1. February 12, 2020 Agenda

   Documents:

   0212.PDF

2. Site Plan - New Cingular Wireless At Northwest Fire Station

   Documents:

   NCW NORTHWEST FIRE STATION12395820200206175101.PDF

3. Site Plan - 51 South Edgemere, LLC

   Documents:

   51 SOUTH EDGEMERE LLC SP12388120200206143555.PDF

4. Site Plan - Scoville Hall Terrace & Generator

   Documents:

   SCOVILLE HALL TERRACE GENERATO12415320200207152247.PDF

5. Site Plan - Brooks Park Cottage Relocation

   Documents:

   BROOKS PARKS COTTAGE RELOCATIONS12408420200207113353.PDF

6. Site Plan - 224 And 228 Springs Fireplace Road

   Documents:

   224 AND 228 SPRINGS FIREPLACE LLC12387820200206134946.PDF

7. Site Plan - South Fork CC Barn

   Documents:

   SOUTH FORK CC BARN SP12377620200206101703.PDF

8. Site Plan - 92 South Euclid Ave

   Documents:

   92 S. EUCLID AVE SP12404320200207102951.PDF

PLANNING BOARD
TOWN OF EAST HAMPTON

AGENDA FOR MEETING OF: February 12, 2020
****

Board of Review:

Planning Board:

REGULAR MEETING

SUBDIVISIONS:

SUBWAIVER:

SITE PLAN:

New Cingular Wireless at Northwest Fire Station Site Plan/Special Permit/PWSF	Approval	Cunningham/East Hampton

OTHER:

Adoption of Minutes: February 5, 2020

URBAN RENEWAL:

COMPREHENSIVE PLAN:

OLD FILED MAPS:

PUBLIC HEARINGS:

****

PLANNING BOARD
TOWN OF EAST HAMPTON
WORK SESSION:
February 12, 2020

****

SUBDIVISION REVIEW:

SUBWAIVER REVIEW:

SITE PLAN REVIEW:

New Cingular Wireless at Northwest Fire Station	Cunningham/Schantz/East Hampton
51 South Edgemere, LLC	Parsons/Schantz/Montauk
Scoville Hall Terrace and Generator Well	Parsons/Pahwul/Amagansett
Brooks Parks Cottage Relocation	Cunningham/Schantz/Springs
224 and 228 Springs Fireplace Road	McCobb/Schantz/East Hampton
South Fork Country Club Barn	Parsons/Schantz/Amagansett
92 South Euclid Avenue	McCobb/Wu/Montauk

COMPREHENSIVE PLAN:

ZONE CHANGES:

OTHER:

URBAN RENEWAL:

OLD FILED MAPS:

****

TOWN OF EAST HAMPTON
300 Pantigo Place – Suite 105
East Hampton, New York 11937-2684

Planning Department
JoAnne Pahwul, AICP
Director

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

February 6, 2020

TO: Planning Board

FROM: Eric Schantz
Senior Planner E.S. JP

RE: New Cingular Wireless @ Northwest Fire Station Personal Wireless Service Facility (PWSF) – Site Plan/Special Permit
SCTM# 300-135-2-15.2, 19 & 34.2
12 & 18 Old Northwest Road & 105 Bull Path

Last Review Date: Public hearing held on February 5, 2020

Items and Date Received:

- 01/23/20 Public comments – J. Kaufman
- 01/28/20 Public comments – D. Brown
- 01/30/20 Public comments – A. Osborne
- 01/31/20 Public Comments – D. Kirst (1) one DEIS dated March 2017, and (1) one DEIS dated May 2017; (1) One USB 2.0 Flash Drive with a digitized version of both hard copies. – request for the board to incorporate the entire NCW @ Iacono Farms Personal Wireless Services Facility (PWSF) SP.
- 02/04/20 Public Comments – M. Sainato
- 02/04/20 Public Comments – Iris in't Hout
- 02/04/20 Public Comments – L. Miller
- 02/04/20 Public Comments – L. Levitin
- 02/04/20 Public Comments – E Erica Miller, C. M. Miller MD
- 02/05/20 Applicant submission; cover letter, re: (10) ten copies of an opposition to the Site Plan application
- 02/06/20 Public comments – J. Rost

Background Information: Application has been made to construct a Personal Wireless Service Facility consisting of a 185' tall monopole with twelve (12) panel antennas at a centerline height of 155' along with fifteen (15) remote radio heads and associated equipment, and a diesel generator and equipment shelter on a 264 sq. ft. concrete slab within a 2,500 sq. ft. fenced-in equipment area, along with a gravel access road from Old Northwest Road.

The parcels are zoned A2: Residence and A3: Residence and are situated between Old Northwest Road and Bull Path in the northwest area of East Hampton. They have historically been used as a brush dump (from between roughly 1973 to 1982) and a mostly cleared of naturally-occurring vegetation.

The property was issued a site plan approval in December 2017 to construct a 3,800 sq. ft. fire sub-station and associated parking and accessory structures along Old Northwest Road. A building permit for this project has been issued.

Issues for Discussion:

Public Comments

A public hearing was held on February 5, 2020. Five (5) members of the public spoke at the hearing as well as two (2) attorneys representing neighbors and the attorney for the applicants. Nine (9) letters and two (2) memorandum of law have been received.

Two (2) members of the public spoke in support of the proposed project. The rest of the speakers were opposed to the proposed project.

The public's concerns can be summarized as follows:

1. Concerns over aesthetic impacts:

   Members of the public brought up the fact that there is a difference in elevation between the subject site and neighboring properties due to varying topography and that this would result in the proposed monopole seeming to be substantially taller than 185'. The Planning Department has attached an aerial photograph with topographical contour lines at 5' intervals. The proposed location of the monopole has a spot elevation of 96.8' AMSL. Most of the area has a similar if not slightly lower elevation, with the exception of a few lots to the immediate north which are significantly lower in elevation at roughly 45' – 60' AMSL (difference of ~52' – 37').

   It was stated that the tower would be visible from surrounding parkland and scenic or recreation areas. The monopole would most likely be visible from most of the farmland areas in the area of Long Lane. The nearest Scenic Area of Statewide Significance (and waterbody) is Northwest Creek, which is over two miles away. It is not anticipated that the monopole would be substantially (if at all) visible from this location.

2. Residential neighborhood:

   It was stated that personal wireless service facilities should be located in commercial or industrial areas rather than residential areas. There are personal wireless service facilities in East Hampton in both commercial/industrially-zoned

areas and residentially-zoned areas. Personal wireless service facilities are allowed by special permit in all zoning districts of the Town except for PC: Parks and Conservation. It should be noted that there are no areas of commercial or industrial zoning in the Northwest Woods area of East Hampton.

3. Special permit and site plan standards:

   It was stated that the proposed project does not meet the Planning Board's standards for site plan review or the general or specific special permit standards. Ultimately, the Board would need to determine that the application can meet these standards if the application is to be approved. The Planning Department has attached these standards for the Board's review. The Board is reminded that the many of the specific special permit standards for personal wireless service facilities are directory, not mandatory. This does not include the fall zone requirements, for which relief was granted by the Zoning Board of Appeals by resolution dated February 4, 2020

4. Need for tower height not demonstrated:

   The applicants submitted a testimony from radio frequency engineer Neil Arceo along with propagation maps (Exhibit B of submission from Phillips Lytle, LLP dated December 17, 2019) that demonstrate the effect that the proposed facility would have on existing coverage gaps. However, the Board is reminded, and should note as it reads the specific special permit standards, that correcting coverage gaps for individual carriers are not to be considered as part of the Board's standards for review.

   The Communications Technician for the East Hampton Police Department stated that equipment would be installed in the future above the antennas proposed for New Cingular Wireless (AT&T) to improve emergency services communications capabilities in the area.

Conclusion

In conclusion, the Board should consider the issues summarized above and also consider all submitted items and public comments and determine if the public's concerns have been adequately addressed. Provided the Board finds that these concerns have been met and that all applicable standards can be met, then the application is ready for approval with the conditions noted below.

ES

Conditions of Approval:

- Approval of the Architectural Review Board (on the ARB's February 13, 2020 agenda)
- Approval of the New York State Department of Environmental Conservation

Planning Board Consensus

Is the application ready for approval?

Additional comments: _____

_____

Additional Board Comments:

_____

_____

_____

_____

Chapter 255. Zoning

Article VI. Site Plan Review

§ 255-6-60. Standards.

