

Village of East Hampton

Open Space Program

Planning, Management & Implementation

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Revised Open Space Plan Adopted By The Board of Trustees December 18, 2009

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of the
Incorporated Village of East Hampton*

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Forward

In 1998 this Open Space Program was the first Comprehensive Plan element adopted by the Village Board of Trustees. The adoption of this Program set the stage for the Village Comprehensive Plan which followed in 2002.

In 1998 voters approved the Community Preservation Fund whereby proceeds from a 2% real estate transfer tax were made available for open space acquisitions. The Village of East Hampton entered into an agreement with the Town of East Hampton to share the proceeds from this 2% transfer tax. As stipulated by this agreement, properties in the Village acquired with monies from this fund would be owned by the Town of East Hampton but managed exclusively by the Village. An example of this relationship was the acquisition of the property known as the Buick Dealership which was purchased jointly but is being managed by the Village.

The Community Preservation Fund moneys can only be applied to properties identified in the Community Preservation Project Plan in accordance with Section 64-e of the New York State Town Law. This allows the Village and Town to update its list of proposed acquisitions from time to time. Accordingly, this document is the second revision of the original Open Space Program, re-addressing and expanding the programs within the preceding documents. The most notable addition at this time is the Historic Preservation Program to further facilitate the protection and preservation structures and properties that form a substantial contribution to the historic character of the Village.

In 2002, the Village adopted the Comprehensive Plan which contains a series of prioritized recommendations which are reviewed by the Planning and Zoning Committee (see Addendum). Implementation of these recommendations is the ongoing focus of the Planning & Zoning Committee. Where deemed appropriate

and necessary, legislation to implement these recommendations is drafted, reviewed and then forwarded to the Board of Trustees for public hearing and possible adoption into the Village Code. While many of these recommendations have been acted upon, others remain to be considered. Gradually, the Village Code is being brought into alignment with the Comprehensive Plan.

In 2004, revisions to this document were made to further the notion that it is necessary to understand a problem prior to effecting a solution. A clear understanding of development potential, the predominance of redevelopment and the posture of the Village in the review of applications is critical in order to identify:

- which open spaces should be protected;
- how existing procedures should be expanded and improved;
- what procedures need to be initiated, and;
- what mechanisms need to be created.

Over the years, public and private holdings have been amassed constituting significant open spaces. Such holdings include Herrick Park, the Nature Trail and the Maidstone Club as well as Village Greens at Banister Park, Town Pond, the Sheep Fold, Methodist Lane, Egypt Lane and various Nature Conservancy holdings. This assemblage of open space is accented by the waters of Hook Pond, Georgica Pond and the Atlantic Ocean. In addition, the Village has acquired numerous easements on private property over the years.

This revision reflects various changes, established open space since 2004 as well as additional recommendations.

Introduction

The Village has been growing and developing for over three-and-a-half centuries. As a result, few vacant parcels remain and few opportunities to create new lots remain. In 1987, all Residential Districts were rezoned so as to greatly diminish the number of potential new lots that could have been created through subdivision activity. Although there remains limited potential for new development, Village agencies have the more challenging task of managing redevelopment whereby existing development patterns dictate. Significant opportunities exist to implement broad policies within this process of ongoing change.

Numerous impacts are associated with extensive existing development. Consequently, the review of an application usually involves an attempt to mitigate existing impacts along with potential impacts. This additional complication dictates that Village agencies strive to attain the epitome of "good planning," where the needs of the applicant are recognized within the context of the Village Code in order to achieve what is best for the community.

As the village is already extensively developed, the process of redevelopment is most prevalent. Public and private partnerships are necessary to bring about the protection of open space on a parcel-by-parcel basis.

The Comprehensive Plan for the Village of East Hampton states as one of its goals "to protect and preserve the Village's great beauty and natural areas." Among the objectives in furtherance of this goal are to "protect open spaces that will further preserve the scenic, ecological, and historical character of the Village"; to "continue to preserve and protect the Village's beaches, primary dunes, and double dunes"; and to "protect and preserve the Village's wetlands". Another stated goal of the Comprehensive Plan is to "protect and preserve the historic character of the

Village" with the objective of adding "to the Village's inventory of historic resources (sites, structures, open spaces and landmarks)". In furtherance of these goals, the Village Board of Trustees acted in 2007 to authorize the Planning Board to utilize the tools available pursuant to §7-738 of New York State Village Law and permit the Planning Board to require the implementation of a cluster subdivision plan where in the Planning Board's discretion "such a plan will promote the most appropriate use of land, preserve the natural and scenic qualities of open lands, preserve agricultural lands, protect cultural and historic sites and promote flexibility in planning and design to encourage and promote the most appropriate use of land."

In a community with hundreds of acres of land yet to be subdivided, the adoption of mandatory cluster provisions would be an invaluable tool. However, given the extent of existing development, the Village must continue to rely upon other means of protecting open space features.

An important distinction has been made between "open space" and "the character of the village." While open spaces contribute to the character of the village, village character is not a substitute for open space. To a large extent, the character of the village has been shaped by zoning and other controls. Open space is achieved by acquisition or some legal device such as an easement.

An easement is a public benefit over private property wherein the property owner retains title. The easement method of restricting the use of property by agreement can be used by local government as a means of protecting open space. Section 247 of the General Municipal Law empowers a county, city, town or village to acquire open space easements. This law also provides that the valuation placed on any such open space or area for

purposes of real estate taxation shall take into account and be limited by the limitation on future use of the land.

The Open Space Policy of the Village has evolved over time. Subsequently, the initial adoption of this Program in 1998 and subsequent revision in 2004 together with the adoption of a Comprehensive Plan have contributed to the protection of various open space features. Various chapters of the Village Code already contribute to the policies and standards which effectively protect features such as beach grass, coastal areas, dunes, flood plains and wetlands. The adoption of legislation intended to protect these features such as Chapter 101, Coastal Hazard Erosion Areas; Chapter 124, Preservation of Dunes; Chapter 160, Flood Damage Prevention and Chapter 163, Freshwater Wetlands were important in recognizing these features and establishing requirements such as minimum setbacks to ensure their protection.

Properties considered for inclusion in the Open Space Program were identified by category, field inspection, review of tax rolls, and aerial photographs. This Program will:

1. establish the importance of open spaces both historically and culturally;
2. identify remaining potential open spaces;
3. outline adoption and acquisition procedures; and,
4. promote an open space planning and management program.

Historic Background

The design of the Village of East Hampton today is directly related to the way the settlement was plotted in 1648. The settlers laid out their plantations in typical Puritan New England fashion with a nucleus of houses and barns concentrated on either side of a wide common. Outlying lands were divided into lots for growing crops, pasturing livestock, and harvesting salt hay and timber.

The broad village common, which is now Main Street, was laid out on the plain north of Hook Pond. The common was flanked on either side by home lots of eight to twelve acres each. The home lots extended from the common east to Hook Pond and west to Highway Behind the Lots, presently known as Toilsome Lane.

The adjacent fertile plains were divided into lots for crops and pasture. The Eastern Plain, extending from Egypt Lane east to Cross Highway, was divided into large lots defined and accessed by Further, Middle and Hither Lanes. Great Plain ran from Hook Pond to Lily Pond and Little Plain from Lily Pond to Georgica Pond.

Each of the proprietors lived at the farmhouse on his Main Street home lot and traveled to a number of scattered outlying lots to tend to his crops and livestock. This pattern continued in East Hampton into the twentieth century. Even today, farmers utilize some of the same scattered outlying fields. East Hampton is one of the few places where the original design of a seventeenth-century New England agricultural plantation is still so evident.

The discovery by artists of East Hampton's picturesque agrarian landscape in the last quarter of the nineteenth century led to the establishment of the "summer colony." The intact design of the original settlement provided ample open land adjacent to the

Main Street core for new development. The heart of the summer colony extended from the south end of Main Street into the open fields of the Great Plain along Ocean Avenue and Lily Pond Lane.

Main Street home lots were subdivided and roads built to accommodate new summer cottages on Hunting Lane and Dunemere Lane. During the twentieth century the continued division of the original home lots has resulted in the following residential streets: Fithian Lane, The Circle, David's Lane, Sara's Way, Pondview Lane, Dayton Lane, Meadow Way, and Mill Hill Lane.

The Eastern Plain began to be developed early in this century. Here, the large agricultural lots were suited to sizable estates in comparison to the more modest scale of the earlier summer colony on the Great Plain.

Today, many landscapes, open spaces and neighborhoods give the village its historic character. The Main Street core and many outlying properties are reminders of East Hampton's first 250 years as an agrarian community. Certain landscapes still recall the picturesque beauty of turn-of-the-century East Hampton which inspired the visiting artists, who promoted the village as a summer retreat. The summer colony of unpretentious, shingled cottages which grew along Ocean Avenue into the Great Plain developed its own open and informal neighborhood character. The scale and openness of the larger summer estates on the Eastern Plain complement the few remaining open agricultural parcels.

Although greatly simplified, this summary of the evolution of the village demonstrates that many remaining open spaces and landscapes have a vital historic and cultural value.

Past Methods

PAST METHODS

The Village has amassed an extensive system of open spaces by a variety of methods over the past three-and-a-half centuries.

ACQUISITIONS

In the past, acquisition has provided the most definitive means of securing open space, by taking properties out of private ownership and the realm of development. In the Village of East Hampton, such acquisitions have significantly distinguished the agrarian, historic and cultural character of the community.

Examples of past open space acquisitions include: the Hook Mill Green at the north end of Main Street; the property associated with the former Sea Spray Inn at the Main Beach, and the Sheep Fold at Egypt Lane, Gay Lane and Pantigo Road. More recent purchases include: the lawn between Main Street and what was known as the Old Barn Bookshop; the residential parcel that adjoined Herrick Park on Newtown Lane; the Gardiner Mill Lot on James Lane, and the former Mark R. Buick property at Pantigo Road and Accabonac Road.

GIFTS

A number of open space holdings have been gifted, most notable of which are several parcels which make up the Nature Trail. Others include Herrick Park (managed by the Neighborhood Association), and a two-acre addition to the Nature Trail south of David's Lane.

EASEMENTS

Though not an outright gift, the dedication of easements to the Village results in a significant allocation of open space. Easements which protect open space exist in a variety of forms. The mutual benefit is that the public enjoys the protection of an open space feature while the landowner retains title. Such easements are created in accordance with Section 247 of General Municipal Law, "Acquisition of Open Spaces and Areas."

The provisions of this Section of State Law read as follows:

1. Definitions. For the purpose of this chapter an "open space" or "open area" is any space or area characterized by (1) natural scenic beauty or, (2) whose existing openness, natural condition, or present state or use, if retained, would enhance the present or potential value of abutting or surrounding urban development, or would maintain or enhance the conservation of natural or scenic resources. For purposes of this section natural resources shall include but not be limited to agricultural lands defined as open lands actually used in bona fide agricultural production.

2. The acquisition of interests or rights in real property for the preservation of open spaces and areas shall constitute a public purpose for which public funds may be expended or advanced, and any county, city, town or village after due notice and a public hearing may acquire, by purchase, gift, grant, bequest, devise, lease or otherwise, the fee or any lesser interest, development right, easement, covenant, or other contractual right necessary to

achieve the purposes of this chapter, to land within such municipality. In the case of a village the cost of such acquisition of interests or rights may be incurred wholly at the expense of the village, at the expense of the owners of the lands benefited thereby, or partly at the expense of such owners and partly at the expense of the village at large as a local improvement in the manner provided by article twenty-two in the Village Law entitled "Local Improvements."

3. After acquisition of any such interest pursuant to this act the valuation placed on such an open space or area for purposes of real estate taxation shall take into account and be limited by the limitation on future use of the land.

4. For purposes of this section, any interest acquired pursuant to this section is hereby enforceable by and against the original parties and the successors in interest, heirs and assigns of the original parties, provided that a record of such acquisition is filed in the manner provided by section two hundred ninety-one of the Real Property Law. Such enforceability shall not be defeated because of any subsequent adverse possession, laches, estoppel, waiver, change in character of the surrounding neighborhood or any rule of common law. No general law of the state which operates to defeat the enforcement of any interest in real property shall operate to defeat the enforcement of any acquisition pursuant to this section, unless such general law expressly states the intent to defeat the enforcement of any acquisition pursuant to this section.

As a consequence of this legislation, numerous Scenic and Conservation Easements have been dedicated in the history of the village. The terms and conditions of these easements are individualized yet can be generally categorized with respect to the feature(s) designated for protection.

Buffer, Agricultural, Duneland and Wetland Easements each contain specific terms and conditions relative to the features which they seek to protect. Buffer Easements constitute a general category which protect some form of vegetation such as a hedgerow or a wooded area. Agricultural Easements usually preserve the soil and retain the open vistas while making the land available for some form of agricultural use. Duneland Easements and Wetland Easements are intended to protect natural features.

Years ago, Large Lot Easements evolved as a product of the subdivision process. When an applicant proposed the creation of a lot which exceeded the minimum lot size requirement of zoning by 150% or more, an easement precluding further subdivision was required. Further division of the burdened property was typically discouraged by limiting improvements to those associated with a single-family residence. Dedication of such easements on newly created lots in excess of 150% of the minimum lot size requirement served to prevent further subdivision of such lots. In many instances, the limitations of these Large Lot easements may have been rendered moot when the Village rezoned Residential Land d in 1987. For example, lots which exceeded 150% of the minimum lot size requirement of 40,000 square feet, prior to the upzoning, may no longer exceed the current minimum lot size requirement of 80,000 square feet by 150%.

Among the easements which have been dedicated in connection with developed properties, approximately half are Large Lot Easements.

Most of these easements came about prior to the 1987 rezoning. Prior regulations governing the division of property provided an inducement to create four lots or less, known as a Minor Subdivision or Subdivision Waiver. In this process, an extensive review was abbreviated and certain requirements (including the creation of streets) were waived. This form of division was prevalent whenever the potential yield did not warrant the additional expense of time and money associated with the requirements applicable to a full subdivision. As a consequence, land owners opted to create four lots or less and thereby avoid the requirements applicable to major subdivisions. In sacrificing density, these lots often exceeded minimum lot area requirements. Large Lot Easements were offered to preclude further subdivision and ensure that the limited improvements required at the time of subdivision would remain adequate. Consequently, Minor Subdivisions (Subdivision Waivers), which generated numerous Large Lot Easements, have been an effective tool in further controlling density and retaining the character of the village in the form of large lots.

Comparatively, there are relatively few easements protecting dune lands and wetlands.

ZONING AND OTHER CONTROLS

Existing “open spaces” are part of village character. In addition to the aforementioned techniques, other measures have helped contribute to and protect natural and cultural features.

As noted, the Village opted to rezone all Residential Districts in 1987. In so doing, the emphasis was to limit density and future development in order to retain village character. At the

time, a possible alternative might have been to adopt subdivision regulations which could have included “mandatory clustering” to secure open spaces in the form of Reserved Areas. This alternative would not have reduced density and would have affected only those parcels with remaining development potential of more than four lots. While “open spaces” might have been extracted in the form of Reserved Areas, development of these properties would have occurred at a higher density. In contrast, the rezoning had a more uniform effect on all residential lands and respected the existing development pattern. With the exception of certain Filed Maps, all Residential Districts were rezoned as noted in the following table:

Prior to Upzoning	After Upzoning
Residence District C (12,000 sq. Ft.)	Residence District R-20 (20,000 sq. ft.)
Residence District B (20,000 sq. Ft.)	Residence District R-40 (40,000 sq. ft.)
Residence District A (40,000 sq. ft.)	Residence District R-80 (80,000 sq. ft.)
Residence District AA (80,000 sq. ft.)	Residence District R-160 (160,000 sq. ft.)

Other than minimum lot size requirements, the dimensional requirements were retained for each district with respect to the setbacks of the existing development pattern.

This increase in minimum lot size requirements for all residential districts contributed significantly to the character of the village in that it reduced further development potential and population density. The typical exclusionary effects of large-lot or open density zoning were offset by the predominance of small lots, many of which were less than one half acre in size, which existed at the time. Although this action rendered approximately 85% of the existing parcels lawfully preexisting, nonconforming with respect to

lot area, the broad diversity of parcel sizes within the Village provided a wide spectrum of housing opportunities.

