



TOWN OF EAST HAMPTON

300 Pantigo Place – Suite 105
East Hampton, New York 11937-2684

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BY: _____

Planning Department
Marguerite Wolffsohn
Director

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

Technical Analysis Memo

Lead Agency: (not applicable)
Planner: Tyler Borsack *AS MW*
Date completed: November 17, 2016
SEQRA class: Type II
Physical Location: 84 Hampton Lane
School District: Amagansett
Zoning District: B Residence
Overlay District: N/A
Tax Map Number: 300-176-07-17
Applicant: David Peskin
C/O Land Planning Services
P.O. Box 1313
East Hampton, NY 11937
CC: Tarbet & Lester PLLC
132 North Main Street, 1st Floor
East Hampton, NY 11937

Site Plan
Sub Waiver
Subdivision
Special Permit
Zone Change
Variance
Natural Resources
Special Permit XX
Other:

Telephone: 631-537-8500
FEMA ZONE: AE 16 Flood Zone, X Flood Zone
Soil Type: Du (Dune land)
Map of Property: Beach Hampton, Section 1, Block 2, lots 46-50, map # 1203
Size of Parcel: 10,615 sq. ft. (total)

Project Description: To construct an approximately 450 sq. ft. swimming pool with an approximately 615 sq. ft. deck requiring approximately 3,819 sq. ft. of temporary clearing and 2,022 sq. ft. of final clearing on a parcel of land containing a dune and beach vegetation.

Relief Requested: A Natural Resources Special Permit pursuant to § 255-4-20 of the Town Code.

Property Conditions and History:

The subject premises are located in Beach Hampton. The property is sub-standard with regard to lot size and frontage within B zoning. The premises are improved with a two story residence constructed before zoning. It appears that in 2008 a lot inspection was done, and beach vegetation was found. A building permit was issued in 2004 to "Remove 438 sq. ft. wood deck, build 295 sq. ft. first floor, 475 sq. ft. second floor addition to one family residence having one kitchen only, 208 sq. ft. First floor alteration, 441 sq. ft. attached garage, 164 sq. ft. first floor 770 sq. ft. second floor deck, 110 sq. ft. second floor covered deck subject to ZBA decision dated 9/16/04. Project fence must be installed prior to the start to construction." All existing and proposed structures are depicted on a Michael K. Wicks Land Surveying survey dated revised September 30, 2016. This property appeared before the Zoning Board earlier in the year and received an approval to construct a 383.5 sq. ft. first floor addition with decking above on the south side and a 133.5 sq. ft. first floor addition to the northwest side with new sanitary system. The application was denied a 450 sq. ft. swimming pool with 705 sq. ft. of decking in a similar location to the proposed application.

Planning Department Analysis and Recommendations for the Board's Consideration:

The applicant is proposing to construct a 450 sq. ft. swimming pool with approximately 615 sq.

ft. of decking on the east side of the residence in close proximity to the natural dune feature with dune vegetation including, as the most dominant species, Beach Heather (*Hudsonia tomentosa*).

In their previous determination the Zoning Board stated; “The Board finds that the addition of the requested pool and pool decking will cause an undue disturbance to the natural features on the property. Specifically, the steel sheathing required will cut into the dune on the property. This along with the extensive clearing of the natural vegetation required for the large pool and extensive decking will have a negative effect on the natural features of this property.” The Board also found that, “Moreover, pursuant to §255-5-51(D)(2), the Board finds that alternative designed exist that would be effective in preventing loss of the natural feature, the duneland” and, “The Board finds the size of the proposed pool and decking; along with the proposed location on the site will have a negative impact on the character of Beach Hampton. In addition, the proposed pool and pool decking will exacerbate stormwater runoff and promote flooding in the area.”

Comparing the previous application to the current one, the two applications appear to be very similar. The applicants appear to have eliminated a small amount of the proposed decking, moving the swimming pool up to the 30’ front yard lot line setback from Marine Blvd. and slightly further from the duneland in the northeast corner of the lot that that Zoning Board was concerned about in their decision. The swimming pool proposed to remain the same size and shape (15’x30’) as was proposed in the last application with the pool equipment under the proposed decking as opposed to outside of the decking footprint. It should be noted that the relocation of the swimming pool further south requires that the previously approved sanitary system be shifted slightly to the west; however, this does not change the clearing required or the nature of the previous approval.

The applicant should discuss how the new application seeks to address the concerns raised by the Zoning Board in the previous determination and how it meets the NRSP standards in the Town Code. The Board should look to see if the applicant’s redesign of the project has done enough to meet the special permit standards, specifically the concerns raised by the Board in their previous determination.

Recommended Project Conditions:

- a. All structures should be situated at least 2’ above the seasonal high groundwater table.
- b. The swimming pool should utilize a chlorine reducing sanitation system and all pool water should be discharged into a drywell.
- c. Project limiting fencing should be erected to limit land disturbance in the location depicted on the approved survey labeled “temporary clearing line & project limiting fence” prior to the commencement and for the duration of construction activities.
- d. The Board, or their delegate, prior to the issuance of a building permit, should inspect the project limiting fencing and straw bales for adequacy.
- e. All areas disturbed by construction activities should be revegetated with Beach Grass (*Ammophila breviligulata*) planted 12” on centers in culms of three or more in staggered rows.
- f. The establishment of turf, lawn, sod or ornamental vegetation should be prohibited
- g. A copy of the Natural Resources Special Permit and the approved survey and building plans shall be available on the parcel at all times.

ROUTING LIST

Directions: Check to indicate recipients. Initial after material has been routed.

* = Routed via e-mail

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Suffolk County Planning Commission
EAF's to be routed with full referrals
 Zoning, Attn: Chief Planner
 Subdivisions, Attn: Principal Planner
PO Box 6100
Hauppauge, NY 11788-0099

Suffolk County Department of Health Services
Division of Environmental Quality
Office of Ecology
360 Yaphank Avenue, Suite 2B
Yaphank, NY 11980

New York State Department of Transportation, Attn: Permit Engineer CE1
NYS Office Building
Veterans Memorial Highway
Hauppauge, NY 11788

Long Island Regional State Park and Recreation Commission
PO Box 247
Babylon, NY 11702

NYS Department of State Division of Coastal Resources
Attn: Consistency Review & Analysis
41 State Street
Albany, NY 12231-0001

Suffolk County Department of Public Works, Attn: Chief Engineer
335 Yaphank Avenue
Yaphank, NY 11980

New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233-1750

New York State Department of Environmental Conservation
Regional Permit Administrator
50 Circle Rd.
SUNY @ Stony Brook
Stony Brook, NY 11790-3409
DEC Permit # _____

New York State Department of Environmental Conservation
Bureau of Marine Habitat Protection
Building 40, SUNY
Stony Brook, NY 11790-2356

Federal Aviation Administration
Airport Program Manager
600 Old Country Road, Suite 446
Garden City, NY 11530

State Clearinghouse
New York State Division of Budget
State Capital
Albany, NY 12224

Federal Emergency Management Agency
Regional Director
26 Federal Plaza
New York, NY 10278

US Fish & Wildlife Service
Long Island Field Office, Attn: Supervisor
PO Box 608
Islip, NY 11751-0608

US Army Corps of Engineers
Manager
26 Federal Plaza, Room 1937
New York, NY 10278-0098

Suffolk County Water Authority
Director of General Services
PO Box 38
Oakdale, NY 11769-0901

USDA Natural Resource Conservation Service
District Manager
County Center
Riverhead, NY 11901

Applicant