In reviewing a site plan submitted to it under this article, the Planning Board may call upon expert advice in varied disciplines to assist it in making the determination required of it. It shall seek to further the overall purposes and goals of this chapter, and of other applicable provisions of the Town Code and state law. More particularly, it shall make certain that any development plan it approves hereunder conforms to the following:

A. Physical compatibility. The rural, open space environment of the Town shall be fostered by preserving, wherever possible, large trees, scenic vistas and other natural features of the site. Extensive clearing and grading shall be avoided. Screening with trees or other plantings may be required for parking and other disturbed areas which are created. Where necessary or appropriate, a landscaping plan demonstrating that suitable vegetation will be planted and nurtured may be required by the Planning Board. Such plan, when submitted by the applicant and approved by the Board, shall become a part of the approved site plan.
[Amended 9-17-1993 by L.L. No. 28-1993]

B. Protection of residential areas. When the site is located adjacent to residences or a residence district, appropriate buffer landscaping, natural screening and fencing are to be provided in order to protect neighborhood tranquillity, community character and property values.

C. Parking. Parking areas and driveways shall be sufficiently drained so as to prevent ponding. All drainage structures, paving, access driveways and parking areas shall be laid out and constructed in accordance with the standards for such facilities contained in this chapter or Chapter **220**, Subdivision of Land, of this Code. Whenever feasible, parking areas shall be placed at the rear of buildings and/or screened by plantings so as not to be visible from the highway.

D. Access. Vehicular ingress and egress, interior traffic circulation, parking space arrangement, loading facilities and pedestrian walkways shall be planned and built so as to promote safety and efficiency.

E. Lights. Lighting facilities and lighted signs shall be placed and shielded in such a manner as not to cause direct light to shine on other properties and shall not be permitted to create a hazard upon a public street.

F. Water supply; fire protection; waste disposal. Provisions for water supply, for fire protection and for sewage, garbage and other waste disposal are adequate to the use,

will ensure the health and safety of persons on and off the site and will not result in the avoidable depletion or degradation of the groundwater supply or harm to surface water bodies, watercourses, wetlands or other natural features or systems.
[Amended 12-2-1994 by L.L. No. 14-1994]

G. The Planning Board shall seek to protect public views across farm fields and shall insure that proposed site plans comply with any applicable existing agricultural, scenic, and conservation easements, and purchase of development rights agreements, to which the Town of East Hampton, a conservation organization or a homeowners' association is a grantee or a party and, in addition, that any such instruments filed upon adjoining properties are not unduly impaired by the proposed site plan.
[Added 1-8-1999 by L.L. No. 1-1999; amended 6-20-2019 by L.L. No. 28-2019]

H. Streetscape. In order to maintain the unique character of the Town's hamlets, villages and countryside, commercial development along Montauk Highway and all other roads shall maintain, where appropriate, the green spaces along a hamlet's main arteries. The Planning Board shall ensure that new and reconstructed buildings in Central Business (CB) Districts shall be sited in a manner that protects the established character of the district.
[Added 7-16-2015 by L.L. No. 26-2015]

Chapter 255. Zoning

Article V. Special Permit Uses

§ 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.

Section 255-5-50 PERSONAL WIRELESS SERVICE FACILITIES

All personal wireless service facilities shall require a special permit and shall be reviewed pursuant to the following standards or make provisions for the following requirements:

(1) Location standards, as set forth in § 255-2-90 of this chapter.

(2) Siting standards. Personal wireless service facilities should meet the following siting standards. These standards are directory, not mandatory.

(a) To the greatest extent possible, personal wireless service facilities should be concealed within existing structures or where camouflaged conditions surround them, or on inconspicuous mounts.

(b) Placement within trees should be encouraged, but no antennas should extend higher than 10 feet above the average tree height.

(c) Placement on existing roofs or non-wireless structures should be favored over ground-mounted personal wireless service facilities.

(d) Roof-mounted personal wireless service facilities should not project more than 10 additional feet above the height of a legal building, but in no way above the height limit of the zoning district within which the personal wireless service facility is located.

(e) Side-mounted personal wireless service facilities should not project more than 20 inches from the face of the mounting structure.

(f) These standards apply regardless of RF engineering considerations.

(3) Design standards. Personal wireless service facilities should meet the following design standards. These standards are directory, not mandatory.

(a) Color. All personal wireless service facilities should be painted or complementary with natural tones (including trees and sky).

(b) Size. The silhouette of the personal wireless service facility should be reduced to the minimum visual impact.

(c) Personal wireless service facilities near residences should either:

[1] Provide underground vaults for equipment shelters; or

[2] Place equipment shelters within enclosed structures approved by the Town of East Hampton.

(d) Equipment. The following types of equipment should be discouraged:

[1] Roof-mounted monopoles, lattice towers or guyed towers.

[2] Ground-mounted lattice towers.

[3] Ground-mounted guyed towers.

(e) Height should be kept to a minimum.

[1] Heights of personal wireless service facilities should be no higher than the height of the uppermost height of nearby buildings (within 300 horizontal feet when measured along the ground) of the proposed personal wireless service facility, regardless of prevailing height limits in the zoning district.

[Amended 12-5-2003 by L.L. No. 40-2003]

[2] In the event there are no nearby buildings (within 300 horizontal feet when measured on the ground) of the proposed site of the personal wireless service facility the following should apply:

All ground-mounted personal wireless service facilities (including the security barrier) should be surrounded by nearby dense tree growth for a radius of 20 horizontal feet (when trunk center lines are measured on the ground) from the personal wireless service facility in any direction. These trees can be existing on the subject property or installed to meet the twenty-foot requirement as part of the proposed personal wireless service facility or they can be a combination of both.
Ground-mounted personal wireless service facilities should not project more than 10 feet above the average tree height.

(f) These standards apply regardless of RF engineering considerations.

(4) Safety standards. Personal wireless service facilities should meet the following safety standards. These standards are directory, not mandatory.

(a) Hurricane and tornado design standards should be those of the local building codes used in the Town of East Hampton or EIA-TIA 22 (latest version), whichever is stricter.

(b) Roof mounts on buildings should have railings to protect workers.

(5) Fall zone and setback requirements.

(a) Fall zone.

[1] No habitable structure or outdoor area where people congregate should be within a fall zone of two times the height of the personal wireless service facility or its mount.

[2] No adjoining property line may be within the fall zone of a radius equal to the height of the personal wireless service facility or its mount.

(b) Setback.

[1] All personal wireless service facilities, including mounts and equipment shelters, shall comply with the minimum setback requirements of the applicable zoning district as set forth in the Town of East Hampton Zoning Code, depending upon whether any structure is considered a primary use or an accessory use.

[2] The antenna array for an attached personal wireless service facility is exempt from the setback requirements of this section and from the setback for the zoning district in which they are located, provided that no such antenna array shall extend more than five feet horizontally from the attachment structure at the point of attachment.

[3] On parcels with a principal building housing a primary use, all components of the personal wireless service facility shall be located behind the main building line.

[4] No portion of any personal wireless service facility shall project into a required setback more than the maximum projection permitted in the zoning district in which the facilities are located.

(6) Alternatives analysis and comparison.

(a) Each application for a personal wireless service facility should also contain at least two alternatives that differ from the personal wireless service facility proposed in the application.

(b) The alternatives need not be totally different from the proposed personal wireless service facility; however, the alternatives should contain measurable differences, such as:

[1] Height. An alternative can be identical to the proposed personal wireless service facility except to be for a shorter height.

[2] Number. An alternative could be for two or more personal wireless service facilities that are shorter than the proposed personal wireless service facility.

[3] Location. An alternative could be located on a different property than the proposed personal wireless service facility.

[4] Siting. An alternative could be in a different place on the same property as the proposed personal wireless service facility.

[5] Design. An alternative could be of the same height, location and siting as the proposed personal wireless service facility, but be designed to appear differently.

(c) Submittal requirements for alternatives. The materials submitted for each alternative should show only the differences between each of the alternatives and the proposed personal wireless service facility.

(d) Department of Planning provision of alternatives.

[1] If the applicant has not submitted two alternatives, the Town of East Hampton Department of Planning staff shall prepare at least two alternatives.

[2] If the applicant has submitted two or more alternatives, the Town of East Hampton Department of Planning staff shall prepare at least one alternative.

(e) Comparison of proposed personal wireless service facility and alternatives. The Town of East Hampton Department of Planning staff shall compare the proposed personal wireless service facility to the alternatives on the basis of the following:

[1] Change in community scale, as exhibited in relative height, mass or proportion of the personal wireless service facility within its proposed surroundings.

