

PLANNING BOARD MEETING

August 5, 2020

Attending remotely via teleconferencing: Chair Samuel Kramer, Vice-Chair Kathleen Cunningham, Members Ian Calder-Piedmonte, Louis Cortese, Sharon McCobb, and Randall T. Parsons, Counsel Thomas Crouch, Director JoAnne Pahwul, Planners Eric Schantz, Fabiha Mubassirah, Marco Wu, and Brian Frank and Secretary Jodi Walker and several other interested persons.

The meeting was called to order at 6:30 PM.

Please note, this meeting was broadcast to the public over LTV and a call-in number was provided.

WORK SESSION:

WAINSCOTT COMMERCIAL CENTER PRELIMINARY SUBDIVISION TABLED

1. 224/228 SPRINGS FIREPLACE, LLC SITE PLAN/SPECIAL PERMIT SCTM #300-145-3-8.1, 10.1

Planner Mubassirah gives an overview and presents plans. The applicant should submit a revised site plan depicting the correct square footage for the total lot coverage on the proposed project.

2. BROOKS-PARKS COTTAGE RELOCATION SITE PLAN SCTM #300-62-7-3.5, 6.1

Planner Wu gives an overview and presents plans. The application is complete and ready for approval.

3. SOUTHAMPTON HOSPITAL FREESTANDING EMERGENCY ROOM SITE PLAN SCTM #300-165-5-22

Planner Schantz gives an overview and presents plans. The board is in support of the proposed zone change with the condition of relocating the ball fields and the establishment of new parcels of equal acreage for affordable Housing Overlay District (AO) designation. Additional project details should be provided in narrative form, including but not limited to:

- Hours of operation for various functions and fluctuations in staff size
- Number of employees at one time
- Anticipated number of ambulance trips
- Anticipated number of helicopter trips
- Anticipated future expansion relating to non-emergency matters
- Containment of hazardous medical materials

The board finds the quantity and design of parking to be adequate. Additional information pertaining to traffic circulation of the Town hall property between the helipad and emergency department should be provided. The board would like to refer the application to the consulting engineer particularly with regard to proposed drainage and traffic. Information pertaining to noise generated from the generator should be submitted. Generator specifications details should be submitted. A Stage 1A and Stage 1B archaeological reports should be submitted. The applicant should provide a 20' wide area for a future bike path contained in the 50' buffer. The lighting plans should be amended as noted in the planning department memo.

4. HELLMAN HANGAR SITE PLAN

SCTM #300-181-2-6

Planner Wu gives an overview and presents plans. The application is ready for approval.

**5. TWIN FORKS MINI STORAGE SITE PLAN
SCTM #300-192-3-43.1, 54**

Planner Schantz gives an overview and presents plans. The modification is ready for approval.

By motions made, seconded, the following resolutions were approved by the Board:

**PLANNING BOARD OF THE TOWN OF EAST HAMPTON
EAST HAMPTON, NEW YORK**

In the Matter of the Application

of

**MINOR SITE PLAN
APPROVAL**

**FREUND –
291 SPRINGS FIREPLACE ROAD SITE PLAN
SCTM #300-119-5-6**

ADOPTED: 8 / 5 / 20

FINDINGS AND DETERMINATION OF THE BOARD

The findings of fact, conclusions, and determination set forth herein are made after consideration of the application, any presentations, memoranda or correspondence made or submitted to the Board by staff or interested parties, comments taken at any public hearing on the application, and inspection of the subject property.

A. PROJECT DESCRIPTION

1. TYPE OF APPROVAL SOUGHT:

(a) Site plan approval pursuant to Article VI of Chapter 255 (Zoning) of the East Hampton Town Code.

2. USE REQUIRING SPECIAL PERMIT: N/A

3. DESCRIPTION OF PROPOSED WORK: Replace and additions to an existing wood retaining wall which includes changing the material to concrete.