As previously stated, this rezoning included lots which previously exceeded zoning by 150% for which Large Lot Easements had been dedicated. As a result of this rezoning, many of these lots are substandard in size by current minimum lot area requirements..

Given the extent to which the Village had developed over three and a half centuries, the 1987 rezoning affected most residential properties. Other alternatives such as tightening subdivision controls, rezoning of undeveloped land only, requiring a high percentage of Reserved Area and/or incorporating mandatory cluster would have only affected approximately 15% of the remaining parcels.

SUFFOLK COUNTY SANITARY CODE - ARTICLE 6

In 1987, the Suffolk County Department of Health Services adopted Article 6 of the Sanitary Code which created "Groundwater Management Zones." Generally speaking, the purpose of this Article is to protect groundwater resources by imposing density requirements over water recharge areas.

Suffolk County Department of Wastewater Management rates the design flow (water usage) of a single-family residence at 300 gallons/day. Most lands in the Village of East Hampton are located in Groundwater Management Zone IV where the maximum permitted density of the Health Department is 600 gallons of effluent a day for each 40,000 square feet of land. This translates

into a minimum lot size of 20,000 square feet per residence. Those portions of the Village lying north of Montauk Highway and west of Main Street are in Zone V where the maximum density is 300 gallons of effluent a day or a maximum density of one house for each 40,000 square feet of land.

In addition to compliance with Village Zoning, the subdivision required approval of the Health Department as well as that of the Planning Board. Years ago, the most restrictive density requirements of the two agencies prevailed. At the time, the consequences of Article 6 were:

- that the division of land in Zone V is subject to a minimum standard of one lot/40,000 sq. ft. regardless of Village Zoning, and
- that the Health Department requirements validate the Village's minimum lot size requirement of 20,000 sq. ft.

The Health Department Density Requirements of one house for each 40,000 square feet superseded the 20,000 square feet minimum of Village Zoning in place at the time..

Years ago, the Planning Board granted Preliminary Approval to "The Field Off Toilsome" (a.k.a. "The Borden Farm") in accordance with the provisions of Residence District R-20 (20,000 sq. ft.), only to grant Final Approval for 40,000 sq. ft. lots as a result of the Health Department's minimum lot size requirement. In the review of "The Field Off Toilsome" (11 acres) the Planning Board ascertained that fifteen acres represented the minimum acreage for viable agricultural use.

More recently, the Health Department is promoting the protection of ground water within the Pine Barrens Region. To accomplish this, applicants have the option of purchasing development rights within the Pine Barrens Region for transfer to outlying areas. To ensure that the residential density within the Village would not be increased by this program, the Village rezoned those properties lying north of Montauk Highway and west of Main Street from Residence District R-20,000 to Residence District R-40,000.

EXISTING REVIEW PROCEDURES

Applications in various jurisdictions are heard and determined by the Design Review Board, the Planning Board and the Zoning Board of Appeals. Together with the review of site plans, subdivisions, variances and appeals, these Village agencies regulate natural and cultural features including coastal areas, dunelands, wetlands and properties located in Historic Districts. The current planning policy of the Village with respect to these features is evidenced by the existing regulations and controls of the Village Code which provide for the rigorous protection of these features. As an example, development along the ocean is controlled by Chapter 101, Coastal Erosion Hazard Areas, Chapter 124, Preservation of Dunes and Chapter 160, Flood Damage Prevention. Preservation of Dunes requires setbacks for the Atlantic Double Dunes east of Old Beach Lane which range between three hundred and five hundred feet landward of the Primary Dune Crest.

Properties abutting Georgica and Hook Ponds and other wetlands are subject to the most stringent setbacks in the State. These regulations manage existing development by encouraging the relocation of nonconforming sanitary systems to conforming locations 200 feet from the upper edge of wetlands.

Since adoption of the Commercial Districts in 2000, the Board of Trustees diminished coverage and created a transitional yard requirement. In 2004, this document was revised to include the Commercial Streetscape Program to promote the creation of open space in the commercial districts. Currently, the Planning & Zoning Committee is evaluating requirements pertaining to commercial properties.

Similarly, Historic District Guidelines manage the changes which may occur to those portions of the community which contribute most to its heritage.

The expansion and/or alteration of preexisting, nonconforming uses, other than residential uses in a residence district, are managed by a Special Permit Process which requires:

- 1) Preliminary Review by the Design Review Board;
- 2) Review and Approval by the Zoning Board of Appeals; and
- 3) Final Site Plan Approval by the Design Review Board.

Such a system of checks and balances is indicative of the type of review dictated by the extent of existing development. The priority must be to ensure that proposed changes will fit within the context of the existing development pattern of the village.

Beyond these existing measures, Recommended Actions of the Comprehensive Plan included Open Space considerations for commercial properties and have resulted in the adoption of Design Review Guidelines.

*Remaining
Development Potential*

POTENTIAL NEW PARCELS REMAINING

Prior to determining which tools are most appropriate in securing protection of "open spaces," it is first necessary to examine the extent to which the village is already developed.

Approximately 90% of the residential land in the Village has been developed and redeveloped over the past three-and-a-half centuries. Of approximately 2,200 parcels, about 300 remain undeveloped. The character of the Village has evolved from this ongoing process. Local Law #16 of 1987 rezoned all of the residential lands in the Village in order to limit development and provide open areas. These changes were designed to increase the minimum lot area requirement of residential land throughout the Village. As a consequence of this action, the residential development potential of the Village was significantly reduced.

In 1987, the Suffolk County Health Department created Groundwater Management Zones with the adoption of Article 6 of the Sanitary Code. All lands north of Montauk Highway and west of Main Street are included in Zone V, wherein the minimum lot size is 40,000 sq. ft. These Health Department requirements supersede local zoning for properties north of Montauk Highway and west of Montauk Highway and North Main Street. In these instances, development potential is further restricted.

The following table clearly demonstrates that little development potential remains. More importantly, it becomes apparent that understanding the remaining development potential of the Village is critical in determining the appropriate means by which "open spaces" might be protected.

RESIDENTIAL PROPERTIES IN EXCESS OF FOUR ACRES WITH FUTURE DEVELOPMENT POTENTIAL

SCTM #	Size/Acres	District	Zone V	Yield	Soils	Use
301-2-7-8	5.2	R-20/80	Yes	4	Prime	Res. Estate
301-4-4-1	10.6	R-20	No	18	Prime	Agricultural
301-4-8-16	5	R-80	No	2	Some	Res. Estate
301-6-1-9.1	57.1	R-160	No	14		Res. Estate
301-7-3-2	8.2	R-160	No	2		Res. Estate
301-8-9-2.1	9.3	R-160	No	2	Prime	Res. Estate
301-8-12-13.4	6.7	R-80	No	2		Res. Estate

7 Parcels	102.1 acres					44 Parcels
Net Increase (44-7) or 37 Parcels						

Note: Parcels are identified by Suffolk County Tax Map Number. The table then identifies the acreage of the parcel as indicated by the tax maps. In addition to identifying the Village Zoning District, the table notes whether or not the parcel is located in Zone V as established by the Health Department (if so, a minimum lot size of 40,000 sq. ft. applies). On the basis of parcel size and minimum lot size, a yield is established. Where a subdivision road is anticipated as necessary, the calculation was adjusted by estimating 110 feet of road per lot (by adding a factor of 5,500 sq. ft. per lot, 11,000 in Residence District 160). The presence of prime agricultural soils is noted as identified in the Suffolk County Soils Survey. The current use is indicated as either Agricultural or Residential Estate (Res. Estate). Note minimum lot area requirements are as follows: R-20 = 20,000 sq. ft.; R-40 = 40,000 sq. ft.; R-80 = 80,000 sq. ft. and; R-160 = 160,000 sq. ft.

(The Table does not include premises of the Maidstone Club. Refer to the map section in rear of report for location of these parcels).

Summary

There remain only seven parcels in excess of four acres with the potential for further subdivision in the Village. Four of these parcels could each be split into two lots. In addition to the two parcels having a potential yield in excess of four lots, there are numerous smaller parcels which exceed zoning and may have the potential to be divided into two or more lots. All inclusive, it is estimated that less than 100 new lots might be created by subdivision under current zoning as this number includes existing lots. The point is simply this: there is little potential for the creation of new lots in the Village.

Evidently, the past rezoning has severely limited the potential for further subdivision. Where such opportunities do exist, they generally occur at much lower densities than that of the surrounding area.

PARCELS REMAINING FOR AGRICULTURAL USE

The Village is located on a flat outwash plain along the shoreline of the Atlantic Ocean. Accordingly, a "General Soil Map" compiled by the United States Department of Agriculture, Soil Conservation Service in 1972 classifies the soils in the Village of East Hampton as either the "Bridgethampton - Haven Association" or "Dune Land - Tidal Marsh Association". The first of these two classifications includes most of the lands in the Village while the latter is restricted to the shoreline. As such, a significant portion of the Village is classified as "prime agricultural soil."

While any vacant parcel of land consisting of "prime agricultural soils" is viable for farming, the following are those in excess of four acres which have the potential to be further divided:

- The first parcel is situated between Lily Pond Lane and Apaquogue Road and is the most significant. This property (inclusive of two smaller parcels) is currently before the Planning Board as a 4 lot subdivision with easements and a Reserved Area in excess of 50 %. The property borders freshwater wetlands and, therefore, future improvements will be subject to the rigorous setbacks of Chapter 163, Freshwater Wetlands. These controls will protect a substantial portion of the property and ensure an adequate buffer about the wetland. SCTM #301-15-2-7.2, 12-7-6 & 9.3
- The second parcel is located east of Accabonac Road and directly south of the railroad tracks. While the parcel has good viability for agricultural use, it has no visibility to the public. The property has the potential to be divided into 18 lots in accordance with the provisions of the R-20 Residence District. This density may be constrained by the irregular shape of the property. SCTM # 301-4-4-1

These parcels total less than 32 acres and have the potential to be divided into a total of 22 lots , a net increase of 18 lots.

RAMIFICATIONS

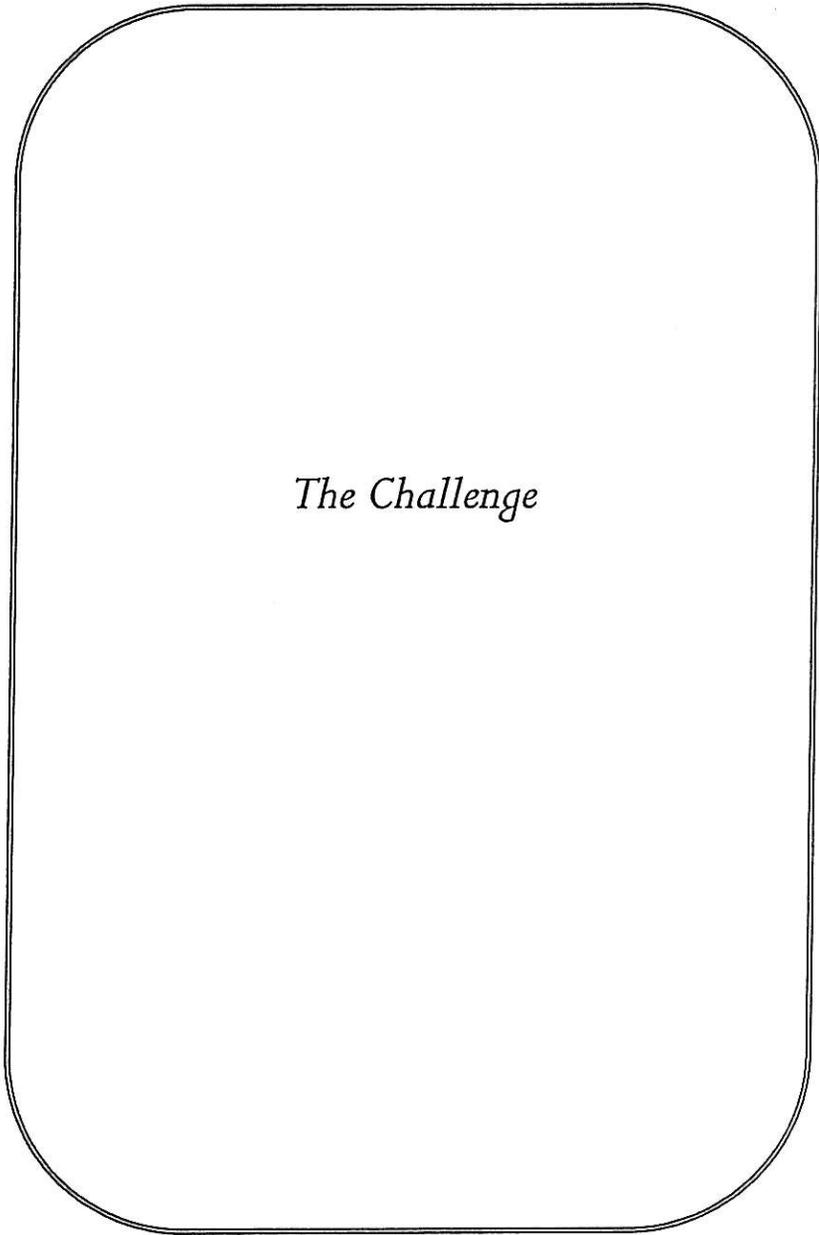
As noted in the Table, five of the seven properties can be divided into only four lots or less. The two remaining parcels in excess of four acres would be subject to current subdivision regulations and open space allocations.

Most of the potential subdivision activity of the Village has taken place. This is particularly true of lands bordering wetlands and dunelands which are in demand for residential development. The difficulty in creating meaningful, unified, open spaces in the Village is that features worthy of protection often transcend property lines and involve multiple property owners.

While acquisition of fee title or development rights is the most effective means of protecting property, the relatively high value of residential property in the village also enters the equation. Given the predominant condition of land which has already been subdivided and open space features which transcend property lines, the most effective and realistic method of protecting natural features is to enable the approving authorities to consider the creation of easements.

Therefore, it is fundamental that the Village adopt a program which targets these "open space" features, facilitates formalized methods of protecting these features one parcel at a time and offers a means to assemble the pieces into a unified whole. The extent of existing development also dictates that this Program incorporate policies with respect to ongoing redevelopment.

A direct appeal to the individual property owner may be the most straightforward approach to protecting a particular feature. However, implementation of this Comprehensive Plan Element is heavily dependent upon the consistent application of these Programs by the Village's agencies in the review of individual properties.



The Challenge

Planning in the Village of East Hampton is primarily about managing redevelopment. Approximately 90% of the residential land in the village is developed and an even higher percentage of commercial property is improved to some degree. In contrast to a community consisting primarily of large vacant tracts with extensive development potential, the extent to which the village is developed limits the “planning tools” available to implement this Open Space Program. As previously noted, the adoption of a mandatory cluster law in lieu of the decision by the Village Board to upzone in 1987 would have produced little benefit.

The review process for regulating Special Permit Uses, such as a preexisting nonconforming commercial use on residential property, which involves both the Design Review Board and the Zoning Board, is an example of a review procedure specifically designed to manage redevelopment.

Essentially, the extent to which the village is developed means that opportunities for the implementation of this Open Space Program are, for the most part, limited to review procedures which manage redevelopment.

The extent to which the village is already developed also raises an important consideration with respect to the nature of the review process. In reviewing proposals for undeveloped property, review logically focuses upon potential impacts. However, in the village, most property was developed long before the adoption of current rules and regulations. Therefore, undoing the impacts associated with existing development often presents as great a challenge as proposed redevelopment. Permit requests present an opportunity to mitigate impacts associated with the existing improvements as well as those associated with proposed redevelopment.

The process of redevelopment and change is ongoing. The opportunities to implement this Open Space Program require that such considerations be incorporated in the review procedures which regulate redevelopment. These changes need to be consistent with the overriding need to address impacts associated with existing development as well as the impacts associated with any proposed redevelopment. The goal is to develop a set of “open space” programs which are: consistent with the Village’s policies regarding redevelopment; consistent with the principles of good planning; and consistent with the Village’s Comprehensive Plan.