[2] New visible elements proposed on a contrasting background.

[3] Different colors and textures proposed against a contrasting background.

[4] Use of materials that are foreign to the existing built environment.

[5] Conservation of opportunities to maintain community scale, not compromising buffering areas and low-lying buildings so as to start a trend away from the existing community scale.

[6] Amount and diversity of landscaping and/or natural vegetation.

[7] Preservation of view corridors, vistas, and viewsheds.

[8] Continuation of existing colors, textures and materials.

(f) Ranking of proposed personal wireless service facility and alternatives. The Town of East Hampton Department of Planning staff shall rank the proposed personal wireless service facility and each alternative based on the criteria listed in Subsection 255-5-50(6)(e) above. The ranking of the proposed personal wireless service facility and each alternative shall be submitted to the Planning Board along with each application for review by the Planning Board. The Planning Board shall consider the alternatives along with the proposed personal wireless service facility.

(7) Radio frequency radiation emissions.

(a) FCC Guidelines. A statement certifying that as proposed, the personal wireless service facility complies with the FCC Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation (FCC Guidelines) concerning radio frequency radiation and emissions shall be provided at the time of final site plan review, or building permit application for facilities not requiring site plan review.

(b) No contravention of FCC Guidelines. A personal wireless service facility that meets the FCC Guidelines shall not be conditioned or denied on the basis of radio frequency impacts.

(8) Noise.

(a) No equipment shall be operated at a personal wireless service facility so as to produce noise in excess of the applicable noise standards under § 255-1-90, except for emergency situations requiring the use of a backup generator, where the noise standards may be exceeded on a temporary basis until such emergency has passed.

Section 255-2-90 Location Standards

The approval of personal wireless service facilities shall be subject to meeting or exceeding the following standards:

A. Opportunity sites. A personal wireless service facility should be located at one of the following opportunity sites:

(1) Public rights-of-way utility poles, including telephone poles, utility-distribution poles, streetlights and traffic signal stanchions.

(2) Religious institutions.

(3) Rooftops.

(4) Tree masses.

(5) Town-owned properties (except designated open space), depending upon siting and design standards.

B. Avoidance areas. A personal wireless service facility should not be located in the following avoidance areas:

(1) Open spaces, including:
- (a) Woodlands.
- (b) Wetlands.
- (c) Moorlands (dwarf forest).
- (d) Meadow/old fields (open or formerly farmed areas).
- (e) Downs (prairie).

(f) Duneland/beach.
(g) Farmland (active agriculture).

(2) Other areas attendant to water bodies and shorelines.

(3) Flood-prone areas.
(4) Historically and culturally significant resources, including historic sites, historic districts as well as structures.

(5) Areas identified in the Scenic Resources Study and Scenic Areas of Statewide Significance, not otherwise classified above.

C. These location standards shall be considered directory but not mandatory. Interpretation of opportunity sites and avoidance areas shall be based on the Town of East Hampton Department of Planning maps or aerial photographs provided by the applicant.

D. Personal wireless service facilities may also be permitted in areas that are not opportunity sites subject to the siting, design and safety standards in § 255-5-50 and permitted in avoidance areas subject to the siting, design and safety standards in § 255-5-50.

E. These standards apply regardless of radio frequency (RF) engineering considerations.

PLANNING - <PREPARERS NAME> - <DATE>

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1 " = 300 feet

Feet
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THE TOWN OF EAST HAMPTON

NEW CINGULAR WIRELESS @ NORTHWEST FIRE STATION

5' TOPOGRAPHY

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THE TOWN OF EAST HAMPTON
Suffolk County, New York
Dept. of Information Technology

Date Prepared: <Month day, Year>

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PLANNING - <PREPARERS NAME> - <DATE>

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1 " = 0.5 miles

Feet

0 6301,260

THE TOWN OF EAST HAMPTON

NEW CINGULAR WIRELESS @ NORTHWEST FIRE STATION

SCENIC AREAS OF STATEWIDE SIGNIFICANCE

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Date Prepared: <Month day, Year>

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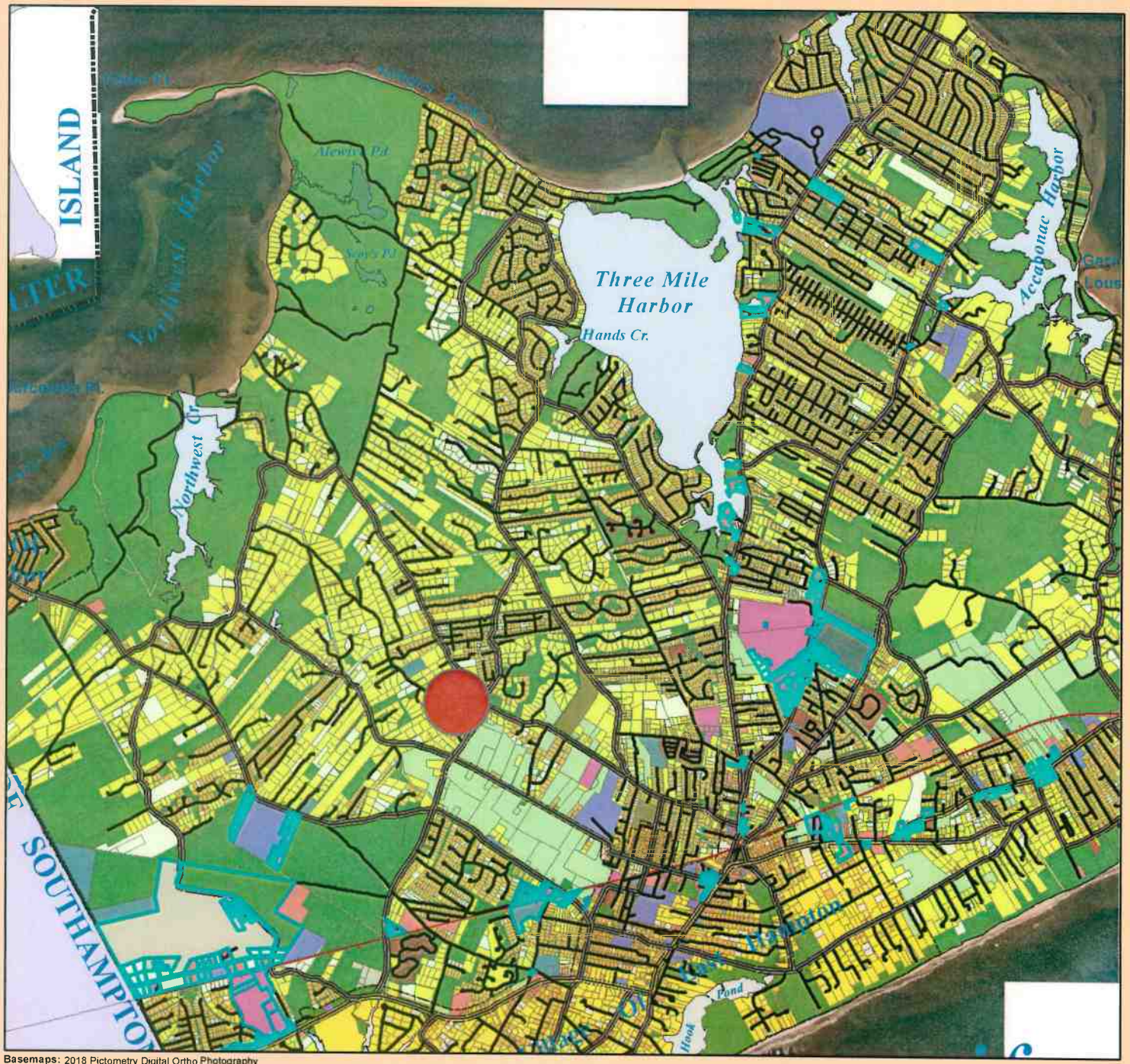
PLANNING - <PREPARERS NAME> - <DATE>



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1 " = 1 miles

Feet
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THE TOWN OF EAST HAMPTON
NEW CINGULAR WIRELESS @ NORTHWEST FIRE STATION

COMMERCIAL/ INDUSTRIAL ZONING DISTRICTS

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Prepared by
THE TOWN OF EAST HAMPTON
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Date Prepared: <Month day, Year>

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Planning Department
JoAnne Pahwul, AICP
Director

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

February 5, 2020

TO: Planning Board

FROM: Eric Schantz
Senior Planner E.S. JP

RE: 51 South Edgemere, LLC – Site Plan
SCTM# 300-52-1-1.2
51 South Edgemere Street, Montauk

Last Review Date: October 17, 2019

Items and Date Received: Applicant submission; cover letter, re: ten (10) original surveys/site plan by James P. Walsh Land Surveyor P.C. dated revised, November 5, 2019, ten (10) original sets of building plans prepared by Marta Sanders dated September 30, 2019 (A-001.00 Cover Sheet), (A-002.00 Landscape Plan), (A-004.00 Seating Chart), (A-100.00 Construction Plan-Cellar), (A-101.00 Construction Plan- 1st Floor), (A-102.00 Construction Plan – 1st Floor), (A-103.00 Construction Plan – 1st Floor), (A-104.00 Construction – 2nd Floor), (A-105.00 Construction Plan – 2nd Floor),(A-106.00 Construction Plan 2nd Floor), (A201.00 Existing Exterior Elevations), (A202.00 Exterior Elevations), (A203.00 Proposed Exterior Renderings) and ten (10) copies of a legal memorandum.