4. SIZE OF PROPERTY: 66,299 sq. ft.

5. OWNER OF PROPERTY: Theodore Freund III

6. APPLICANT: Due East Planning, Inc

7. PROPOSED SITE PLAN: Site Plan prepared by Jeffrey T. Bulter, P.E., P.C. dated June 19, 2020, and Revegetation Plan prepared by Due East End Planning Inc, dated June 18, 2020 (SP101)

8. DATE OF PUBLIC HEARING ON APPLICATION: Determined to be a minor site plan; no public hearing required.

B. PROPERTY LOCATION AND DESCRIPTION

1. SUFFOLK COUNTY TAX MAP DESIGNATION: #300-119-5-6

2. STREET LOCATION: 291 Springs Fireplace Road

3. CONTIGUOUS WATER BODIES: N/A

4. HAMLET OR GEOGRAPHIC AREA: East Hampton

5. SITE DESCRIPTION & EXISTING IMPROVEMENTS: It is a multi-unit retail multiple business complex, which has a Certificate of Occupancy for 10,500 sq. ft. 1-story

structures with three stores. The property is nearly 100% cleared of naturally-occurring vegetation with a patch of deciduous woodlands to the north.

6. **FILED MAP NAME:** N/A
7. **FILED MAP NUMBER:** N/A
8. **DATE OF MAP FILING:** N/A
9. **BLOCK NUMBER IN FILED MAP:** N/A
10. **LOT NUMBER IN FILED MAP:** N/A

C. ZONING CLASSIFICATION

1. **ZONING DISTRICT:** NB: Neighborhood Business
2. **ZONING OVERLAY DISTRICT:** N/A

D. SEQRA REVIEW

1. **SEQRA CLASSIFICATION:** Type II
2. **LEAD AGENCY:** N/A
3. **DETERMINATION OF SIGNIFICANCE:** N/A
4. **DATE OF DETERMINATION:** N/A

E. COUNTY COMMISSION REVIEW/ADDITIONAL FINDINGS OF FACT

1. Pursuant to the inter-municipal agreement between the Town of East Hampton and the County of Suffolk, the subject application does not require referral to the Suffolk County Planning Commission (SCPC).

2. By letter dated July 06, 2020, the Fire Department has informed the Board that no additional fire protection devices are needed for this project.

F. COMPLIANCE WITH TOWN CODE OR OTHER REQUIREMENTS OF LAW

Based upon the foregoing, the Planning Board finds that the application as approved, subject to any conditions or modifications specified in § H below, meets the following requirements:

1. The application contains all necessary elements of a site plan as enumerated in § 255-6-50 of the Town Code.
2. The application meets the standards enumerated for review of site plans in § 255-6-60 of the Town Code.

G. DISPOSITION OF APPLICATION

The application is approved as described herein, subject to any conditions or modifications specified in § H below.

1. TYPE OF APPROVAL GRANTED:

(a) Site plan approval pursuant to Article VI of Chapter 255 of the Town Code.

2. NATURE OF APPROVED USE: Retaining wall

3. DESCRIPTION OF APPROVED WORK: Replace and make additions to an existing wood retaining wall which includes changing the material to concrete.

H. CONDITIONS OF APPROVAL

The approval hereby granted is contingent upon full compliance with the conditions set forth in this section. The property may not be used except in accordance with this conditional approval, and all improvements shall be made, built, or installed in accordance with the plans described below.

1. APPROVED SITE PLAN: Site Plan prepared by Jeffrey T. Bulter, P.E., P.C. dated June 19, 2020

2. APPROVED BUILDING OR CONSTRUCTION PLANS:

Planting Plan prepared by Due East End Planning Inc, dated June 18, 2020 (SP101)

3. ADDITIONAL CONDITIONS AND TIME LIMITATIONS:

3.1 No building permits may issue, nor may clearing, grading, or construction activities be commenced, until and unless the conditions enumerated in sub¶ 3.2, and 3.3 below have been met, as evidenced by the report of the Planning Board Chair.

3.2 The applicant shall obtain the final written approval of the Architectural Review Board.

3.3 Removal of picnic tables at the narrow strip of scenic easement area along Springs Fireplace Road based on the provisions of the scenic easement on the property, but otherwise allow the current improved trees, grass and shrubs.

3.4 All landscaping shall be maintained by the applicant in accordance with the approved site planting plan for so long as the improvements approved as part of this site plan are in use. This requirement shall be a continuing condition of this approval, and the applicant and any successors in interest shall replace and replant the landscaping on the site as may be necessary to satisfy this condition.