COOPERATIVE PLANNING

The policy of the Village is to work cooperatively with applicants within the framework of the Village Code to achieve what is most favorable for the community. Adoption of the Open Space Program, Commercial Districts Study and the Comprehensive Plan were important steps in achieving the vision for the future of the Village. The following policies, indicative of the way the Village manages its affairs were instrumental in achieving these goals:

A proactive approach attempts to deal with an anticipated problem before it occurs. A reactive approach deals with a problem after it is detected and is more appropriately termed crisis management.

A user-friendly approach facilitates people working together toward a common goal, consensus building and action. The concept of working

together results in more energy being expended toward an end beneficial to all concerned.

Planning is a cooperative effort between diverse interests to bring about solutions that benefit all concerned by defining goals and building consensus. Planning seeks to find solutions that benefit all concerned in contrast to solutions which tend to benefit one interest at the expense of another.

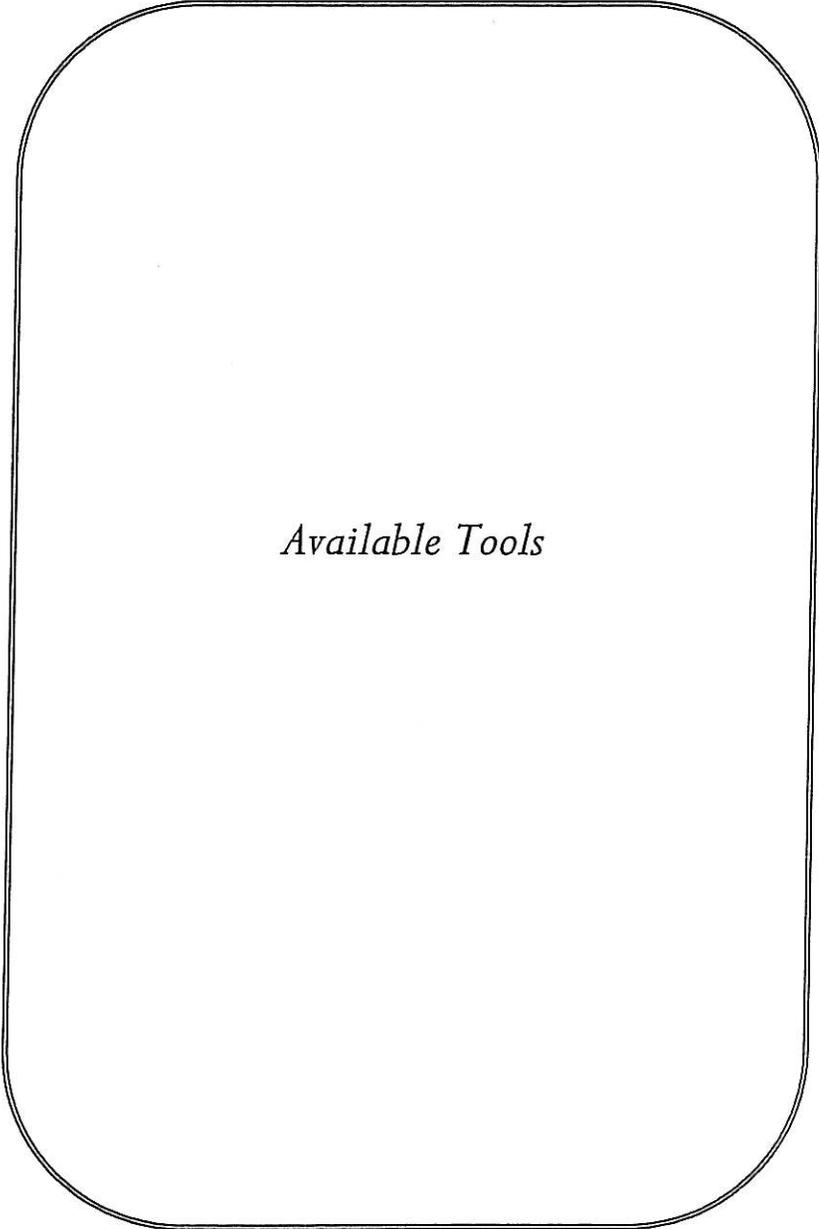
Planning is the process through which substantive community benefits are achieved. How the Village plans (procedural aspects of planning) is critical to its success in serving the community's needs (substantive aspects of planning). There is much to be gained from the process of planning, particularly in a community where residents are encouraged to participate and learn in the process.

Different planning processes may yield different results in terms of substance, efficiency and effectiveness.

Good planning thrives when planning decisions are made in accordance with long range goals and objectives.

The Village recognizes that good planning is that which strives to achieve the long range goals and objectives of the community as a whole.

The incorporation of these policies is just as critical to the success of this Open Space Program as it is to any other planning initiative and places the Village in a proactive stance. Identifying appropriate means of permanently protecting "open spaces" in a manner consistent with these policies is imperative.



Available Tools

OPEN SPACE CHARACTER

Since the adoption of the first zoning map in 1925, a number of commercial uses along Montauk Highway have existed as preexisting nonconforming commercial uses in residential districts. This foresight, which served to eliminate “strip commercial zoning”, contributed significantly to the residential nature and character of the Village.

The predominant zoning classification of the Village, since 1987, is Residence District R-160 which requires almost four acres (160,000 sq. ft.) of land for an individual house lot. A significant portion of the balance of the Village is zoned Residence District R-80, which requires a minimum lot size of about two acres (80,000 sq. ft.). The most restrictive lot size employed by the Health Department for single family residential districts is one house per acre, while the least restrictive is one house per half-acre. These standards are based upon the capabilities of the soil and ground water conditions to handle waste and to ensure water quality. In comparison, the R-160 and R-80 districts are considered low or open density classifications and contribute significantly to the open space character of the Village.

The residential and open space character of the Village has recently been augmented by Code amendments which have been adopted in accordance with the Recommended Actions identified in the Comprehensive Plan. Residential Setbacks now relate to parcel size rather than Zoning District. Additional legislation restricts the maximum gross floor area of residences to 10% of the lot area plus 1000 sq. ft. and similarly restricts the gross floor area of accessory buildings to 2% of the lot area plus 200 sq. ft.

The Village has adopted a transitional yard requirement ensuring a buffer between residential and nonresidential uses. Establishing a minimum front yard setback for commercial properties outside the Core Commercial District, with adherence to the policy of placing buildings to the front of the site and parking to the rear, would be an effective means of controlling redevelopment and maintaining open streetscapes.

The Commercial District Study and Comprehensive Plan have recommended that the coverage limitation for commercial properties (all impervious areas) be reduced from 90% to 80% in the Core Commercial areas and 70% in areas outside the Core. Further limiting coverage will encourage two-story construction with little impact upon development potential.

Zoning has proven to be an effective means of establishing, protecting and preserving village character. While zoning controls continue to play an important role in defining the open space character of the village, they do not constitute open space.

RESERVED AREAS

Reserved Areas are dedicated Open Spaces which typically evolve in the process of subdividing land predominantly in divisions of four lots or more. In that so few village properties are subject to full subdivision procedures, the creation of Reserved Areas has limited application and/or benefit.

CLUSTERING

Clustering is a means of protecting natural and man made features while allowing development. Once a lot yield has been established for a property, the development is "clustered" away from more sensitive lands. This process applies only for full subdivisions (five lots or more). In that so few village properties are subject to full subdivision procedures, mandatory clustering has limited application and/or benefit.

COVENANTS AND RESTRICTIONS

Other than dunelands and wetlands, there are few areas of indigenous vegetation in the Village. However, in the review of certain applications, it is apparent that areas of non-indigenous vegetation should be maintained. In such instances, a more effective means of managing development is the adoption of a set of Covenants and Restrictions. Such documents can be more comprehensive than easements and can facilitate management by incorporating procedures for review. For example, such a document could contain language that would allow modification (after a public hearing before the appropriate Board) by a majority plus one vote. Whereas easements are most appropriate in the management of natural resources, Covenants and Restrictions may be more effective in maintaining buffers between properties.

PUBLIC OWNERSHIP

Public ownership is the most effective means of protection. There exist a variety of means to acquire land and/or development rights. In some instances, lands have been gifted for public use. In other instances, development rights have been gifted for tax benefits while the land remains in private ownership. Most of these properties are permanently protected by deed restrictions or some legal device. However, there may be public properties which are not so protected. In addition to easements, the Nature Conservancy holds title to a number of properties within the village. However, given the value of land in the village, wholesale public acquisition of property is prohibitive in many instances, particularly in the instance of larger parcels. Therefore, the expenditure of public funds should be evaluated on the basis of a prioritized list, public benefit and opportunity.

THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

Effective January 1, 1996, the State Environmental Quality Review Act (SEQR) was modified to incorporate residential construction and associated improvements as Type II Actions (actions which require no review under SEQR). As a consequence, the ability of agencies to prepare an Environmental Assessment Form, Part II for the purpose of identifying impacts (both existing and proposed) and appropriate mitigation was removed. A constructive mechanism which generates conditions designed to mitigate impacts no longer applies to most applications. In particular, the ability to impose effective mitigation in the review of area variances was impaired by these changes to SEQR.

THE ROLE OF THE AREA VARIANCE

The area variance has been the principal mechanism applied to coastal areas, dunelands and wetlands. In 1996 New York State adopted an expanded list of Type II Actions (actions which are not subject to review in accordance with SEQR). SEQR no longer applies in the instance of many applications such as those having to do with single-family residential construction, minor accessory structures and area variances (see Section 617.5 of 6 NYCRR). As a result, the mitigative measures which normally evolve from the SEQR process into conditions of approval do not arise in the review of such applications. While the review process allows conditions to be attached to determinations, each approval in regard to coastal, duneland and wetland setbacks is, by definition, the granting of a variance (see Chapters 101, 124 and 163 of the Village Code). Rather than mitigating the existing and potential impacts of development, the focus of the process is now about varying the requirements of the Code.

EASEMENTS

In the past, various types of easements have been acknowledged as meaningful mitigation. The application and review procedures present an opportunity to mitigate both existing and proposed impacts.

The dedication of easements is applicable in the instance of a variety of natural and man-made features including dunelands, wetlands, vegetative buffers and building facades. Both dunelands and wetlands are linear systems that transcend property lines. Easements can be employed by any of the Boards in the instance of both residential and nonresidential properties.

Such dedications are not to be taken lightly, as they are customarily granted in perpetuity. The assessed value of a property with an easement is likely to have less value than a comparable property without an easement.

While a great deal of flexibility exists in the substance of easements, the procedure for exacting such dedications as a condition of land development approvals is a delicate matter. The relationship required by a recent United States Supreme Court decision is that impact fees are an appropriate and probably essential part of an exaction program that imposes burdens on property owners that are "roughly proportional" to the impacts of a proposed project. While it is appropriate for a municipality to impose an impact fee, the exaction of an easement should be credited toward such a fee. If the fee exceeds the value of the easement, the owner should pay the difference; if the value of the easement exceeds the fee, the landowner should be justly compensated. The higher property values associated with land in the village do not work in favor of an exaction program, where easements are required to offset the impacts of development. However, higher land values do provide a tax incentive for a voluntary program.

To the extent that redevelopment takes place, lot lines between properties are sometimes adjusted. A basic tenet of zoning is equal treatment of all properties within a given district under the law. Therefore, consistency is advisable to protect these features. Examples being the extent of easements (to the wetland edge or some distance beyond) and the width of transition or "no-mow" zones. For this reason, easements, as buffers between properties, must be given careful consideration.

Acknowledging the voluntary dedication of easements to be considered as possible meaningful mitigation for a project could serve to limit future development and compensate for the loss of the benefits previously derived from the SEQR process.

Historic Preservation Easements

These easements are tailored to protect the most important features of an individual property and may address any of the following: exterior features; interior features and spaces; timber frame components; potential expansion; setting and use.

Duneland Easements

Applications involving dunelands are subject to the provisions of Chapter 101, Coastal Erosion Hazard Areas; Chapter 124, Preservation of Dunes; Chapter 160, Flood Damage Prevention; and Chapter 278, Zoning (see Village Code). Chapter 124 of the Code treats dune formations east and west of Old Beach Lane differently. The area to the west is a primary dune formation which has seen considerable development while the area to the east is a double dunes (primary and secondary) system which, for the most part, has not been impacted by development.

While the double dunes system east of Old Beach Lane is appropriate for some form of protection, the primary dune west of Old Beach Lane is so impacted by development, reliance upon the Code provides the most effective and responsive means of control. Another area of dunelands

worthy of protection exists along the ocean frontage of certain properties on West End Road.

Wetland Easements

Village wetlands are those associated with Hook Pond and Georgica Pond and their tributaries, such as the natural drainage system which runs through the Nature Trail. To some extent, these features are protected by public holdings.

However, the majority of these lands are in private ownership and are developed. Inevitably, an owner will apply for some type of improvement. Such an application gives the land owner and the Village an opportunity to consider additional ways of protecting critical areas and offset impacts associated with existing development.

As a consequence of the legal complications which can ensue by imposing easements as a condition of an approval, landowner's should be put on notice that easements offered in conjunction with a redevelopment proposal may be considered and accepted as meaningful mitigation.

Scenic & Conservation Easements

The imposition of scenic and conservation easements is an effective means of protecting property while allowing the property owner to retain title and to enjoy tax relief.

Agricultural Easements

Agricultural easements allow agricultural uses and prohibit certain kinds of development. Such easements have the potential to be employed over portions of smaller parcels containing prime agricultural soils. Such easements should not permit the growing of trees and shrubs for commercial landscaping, as such practices obfuscate the open vistas and diminish the resource of prime soils. As noted in the Section of this report entitled "Remaining Development Potential," page 14, three parcels of agricultural significance are offered for consideration.

Large Lot Easements

The opportunity to obtain Large Lot Easements is generally limited to the creation of parcels which exceed the minimum lot area requirements by 150%. In such instances, the dedication of a Large Lot Easement eliminates the prospect of a future area variance to further divide the property.

SUMMARY

The above represent a variety of methods available to protect/procure open space and retain the character of the village which can be applied singularly or in combination. However, the high value of real estate and changes to SEQR emphasize the necessity for due diligence in regard to the implementation of the recommendations of this report, especially with respect to easements. While Village agencies continue to be successful in obtaining mitigation, property owners need to be made aware of acceptable mitigation measures (including the dedication of easements) as early as possible in the application and review process.

Parcels pertinent to this program are identified as Existing Public Lands and Easements, Recommended Open Space, Historic Places and Properties, Commercial Streetscape Conservation Program or Public Lands with Private Benefit.

Recommendations

TO FORMALLY READOPT THIS PROGRAM

This document is a Comprehensive Plan element which contains substantive and procedural recommendations and should be formally readopted by the Board of Trustees after appropriate public hearings. As implementation of the Program is largely contingent upon the dedication of easements, the Board should move forward to modify the Village Code to educate applicants and avail Village Agencies of this important tool.

The original version of this document was adopted by the Board of Trustees in July of 1998. Formal readoption of this revised document by the Board of Trustees is recommended.

ALTERNATE FUNDING FOR OPEN SPACE ACQUISITION

While the cost of real estate in the village is prohibitive, the acquisition of development rights provides a means of significantly reducing impacts associated with development. While Community Preservation Funds exist for joint Village/Town acquisition of properties listed in the Community Preservation Project Plan, there exist opportunities for the Village to acquire properties directly.

Prior to the creation of this fund, the Village acquired a small parcel just north of the Long Island Railroad right-of-way to the west side of North Main Street. This parcel (SCTM # 0301-04-01-31) was identified in conjunction with an adjoining property which is presently before the Town and Village Planning Boards as "The Village Lane" subdivision. At the present time, that portion of the property located within the village is proposed as a reserved area.

Two additional parcels along the frontage of Pantigo Road just west of Amy's Lane were also acquired with Village funds consistent with the purposes of the Village Corridor Conservation Program.

COMMUNITY PRESERVATION FUND

Pursuant to the agreement, any land purchased from the Fund will be owned by the Town of East Hampton unless purchased with the matching funds provision, in which case, the Village and Town will be co-owners. There was community concern about the Town owning or co-owning property located in the Village and this was addressed by the inter-municipal agreement adopted in 1998. (See Town/Village Agreement at the rear of this document.)