Background Information: Site plan application has been made to make interior renovations to a motel and restaurant, changes to the roof and facade (including the dormers and the addition of solar panels) of the motel and restaurant buildings, the demolition of an exterior bar and staircase and reconfiguration of the entranceway to the restaurant, and to remove a concrete patio and platform adjacent to Fort Pond. Also proposed is the addition of outdoor showers on the first and second floor of the motel building.

The property is currently improved with a two story, sixteen (16) unit motel and two story, two hundred (200) seat restaurant along with parking, landscaping and associated accessory structures. It is zoned B: Residence and is within the Harbor Protection Overlay District (HPOD). Both uses are prohibited in this zoning district but both are legally pre-existing, non-conforming. The parcel is nearly 100% cleared of naturally-occurring vegetation and is situated on Fort Pond just north of downtown Montauk.

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

Issues for Discussion:

Site Plan Elements
At the time of the last review, the applicants were directed to submit a site plan with all the required elements. This item has been submitted.

Landscaping/Re-Vegetation
The applicants have submitted a landscaping plan which mostly details the existing plantings on the site. This plan does not outline the details of the proposed re-vegetation adjacent to Fort Pond. The plan should be amended to provide this information. The Planning Department recommends a mixture of switch grass (*Panicum virgatum*), bayberry (*Myrica pensylvanica*) and inkberry (*Ilex glabra*). All of these species are already planted on the site in various locations.

Natural Resources Special Permit (NRSP)
The Zoning Board of Appeals (ZBA) has elected to allow the NRSP application to be handled administratively. This application is currently being processed. A condition of this permit (among others) will be the placement of straw bales along Fort Pond to prevent run-off during the time of the demolition and construction of the rear entryway.

Conclusion
In conclusion, it appears that the application will be complete and ready to be scheduled for a public hearing once the details of the re-vegetation plan have been provided.

ES

Planning Board Consensus

Should detailed information about the proposed re-vegetation be submitted?

Additional comments: _____
_____

Additional Board Comments:

_____
_____
_____
_____

TOWN OF EAST HAMPTON
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Planning Department
JoAnne Pahwul, Director, AICP

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February 6th, 2020

TO: Planning Board

FROM: JoAnne Pahwul, AICP
Planning Director

RE: Scoville Hall Terrace & Generator Site Plan
SCTM# 300-171-5-2

Last Review Date: February 7, 2018

Items and Date Received: Stamped surveys of the property, prepared by Saskas Surveying Company, P.C., last revised 01/21/2020; An Acoustic Report, Acoustic Treatment Plan, and Noise Separation Details, prepared by SoundSense and dated 07/17/2019; A cross-section of the proposed generator and generator pit, prepared by Douglas Moyer Architect and dated 02/07/2017; A lighting plan prepared by Suffolk Designer Lighting; and Specifications of proposed lighting fixtures (based on 5,000K temperature) provided by Suffolk Designer Lighting.

Background Information:
Scoville Hall, the parish house for the First Presbyterian Church located on Main Street, was originally constructed in 1925. The building was destroyed by a fire in 2011 and a demolition permit was issued to remove the structure in 2013 and a building permit for reconstruction was issued in 2014.

Site plan application has been made for several accessory structures. The applicant proposes to construct a 30 x 35', or 1,050 sq. ft., brick terrace, a 6' high fence with plantings on both sides, an 8' x 7', or 64 sq. ft., concrete dumpster pad, and a 10' x 18', or 180 sq. ft., well pit to house a generator, and to relocate a 12' x 20', or 240 sq. ft. shed.

Issues for Discussion:

Generator
The applicant has submitted an Acoustic Report along with a cross-section of the proposed Generator and Generator Pit. The report provides a detail of the proposed method of abating generator noise to comply with the Town Code's noise limitation. The applicant has proposed an additional acoustic barrier/absorber material inside the generator pit, metal grating cover with access door, and a baffle system over the

generator. The generator is proposed to be enclosed in a 4-sided enclosure which is 6' high and 3' away from the generator on all sides in addition to the sunken generator pit.

§185-3 (Noise Standards) of the Town Code states that the noise level at any real property line in a residential district shall not exceed 65 dBA from 7:00 am to 7:00 pm, and 50 dBA from 7:00 pm to 7:00 am. As a result of acoustic treatment, however, the noise level of the generator at property lines is still projected to satisfy only the daytime requirements (from 7:00 am to 7:00 pm) of the Town Code which is 65 dBA. It is worth mentioning that the Planning Department already recommended maximum noise level by the generator to be 50 dBA at property lines to the applicant in the previous site plan review. It should be noted that the generator is proposed to be used for public emergency shelter that could run any time at emergency situations. However, the projected noise level only meets the daytime requirement under the Town Code.

Lighting

The applicant has submitted a lighting plan that depicts seven (7) 10' pole-mounted lighting fixtures. The Planning Board's Guidelines for Exterior Lighting recommends the illumination level for the lighting fixtures in parking lots to be 4 fc maximum. The lighting layout submitted by the applicant depicts that the illumination level ranging from 7.1 fc up to 11.5 fc. The manufacturer's specification sheet indicates that the light has an output lumen level of over 6000 lumens. The Board's lighting policy calls for lumen levels of a fixture mounted at a height of 10' to not exceed 2,500. It is clear that the proposed lighting is far brighter than the recommended illumination level and does not comply with the Board's guidelines.

The Planning Department recommends that the applicant reduce the lighting on the parking lot and submit manufacturer's cut sheets for proposed new fixtures which meet the Planning Board's guidelines as well as all applicable regulations of the Town Code. A key should also be included with the lighting plan that clearly indicates type of bulb they will be using, wattage, mounting height, lumens and kelvin levels. In addition to that, a lighting fixture schedule needs to be submitted to conform to the Planning Department requirements. It is a part of the Board's lighting policy that lighting not be left on continuously overnight and the applicant needs to indicate the method of operation and timing of lights in the key to the lighting plan. For example, whether the lights will be operated through a motion detector or if on a timing device or manual switch at what hour the lights will be turned off.

Moreover, the proposed lighting layout appears to be unclear with the positioning of the lighting pole mounts in the parking area. The lighting pole mounts at the south-east edge of the site seem to be very close on the neighboring property's privet hedge plantings. Bollard lightings could be used for the south portion of the parking lot to prevent any disturbance to neighboring residential property as well as to protect the hedges.

Three pole lights are proposed to be mounted within the area of the hedges.

Screening
The applicant has revised the site plan by proposing a 6' stockade fencing to screen the dumpster. The applicant advises that they do not intend to extend fencing across the back property line as this property line is presently screened with existing vegetation. The dumpster is located 30.5' and the generator pit 20.5' from this property line. The Board should determine if the screening is acceptable.

Terrace
The cover letter submitted by the applicant stated the terrace to be of bluestone, as asked by the Planning Department in the previous site plan review.

Coverage and Setback Requirements
The applicant applied to the Zoning Board of Appeals (ZBA) for a Variance on January 20, 2018 requesting variance in total lot coverage of 15,061 square feet, where allowed total coverage is 13,822 square feet. The ZBA reviewed the application on March 26, 2018 and found minor discrepancy in the square footage of structures proposed in the proposed site plan application. It was stated that the project description in the application lists "approximate" dimensions of the structures and recommended that the site plan/survey to be revised by a licensed professional so that the amount of the variance being sought can be accurately determined.

