</td>
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<td>4.3</td>
<td>4.3 Implement improve energy efficiency</td>
<td>Action Plan</td>
<td>$200,000</td>
<td>High</td>
<td>$200,000</td>
<td>$200,000</td>
<td>2016</td>
<td>February 2016</td>
<td>August 2016</td>
<td>None</td>
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<td>4.4</td>
<td>4.4 Increase public awareness of energy efficiency and renewable energy</td>
<td>Action Plan</td>
<td>$75,000</td>
<td>Medium</td>
<td>$75,000</td>
<td>$75,000</td>
<td>2016</td>
<td>March 2016</td>
<td>September 2016</td>
<td>None</td>
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**Conclusion:**
- **Total Cost:** $675,000
- **Achieved Impact:** $675,000
- **Estimated Completion:** 2016
- **Estimated Start Date:** December 2015
- **Estimated End Date:** September 2016

**Notes:**
- The project was completed within budget and on time.
- The project achieved its goal of increasing public awareness of energy efficiency and renewable energy.
- The project was funded through a combination of local government funds and grants from the state.

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**Appendices:**
- **Project Timeline:**
  - **Phase 1:** Planning and Design (January 2016 - March 2016)
  - **Phase 2:** Implementation (April 2016 - August 2016)
  - **Phase 3:** Monitoring and Evaluation (September 2016 - November 2016)

- **Project Team:**
  - **Coordinator:** John Doe
  - **Assistant Coordinator:** Jane Smith

- **Project Partners:**
  - Town of East Hampton
  - East Hampton Chamber of Commerce

- **Project Funding:**
  - Federal Grant: $300,000
  - State Grant: $300,000
  - Local Matching Funds: $175,000

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**Contact Information:**
- **Project Coordinator:** John Doe
- **Phone:** 555-1234
- **Email:** john.doe@easthampton.org

---

**Disclaimer:**
The information contained in this document is subject to change without notice. Please visit our website for the most up-to-date information.

---

**References:**
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<tr>
<th>Action ID</th>
<th>Action Title</th>
<th>Action Developer</th>
<th>Action Recipient</th>
<th>Action Category</th>
<th>Action Objective</th>
<th>Action Status</th>
<th>Action Outcome</th>
<th>Action Impact</th>
<th>Action Notes</th>
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<tr>
<td>A1-1</td>
<td>HVAC Energy Efficiency</td>
<td>East Hampton Town</td>
<td>East Hampton Town</td>
<td>Efficiency</td>
<td>Reduce energy usage in public buildings</td>
<td>Implementation</td>
<td>Significant reduction</td>
<td>30%</td>
<td>Cost-effective, sustainability, environmental benefits</td>
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<tr>
<td>A2-2</td>
<td>School Climate Action Plan</td>
<td>East Hampton Schools</td>
<td>East Hampton Schools</td>
<td>Education</td>
<td>Improve school climate and reduce energy consumption</td>
<td>Implementation</td>
<td>80%</td>
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<td>A3-3</td>
<td>Planning</td>
<td>East Hampton Town</td>
<td>East Hampton Town</td>
<td>Development</td>
<td>Ensure long-term sustainable development</td>
<td>Implementation</td>
<td>90%</td>
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<td>A4-4</td>
<td>Resilience Plan</td>
<td>East Hampton Town</td>
<td>East Hampton Town</td>
<td>Emergency</td>
<td>Enhance community resilience to climate impacts</td>
<td>Implementation</td>
<td>70%</td>
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<td>A5-5</td>
<td>Education and Outreach</td>
<td>East Hampton Town</td>
<td>East Hampton Town</td>
<td>Communication</td>
<td>Increase awareness and engagement in climate action</td>
<td>Implementation</td>
<td>90%</td>
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</table>

**Appendices**

- Draft Climate Action Plan
- Climate Action Plan Implementation Plan
- Climate Action Plan Monitoring and Evaluation Plan

**Town of East Hampton Draft Climate Action Plan**

- October 2015

**Climate Change Impacts and Vulnerability Assessment**

- Analysis of past and present climate impacts on the Town's infrastructure, economy, and community well-being

**Climate Action Plan Objectives**

- Reduce greenhouse gas emissions by 30% by 2030
- Increase renewable energy capacity to 20% by 2030
- Increase energy efficiency in public buildings by 50% by 2030

**Climate Action Plan Strategies**

- Energy efficiency improvements in public buildings
- Renewable energy development
- Energy conservation programs

**Climate Action Plan Targets**

- Reduce energy consumption in public buildings by 20%
- Install 100% renewable energy by 2030
- Increase energy efficiency by 50% by 2030

**Climate Action Plan Implementation Plan**

- Action Plan: A2-2 School Climate Action Plan
- Action Plan: A3-3 Planning
- Action Plan: A4-4 Resilience Plan
- Action Plan: A5-5 Education and Outreach

**Climate Action Plan Monitoring and Evaluation Plan**

- Identify key performance indicators for each strategy
- Establish baselines and targets for each action plan
- Implement regular monitoring and evaluation activities

**Conclusion**

- The Town of East Hampton is committed to reducing its greenhouse gas emissions and increasing its renewable energy capacity.
- The Climate Action Plan is a comprehensive approach to addressing climate change impacts and building resilience.

**Recommendations**

- Prioritize energy efficiency improvements in public buildings
- Promote renewable energy development and use
- Increase community engagement and awareness.
<table>
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<th>Action #</th>
<th>Action Name</th>
<th>Action Details</th>
<th>Action Number</th>
<th>Category</th>
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<td>0.1.1</td>
<td>Increase town recycling and composting</td>
<td>Implement</td>
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<td>0.1.2</td>
<td>Reduce non-residential energy end-use</td>
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<td>0.1.3</td>
<td>Create a climate change education, outreach, and engagement program, focusing on mitigation and adaptation</td>
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<td>0.1.4</td>
<td>Draft and support an energy reduction campaign or public engagement</td>
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<td>Work closely with local educational entities, universities, colleges, etc.</td>
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<td>0.1.6</td>
<td>Maintain visibility on local government policies</td>
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<td>0.1.7</td>
<td>Encourage collaboration and partnerships, with the regional Council on Development &amp; the Northeast Regional Greenhouse Gas Initiative</td>
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**Appendices**

- DRAFT - FINAL DISCUSSION PROGRESS ONLY
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