Other than approval of the 2% real estate transfer tax, efforts to implement the recommendations of this Program have been slow to come about. Village government has explored implementation through the efforts of the Peconic Land Trust and has protected several open spaces by acquisition or easement.

The principal deterrent has been finding property owners willing to sell their property. Real estate values in the village have forestalled implementation, as the anticipated value of land for purposes consistent with zoning often exceeds appraisal value.

PUBLIC/PRIVATE PARTNERSHIPS

The Comprehensive Plan did not support the creation of an Open Space Zoning District. Additionally, there has been limited interest and cooperation by the owners of the properties recommended for protection. Despite these circumstances, the Village needs to promote open space.

These observations justify the need to generate public awareness as a means of fostering the creation of public/private partnerships. As noted herein, code requirements and review procedures should be further enhanced to promote public awareness and cooperation.

TO ESTABLISH CRITERIA FOR ACQUISITION

Open space can serve a number of purposes: preservation and/or conservation, education, passive recreation, and/or active recreation. Most of the properties identified in this Program can be protected by the dedication of easements. However, certain properties are more appropriate for acquisition. Given the prohibitive value of land in the village, it will be necessary to utilize innovative means to acquire these lands.

The creation of a prioritized list could identify those parcels considered most readily available, as well as those most appropriate for acquisition. However, the priorities assigned by such a list could easily be disputed. More importantly, it is critical that the Village be prepared to act as opportunities arise.

Having determined that a parcel would be useful as open space for one purpose or another, the following examples illustrate the open space criteria necessary to distinguish when acquisition or other form of protection is appropriate:

SCTM #: 301-02-02-28
301-02-02-29

These two parcels were the site of Vetault Flowers and residence which have been used as such since the early 1900's. They front on Newtown Lane, opposite Osborne Lane, in the Commercial Zoning District. Presently, the flower shop continues to exist while the residence has been returned to it's original use. The property also contains an old barn. Both of these properties have a high potential for redevelopment. The owner has sought to maintain the current character of the property and has been approached regarding the possibility of removing the threat of redevelopment for perpetuity.

The criteria which apply:

- Property with historic use
- Structures with historic significance
- High potential for redevelopment
- High visibility
- Potential open space with high pedestrian accessibility

SCTM #: 301-02-03-08
301-02-05-02

These properties are located near the intersection of Toilsome Lane and Sag Harbor Turnpike and had the potential for further subdivision. One property presently contains a paddock while the other is cultivated annually. Acquisition of development rights is recommended.

The criteria which applied:

- Agricultural lands
- Potential for future development
- Located at an intersection
- High visibility to the community

SCTM #: 301-03-02-06.02

The Odd Fellows Hall is listed on the National Register of Historic Places. The front lawn could be acquired in much the same fashion as the front lawn of the Old Barn Book Store was acquired several years ago. An additional benefit would be the dedication of a facade easement to protect the historic character of this structure.

The criteria which apply:

- Historic significance
- High pedestrian visibility
- Unique open space in Core Commercial District
- Potential for redevelopment

SCTM #: 301-03-05-7.05

This property is located on Fithian Lane and has been the subject of a Wetland Application whereby minimal development has been approved. Consequently, only a Building Permit is required in order to proceed. The property is directly adjoining wetlands and lands of the Nature Trail.

The criteria which apply:

- Contains Freshwater Wetlands
- Undisturbed
- Adjoins the Nature Trail
- Potential for imminent development
- Potential to augment existing open space

SCTM #: 301-04-01-29

This property is located on the west side of North Main Street and is part of a larger parcel that extends into the Town of East Hampton. The property has been subdivided and that portion of the property within the Village was set aside as a Reserved Area. In addition to being visible, this open space allocation was further justified by presence of a major drainage swale. Subterranean and surface water traverses the site and contributes to the drainage shed leading through the Nature Trail to Hook Pond. As the parcel was overgrown, provision was made to clear the overgrowth and maintain its openness by mowing it twice a year. This open space is augmented by an adjoining parcel to the south (SCTM #:301-04-01-31), which was acquired by the Village as recommended by the Open Space Program and provides visual buffer along the railroad right-of-way.

The criteria which applied:

- Minimizing environmental effects to wetlands
- High visibility to pedestrian and vehicular traffic
- Management of roadside vista
- Potential to augment existing open space

SCTM #: 301-04-04-29

This property is an agricultural piece located on Pantigo Road between the phone company property and Town Hall. It was recommended for acquisition because of its high visibility and use as an agricultural parcel. Rather than outright purchase, acquisition of development rights was deemed more appropriate in order to encourage its continued use as an agricultural parcel. Nonagricultural uses were eliminated to protect the open vista..

The criteria which apply:

- Agricultural land
- High visibility to pedestrian and vehicular traffic
- Management of roadside vista

SCTM #: 301-06-01-06
301-06-01-08

These relatively small parcels are located at the north side of Montauk Highway at the intersection of Daniels Hole Road and are included in the Open Space Program as elements of the Village Corridor Program. While the threat of development is low due to the size of the parcels, the

effects of development would be significant due to their high visibility.

The criteria which apply:

- High visibility from major vehicular corridor
- Potential for significant visual impact
- Management of road vistas and landscape
- Potential to augment existing open space

SCTM #: 301-07-05-1.1
301-07-05-1.2
301-07-05-1.3
301-07-05-1.4

These four parcels, on Montauk Highway immediately east of Georgica Road, are part of an old subdivision that laid dormant for years. Several years ago, ownership changed and the parcels were developed. In the instance of one of the parcels, a hedgerow along the highway has been replaced by a retaining wall to hold back substantial fill which was brought in. These parcels were incorporated into the Open Space Program to preclude such development practices along the highway. While the Open Space Program recommended acquisition, any mitigation of further impacts should be explored.

The criteria which apply:

- High visibility from major vehicular corridor
- Potential for further visual impact
- Management of road vistas and landscape

SCTM #: 301-15-02-07.02

This parcel is known as the Olin Property, fronting on Lily Pond Lane and Apaquogue Road, and was temporarily protected by an easement which expired in 2007. The size of this parcel (20 acres) and the presence of both wetlands and agricultural lands render this an important open space. Application to divide the property into 5 residential lots is presently before the Planning Board. The plan proposes the creation of a view shed easement, a conservation and Reserved Area in excess of 50% of the total parcel size

The criteria which applied:

- Parcel size
- Agricultural land
- Freshwater Wetlands
- Prominent visual corridors known to the community
- Potential for significant visual impact
- Management of roadside vistas and landscape

DEDICATION OF EASEMENTS - AN ESSENTIAL TOOL FOR PROTECTION OF OPEN SPACE

In the absence of SEQR, specific reference to acceptable mitigation including easements, no-mow zones and the relocation of sanitary systems are essential amendments to the Code.

In order to promote open space through the dedication of easements, it is necessary to promote the tools by which such open spaces are created, the regulations by which they are managed and the enforcement provisions necessary to protect them and ensure their restoration if disturbed.

Moreso than any other device, this Open Space Program relies upon the dedication of easements. Yet, the Village Code contains little or no reference to easements. Likewise, the long-standing practice of Village Agencies to require the dedication of easements is not referenced within the Code.

Applicants need to be made aware that easements are acknowledged as meaningful mitigation and that Village Agencies are enabled to require them.

Formalizing the process by which easements are dedicated, distinctly delineates requirements for applicants as well as the instruments whereby Village Agencies are specifically empowered to evaluate and impose them.

Including such provisions in the Code will codify heretofore unwritten policies providing a consistent framework for Village Agencies.

In the dedication of wetland easements, the creation of no-mow zones and covenants limiting the use of fertilizers are appropriate considerations. In the process of restricting the location of new structures and sanitary systems consistent with required setbacks, the review process could encourage the relocation of nonconforming sanitary systems to increase horizontal and vertical separation to surface and ground waters. Rather than intensifying an existing impact in the instance of an expansion or new construction, such mitigation effectively reduces impacts associated with prior development.

INDIVIDUALIZATION OF EASEMENT AGREEMENTS

Implementation of this Program should be facilitated by incorporating applicable requirements into the Code. The majority of the recommendations of this Program are contingent upon the voluntary dedication of easements. Consequently, easements offer the most effective means of securing open space and warrant consideration in the review of all applications.

Many of the recommended easements, such as those along wetlands and dunelands, are intended to create significant unified open space allocations which transcend property lines. While it is necessary to customize easements to the specific circumstances of each property, this recommendation can be accomplished by the dedication of similar easements over individual properties. To facilitate easement dedication and avoid inconsistencies, it is recommended that standard easement formats be drawn up with respect to the various features to be protected. As an example, the standard format for a wetlands easement would reflect the requirements of Chapter 163. The creation of standard easement documents would also enable refinement over time.

Including the purpose and intent of a proposed easement could aid in determining the adequacy of the conditions being offered and enhance reconsideration of dedicated easements by future Village agencies. It is imperative that the terms and conditions of the easement are stated clearly state to ensure adherence and facilitate enforcement.

To ensure the success of these programs, it is suggested that the first focus be upon those areas where easements presently exist. The goal would be to encourage other landowners to dedicate easements similar to those of their neighbors. The mutual benefit to the property owner, the village and the community should be emphasized in order to promote the easement to adjoining property owners. Where possible, the grantor should receive a benefit, such as a reduction in taxes, for further restricting development of property beyond those limitations established by the Village Code.

As previously noted, efforts to promote the dedication of easements should include a mechanism for managing compliance and instituting enforcement. Current inventory and mapping of existing easements will facilitate the management of these easements and ensure that policy decisions among various Village agencies is uniform and consistent.

Given the legal complexities surrounding this issue, the promotion of voluntary easement programs is recommended to protect:

- dunelands
- wetlands
- agricultural lands
- public corridors
- other resources

Note that while encouraging the use of facade easements serves to protect village character, in this context they are not considered open space.

IMPROVING THE EFFECTIVENESS OF EASEMENTS

A detailed inventory and mapping of all existing easements and open space holdings is a necessary tool in procuring additional open space. Coupled with the standard provision for annual inspection, this inventory would document the effectiveness of existing easements and point out deficiencies. As a consequence, the language of future easements could be refined to ensure that the easement would result in the anticipated protection.

As an example, incorporating a statement describing the goal of the easement would clarify the conditions for all parties involved and reduce the potential for misinterpretation and subsequent violations.

Should the Village pursue the dedication of easements in the implementation of this Open Space Program, it is necessary to build upon past experiences, refine the language and enhance the effectiveness of these agreements.

COASTAL EROSION AND FRESHWATER WETLANDS PERMITS

It is recommended that the regulations for Coastal Erosion Permits and Freshwater Wetlands Permits be reworked in order to encourage compliance with the Code.

The focus of the review would promote positive adherence to specific standards and mitigation of impacts. The criteria by which these permits would be issued would be an inducement to the applicant to alleviate existing and potential impacts and to contribute to the strength of the Village Code by encouraging compliance. This same process would also include the authority to consider variances and would require adherence to applicable standards. The ability to grant such permits beyond setbacks would make it more difficult to justify variances within setbacks.

Section 7-725.b of New York State Village Law outlines such a permit procedure and incorporates provision for the granting of variances. This may provide a mechanism to facilitate these goals.

POLICY AS PRACTICE

An integral part of this Program should be flexibility and management in the control of open space. One example would be the potential utilization of Declarations of Covenants and Restrictions in the protection of non-pristine open space features (such as buffers between properties).

A necessary component of this effort is the adoption of a Chapter of the Village Code containing standard formats of various types of easements (to educate applicants and encourage dedication) and suggested language for Declarations of Covenants & Restrictions, as well as other legal instruments.

Open Space Programs

“OPEN SPACE” PROGRAMS

For the most part, the areas deemed worthy for consideration generally fall into one of several major categories. These programs include:

- Historic Preservation Program
- Beach Access
- Double Dunes Preservation
- Wetlands Preservation
 - Georgica Pond
 - Hook Pond
- Village Corridor Conservation
- Cultural Lands Conservation
- Commercial Streetscape

Different mechanisms for protection are appropriate for different categories; however, within each category, the same mechanism is appropriate. Generally, easements provide an effective means to protect most of these features. In other instances, acquisition is recommended.

Certain parcels are worthy of protection but do not fit within general categories. In these instances, more creative solutions are appropriate. Each of these parcels is identified singularly with a discussion of alternate means of protection.

The attributes of each of these categories is discussed and a specific recommendation is made with respect to the method by which the various features can be adequately protected. In the instance of dunelands and wetlands, the tools are at hand.

The village enjoys an abundance of open space. The character of this resort community is distinguished by over four miles of beach along the Atlantic Ocean, the waters of Georgica Pond and Hook Pond, and the surrounding large lot zoning (which limits one house to each four acres). Where relatively few vacant parcels and little potential for further subdivision exist, there is little opportunity for any new broad sweeping programs to affect vacant lands. However, there is potential to institute programs with respect to ongoing redevelopment.

Public awareness of the various methods by which open space can be procured may encourage public cooperation and private participation. Numerous properties and easements have been given to the Village. Increased public awareness would encourage future giving.

The double dunes area east of Old Beach Lane is partially protected by Nature Conservancy Holdings. The logical goal is for more control of this sensitive area, either by acquisition or by easement through the Conservancy. The primary dunes west of Old Beach Lane are already impacted, yet adequately protected by existing regulations.

It is recommended that a standard policy be established to encourage the dedication of easements over wetlands. The policy should establish the purpose of the easement and limitations, as well as the extent of land to be burdened. In that wetlands in the village are linear systems that transcend property lines, standardization, in order to adjoin properties, will be treated

equally. Particular issues, such as docks and walkways affording access to the water, should be addressed. Once a standard easement is devised and circulated for review by the various agencies of the Village, a program encouraging the dedication of such easements should be initiated.

Presently, wetland permits may be issued by the Design Review Board, the Planning Board or the Zoning Board of Appeals. The Code should be adjusted so that all agencies operate under the same policies and standards. These changes should occur within Chapter 163, Freshwater Wetlands, in that the various agencies operate within this section of the Code. Methods for resolving disputes and violations, as well as enforcement, should be outlined inclusive of these changes.

HISTORIC PRESERVATION PROGRAM

Historic places and properties form a substantial part of the community character of the Inc. Village of East Hampton. The historic buildings and landscapes that represent distinct phases in the evolution of East Hampton from its settlement in 1648, its growth as an agrarian community and its discovery and development as a summer resort beginning in the 1870s are responsible for much of East Hampton's unique character.

Farmhouses from the 17th, 18th and 19th centuries, barns, windmills, public buildings and craftsman's shops along with the historic landscapes associated with them, which include the early common, original home lots and agricultural lands, are at the core of East Hampton's historic identity.

The character of East Hampton was enriched in the late 19th century with its discovery and flowering as a summer resort.

The harmonious relationship between the old agrarian East Hampton and the early summer colony is another valuable and distinguishing feature of Village character today. The boarding houses, carriage barns, summer cottages and artists studios from the 1870s to the 1920s all make an essential contribution to East Hampton's historic character.

Since it was incorporated in 1920 the Village of East Hampton has taken steps to preserve its historic character. The Village has preserved a number of historic buildings and lands by purchasing and maintaining them: Hook Mill and green; Home Sweet Home and Pantigo Mill; the Sheep Pound; the Beecher House and the Gardiner Mill. The Village has also accepted easements to preserve historic properties including a historic preservation easement protecting the elaborately-carved 1699 timber frame of the Rev. Nathaniel Hunting House within the Hunting Inn and an agricultural and a scenic easement to preserve a portion of the Gardiner Home Lot and setting of the Gardiner Windmill.

The Village has been active in preserving historic buildings and landscapes by designating four historic districts (Main Street, Hook, Hunting Lane and Ocean Avenue) and continues to work to expand that program.

Since its inception in 1998 the Village has used the Peconic Bay Community Preservation Fund to preserve through purchase and easements important historic buildings and lands including the North End Common, the Hook Schoolhouse and the Thomas Moran Studio. Agricultural lands preserved through the Fund have had added significance as the setting for historic buildings such as the Dayton parcel on Toilsome Lane across from the 1828 Josiah Dayton House.