In the cover letter submitted on January 28, 2020 with the revised site plan, the applicant has requested to be referred to the Zoning Board of Appeal to be noticed for public hearing on the requested total coverage variance. The applicant will need to submit the revised plans directly to the ZBA. The Planning Board should decide whether to send comments to the ZBA regarding the lot coverage variance.

Map Revisions
The title of the project "Scoville Hall Terrace & Generator Site Plan" is still missing in the revised site plan. The proposed 6' high privet hedge should also be noted on the plan.

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

Planning Board Consensus:

The Planning Board should discuss the noise level issue of the generator with the applicant and advice the applicant as to whether any additional mitigation is required.

Additional comments: _____

The Board should advice the applicant as to whether the lighting plan should be revised and additional information regarding the location of the fixtures, lighting schedule, method of control and type of bulb should be provided.

Additional Board Comments:

The Board should discuss whether a revised site plan should be submitted.

Additional Board Comments:

Additional Board Comments:

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February 6, 2020

TO: Planning Board

FROM: Eric Schantz
Senior Planner E.S. JP

RE: Brooks Parks Cottage Relocation – Site Plan
SCTM#300-62-7-3, 5 & 6.1
830 Springs – Fireplace Road, Springs

Last Review Date: November 20, 2019

Items and Date Received: Site plan, E-mail from R. Hefner re: Historic Integrity

Background Information: Application has been made to situate a 10' X 12' (120 sq. ft.) cottage building at the site of the Pollock-Krasner House and Study Center. The cottage building itself is part of a locally-designated Historic Landmark site and is currently located at 128 Neck Path.

The site consists of 1.57 acres located on the southeast side of Fireplace Road in an A-5 Residence/Harbor Protection Overlay/Springs Historic District zoning district. It is partially cleared of naturally-occurring vegetation. The tidal marshlands of Accabonac Harbor are situated roughly 200' from the proposed location of the cottage.

A site plan/special permit was granted to the site on February 13, 1991 for the conversion of a single family residence to a semi-public facility, namely the Pollock-Krasner House and Study Center. The Pollock-Krasner House and Studio were occupied by the painters Jackson Pollock and Lee Krasner from 1945 until 1984 and the site is designated a National Historic Landmark. A subsequent site plan approval was granted to convert a garage into an office and restroom along with a 96 sq. ft. addition.

Issues for Discussion:

Site Plan Elements
The applicants have submitted a revised site plan which includes all necessary elements.

Historic Consultant
By email Mr. Robert Hefner, Historic Preservation Consultant, has stated that "…the overall historic integrity of the property will remain intact…" given the proposed project.

SEQRA
The Planning Department has prepared the attached EAF Parts II & III. A negative declaration is recommended.

Minor Site Plan
The application meets the criteria for a minor site plan, allowing the Board the discretion to waive the public hearing requirement. The Board should decide at this time whether or not to require a hearing.

Conclusion
In conclusion, it appears that the application is complete and ready to be scheduled for a public hearing, should the Board decide one is necessary.

ES

Planning Board Consensus

Is the application complete and will it be scheduled for a public hearing?

Additional comments: _____

_____

Additional Board Comments:

_____

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]
Project : Brooks Parks Cottage Relocation
Date : 02/06/2020

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency and the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "**Yes**" to a numbered question, please complete all the questions that follow in that section.
- If you answer "**No**" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) ☐NO ☑YES
If "Yes", answer questions a - j. If "No", move on to Section 2.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☑	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☑	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☑	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☑	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☑	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☑	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☑	☐
h. Other impacts: _____		☐	☐

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) ☑ NO ☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____ _____		☐	☐

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) ☑ NO ☐ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☐	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☐	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☐	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☐	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☐	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☐	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☐	☐

l. Other impacts: _____ _____		☐	☐

4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts: _____ _____		☐	☐

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) ☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts: _____ _____		☐	☐

6. Impacts on Air

The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D,2,h, D.2.g) ☑NO ☐YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO_2)	D2g	☐	☐
ii. More than 3.5 tons/year of nitrous oxide (N_2O)	D2g	☐	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF_6)	D2g	☐	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐
vi. 43 tons/year or more of methane	D2h	☐	☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____ _____		☐	☐

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☑NO ☐YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☐	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☐	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☐	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☐	☐

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☐	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☐	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☐	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____ _____	E1b	☐	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☐	☐
j. Other impacts: _____ _____		☐	☐

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

9. Impact on Aesthetic Resources

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) ☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", go to Section 10.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	☐ ☐	☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	☐ ☐	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile ½ -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____		☐	☐

10. Impact on Historic and Archeological Resources

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) ☐ NO ☑ YES

If "Yes", answer questions a - e. If "No", go to Section 11.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	☑	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☑	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☑	☐

d. Other impacts: _____ _____		☑	☐
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	☐	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☐	☐
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	☐	☐

11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.)

☑ NO ☐ YES

If "Yes", answer questions a - e. If "No", go to Section 12.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____ _____		☐	☐

12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)

☑ NO ☐ YES

If "Yes", answer questions a - c. If "No", go to Section 13.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
c. Other impacts: _____ _____		☐	☐

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems. ☑ NO ☐ YES
(See Part 1. D.2.j)
If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: _____		☐	☐

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy. ☑ NO ☐ YES
(See Part 1. D.2.k)
If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____			

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting. ☑ NO ☐ YES
(See Part 1. D.2.m., n., and o.)
If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☐	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☐	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☐	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☐	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☐	☐
f. Other impacts: _____ _____		☐	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) ☑ NO ☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No,or small impact may cccur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____ _____			

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	☐	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____ _____		☐	☐

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) ☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____ _____		☐	☐

PRINT FULL FORM

Agency Use Only [If Applicable]

Project : Brooks Parks Cottage Relocation

Date : 02/06/2020

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Application has been made to situate a 10' X 12' (120 sq. ft.) cottage building at the site of the Pollock-Krasner House and Study Center. The cottage building itself is part of a locally-designated Historic Landmark site and is currently located at 128 Neck Path.

The site consists of 1.57 acres located on the southeast side of Fireplace Road in an A-5 Residence/Harbor Protection Overlay/Springs Historic District zoning district. It is partially cleared of naturally-occurring vegetation. The tidal marshlands of Accabonac Harbor are situated roughly 200' from the proposed location of the cottage.

A site plan/special permit was granted to the site on February 13, 1991 for the conversion of a single family residence to a semi-public facility, namely the Pollock-Krasner House and Study Center. The Pollock-Krasner House and Studio were occupied by the painters Jackson Pollock and Lee Krasner from 1945 until 1984 and the site is designated a National Historic Landmark. A subsequent site plan approval was granted to convert a garage into an office and restroom along with a 96 sq. ft. addition.

Mr. Robert Hefner, Historic Preservation Consultant, has stated that "...the overall historic integrity of the property will remain intact..." given the proposed project.

For the reasons listed above, the Planning Board finds that there is no potential for any significant adverse impacts which could result from the proposed project and in accordance makes a negative declaration pursuant to SEQRA and Chapter 128 of the Town Code

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☑ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☑ Part 1 ☑ Part 2 ☑ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the East Hampton Town Planning Board as lead agency that:

☑ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Brooks Parks Cottage Relocation Site Plan

Name of Lead Agency: East Hampton Town Planning Board

Name of Responsible Officer in Lead Agency: Samuel Kramer

Title of Responsible Officer: East Hampton Town Planning Board Chairman

Signature of Responsible Officer in Lead Agency: Date:

Signature of Preparer (if different from Responsible Officer) Eric Schantz Digitally signed by Eric Schantz DN: cn=Eric Schantz, o, ou, email=eschantz@ehamptonny.gov, c=US Date: 2020.02.06 11:03:24 -05'00' Date:

For Further Information:

Contact Person: Eric Schantz

Address: 300 Pantigo Place, Suite 105

Telephone Number: (631) 324-2178

E-mail: eschantz@ehamptonny.gov

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)
Applicant (if any)
Environmental Notice Bulletin: http://www.dec.ny.gov/enb/enb.html

PRINT FULL FORM

TOWN OF EAST HAMPTON
300 Pantigo Place – Suite 105
East Hampton, New York 11937-2684

Planning Department
JoAnne Pahwul, AICP
Director

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

February 5, 2019

TO: Planning Board

FROM: Eric Schantz
Senior Planner E.S.