3.5 No Certificate of Occupancy shall be issued for this site or for the improvements thereon until and unless all of the foregoing conditions have been met.

3.6 The applicant shall apply for and obtain a building permit no later than three (3) years from the date of this resolution.

3.7 The applicant shall apply for and obtain a Certificate of Occupancy no later than four (4) years from the date of this resolution.

I. VALIDITY OF APPROVAL

If any condition of this resolution is not met, or is not met within the prescribed time period, all approvals, permits, or authorizations granted hereby shall be deemed void and of no effect.

DATED: August 5, 2020

cc: Susan Brierley
Due East End Planning, Inc
P.O. Box 4144
East Hampton, NY 11937

Planning Department
Building Inspector
Architectural Review Board

Result: Adopted
Mover: Ed Krug
Seconder: Sharon McCobb
Ayes: Kathleen Cunningham, Sharon McCobb, Randall T. Parsons, Ian Calder-Piedmonte, Louis Cortese, Ed Krug
Recusal: Samuel Kramer

**PLANNING BOARD OF THE TOWN OF EAST HAMPTON
EAST HAMPTON, NEW YORK**

**In the Matter of the Application
of**

**MINOR SITE PLAN
APPROVAL**

**180 SB LLC
MINOR SITE PLAN
SCTM #300-74-5-30.5**

ADOPTED: 8/ 5/ 2020

FINDINGS AND DETERMINATION OF THE BOARD

The findings of fact, conclusions, and determination set forth herein are made after consideration of the application, any presentations, memoranda or correspondence made or submitted to the Board by staff or interested parties, comments taken at any public hearing on the application, and inspection of the subject property.

A. PROJECT DESCRIPTION

1. TYPE OF APPROVAL SOUGHT:

(a) Site plan approval pursuant to Article VI of Chapter 255 (Zoning) of the East Hampton Town Code.

2. DESCRIPTION OF PROPOSED WORK: The site plan application has been made to review the potential excavation of land of 71, 802 sq. ft. of total area, for the purpose of construction of a new single family dwelling, demolition of the existing house, installation of a nitrogen-reducing sanitary system, removal of the pool in the bluff crest setback, construction of a tennis house and improvements to the existing tennis court and drainage structures in the driveway.

3. SIZE OF PROPERTY: 4.409 acre or 192,039 square feet

4. OWNER OF PROPERTY: 180 SB LLC

5. APPLICANT: Matthews, Kirst & Cooley, PLLC

6. PROPOSED SITE PLAN: Site Plan Map prepared by George Walbridge Surveyors, P.C. dated January 8, 2020.

7. DATE OF PUBLIC HEARING ON APPLICATION: Determined to be a minor site plan; no public hearing required.

B. PROPERTY LOCATION AND DESCRIPTION

1. SUFFOLK COUNTY TAX MAP DESIGNATION: #300-74-5-30.5

2. STREET LOCATION: 180 Springy Banks Road

3. CONTIGUOUS WATER BODIES: Three Mile Harbor

4. HAMLET OR GEOGRAPHIC AREA: East Hampton

5. SITE DESCRIPTION & EXISTING IMPROVEMENTS: The site is located in an A5 Residence zoning district and within Harbor Protection Overlay District (HPOD). The project area contains level to steeply sloping terrain with well drained soils. The property is currently improved with one single family residence including 2511 sq. ft. first floor, 1873 sq. ft. second floor, which has one kitchen, a total of (6) six bedrooms only; 1068 sq. ft. covered porches; 365 sq. ft. screened porch; 100 sq. ft. deck; 1400 sq. ft. in place in kind roof deck; 720 sq. ft. Gunite swimming pool with proper fencing and patio; tennis court; 192 sq. ft. shed; 144 sq. ft. gazebo; and a generator.