Using the Community Preservation Fund to preserve historic buildings and lands remains a priority of the Village of East Hampton today. The methods of preservation include acquisition, historic preservation easements and in some cases agricultural and scenic easements when open land is important to the setting of historic buildings.

1. Land of historic value. The list includes two parcels that are particularly important to the setting of the Village Green area of the Main Street Historic District and to the setting of the Gardiner Windmill. The vacant parcel 8-9-1.5 is part of the 1648 Gardiner home lot and contributes to the setting of the Gardiner Windmill. The nine-acre parcel 8-9-2.1, which can be subdivided, is the 1648 home lot of Rev. Thomas James. The front half of this parcel is open land and is important to the setting of the historic district and the Gardiner Windmill.

2. Small historic buildings. The most important unprotected historic buildings in the Village are the Dominy Clock Shop and Dominy Woodworking Shop which now stand on Further Lane. These nationally-significant buildings along with Dominy tools, objects and manuscripts provide the clearest picture of the lives of rural craftsmen in America during the early Federal period. These buildings should be in the public domain. This project would include acquisition and moving the buildings to their original site, which is owned by the Village. The c. 1860 East Hampton Post Office is a small building that is now part of a house on Buell Lane. Should this structure ever be threatened, it could easily be purchased and moved back to its original location on the grounds of the Beecher House, now Village Hall.

3. Historic barns. The 18th and 19th century barns that survive in the Village are the buildings that best recall our long history as an agrarian community. Carriage barns represent a continuation of the same tradition into the era of the early summer colony. While some of these barns are within historic districts they remain threatened because of issues concerning use, maintenance and the potential for being remodeled for residential or commercial use. Historic districts do not specifically protect the timber frame or interior space, which are essential to the integrity of a barn. The program for protecting these barns includes the potential for purchase, relocation and historic preservation easements.

4. Buildings of extraordinary significance within historic districts. Some very important properties warrant protection beyond what can be accomplished through historic district designation. Additional measures, including acquisition and easements, may become necessary to protect and enhance the contributions the following properties make to the historic districts: the "Mill Cottage" at 28 James Lane is extremely important to the setting of the Gardiner Mill; the Gardiner Cottage at 48 James Lane, a rare and very small 18th century house, is important to the setting of the Gardiner Mill and the Village Green; the Isaac W. Miller House at 223 Main Street, an intact 18th century saltbox, is important to the setting of the Village Green and the Moran Studio; the Osborne Office at 135 Main Street is an 18th century saltbox with many intact interior features; and the Dayton-Stratton House at 83 Pantigo Road is one of four houses with a carved 17th century timber frame.

5. Individual landmark houses dating from 1650 to 1850. A group of twenty houses built before 1850, which are scattered throughout the Village, do not have even the level of protection afforded by a historic district. Some of these are among the rarest and most valuable buildings that represent the early history of East Hampton as an agrarian community. This group includes: one of only four seventeenth-century houses in the Village; six 18th century Saltbox houses; two eighteenth-century Cape Cod cottages; three Georgian period 2 ½ story, center-chimney houses; and eight Federal period houses. The program for protecting these houses includes the potential for purchasing historic preservation easements.

6. Important buildings moved here from elsewhere on the South Fork. Two extraordinary historic buildings have been moved to the Village from elsewhere on the South Fork: the Hayground Windmill and the Amagansett Methodist Episcopal Church. The program for protecting these buildings includes the potential for purchase, relocation and historic preservation easements.

CULTURAL LANDS CONSERVATION PROGRAM

Cultural lands in the form of open spaces, landscapes, neighborhoods and sites provide the unique characteristics which distinguish the Village from all other places. In order to encourage the conservation of these features, their importance to the identity of the Village needs to be understood and valued by the public. Through conservation, the property owner continues to enjoy the use of the property while those features which contribute to the cultural fabric of Village life are retained for future generations.

Given their diversity, a wide variety of tools is appropriate in the conservation of these features. These include: acquisition, partial acquisition, acquisition of development rights (for both residential and nonresidential properties), the dedication of easements and the adoption of a Declaration of Covenants and Restrictions.

Developing the means to conserve these properties facilitates public participation. The development of tools which benefit the property owner as well as the village is essential. Such tools need to accomplish the desired level of conservation while ensuring the continued enjoyment of the property by the owner.

BEACH ACCESS PROGRAM

The ocean beaches are public lands controlled by the Trustees of the Commonality of the Town of East Hampton whose authority dates back to the Dongan Patent of 1659. In the late 1960's, there was a countywide policy to promote public access to the water. This policy encouraged the widening of public streets, which terminated at the shoreline, to one hundred (100) feet. Such road widening presently exists at Wiborg's Beach and Two Mile Hollow Beach. In 1980, the Village acquired the property of the former Sea Spray Inn; a portion of this property supplements parking at Main Beach.

Access to village beaches and jurisdiction over parking regulations fall under the aegis of the Village Trustees. A beach sticker permit program, affording village residents and nonresidents access to parking facilities at village beaches, has been implemented. These permits are free to village residents and are sold to nonresidents for \$200.

Presently, the ocean beaches in the village are utilized by an equal proportion of village residents and others. As the demand for access to these facilities gradually increases, the number of nonresident permits can be diminished thereby assuring access for village residents. The Comprehensive Plan identified expanding beach facilities in the Town in order to lessen demand on village beaches. The Comprehensive Plan did not support expansion of village beach facilities.

The following recommended actions appear in the Comprehensive Plan:

- NR 4 Continue to protect beaches and dunes consistent with Chapters 6, 10, and 14 of the Village Code
- NR 5 Consider efforts to protect Village-owned beaches and dunes
- PF 8 Continue to assess the overall demand and supply for beach parking at the Village's five beaches
- PF 9 Take actions as needed to ensure beach access parking by maximizing the number of parking spaces within existing lots without expanding the land devoted to parking
- PF 10 Consider establishing "village residents only" parking areas
- PF 11 Continue to restrict street parking where beach access parking spills over into adjacent residential neighborhoods

- PF 12 Institute more aggressive ticketing and towing of vehicles without permits
- PF 13 Reconsider the option of limiting lockers to village residents, relocating reserved parking for locker holders and/or eliminating reserved parking for locker holders
- PF 14 Ensure adequate lifesaving protection at village beaches
- PF 15 Ensure that signage adequately addresses safety concerns
- PF 16 Produce a public information brochure about beach safety
- PF 17 Continue periodic evaluations of limits to driving on the beach
- PF 18 Add bicycle racks at beaches

DOUBLE DUNES PRESERVATION PROGRAM

The "double dunes" area is bounded to the east by the easterly boundary of the Incorporated Village of East Hampton, to the south by the edge of beach grass along the seaward face of the primary dune, to the west by the easterly side of Old Beach Lane and to the north by the twenty (20) foot contour line, which runs continuously between said road and the easterly boundary of the village.

Within this area, several "double dune" easements have been dedicated to the Nature Conservancy. The purpose of this Program is to encourage the dedication of similar easements on adjoining properties. The end result would be protection of the entire "double dunes" area through cooperation with the Nature Conservancy.

It is suggested that the Village and/or the Nature Conservancy make a direct appeal to the owners of the subject properties. The appeal should include a map of the "double dunes" area and copies of the existing easements. While the benefits of this Program to the village are obvious, the benefits and advantages to the property owner should be enunciated.

WETLANDS PRESERVATION PROGRAM

Georgica Pond is classified as a Tidal Wetland by the New York State Department of Environmental Conservation. Each year, the Town Trustees open the Pond to the ocean. Any activities involving the shoreline or the bottom lands require approval by the Trustees.

Hook Pond is classified as a Freshwater Wetland by the New York State Department of Environmental Conservation. This system extends through the Nature Trail and empties into the ocean by means of a culvert. Town Pond is interconnected to this system. The Maidstone Club owns an extensive portion of the frontage, which is an integral part of the existing golf course. The Village owns several large parcels, which constitute the Nature trail and the Sea Spray Property. The remaining frontage is in private ownership.

In many instances, lawns extend to the edge of wetlands. In reviewing various applications, the Zoning Board of Appeals has suggested provision of a "no-mow zone" in order to afford a natural transition between those areas that are maintained and those areas that should be protected. The obvious objection on the part of the landowner would be any control which would impair water views. The New York State Department of Environmental Conservation has an unwritten policy which allows phragmites to be topped.

An ideal solution would be to amend Chapter 163, Freshwater Wetlands of the Village Code so as to require the approving authority to consider the imposition of easement or buffer areas with respect to any application affecting wetlands. The Boards would then be empowered to impose wetland easements, so long as the easement is related to the relief which the applicant is seeking. Such easements would serve as mitigation for proposals by applicants that may otherwise have an adverse impact on the overall wetland qualities. This recommendation is critical as the dedication of easements is the primary means to implement this Open Space Program.

In the instance of wetlands, the intent would be to ensure the preservation of wetlands by creating a system of easements. By requiring the Boards to give consideration to easements, every possible opportunity to foster and encourage easements will be accomplished. This solution also enables property owners to retain ownership of the easement area and may entitle them to a tax benefit.

The following actions are found in the Comprehensive Plan:

- NR 6 Continue to mitigate impacts of new development and redevelopment on wetlands

- NR 7 Provide information to the public on land management techniques
- NR 8 Enforce existing regulations on activities within wetland buffers consistent with Chapter 163 of the Village Code
- NR 9 Encourage property owners to convey easements on wetlands

VILLAGE CORRIDOR CONSERVATION PROGRAM

The preservation of open space along the main transportation corridors is justified by the number of people who benefit. In addition, travel along these corridors is facilitated by less development. This Program is suitable for purchase from the Community Preservation Fund.

Many Village Greens are located at the convergence of several streets. Consider a residence on Banister Park or the Green at Egypt Lane and Middle Lanes surrounded by tall privet. The benefits reaped from existing open spaces of this nature are sufficient basis to continue this practice wherever possible.

COMMERCIAL STREETScape CONSERVATION PROGRAM

East Hampton Village is renowned for the Elms which once covered Main Street. The vision of the early settlers who initially laid out the 42 home lots on the broad expanse of Main Street with the placement of the elm trees is awe inspiring. While many of these trees have fallen to Dutch Elm Disease, the Ladies Village

Improvement Society and the Village have replaced the trees as necessary.

The Commercial Districts Study and the Comprehensive Plan recommended the need to expand open spaces throughout the Village's commercial districts. Acquisition of commercial properties in their entirety is an expensive proposition. However, setting aside portions of commercial properties as open space is consistent with other devices such as zoning controls and site plan review.

As redevelopment of nonresidential properties occurs over time, including preexisting and nonconforming uses in residential districts, the allocation of open space should be incorporated in the review process.

Consequently, this Program has been amended to render all commercial use properties eligible to be considered for partial acquisition. These properties include all properties which are commercially zoned and noncommercial properties containing a commercial use. As the future redevelopment of commercial use properties has yet to occur, it is difficult to predetermine when acquisition for open space purposes would be appropriate.

In the instance of a commercial property where the existing improvements are proposed to be demolished, the first consideration would be the allocation of open space. Considerations would include setback areas, buffers to adjoining residential properties and open spaces that transcend property lines from one commercial property to the next. The second consideration would be the placement of the building on the site, and the third, the placement of parking. This sequence could be incorporated into Chapter 121, Design & Site Plan Review.

In the instance of an improved property, the location of the building might not change. However, reconfiguration of parking and circulation might be accomplished in consideration of those portions of the site which should remain open.

Rather than reduce development potential, the more likely effect of this approach will be redevelopment at two stories, thereby affording more of the site available for open space and provision for parking and circulation.

Just as the Wetlands Program is largely contingent upon the review process, the Commercial Streetscape Program would be largely contingent upon zoning controls and Site Plan Review. Reducing coverage and establishing a front yard setback outside the Core would enhance commercial streetscapes.

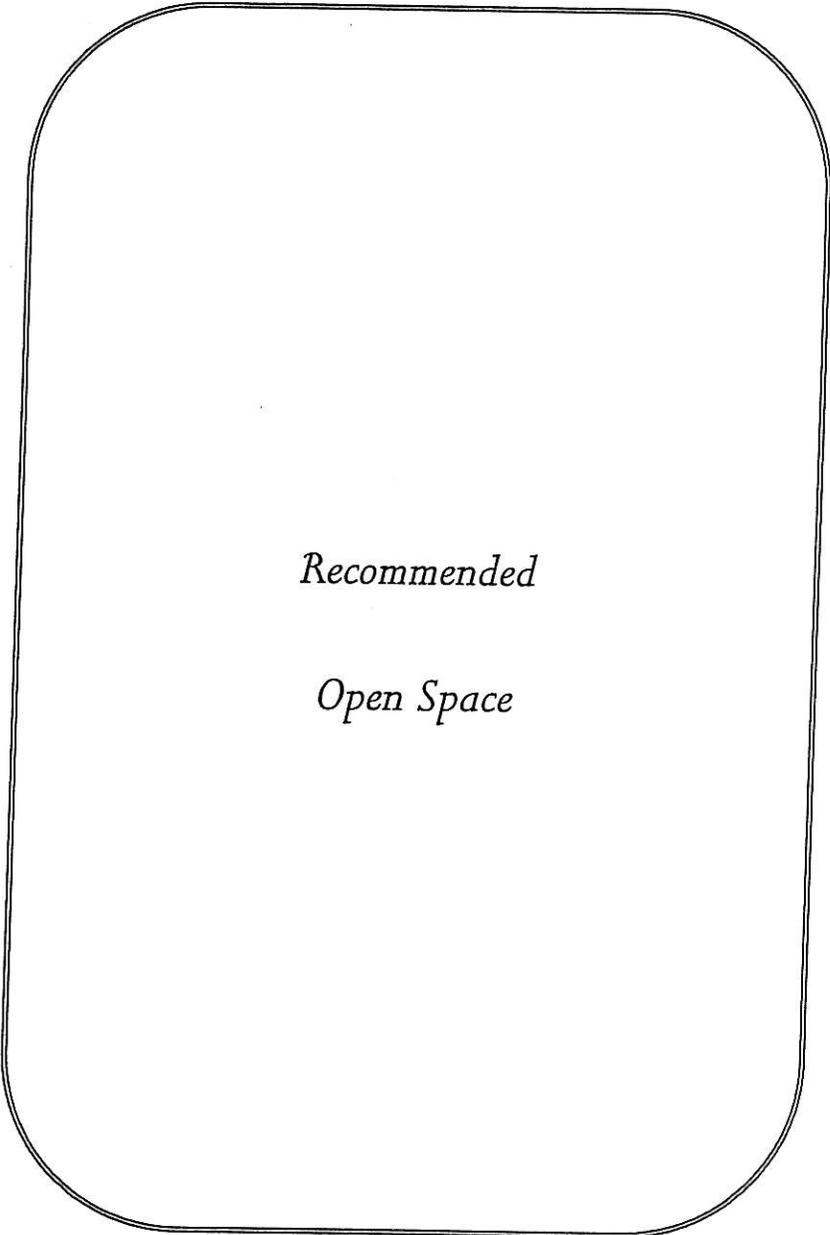
Preservation of open space in the village is of primary concern to village residents. Greens and open spaces were an integral part of the original design of the village in the seventeenth century — perceived by the original residents as critical to village life. Development has taken a number of these important green spaces — most notably much of the North End Village Green.

Efforts should be directed to maintain open space throughout the Village's commercial districts not only those properties of greatest historical importance. Open space is most directly protected by public acquisition. The Village has identified a number of parcels for acquisition in its Open Space Program. The Village should move as quickly as possible to secure funds for these purchases and to complete the transactions.

The Village has developed a set of site planning design guidelines for properties in the commercial districts. These clearly articulate the Village's priorities with respect to creating open

spaces, protecting critical visual links, and providing pedestrian connections.

While most commercial properties are improved, redevelopment is an ongoing process. As properties come before the Design Review Board and Zoning Board of Appeals, consideration of additional buffer areas and allocation of open areas is taken into consideration.