RE: 224 & 228 Springs Fireplace LLC – Site Plan
SCTM#300-145-3-8.1 & 10.1
224 & 228 Springs Fireplace Road, East Hampton

Last Review Date: December 18, 2019

Items and Date Received: Site plan, landscaping plan and Building Inspector determination

Background Information: Site plan application has been made to create a storage yard for vehicles and equipment over two single and separate lots as well as the establishment of an access easement and landscaping.

The parcels are zoned CI: Commercial Industrial. Lot 8.1 was previously improved with a single-family residence which was built before the adoption of zoning and demolished in 2014. Lot 10.1 has never been developed. It appears that the site is currently being used as a storage yard for trucks and other commercial/industrial equipment.

The subject parcels are situated in a number of areas identified as important to groundwater protection including the South Fork Special Groundwater Protection Area and the Suffolk County Pine Barrens.

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

Issues for Discussion:

Site Plan Elements
The applicants have submitted a revised site plan which includes all necessary elements.

Building Inspector
The Board has sent a determination request to the Building Inspector as to what the proper use definition would be for the proposed project. The Building Inspector has stated that a "storage yard", a permitted use in the CI: Commercial Industrial Zoning District, is the correct designation.

Landscaping
A revised landscaping which provides a continuous row of roughly 30' – 50' deep vegetative screening along Springs Fireplace Road has been submitted. This plan utilizes 6' – 12' trees in the form of white oak (*Querecus alba*), eastern red cedar (*Juniperus virginiana*) & white pines (*Pinus strobus*) along with the shrubs low bush blueberry (*Vaccinum angustifolium*) and inkberry (*Ilex glabra*). The Planning Department finds this plan acceptable, the Board should determine if it agrees.

Conclusion
In conclusion, it appears that the application is complete and ready to be scheduled for a public hearing.

ES

Planning Board Consensus

Is the application complete and ready to be scheduled for a public hearing?

Additional comments: _____

_____

Additional Board Comments:

_____

NARRATIVE OF USE
224 & 228 Springs Fireplace Road Site Plan
SCTM # 300-145-3-801 and 300-145-3-10.1
January ___, 2020

The two parcels at 224 & 228 Springs Fireplace Road (the "Joint Premises") are beneficially owned by two families and are intended to be used by the two family-owned businesses of tree maintenance and servicing sanitary systems. The only use of the Joint Premises will be for parking trucks and no-driver equipment used in the two businesses and parking for employees operating them. The parking area will be surfaced with asphalt. The asphalt shall consist of compacted subgrade, 4"- 6" of RCA Base Course, 3" Type 3 Asphalt binder course during construction and 1 and ½" Type 6 Asphalt top course to be placed after substantial completion. The businesses will not be operated from the Joint Premises other than for the parking.

The principal elements of the plan are:

- Parking for ten (10) trucks, four (4) no-driver equipment items. Sixteen (16) employee parking spaces when the trucks are parked on site. Forty-one (41) employee parking spaces when the trucks are off-site.
- The existing curb cut and access driveway to Springs Fireplace Road will be closed and access to both parcels will be from the north over an easement across Town-owned property connecting to the existing Highway Department access road. [This has the support of the Town's Highway Superintendent and Fire Marshal, but requires Town Board Approval of the easement, which is currently pending.]

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- The dry wells / leaching pools will include filters to remove any gas, oil and other materials that might leak into the parking area.
- The property will be vegetated in accordance with a Landscape Plan which is based on native species and existing trees and which will screen the Joint Premises from Springs Fireplace Road and the adjacent properties on the north, east and south.
- The Lot Coverage – the parking area – will be 64% of the property with 36% vegetated area, although the Town Zoning Code allows the Lot Coverage to be 75% of the property with 25% vegetated area.
- The Joint Premises will be enclosed with fencing that will be located behind (i.e., inside) the vegetative screening so that it will not be visible from Springs Fireplace Road. The fence will comply with zoning – it will be 4 ft. high in the front yard and 6 ft. high on the side and rear. It will not require ARB approval

A proposed Declaration of Covenants & Restrictions, which will be recorded and run with the land; will provide, *inter alia*:

- Joint cross-access for vehicular and pedestrian traffic
- Joint cross-parking access.
- No interference with drainage or access.

BUILDING DEPARTMENT
TOWN OF EAST HAMPTON

300 Pantigo Place – Suite 104
East Hampton, New York 11937

BUILDING INSPECTOR'S OFFICE

Phone: (631) 324-4145
Fax (631) 329-5739

MEMORANDUM

TO: *Samuel Kramer, Planning Board Chairman*

FROM: *Ann M. Glennon, Principal Building Inspector*

DATE: *January 31, 2020*

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RE: *224 & 228 Fireplace LLC – Site Plan*
Map 11, Block 13 & 14 Lots 1-3; & 47-51 & P/O Rd
224 & 228 Fireplace Road, East Hampton
SCTM# 300-145-3-8.1 & 10.1
224 Springs Fire Place Road, LLC & 228 Fireplace Road, LLC, Owners

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This memo is written in response to your memo dated January 14, 2020, for a determination with respect to a "use definition category" for a truck and commercial/Industrial equipment being stored on the above reference property.

After reviewing the code Section 255-11-10 I offer this (255 Attachment 3) (28) "Warehouse, storage yards or building supplies distribution" which is a permitted use in a "CI" zone "**storage yards**" shall be deemed to include the meaning of an outdoor area used for the **storage** of equipment, vehicles and materials.

It is the opinion of this office that the use on the proposed project will fall under that category. If I can be of any further assistance, please do not hesitate to contact me.

TOWN OF EAST HAMPTON
300 Pantigo Place – Suite 105
East Hampton, New York 11937-2684

Planning Department
JoAnne Pahwul, AICP
Director

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

February 6, 2020

TO: Planning Board

FROM: Eric Schantz
Senior Planner E.S. JP

RE: South Fork CC Barn – Site Plan
SCTM# 300-150-3-5, 7.1, 7.2, 7.3, 7.4, 8
730 Old Stone Highway, Amagansett

Last Review Date: Public hearing held on February 5, 2020

Items and Date Received: N/A

Background Information: Application has been made to construct a new 40' X 60' (2,400 sq. ft.) one story barn with two restrooms. Also proposed are three additional light fixtures, landscaping, grass parking, and a new sanitary system and drywell. The barn is to house maintenance equipment and replace a ~2,800 sq. ft. barn that has been removed.

The subject parcel is ~44 acres in lot area, zoned A5: Residence and is situated in Amagansett along Old Stone Highway. The subject parcel, along with two (2) neighboring parcels compromises the ~102 acre site known as the South Fork Country Club; a "beach, country golf yacht or other membership club" use as defined in the Town Code.

The subject parcel is situated within the Town's Agricultural Overlay District (AGO). However, the property is not currently used in any such capacity. It is also within the Suffolk County Pine Barrens and South Fork Special Groundwater Protection Area.

Pursuant to the State Environmental Quality Review Act (SEQRA) and Chapter 128 of the Town Code the proposed project is a Type II action.

Issues for Discussion:

Public Comments
A public hearing was held on February 5, 2020. No members of the public spoke at the hearing and no letters have been received.

Town Engineer
By memo dated December 4, 2019 the Town Engineer found the engineering elements to be satisfactory.

Office of Fire Prevention
By memo dated January 3, 2020 the Office of Fire Prevention stated that no further information was required.

Architectural Review Board (ARB)
By resolution dated January 10, 2020 the ARB approved the proposed project.

Conclusion
In conclusion, it appears that the application is ready for approval

ES

Conditions of Approval:

- Approval of the Suffolk County Department of Health Services (SCDHS)

Planning Board Consensus

Is the application ready for approval?

Additional comments: _____
_____

Additional Board Comments:

_____
_____
_____
_____

TOWN OF EAST HAMPTON
300 Pantigo Place – Suite 105
East Hampton, New York 11937-2684

Planning Department
JoAnne Pahwul
Director

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

SITE PLAN/SPECIAL PERMIT EVALUATION
92 South Euclid Avenue Site Plan
SCTM#300-49-01-15
App#: 0520190041

Prepared by: Marco Wu, Planner MW

Date: February 4, 2020

1. APPLICATION INFORMATION

A. INFORMATION RECEIVED: Following Received (12/03/19):
- Site Plan/Special Permit Application;
- Land Survey dated 01/30/2019 prepared by George Walbridge Surveyors, P.C.;
- Site Plan dated 10/03/2019 prepared by Edward Armus, PE;
- Floor Plans and Elevations dated 8/15/2019 prepared by Jeffrey Sands Architect.