6. FILED MAP NAME: N/A

7. FILED MAP NUMBER: N/A

8. DATE OF MAP FILING: N/A

9. BLOCK NUMBER IN FILED MAP: N/A

10. LOT NUMBER IN FILED MAP: N/A

C. ZONING CLASSIFICATION

- 1. ZONING DISTRICT:** A5 Residence
- 2. ZONING OVERLAY DISTRICT:** Harbor Protection Overlay District (HPOD)

D. SEQRA REVIEW

- 1. SEQRA CLASSIFICATION:** Type II
- 2. LEAD AGENCY:** N/A
- 3. DETERMINATION OF SIGNIFICANCE:** N/A
- 4. DATE OF DETERMINATION:** N/A

E. COUNTY COMMISSION REVIEW/ADDITIONAL FINDINGS OF FACT

- Pursuant to the inter-municipal agreement between the Town of East Hampton and the County of Suffolk, the subject application does not require referral to the Suffolk County Planning Commission (SCPC).
- This minor site plan application has been made only to review the areas of potential excavation as required of the Condition of Approval from the Anthony D. Duke Minor Subdivision, 1994 and the Declaration of Covenant & Restrictions from 2002 to ensure that any new constructions or excavations does not have an impact on the archeological remains on the subject lot.
- Phase 1 Archeological Investigation report prepared by Tracker Archeology, Inc., dated February 2020 informs that no historic artifacts or features were encountered on the subject property and recommends that no further archeological work is needed for the remainder of the project area.
- By letter dated March 31, 2020, the Fire Department has informed the Board that no additional fire protection devices are needed for this project.

F. COMPLIANCE WITH TOWN CODE OR OTHER REQUIREMENTS OF LAW

Based upon the foregoing, the Planning Board finds that the application as approved, subject to any conditions or modifications specified in § H below, meets the following requirements:

- The application contains all necessary elements of a site plan as enumerated in § 255-6-50 of the Town Code.
- The application meets the standards enumerated for review of site plans in § 255-6-60 of the Town Code.

G. DISPOSITION OF APPLICATION

The application is approved as described herein, subject to any conditions or modifications specified in § H below.

1. TYPE OF APPROVAL GRANTED:

(a) Site plan approval pursuant to Article VI of Chapter 255 of the Town Code.

2. NATURE OF APPROVED USE: Review the areas of potential excavation.

3. DESCRIPTION OF APPROVED WORK: The site plan application has been made to review a total area of 71,802 sq. ft. for potential excavation. The review of the proposed excavated area was required based on the Condition of Approval (paragraph 16.15) from Anthony D. Duke Minor Subdivision, 1994 and paragraph six (6) of the Declaration of Covenants and Restrictions (C&R), 2002. Both of the resolutions state that any future improvements on Lot No 2 which require the excavation of land shall require site plan review and approval by the Planning Board of Town of East Hampton.

An archeological study was done to examine the proposed excavated area to ensure that any new constructions or excavations does not have an impact on the archeological remains on the subject lot. 'The Phase 1 Archeological Investigation' report was submitted after the study that contains

a Phase 1A archeological documentary study and a Phase 1B field testing.

H. CONDITIONS OF APPROVAL

The approval hereby granted is contingent upon full compliance with the conditions set forth in this section. The property may not be used except in accordance with this conditional approval, and all improvements shall be made, built, or installed in accordance with the plans described below.

1. APPROVED SITE PLAN: Site Plan Map prepared by George Walbridge Surveyors, P.C. dated January 8, 2020

2. ADDITIONAL CONDITIONS AND TIME LIMITATIONS:

2.1. The excavation on the property for construction or any other activity shall occur and be limited to the areas depicted on the approved site plan.

I. VALIDITY OF APPROVAL

If any condition of this resolution is not met, or is not met within the prescribed time period, all approvals, permits, or authorizations granted hereby shall be deemed void and of no effect.

DATED: August 5, 2020

cc: Alice Cooley, Esq.
Matthews, Kirst & Cooley, PLLC
241 Pantigo Road
East Hampton, NY 11937

Planning Department
Building Inspector

Result: Adopted
Mover: Louis Cortese
Secunder: Ed Krug
Ayes: Samuel Kramer, Kathleen Cunningham, Sharon McCobb, Randall T. Parsons, Ian Calder-Piedmonte, Louis Cortese, Ed Krug

Upon motion duly made and seconded the meeting was adjourned at 9:40 PM.