Recommended

Open Space

These maps were prepared from information taken from the tax maps prepared by the Real Property Tax Service Agency for Suffolk County. They are schematic in nature and are intended to provide information relative to the size, location, and relationship of parcels one to another in concert with details of ownership and other tax related information. Tax Map Numbers as presented relate to the 2003 maps. Those areas which are identified for inclusion due to the presence of wetlands should be subject to a site by site wetlands inspection, flagging and mapping prior to commitment by means of an easement or some other device. This would also apply to other natural features such as dunes, areas of significant vegetation or cultural/historic importance.

The Suffolk County Tax Map Numbers identify District, Section, Block and Lot. District 301 includes all parcels in the Village. The tax maps of the Village consist of 16 Sections and several Subsections. Block numbers are circled and lot numbers are within each lot. As the accepted means of parcel identification, Suffolk County Tax Map Numbers are used to note existing and proposed open space holdings. As all parcels are located in District 301, parcels identified are categorized Section by Section in order to correspond to the maps that follow. In those instances where the protection of an open space feature involves more than one parcel, all affected parcels are listed.

Redrafting the tax maps resulted in a detailed examination on a parcel by parcel basis. As so often is the case, the process has proven as critical as the substance. This in-depth analysis has altered the recommendations of the Open Space Program in several important ways. Foremost was the establishment of four general categories of Open Space: Existing Public Lands and Easements, Recommended Open Space, Commercial Streetscape Conservation Program and Private Lands with Public Benefit.

The following pages include a detailed inventory of properties which are pertinent to this Open Space Program and associated maps. Each listing details four classifications which include the tax map number, acreage, characteristics and disposition. In the instance of Existing Public Lands & Easements, the acreage relates to the actual size of the open space. In all other categories, the total acreage of the parcel is given, as the extent to be protected has yet to be determined.

These categories are defined as follows:

Existing Public Lands and Easements

This classification is reserved for parcels which are owned by the Village, Town, County, State or Federal Government regardless of their intended purpose. However, public lands in this classification are not necessarily protected open space. Properties subject to some legal instrument such as a deed restriction, Covenants and Restrictions, or easements qualify as protected open space. All other lands should be subject to further scrutiny to ascertain the existence of such legal devices.

Also incorporated in this category are existing easements over private property which benefit the public. The beaches along the Atlantic Ocean are the property of the Trustees of the Town of East Hampton as are the underwater lands of Hook Pond and Georgica Pond.

Recommended Open Space

This classification identifies those parcels intended to be eligible for acquisition or partial acquisition through Community Preservation Funds and/or those parcels where

protection can be achieved by some other means such as a reserved area, scenic easement, deed restriction, covenants and restrictions, etc. Public and private lands included as Recommended Open Space may warrant further protection to ensure they remain as open space.

Commercial Streetscape Conservation Program

The principle distinction between this Open Space Program and the program as originally adopted is the creation of this category. This is a direct result of a recommendation initially made in the Commercial District Study of 2000 and later reiterated in the Village Comprehensive Plan of 2002, wherein the Village should seek to achieve Open Space within its Commercial Districts. In addition to commercially zoned properties (Core Commercial District, Commercial District, Manufacturing-Industrial District, Limited Office District), some Special Permit Properties are also included. Foremost are residentially zoned properties which contain a preexisting nonconforming commercial use. If commercial properties are appropriate for partial open space consideration, then such consideration is even more important for preexisting nonconforming commercial uses in residential districts. Additionally, Special Permit uses identified in Section 278-7 D. of the Village Code including churches, schools and libraries were also included. These uses are nonresidential uses which exist in residential districts. Those Special Permit properties which are not included are those which include only residential uses and the buildings or structures associated with those uses.

Currently, commercial properties and commercial Special Permit properties which adjoin residential properties are subject to a transition zone which requires the creation of a

buffer twice the width of the adjoining residential setback. This area is intended for landscaping and prohibits cars, parking areas and other structures. The inclusion of commercial properties and the commercial Special Permit properties makes these properties eligible for partial acquisition through Community Preservation Funds.

Private Lands with Public Benefit

The creation of this category came as a direct result of the detailed analysis which occurred in the preparation of these maps. A number of privately held properties are accepted as having public benefit consistent with open space. Owners of such properties include: The Maidstone Club, The Nature Conservancy, The Peconic Land Trust, Cemetery Associations and other private organizations. This classification does not distinguish these properties according to purpose, but simply acknowledges the fact that they are privately controlled and offer public benefit.

It is conceivable that public as well as private lands could be further protected. These categories are not intended to be mutually exclusive as a single property may have multiple considerations for inclusion in the Open Space Program. For example, a parcel may possess wetlands, dune lands or other significant natural features which warrant inclusion.

Like planning, the Open Space Program is an ongoing process. This speaks to the appropriateness to revisit and amend the recommendations of this document from time to time.

Existing Public Lands & Easements

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Disposition</u>
301-1-5-18	0.43	drainage field	unprotected Village property

Recommended Open Space

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-1-6-7	3.00	residential land	Reserved Area, partial acquisition
301-1-6-8	2.30	residential land	Reserved Area, partial acquisition
301-1-6-10	0.27	residential land	Reserved Area, partial acquisition
301-1-6-p/o9	1.40	convergence of rights-of-way	partial acquisition or scenic easement

Historic Preservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-1-6-8		historic barn (George Lisberg Barn)	acquisition or historic preservation easement
301-1-7-4.1		historic property (Henry Filer House)	easement

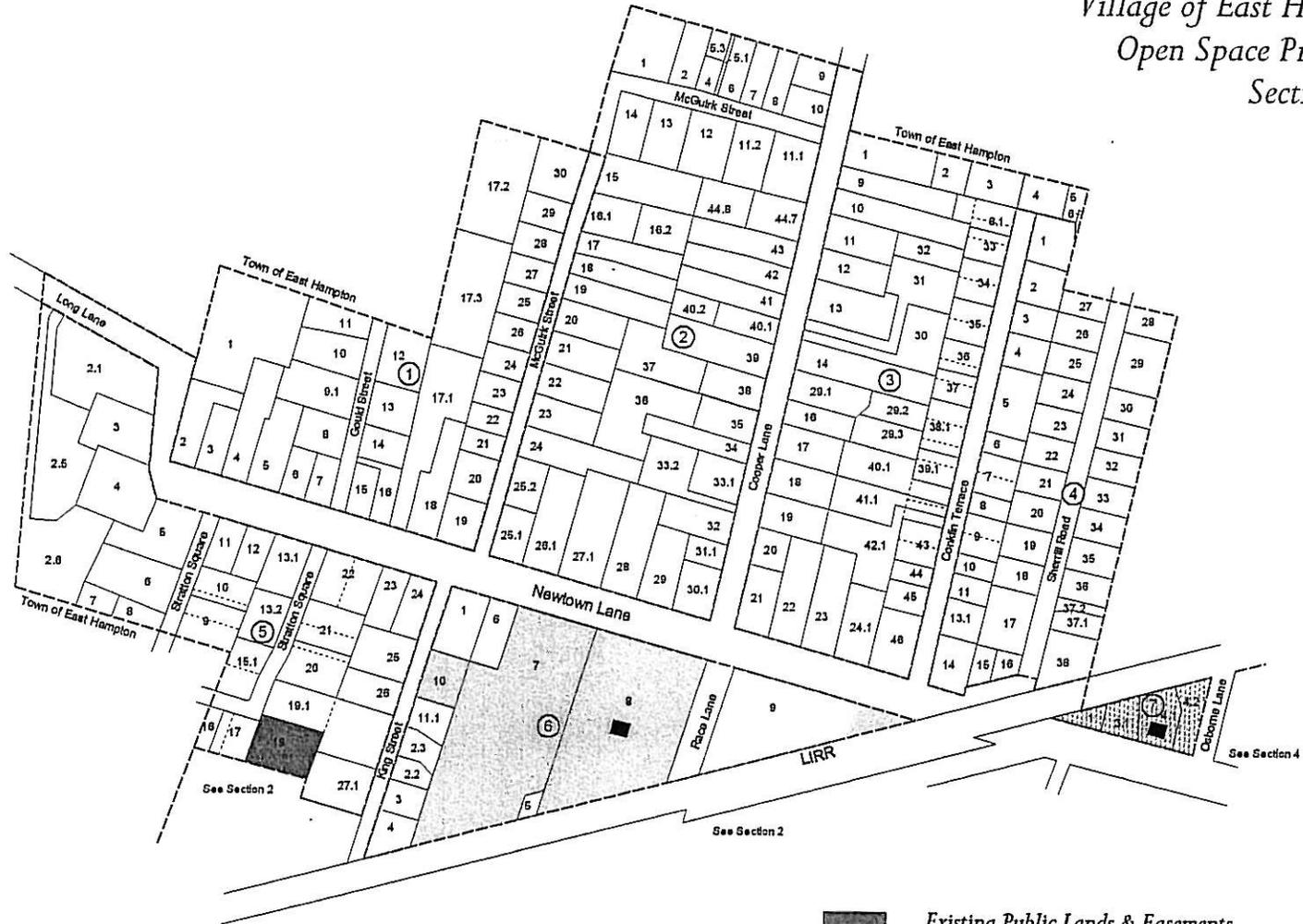
Commercial Streetscape Conservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-1-7-p/o1	0.10	106 Newtown Lane, commercial property	partial acquisition
301-1-7-p/o2	0.25	100 Newtown Lane, commercial property	partial acquisition
301-1-7-3	0.02	10 ft. wide access, commercial property	acquisition
301-1-7-p/o4.1	0.31	98 Newtown Lane, commercial property	partial acquisition
301-1-7-p/o4.2	0.27	94 Newtown Lane, commercial property	partial acquisition

Private Lands with Public Benefit

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
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Village of East Hampton
Open Space Program
Section 1



-  Existing Public Lands & Easements
-  Recommended Open Space
-  Historic Preservation Program
-  Commercial Streetscape Conservation Program
-  Private Lands with Public Benefit

Section 2

Recommended Open Space

Existing Public Lands & Easements

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Disposition</u>
301-2-7-1.3	10.00	YMCA & municipal parking	Village property, retain ownership/enhance landscaping
301-2-7-2.1	0.55	Osborne Jackson House	unprotected Village property, retain setting & landscaping

Recommended Open Space

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-2-2-p/o27	2.30	Pleasant Lane, vacant property	acquisition, partial acquisition, easement
301-2-3-p/o8.3	3.20	horse paddock, road convergence	partial acquisition, agricultural easement
301-2-5-2	4.60	agricultural land	acquisition of Development Rights, agricultural easement
301-2-7-37	1.10	park expansion	acquisition

Historic Preservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-2-1-8		historic barn (Gardiner Barn)	acquisition or historic preservation easement
301-2-2-28		historic property in a commercial district	easement
		historic barn (Mulford/Vetault Barn)	acquisition or historic preservation easement
301-2-2-29		historic property in a commercial district	easement
301-2-2-31		historic property in a commercial district	easement
301-2-3-4.6		individual landmark house (1650 - 1850)	historic preservation easement
301-2-3-8.3		individual landmark house (1650 - 1850)	historic preservation easement
301-2-7-9.5		extraordinary building in a historic district	acquisition or historic preservation easement

Commercial Streetscape Conservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-2-1-p/o1	2.70	King Street, Special Permit property	partial acquisition
301-2-1-3	0.38	60 Gingerbread Lane, vacant commercial property	acquisition
301-2-1-p/o4	0.30	58 Gingerbread Lane, commercial property	partial acquisition
301-2-1-p/o5	0.82	50 King Street, commercial property	partial acquisition
301-2-1-7	0.31	4 King Street, vacant commercial property	acquisition
301-2-1-p/o8	0.34	40 Fresno Place, commercial property	partial acquisition
301-2-1-p/o9	0.25	8 Fresno Place, commercial property	partial acquisition
301-2-1-p/o11	0.13	22 Gingerbread Lane, commercial property	partial acquisition
301-2-1-p/o15.1	1.60	10 Fresno Place, LIPA/parking, commercial property	partial acquisition

Commercial Streetscape Conservation Program - Cont'd.

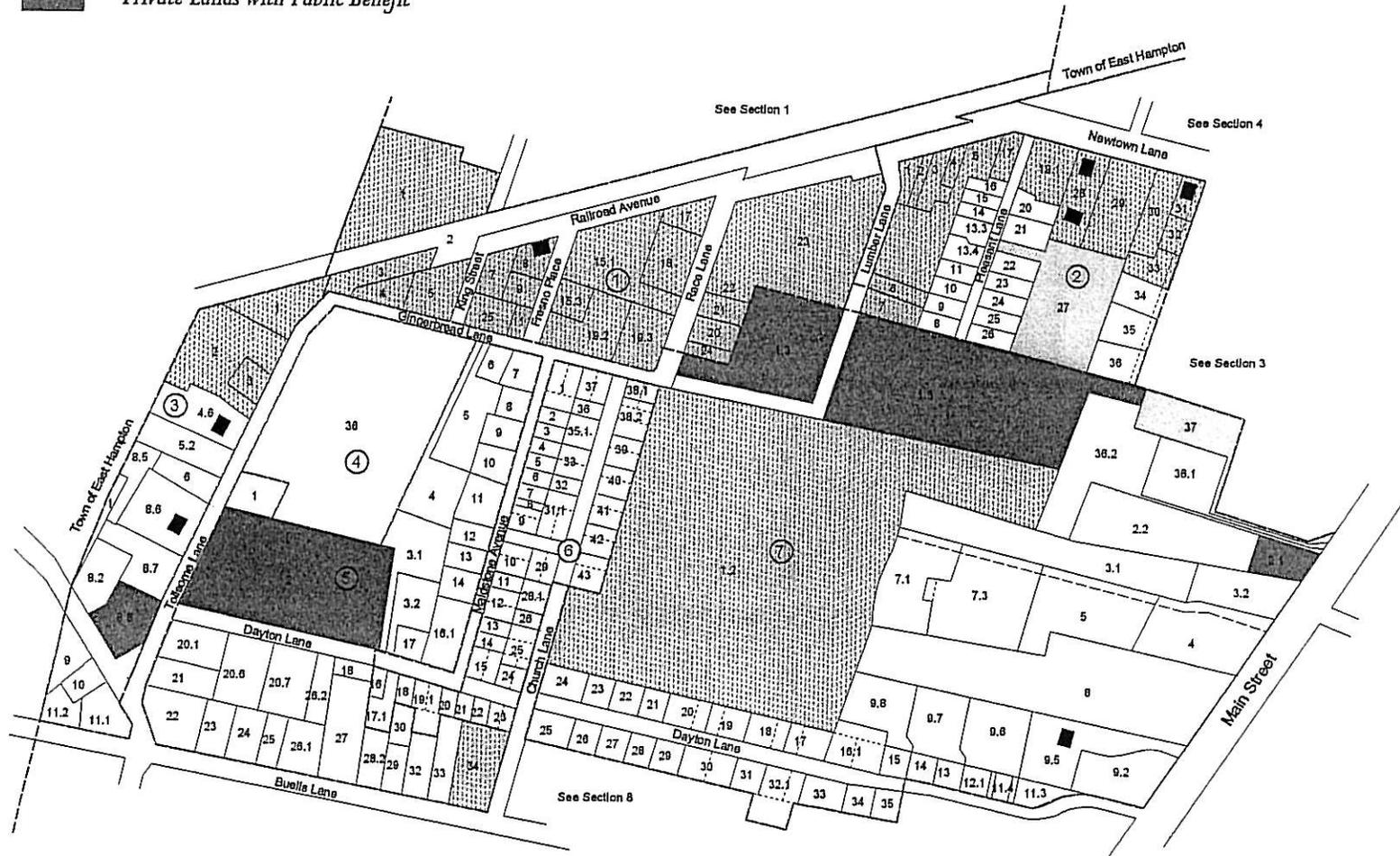
<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-2-1-p/o15.3	0.29	11 Fresno Place, commercial property	partial acquisition
301-2-1-p/o17	0.30	17, 19 & 21 Race Lane, commercial property	partial acquisition
301-2-1-p/o18	0.64	20 Race Lane, commercial property	partial acquisition
301-2-1-p/o19.2	0.84	12, 14 & 16 Gingerbread Lane, commercial property	partial acquisition
301-2-1-p/o19.3	0.59	8 & 10 Gingerbread Lane, commercial property	partial acquisition
301-2-1-p/o20 & 24	0.46	36 Race Lane, commercial property	partial acquisition
301-2-1-p/o21	0.26	32 Race Lane, commercial property	partial acquisition
301-2-1-p/o22	0.19	26 Race Lane, commercial property	partial acquisition
301-2-1-p/o23	3.78	21 Railroad Avenue, commercial property	partial acquisition
301-2-1-p/o25	0.38	22 - 44 Gingerbread Lane, commercial property	partial acquisition
301-2-2-p/o1	0.13	15 Lumber Lane, commercial property	partial acquisition
301-2-2-p/o2	0.19	11 Railroad Avenue, commercial property	partial acquisition
301-2-2-p/o3	0.30	9 Railroad Avenue, commercial property	partial acquisition
301-2-2-p/o4	0.12	7 Railroad Avenue, commercial property	partial acquisition
301-2-2-p/o5	1.71	3 Railroad Avenue, commercial property	partial acquisition
301-2-2-p/o6	0.23	11 Lumber Lane, commercial property	partial acquisition
301-2-2-p/o7	0.35	15 Lumber Lane, commercial property	partial acquisition
301-2-2-p/o17	0.23	105 Newtown Lane, commercial property	partial acquisition
301-2-2-p/o19.1	0.66	99 Newtown Lane, commercial property	partial acquisition
301-2-2-p/o28	0.72	95 Newtown Lane, commercial property	partial acquisition
301-2-2-p/o29	1.06	91 Newtown Lane, commercial property	partial acquisition
301-2-2-p/o30	0.50	87 Newtown Lane, commercial property	partial acquisition
301-2-2-p/o31	0.27	83 Newtown Lane, commercial property	partial acquisition
301-2-2-p/o32	0.21	7 Muchmore Lane, commercial property	partial acquisition
301-2-2-p/o33	0.38	11 Muchmore Lane, Limited Office District	partial acquisition
301-2-3-p/o1	0.50	5 Toilsome Lane, commercial property	partial acquisition
301-2-3-p/o2	1.88	17 Toilsome Lane, commercial property	partial acquisition
301-2-3-p/o3	0.26	15 Toilsome Lane, commercial property	partial acquisition
301-2-5-34	0.87	Buells Lane & Church Lane, church pkg, Special Permit	enhance buffers, partial acquisition
301-2-7-p/o1.2	21.80	John Marshall Elementary School	retain active recreation areas