B. DATE SUBMITTED: December 3rd, 2019
C. OWNER: Michael O'Connell
D. APPLICANT/AGENT: Michael O'Connell, East End Land Planning Inc.
E. SCHOOL DISTRICT: Montauk
F. STREET NAME: 92 South Euclid Avenue
G. TYPE OF STREET: Town
H. ZONING DISTRICT: CB: Central Business
I. SEQRA - TYPE OF ACTION: Type II
J. INVOLVED AGENCIES: N/A
K. OTHER REVIEW: Suffolk County Department of Health Services, Architecture Review Board, Office of Fire Prevention

2. DESCRIPTION OF PROJECT

A. PROPOSED USE(S) AS CLASSIFIED BY TOWN CODE: Retail, Apartment
B. EXISTING USE(S) AS CLASSIFIED BY TOWN CODE: Vacant
C. ARE THE EXISTING & PROPOSED USES PERMITTED OR SPECIAL PERMITTED BY THE TOWN CODE? Retail: Permitted,

Apartment: Special Permit

D. **AREA OF PARCEL (SQUARE FEET):** 4,100 sq. ft.
E. **MOST RECENT CERTIFICATE OF OCCUPANCY:** None
F. **DESCRIPTION OF EXISTING STRUCTURES:** N/A
G. **DESCRIPTION OF PROPOSED STRUCTURES:** Commercial Building with Living Space; Dry retail store on the 1st floor (1,188) sq. ft., Apartment on the 2nd floor (1,188) sq. ft. and Storage area on the Basement of (960) sq. ft.
H. **EXISTING & PROPOSED LOT COVERAGE:** Existing: 0%, Proposed: 37%
I. **EXISTING & PROPOSED TOTAL COVERAGE:** Existing: 0%, Proposed: 71%
J. **HEIGHT OF PROPOSED STRUCTURES:** 35'
K. **NUMBER OF STORIES OF PROPOSED STRUCTURES:** Two (2)
L. **NUMBER OF EXISTING PARKING SPACES:** None (0)
M. **NUMBER OF PARKING SPACES REQUIRED:** Eight (8)
N. **TOTAL PARKING SPACES PROVIDED:** Seven (7)
O. **VARIANCES REQUIRED:** Yes, parking
P. **DOES EXISTING & PROPOSED LIGHTING COMPLY WITH BOARD POLICY?** See issues for discussion
Q. **DISTANCE TO PUBLIC WATER:** Roughly 50 ft.
R. **SOURCE OF WATER SUPPLY:** Public
S. **TYPE OF SANITARY SYSTEM:** Low-Nitrogen Septic
T. **ARE EXISTING & PROPOSED SANITARY SYSTEMS DEPICTED:** Yes
U. **DO SANITARY CALCULATIONS COMPLY WITH SCDHS STANDARDS?** See discussion
V. **NUMBER OF ACCESS POINTS:** Two (2)
W. **IS SIGHT DISTANCE ACCEPTABLE?** Yes
X. **IS THE PROPOSAL ADA COMPLIANT?** See discussion

3. **SUBMISSION REQUIREMENTS PURSUANT TO CHAPTER 255 (LIST ITEMS AND SECTION FOR THOSE ITEMS NOT SUBMITTED)**

- Lighting plan
- Landscape plan: small street trees in the front of parking are recommended
- Plan for sidewalks: pink tinted concrete or brick are recommended
- ADA compliance accessibility plan in rear entrance: ADA compliant walkway or ramps recommended for the rear entrance

4. **SITE ANALYSIS:**
   A. **SOIL TYPE:** BhC: Bridgehampton silt loam, till substratum, 6-12 percent slopes; BgB: Bridgehampton silt loam, till substratum, 6-12 percent slopes.
   B. **FLOOD HAZARD ZONE:** Zone X
   C. **DESCRIPTION OF VEGETATION:** Mostly Clear some invasive species

D. **RANGE OF ELEVATIONS:** (24.9) – (29.2)
E. **NATURE OF SLOPES:** Gentle 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:** greater than 12'
J. **DOES THE SITE CONTAIN HISTORIC OR ARCHAEOLOGICAL RESOURCES?** None have been identified
K. **AGRICULTURAL DATA STATEMENT REQUIRED:**
L. **IS THE 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	No

Other Background Information:
Site plan application has been made to construct a two-story, 1,188 sq. ft. commercial building with an 8' x 27' covered porch in the front and an 8' x 15' covered porch and two 8' x 6' decks in the back and a 1,188 sq. ft. second floor apartment. A basement with 960 sq. ft. storage space and a mechanical room is also proposed. The site is located on a vacant lot in downtown Montauk under Central Business zoning district.

History:
The Planning Board received a site application from landowner Michael O'Connell on March 2004. The proposal called for (1) wet retail and (1) dry retail use on the first floor, and a single apartment on the second floor. The application was removed from Planning Board work sessions more than once and is incomplete and still pending. The applicant should submit a letter withdrawing this application.

Issues for Discussion:

Site Plan Usage
A new application has been received from landowner Michael O'Connell, December 2019. The floor plans by the architect differ from the applicant's narrative and site plan by listing the first floor as retail/office rather than only dry retail. The floor plans indicate a dividing wall, (2) separate bathrooms, (2) separate entrances, and (2) separate exits which suggest more than a single retail store. Clarification will be needed as to the intended number and types of uses on the first floor.

Special Permit Standards
The Site Plan proposes the construction of an apartment on the second floor above the proposed retail store(s). A Special Permit will be required for the apartment as per §255-11-10 – (Use Table) of the Town Code and it will need to comply with §255-5-50 Specific Standards– Apartments Within Commercial Structures. Copies of the general special permit standards and the standards specific to the apartment are attached. The apartment meets the floor area requirements, at least 450 sq. ft., and no more than 1,200 sq. ft., and has a separate entrance on the Southern side of the building. The apartment will require explicit written approval from the Town Fire Marshall.

Request: Setbacks
The applicant has requested that the Planning Board relax the side yard setback on the easterly side for the building from the 10' required under zoning to 3'. The Planning Board does not have the authority to relax the setbacks for principle structures. In a Central Business zoning district, the side yard setback requirement is 10', unless a building directly abuts another building. The parcel on the easterly side is vacant and since there is no existing or proposed building on this side, it appears that the applicant must meet the 10' setback requirement.

Parking
The Planning Department has noted the Site Plan does not provide all of the parking required under §255-11-45 of the Town Code. The proposal will require a total of eight (8) parking spaces, seven (7) for the retail space and one (1) for the apartment of which a minimum of one (1) space must be ADA accessible. The site plan only provides four (4) on-site parking spaces along the alleyway. Three additional spaces, including two (2) handicapped spaces, are proposed in the right of way of South Euclid Avenue.

It has been the Board's practice for downtown Montauk, that if a project can demonstrate that all of the required parking could be provided on site, but would be more aesthetically pleasing and in more keeping with a downtown area if located within the street right of way, that it would support variances from the parking requirement. It appears that the size of the building would need to be reduced in order to provide these additional spaces on-site. In the alternative, if it cannot be demonstrated that all of the parking can be located on the site, the applicant is obligated to purchase parking under the fees in lieu of parking legislation at a cost of $15,000 per parking space.

If the project proceeds with parking in South Euclid Avenue, the site plan should demonstrate that the spaces are aligned with and coordinated with parking spaces approved within the right-of-way in site plans on adjoining parcels, Kazura and Beckman.

The site plan should be revised to indicate the 2' wide road widening easement that is required for parking spaces utilizing the alleyways in downtown Montauk as access. The alleyways are 20' in width and obtaining 2' wide road widening easements on both

sides allows for the creation of a 24' wide aisle as required in the zoning code for perpendicular parking.

Continuity: Sidewalk
Planning Department suggests that the proposed plan provide a sidewalk along South Euclid Avenue to keep a cohesive streetscape with neighboring properties. The use of pink tinted concrete has been recommended for the sidewalks to match with existing adjoining properties (Kazura, Beckman, & Town's Parking Lot) and to keep the downtown character as recommended by Downtown Montauk Central Business Study. The site plan should demonstrate that the sidewalk on this site will align with the other sidewalks on this side of the street.

Fire Marshall Comments: ADA
As mentioned previously, the applicant's Floor Plan suggests two (2) commercial tenancies on the first floor. Under those circumstances Chief Fire Marshall David Browne has noted that under NYS Building code, at least (60%) of all public entrances shall be accessible. There are currently four (4) entrances, two (2) located in the front which are accessible, and two (2) located in the back that are raised by stairs.

