

MILLER, GATES & MEYER

Baseline Documentation



Suffolk County Tax Map

300-63-2-9.1

889 Fireplace Road

Area 4.56 Acres

Town of East Hampton, New York

Purchase of Development Rights

The Community Preservation Fund Law was enacted to help protect and preserve open and undeveloped lands in the Town of East Hampton and the Incorporated Villages, including wetlands, woodlands, agricultural lands, shorelands and the other natural resources of the town; for the purposes of protecting historic places and properties within the town; and for the purpose of providing the town's visitors and residents with outdoor recreational opportunities.



LOCATION MAP

Suffolk County Real Property Tax Service
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 Real Property Taxmap parcel linework used with permission of
 Suffolk County Real Property Tax Service Agency (R.P.T.S.A.)



Prepared by
THE TOWN OF EAST HAMPTON
 Suffolk County, New York

**COMMUNITY PRESERVATION FUND
 DEVELOPMENT RIGHTS**

TOWN OF EAST HAMPTON
SCTM #300 - 063.000 - 0002 - 009.001
Miller, Gates & Meyer Property
889 Fireplace Road
Springs School District



Resolution
RES-2012-1060
Adopted Oct 4, 2012 7:00 PM

Miller, Meyer and Gates CPF Addition After Hearing

WHEREAS, a public hearing was held by the Town Board of the Town of East Hampton on **October 4, 2012 at 7:00 p.m.**, regarding a Local Law adopting a revised "Community Preservation Project Plan," pursuant to Section § 64-e of the New York Town Law, which provides for the preservation of open space, historic places, and recreational areas within the Town of East Hampton, including the incorporated villages therein, to include lands reputedly owned by **Charles Miller, Valerie Meyer, Denis Gates and Debra Gates** and identified on the Suffolk County Tax Map as SCTM # **300-63-2-9.1**, all as more fully set forth in the text of the Local Law; and

WHEREAS, the Town Board has considered the comments of all persons regarding this Local Law, both as submitted in writing and as presented orally at the public hearing; and

WHEREAS, the Town Board has prepared and considered Environmental Assessment Forms which evaluate the potential environmental impacts of the proposed Local Law; and

WHEREAS, the Board has determined that the adoption of this Local Law will not have a significant negative impact upon the environment; and

WHEREAS, the acquisition of this property is considered an unlisted action pursuant to the New York State Environmental Quality Review Act (SEQRA) and chapter 128 Environmental Review, of the Town Code; and

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

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

LOCAL LAW NO. 15 OF 2012
INTRODUCTORY NO. 19 OF 2012

A Local Law providing for the adoption of a revised "Community Preservation Project Plan," pursuant to Section § 64-e of the New York Town Law, which provides for the preservation of open space, historic places, and recreational areas within the Town of East Hampton, including the incorporated villages therein, to include lands reputedly owned by **Charles Miller, Valerie Meyer, Denis Gates and Debra Gates** and identified on the Suffolk County Tax Map as SCTM #**300-63-2-9.1**, as more fully set forth in the text of the Local Law, said Local Law to read as follows:

BE IT ENACTED by the Town Board of the Town of East Hampton as follows:

SECTION I. - FINDINGS AND OBJECTIVES:

This local law adopts a revised "Community Preservation Project Plan" pursuant to Section § 64-e of the New York Town Law. The revised plan supplants the Community Preservation Project Plan which was first adopted by the Town Board on August 4, 1998 and

adopted as revised on July 7, 2011 and which continues to list all properties whose preservation is necessary to the preservation of the community character of the Town of East Hampton.