Private Lands with Public Benefit

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
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Village of East Hampton
 Open Space Program
 Section 2

-  Existing Public Lands & Easements
-  Recommended Open Space
-  Historic Preservation Program
-  Commercial Streetscape Conservation Program
-  Private Lands with Public Benefit



Existing Public Lands & Easements

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Disposition</u>
301-3-2-6.1	0.02	public walkway, commercial property	Village property, retain ownership
301-3-4-p/o33.1	1.40	municipal parking, public walkway, commercial property	Village property, retain ownership
301-3-5-8	0.08	wetlands, The Nature Trail	Village property, retain ownership
301-3-5-9	1.03	wetlands, The Nature Trail	Village property, retain ownership
301-3-6-p/o13.1	2.10	municipal parking, public walkway, commercial property	Village property, retain ownership
301-3-6-24.2	0.07	vest pocket park, public walkway, commercial property	Village property, retain ownership
301-3-7-p/o25	0.52	Village Hall, unprotected village property	retain lawn & setting

Recommended Open Space

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-3-5-7.5	1.00	wetlands	wetland easement

Historic Preservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-3-2-6.2		historic property in a commercial district	easement
301-3-5-4		individual landmark house (1650 - 1850)	historic preservation easement
301-3-7-24		historic barn (Hand Barn)	acquisition or historic preservation easement

Commercial Streetscape Conservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-3-1-p/o1	0.08	56 Newtown Lane, commercial property	partial acquisition
301-3-1-p/o2	0.05	54 Newtonw Lane, commercial property	partial acquisition
301-3-1-p/o3	0.05	52 Newtown Lane, commercial property	partial acquisition
301-3-1-p/o4	0.05	50 Newtown Lane, commercial property	partial acquisition
301-3-1-p/o5	0.05	48 Newtown Lane, commercial property	partial acquisition
301-3-1-p/o6	0.08	46 Newtown Lane, commercial property	partial acquisition
301-3-2-p/o1	0.09	40 Newtown Lane, commercial property	partial acquisition
301-3-2-p/o2	0.10	36 Newtown Lane, commercial property	partial acquisition
301-3-2-p/o3.1	0.13	34 Newtown Lane, commercial property	partial acquisition
301-3-2-p/o4.2	0.08	34 Newtown Lane, commercial property	partial acquisition
301-3-2-p/o4.3	0.05	32 Newtown Lane, commercial property	partial acquisition

Commercial Streetscape Conservation Program - Cont'd.

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-3-2-p/o5	0.05	30 Newtown Lane, commercial property	partial acquisition
301-3-2-p/o6.2	0.18	28 Newtown Lane, commercial property	partial acquisition
301-3-2-p/o7	0.22	16 Newtown Lane, commercial property	partial acquisition
301-3-2-p/o8.1	0.23	14 Newtown Lane, commercial property	partial acquisition
301-3-2-p/o9	0.04	6 Newtown Lane, commercial property	partial acquisition
301-3-2-p/o10	0.02	3 North Main Street, commercial property	partial acquisition
301-3-2-p/o11	0.05	2 Newtown Lane, commercial property	partial acquisition
301-3-2-p/o12	0.05	8 Alley, commercial property	partial acquisition
301-3-3-p/o1.1	0.30	10 Pantigo Road, Limited Office District	partial acquisition
301-3-3-p/o2	0.23	8 Main Street, commercial property	partial acquisition
301-3-3-p/o3	0.62	2 Fithian Lane, commercial property	partial acquisition
301-3-4-p/o1	1.01	67 Newtown Lane, commercial property	partial acquisition
301-3-4-p/o5	0.16	51 Newtown Lane, commercial property	partial acquisition
301-3-4-p/o6	0.11	47 Newtown Lane, commercial property	partial acquisition
301-3-4-p/o7.1	0.08	84 Park Place, commercial property	partial acquisition
301-3-4-p/o7.2	0.07	41 Newtown Lane, commercial property	partial acquisition
301-3-4-p/o8	0.13	37 Newtown Lane, commercial property	partial acquisition
301-3-4-p/o9	0.11	33 Newtown Lane, commercial property	partial acquisition
301-3-4-p/o10	0.14	29 Newtown Lane, commercial property	partial acquisition
301-3-4-p/o12	0.16	27 Newtown Lane, commercial property	partial acquisition
301-3-4-p/o13	0.23	25 Newtown Lane, commercial property	partial acquisition
301-3-4-p/o14	0.03	19 Newtown Lane, commercial property	partial acquisition
301-3-4-p/o15	0.03	17 Newtown Lane, commercial property	partial acquisition
301-3-4-p/o16	0.04	Newtown Lane, alley	partial acquisition
301-3-4-p/o17	0.02	11 Newtown Lane, commercial property	partial acquisition
301-3-4-p/o18	0.04	7 Newtown Lane, commercial property	partial acquisition
301-3-4-p/o19	0.05	1 Main Street, commercial property	partial acquisition
301-3-4-p/o20	0.02	19 Main Street, commercial property	partial acquisition
301-3-4-p/o21	0.04	21 Main Street, commercial property	partial acquisition
301-3-4-p/o22	0.04	23 Main Street, commercial property	partial acquisition
301-3-4-p/o23	0.09	27 Main Street, commercial property	partial acquisition
301-3-4-p/o24	0.17	33 Main Street, commercial property	partial acquisition
301-3-4-p/o25	0.14	35 Main Street, commercial property	partial acquisition
301-3-4-p/o26	0.08	39 Main Street, commercial property	partial acquisition

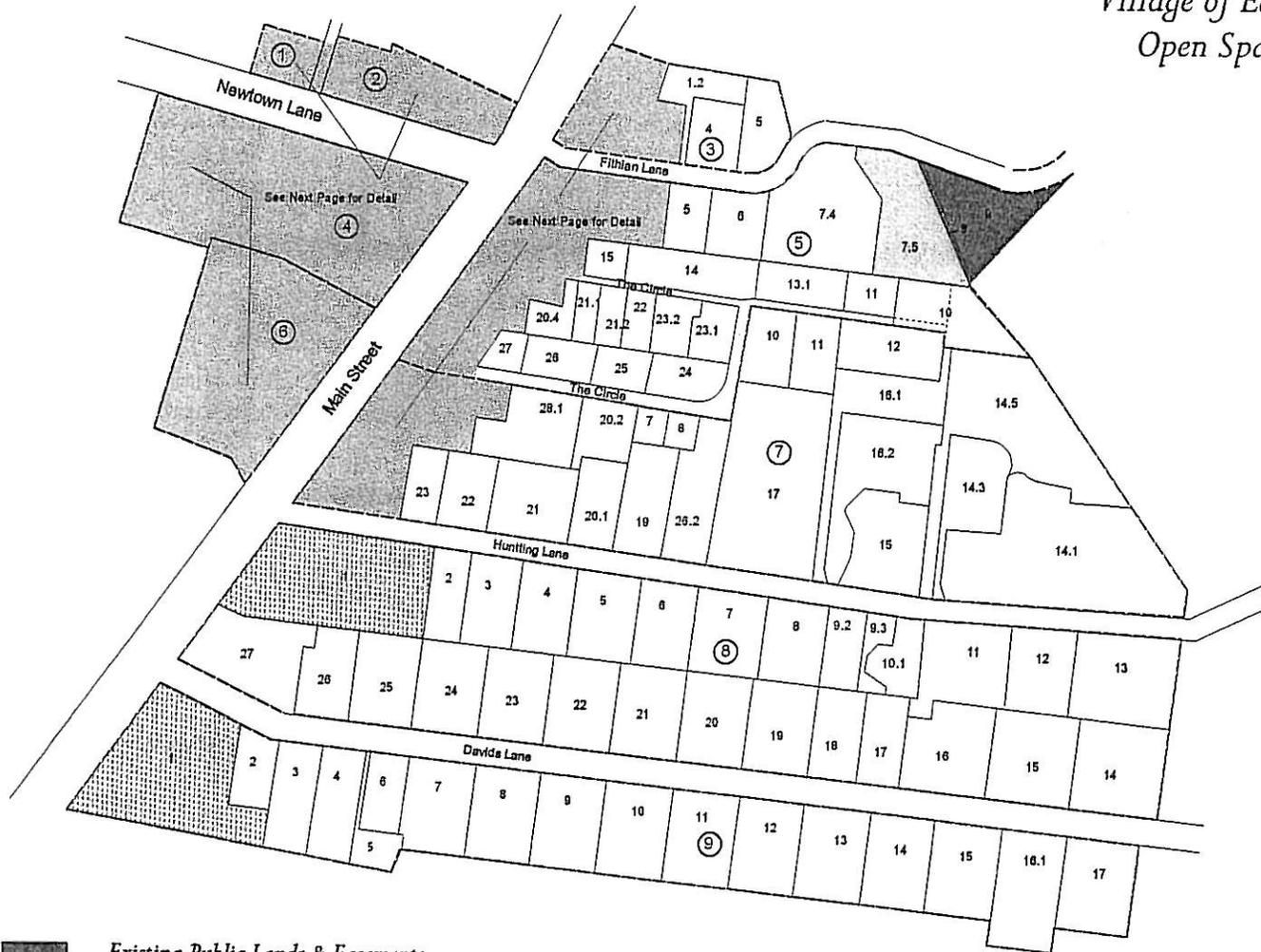
Commercial Streetscape Conservation Program - Cont'd.

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-3-4-p/o34	0.35	41 Main Street, commercial property	partial acquisition
301-3-4-p/o35	0.16	Newtown Lane & Park Place, commercial property	partial acquisition
301-3-5-p/o1.1	0.25	2 Main Street, commercial property	partial acquisition
301-3-5-p/o2	0.17	10 Main Street, commercial property	partial acquisition
301-3-5-p/o3	0.20	14 Main Street, Limited Office District	partial acquisition
301-3-5-p/o4	0.47	7 Fithian Lane, Limited Office District	partial acquisition
301-3-5-p/o16	0.40	20 Main Street, commercial property	partial acquisition
301-3-5-p/o20.3	0.70	36 Main Street, movie theatre, commercial property	partial acquisition
301-3-5-p/o29	0.40	Newtown Lane & The Circle, commercial property	partial acquisition
301-3-6-p/o11	0.90	20 Park Place, commercial property	partial acquisition
301-3-6-p/o14	0.06	87 Main Street, commercial property	partial acquisition
301-3-6-p/o15	0.04	85 Main Street, commercial property	partial acquisition
301-3-6-p/o16	0.04	83 Main Street, commercial property	partial acquisition
301-3-6-p/o17	0.14	81 Main Street, commercial property	partial acquisition
301-3-6-p/o18	0.05	79 Main Street, commercial property	partial acquisition
301-3-6-p/o19	0.04	30 Park Place, commercial property	partial acquisition
301-3-6-p/o20	0.09	75 Main Street, commercial property	partial acquisition
301-3-6-p/o21.1	0.09	65 Main Street, commercial property	partial acquisition
301-3-6-p/o21.2	0.06	32 Main Street, commercial property	partial acquisition
301-3-6-p/o22	0.11	67 Main Street, commercial property	partial acquisition
301-3-6-p/o23	0.05	63 Main Street, commercial property	partial acquisition
301-3-6-p/o24.3	0.21	38 Park Place, commercial property	partial acquisition
301-3-6-p/o25.3	0.14	57 Main Street, commercial property	partial acquisition
301-3-6-p/o26.1	0.10	53 Main Street, commercial property	partial acquisition
301-3-6-p/o27.1	0.05	51 Main Street, commercial property	partial acquisition
301-3-7-p/o1	0.80	66 The Circle, commercial property	partial acquisition
301-3-7-p/o2	0.09	60 The Circle, commercial property	partial acquisition
301-3-7-p/o3	0.18	56 The Circle, commercial property	partial acquisition
301-3-7-p/o24	0.25	78 Main Street, commercial property	partial acquisition
301-3-8-p/o1	2.00	Hunting Inn, Special Permit Property	partial acquisition
301-3-9-p/o1	2.00	Presbyterian Church	partial acquisition