If there is one commercial tenant, three of the entrances must be ADA accessible. If there are two commercial tenants, (60%) of the entrances of each tenant, or all four entrances, must be ADA accessible. Under the reviewed plan, only two entrances will be accessible. As the back doors are accessed over stairs, a ramp appears to be required in order to gain ADA compliance. The plans should be revised to provide spot elevations along the rear handicapped access route and a calculation of the slope that complies with ADA standards.

Lighting
The applicant has noted a lighting plan will be submitted pending upon relaxed setback approval.

Landscaping
Planning Department recommends the planting of small street trees along South Euclid Avenue in keeping with the character of downtown Montauk and neighboring properties. A designated space and design for a dumpster is also missing. The applicant has noted a landscaping plan will be submitted after the size and location of the building are determined.

Architectural Review Board (ARB)
The elevation drawings call for a dark gray metal roof, gray industrial block siding, and the black aluminum and glass handrails. This architectural style is not in keeping with the character of downtown Montauk. Traditional style buildings were recently approved on parcels directly to the east and to the west.

Ultimately, the proposed project will require the approval of the ARB and an application should be submitted to this agency as soon as possible if the applicants have not already

done so. The Planning Board may wish to send comments to the ARB regarding the style of the building.

Sanitary System
The Sanitary Plan by Edward Armus, PE has depicted details of the proposed sanitary system of the project. The existing allowable sanitary flow in the property is 300 GPD and the site sanitary flow calculations indicate that the project will generate 299 GPD, based on 38 GPD for the basement storage, 36 GPD for the main floor dry retail and 225 GPD for the 2nd floor housing unit. A low nitrogen, alternative sanitary system is proposed.

Suffolk County Department of Health Services (SCDHS)
The proposed project will require approval from the SCDHS. The applicants are encouraged to submit an application to this agency as soon as possible if they have not already done so.

SEQRA
The project is a Type II Action pursuant to SEQRA and Chapter 128 of the Town Code. No further review under SEQRA is required.

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
As proposed the project requires a side yard setback variance and will require that parking spaces be purchased under the fees in lieu of parking program or a variance. Consideration should be given to reducing the size of the building in order to negate the need for variances. If variances are sought, the Planning Board will not be able to deem the application complete until and unless the Zoning Board first grants the variances.

Planning Board Consensus

Should the applicant clarify whether there would be one tenant or two tenants using the first floor?

Additional comments: _____

Should the applicant address the lack of ADA access from the southern entrances?

Additional comments: _____

The Board should discuss whether the applicant should request a variance from the Zoning Board of Appeals or reduce the size of their principal building to meet setbacks.

Additional comments: _____

Should the applicant demonstrate that the required amount of parking can be situated on-site?

Additional comments: _____

Should the applicant's plan be revised to indicate a 2' wide road widening easement required for parking spaces utilizing the alleyway?

Additional comments: _____

Should the applicant's plan provide sidewalks that match and align with adjoining properties as recommended by Downtown Montauk Central Business Study?

Additional comments: _____

Additional Board Comments:

PLANNING - <PREPARERS NAME> - <DATE>

Basemaps: 2018 Pictometry Digital Ortho Photography
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1 " = 42.88 feet

Feet
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THE TOWN OF EAST HAMPTON

92 SOUTH EUCLID AVENUE

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Prepared by
THE TOWN OF EAST HAMPTON
Suffolk County, New York
Dept. of Information Technology

Date Prepared: February 5, 2020

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§255-5-40 General Standards (Special Permits)

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

APARTMENTS WITHIN COMMERCIAL STRUCTURES
[Amended 10-7-2005 by L.L. No. 31-2005]

(1) All dwelling units created shall be for the use of and available to moderate-income families, who are certified as such on an annual basis by the Office of Housing and Community Development, or other certifying agency as determined by the Town of East Hampton. Owner shall submit a copy of the lease and supporting documentation to the Office of Housing and Development on an annual basis and prior to renting the apartment to a new occupant. The Office of Housing and Community Development shall collect an application fee for each annual renewal and for each new occupant, as set from time to time by the Town Board, and shall certify that the proposed tenant(s), any other occupant(s), and the rental agreement meet the income and rental eligibility requirements set forth in this chapter.

(2) The explicit written approval of the Town Fire Marshal shall be obtained for the design, location, access and other safety-related elements of every such apartment. No apartment shall be permitted within any establishment or type of establishment that the Fire Marshal determines to pose a greater-than-average built-in fire risk. Commercial buildings with one or more apartments shall be equipped with an automatic fire sprinkler system and the commercial occupancy shall be equipped with an automatic fire detection system that is connected to an annunciating device within the apartment.

(3) The habitable floor area of the apartment shall be at least 450 square feet, but in no case more than 1,200 square feet. The apartment shall be located either on the first or second floor of the building, but shall not be located in a basement or cellar, and the apartment shall contain all services for safe and convenient habitation, meeting the New York State Uniform Fire Prevention and Building Code and the Sanitary Code.

(4) There shall be no more than four apartments created or maintained in any single building. Nothwithstanding the foregoing, for parcels situated within the Commercial Service or the Commercial Industrial Zoning Districts that adjoin residentially zoned property, there shall be no more than two apartments per acre and a maximum of four apartments created or maintained in any single building. In calculating the number of acres for purposes of this subsection, the Planning Board may consider the sum total acreage of adjoining single and separate parcels held in the same beneficial ownership. The Planning Board may then approve up to four apartments on any one parcel provided that the sum total of the number of apartments on the adjoining parcels does not exceed two apartments per acre. The Planning Board shall require the applicant to file appropriate legal instruments, subject to approval by the Town Attorney, to ensure that this overall limitation is not exceeded in the future.

(5) Each apartment or common hallway servicing two or more apartments shall have a separate and distinct appropriately fire-rated access to the outside of the building, from the other nonresidential access.
access.

(6) Each apartment shall have at least one on-site parking space meeting the standards of this chapter, conveniently located for access to the apartment. The Planning Board may waive this requirement if it determines that there is sufficient parking on site or sufficient nearby on-street parking.

(7) Only the owner of the building in which it is proposed to locate the apartment(s) may apply for this special permit. The Planning Board shall require that such applicant execute such agreements, contracts, easements, covenants, deed restrictions or other legal instruments running in favor of the Town as, upon recommendation of the Town Attorney, the Board shall determine to be necessary to ensure that:

(a) The apartment is the domicile of all tenants therein and the tenant(s) or any other occupant(s) of the apartment do not own a residence;

(b) The apartment or any proprietary or other interest therein will not be sold to the tenant or any other party, except as part of a sale of the entire building in which the apartment is located;

(c) The rental charged for the apartment remains within previously agreed-upon minimum and maximum guidelines, and the apartment is made available for year-round rental but may also be available for seasonal rental to employees of the business operating within the same commercial structure;

(d) The apartment is properly constructed, maintained and used, and unapproved uses are excluded therefrom;

(e) The persons or class of persons for whom the apartment was designed and approved do in fact continue to occupy the apartment and benefit from the existence of the apartment for the lifetime thereof;

(f) Any other condition deemed reasonable and necessary to ensure the immediate and long-term success of the apartment in helping to meet identified housing needs in the community is complied with;

(g) Each apartment shall have a maximum of two bedrooms with a maximum of two beds and two occupants per bedroom; and

(h) Apartments shall be subject to inspection for compliance with the Town Code and the Building Code by the Fire Marshal, the Building Department, and the Office of Housing and Community Development and may also be subject to inspection upon reasonable notice by Code Enforcement as part of an investigation in response to a complaint.

(8) Site plan approval (Article VI) and architectural review approval (Article VII) shall be obtained prior to issuance of any building permit or certificate of occupancy, and no special permit shall be issued until a public hearing, which hearing may be combined with the required site plan review hearing, has been held by the Planning Board.

(9) The Planning Board shall consider the following as guidelines for design of apartments within commercial structures that are situated in either the Commercial Industrial or the Commercial Service Zoning Districts:

(a) If there is sufficient outdoor space available and it is appropriate, consideration should be given to incorporating outdoor common areas or private outdoor space for the apartments.

(b)Installation of washing machines and dryers in each apartment unit.
(c) Residential building entrances should be located as far away from commercial entrances as practicable.
(d) Residential parking should be located separately from commercially designated parking spaces when practicable.
(e) Screening in the form of fencing and landscaping should be provided to separate the residential and commercial uses on site, and additional screening should be provided when the subject property borders residentially zoned property.