The Town Board wishes to amend the plan as most recently adopted on July 7, 2011 to provide for the addition of **approximately 4.9 acres** of land reputedly owned by **Charles Miller, Valerie Meyer, Denis Gates and Debra Gates** located at **889 Fireplace Road, Springs (SCTM #300-63-2-9.1)**

SECTION II. - COMMUNITY PRESERVATION PROJECT PLAN ADOPTED:

For the reasons set forth in Section I hereof, the Town Board hereby approves and adopts the addition of **approximately 4.9 acres** of land at **889 Fireplace Road, Springs**, reputedly owned by **Charles Miller, Valerie Meyer, Denis Gates and Debra Gates** and identified as SCTM #**300-63-2-9.1** to the list of Open Space Recommendations in the "Community Preservation Project Plan" prepared by the Town Planning Department and dated July 7, 2011, said plan being intended to constitute, in its revised form, the community preservation project plan which is required by Section § 64-e of the New York Town Law and Article I ("Community Preservation Fund") of the East Hampton Town Code.

SECTION III. - SEVERABILITY:

Should any part or provision of this Local Law be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole nor any part thereof other than the part so decided to be unconstitutional or invalid.

SECTION IV. - EFFECTIVE DATE:

This Local Law shall take effect immediately upon filing with the Secretary of State as provided by law.

AND BE IT FURTHER RESOLVED, that, as required by Town Law Section § 64-e (6), the Town Clerk is directed to forward copies of this resolution together with copies of the revised Community Preservation Project Plan dated July 7, 2011 to the following State agencies:

Commissioner, New York State Office of Parks, Recreation, and Historic Preservation,
20th Floor, Agency Bldg. #1, Empire State Plaza, Albany, New York 12238;

Commissioner, New York State Department of Environmental Conservation,
625 Broadway, Albany, New York 12233-1010; and

Commissioner, New York State Department of Agriculture and Markets,
1 Winner's Circle, Albany, New York 12235.

DATED: **October 04, 2012**

YORK

BY ORDER OF THE TOWN BOARD
TOWN OF EAST HAMPTON, NEW

FRED L. OVERTON, TOWN CLERK

Resolution
RES-2012-1111
Adopted
Oct 18, 2012 7:00 PM

AUTHORIZE ACQUISITION

Property of: Miller, Meyer & Gates
Address: 889 Spring Fireplace Rd., Springs
SCTM #: 300-63-2-9.1

WHEREAS, pursuant to § 247 of the General Municipal Law of the State of New York, the Town Board held a public hearing on **October 18, 2012** to considering the Purchase of Development Rights, for agricultural and open space purposes, that consists of approximately **4.9 Acres** of land located at 889 Springs Fireplace Rd., **Springs** which lands are identified on the Suffolk County Tax Map as **SCTM #300-63-2-9.1**; and

WHEREAS, the proposed purchase price for Development Rights of the subject property is **\$575,000.00**, plus survey, title, prorated tax, and recording charges; and

WHEREAS, the purpose of said acquisition is to preserve community character through the preservation of Agricultural Open Space; and

WHEREAS, the acquisition of the subject property is classified as a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town Board finds, pursuant to § 64-e (8) of the New York Town Law, that acquisition of the subject property by purchase is the best alternative, of all reasonable alternatives available to the Town, for protection of the community character of the Town of East Hampton, and that such acquisition would be in the best interests of the Town; and

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized and directed to enter into a contract of sale with the record owner of the subject property, reputedly **Charles Mac Miller, Valerie Meyer, Denis Gates & Debra Gates**, for the purpose of acquiring said property at a cost to the Town of East Hampton not to exceed **\$575,000.00**, plus reasonable survey, title, prorated tax, and recording charges; and be it further

RESOLVED, that pursuant to contract the Supervisor is authorized and directed to execute any documents and the Town Budget Officer is directed to pay the purchase price and any and all reasonable survey, title, prorated tax, and recording charges, as may be necessary to effect the transfer of title; and be it further

RESOLVED, that pursuant to § 64-e of the New York Town Law, the acquisition of subject property also includes the acquisition of development rights and the right of the Town Board to transfer such rights at a future date; and be it further

RESOLVED, the monies to be expended for purchase of the foregoing property shall be drawn from the Town of East Hampton **Community Preservation Fund** Budget Account.