Private Lands with Public Benefit

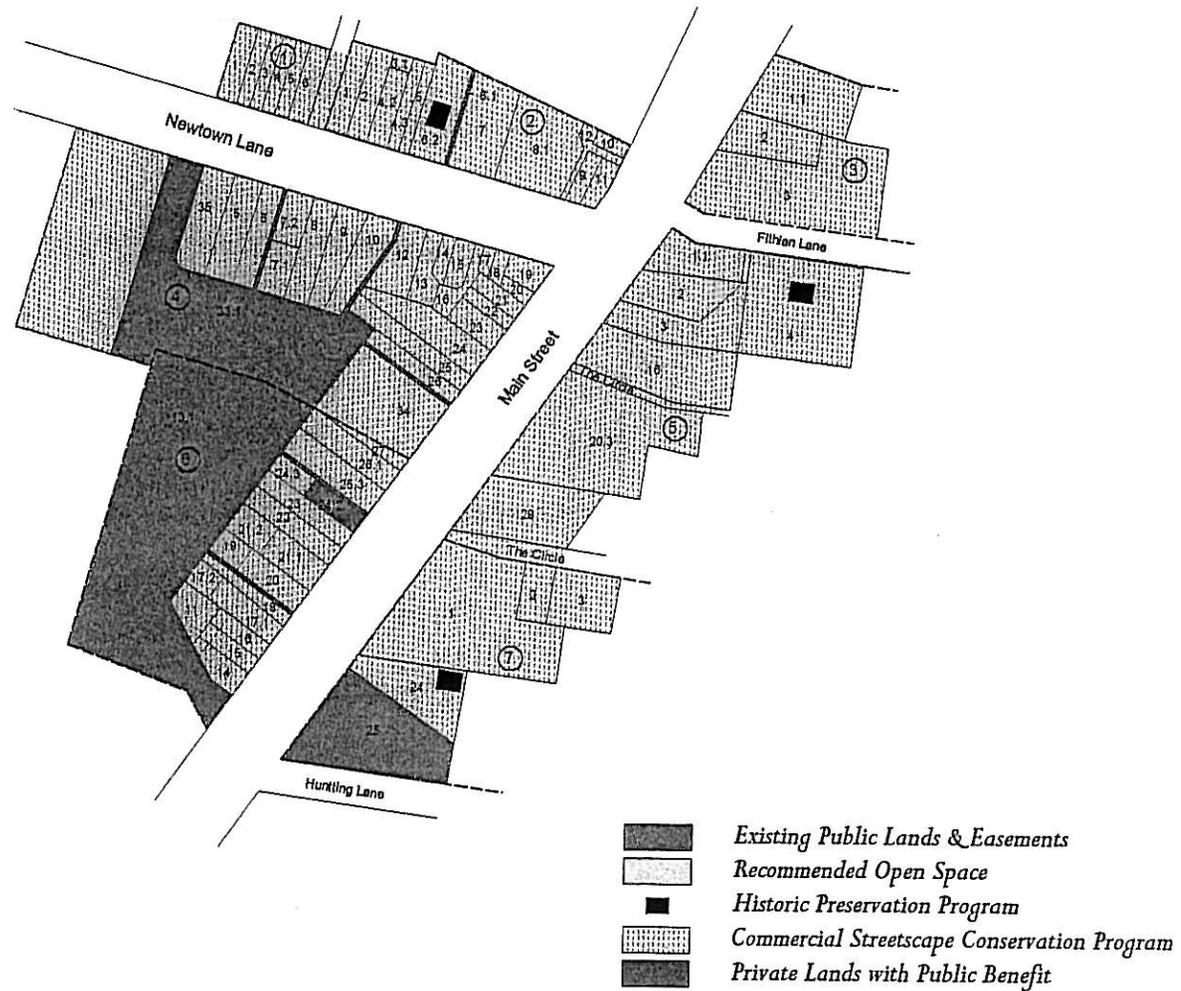
<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
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Village of East Hampton
 Open Space Program
 Section 3



-  Existing Public Lands & Easements
-  Recommended Open Space
-  Historic Preservation Program
-  Commercial Streetscape Conservation Program
-  Private Lands with Public Benefit

Village of East Hampton
 Open Space Program
 Section 3 Detail



Existing Public Lands & Easements

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Disposition</u>
301-4-1-10.3	2.50	Emergency Services Building	maintain buffers
301-4-1-30	0.69	park for passive recreation	village green
301-4-1-31	0.69	park for passive recreation	village green
301-4-2-p/o7	0.23	Schenck Parking Lot	maintain buffers & islands
301-4-2-p/o20.3	1.00	Schenck Parking Lot	maintain buffers & islands
301-4-3-1	0.10	unprotected village green	scenic easement
301-4-3-3	0.34	unprotected village green	scenic easement
301-4-3-7	1.20	unprotected village green	scenic easement
301-4-3-8	0.69	park for passive recreation	village green
301-4-4-31	3.30	Town Hall	maintain open space, prohibit structures
301-4-5-4.1	7.60	park for active recreation	Herrick Park
301-4-5-5.2	0.50	Village property	retain landscaping
301-4-6-6.1	0.12	drainage swale	wetland easement
301-4-6-p/o10.1	1.60	wetlands	wetland easement
301-4-6-13	0.70	road convergence, Sheep Pound	village green
301-4-6-25	16.50	wetlands	The Nature Trail
301-4-7-41.1	0.16	hedgerow	scenic easement
301-4-7-41.2	0.16	hedgerow	scenic easement
301-4-7-41.3	0.16	hedgerow	scenic easement
301-4-7-41.4	0.16	hedgerow	scenic easement
301-4-7-41.5	0.16	hedgerow	scenic easement
301-4-7-30	0.70	drainage area	Reserved Area
301-4-7-p/o 41.7	5.80	agricultural land	Agricultural Easement
301-4-8-1	0.20	buffer	Reserved Area
301-4-9-2.3	0.16	hedgerow	scenic easement
301-4-9-2.4	0.16	hedgerow	scenic easement
301-4-9-2.5	0.16	hedgerow	scenic easement
301-4-9-2.6	0.16	hedgerow	scenic easement
301-4-9-2.8	0.50	village corridor	acquisition
301-4-9-2.10	0.50	village corridor	acquisition
301-4-10-1	7.00	wetlands	The Nature Trail

Recommended Open Space

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-4-10-6	1.60	road convergence	Egypt Green
301-4-1-29	2.50	natural drainage swale	Reserved Area, acquisition
301-4-4-29	3.00	agricultural land	acquisition of Development Rights or Reserved Area
301-4-10-p/o2	1.20	wetlands	wetland easement
301-4-10-p/o3	0.47	wetlands	wetland easement
301-4-10-p/o5.2	1.10	wetlands	wetland easement
301-4-10-p/o7.1	0.34	wetlands	wetland easement

Historic Preservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-4-1-22.1		individual landmark house (1650 - 1850)	historic preservation easement
301-4-4-11.1		extraordinary building in a historic district	historic preservation easement
301-4-7-17		individual landmark house (1650 - 1850)	historic preservation easement
301-4-7-41.6		individual landmark house (1650 - 1850)	historic preservation easement
301-4-8-10		individual landmark house (1650 - 1850)	historic preservation easement
301-4-11-3.3		individual landmark house (1650 - 1850)	historic preservation easement
301-4-11-29.1		individual landmark house (1650 - 1850)	historic preservation easement

Commercial Streetscape Conservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-4-1-p/o8	0.10	83 North Main Street, commercial property	partial acquisition
301-4-1-p/o9	0.26	79 North Main Street, commercial property	partial acquisition
301-4-1-p/o10.1	0.68	92 North Main Street, commercial property	partial acquisition
301-4-1-p/o19.1	0.57	69 North Main Street, commercial property	partial acquisition
301-4-1-p/o33.1	0.30	special permit property	partial acquisition
301-4-1-p/o34	0.27	74 commercial property	partial acquisition
301-4-1-p/o35	0.04	76 North Main Street. vacant commercial property	partial acquisition
301-4-1-p/o36	0.12	80 North Main Street, commercial property	partial acquisition
301-4-2-p/o1	0.27	8 Osborne Lane, commercial property	partial acquisition
301-4-2-p/o2	0.49	88 Newtown Lane, commercial property	partial acquisition
301-4-2-p/o3	3.70	East Hampton Middle School	preserve front lawn
301-4-2-p/o4.1	0.52	66 Newtown Lane, commercial property	partial acquisition

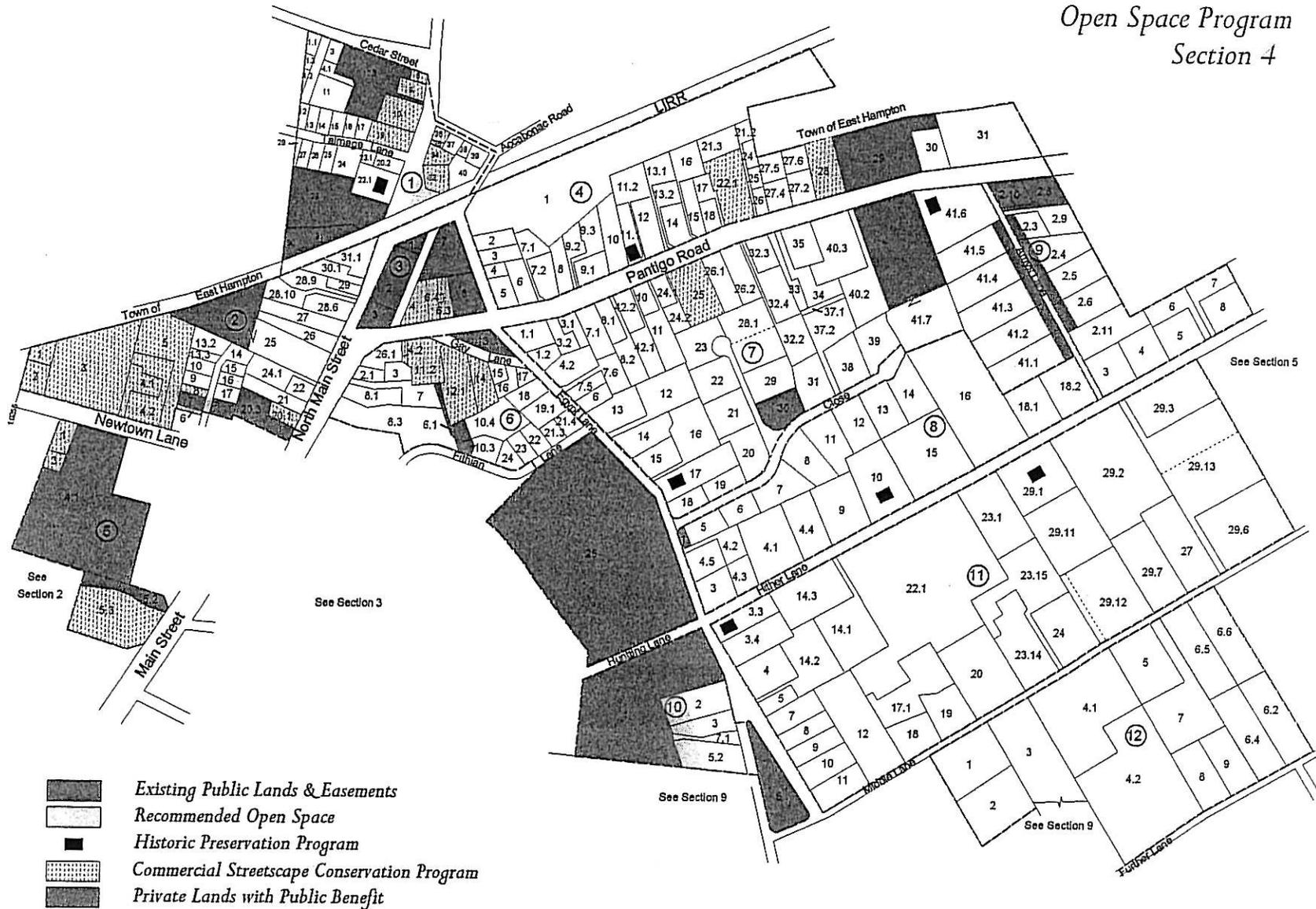
Commercial Streetscape Conservation Program - Cont'd.

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-4-2-p/o4.2	1.07	66 Newtown Lane, commercial property	partial acquisition
301-4-2-p/o5	1.80	83 Newtown Lane, commercial property	partial acquisition
301-4-2-p/o6	0.06	Part of Barnes Lane, right-of-way	acquired & merged with 301-4-2-7
301-4-2-p/o8	0.14	special permit property	partial acquisition
301-4-2-p/o20.1	0.26	9 North Main Street, Limited Office District	partial acquisition
301-4-3-p/o4	0.50	Methodist Church	retain front lawn, scenic easement
301-4-3-p/o6.3	0.27	43 Pantigo Road, commercial property	partial acquisition
301-4-3-p/o6.4	0.20	41 Pantigo Road, commercial property	partial acquisition
301-4-4-p/o22.1	1.50	special permit property	partial acquisition
301-4-4-p/o28	1.10	special permit property	partial acquisition
301-4-5-1	0.33	77, 78 & 79 Newtown Lane, commercial property	partial acquisition
301-4-5-3	0.18	8 Muchmore Lane, commercial property	partial acquisition
301-4-5-5.3	2.40	Gardiner Brown House, 95 Main St., special permit property	partial acquisition
301-4-6-p/o4.2	0.08	34 Pantigo Road, commercial property	partial acquisition
301-4-6-p/o11.2	0.91	38 Pantigo Road, commercial property	partial acquisition
301-4-6-p/o12.1	1.21	12 Gay Lane, commercial property	partial acquisition
301-4-6-p/o14	0.67	18 Gay Lane, commercial property	partial acquisition
301-4-7-p/o25	1.30	special permit property	partial acquisition

Private Lands with Public Benefit

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-4-2-p/o25	1.75	Peconic Land Trust	maintain open space
301-4-3-2	1.00	East Hampton Cemetery Association	maintain open spaces & buffers

Village of East Hampton
Open Space Program
Section 4



-  Existing Public Lands & Easements
-  Recommended Open Space
-  Historic Preservation Program
-  Commercial Streetscape Conservation Program
-  Private Lands with Public Benefit

Section 5

Recommended Open Space

Existing Public Lands & Easements

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
301-5-1-p/o5.1	0.21	buffer
301-5-1-p/o5.3	0.23	buffer
301-5-3-p/o10.1	5.00	vista

Recommended Disposition
 Declaration of Covenants & Restrictions
 Declaration of Covenants & Restrictions
 retain vista, scenic easement

Recommended Open Space

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
301-5-3-p/o11.1	6.90	agricultural land
301-5-3-13.2	4.10	agricultural land

Recommended Disposition
 retain vista, agricultural land, purchase Development Rights
 retain vista, agricultural land, purchase Development Rights

Historic Preservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
301-5-2-6.5		individual landmark house (1650 - 1850)

Recommended Disposition
 historic preservation easement

Commercial Streetscape Conservation Program

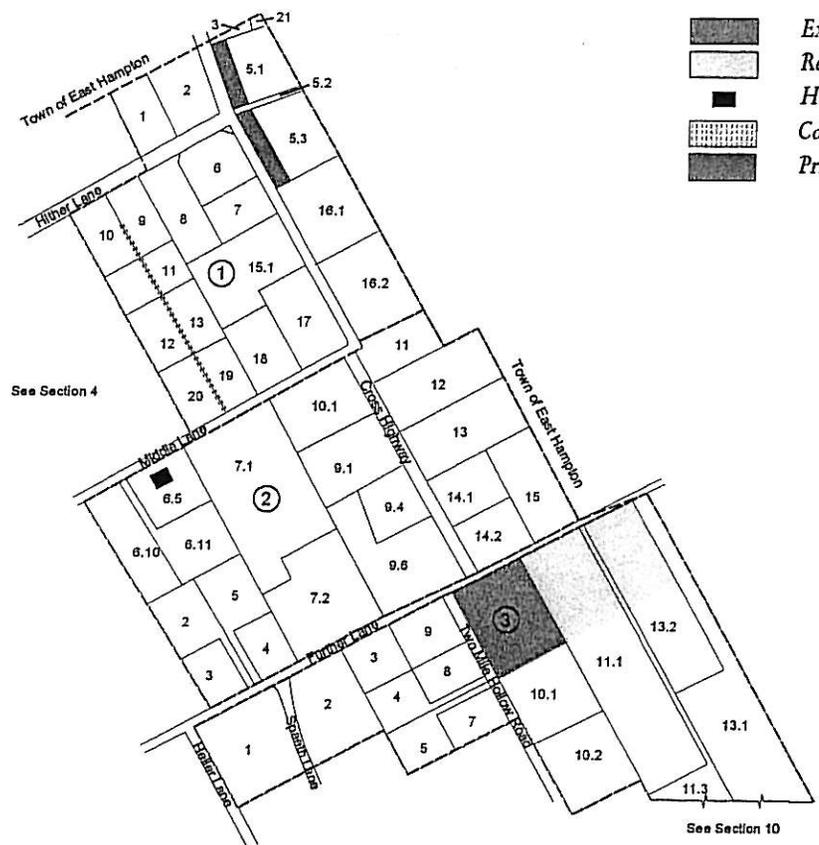
<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
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Recommended Disposition

Private Lands with Public Benefit

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
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Recommended Disposition



-  Existing Public Lands & Easements
-  Recommended Open Space
-  Historic Preservation Program
-  Commercial Streetscape Conservation Program
-  Private Lands with Public Benefit

Village of East Hampton
 Open Space Program
 Section 5

Section 6

Recommended Open Space

Existing Public Lands & Easements

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-6-1-2	0.50	village corridor, New York State	scenic easement
301-6-1-3	2.50	village corridor, road convergence	Reserved Area
301-6-1-5	3.10	village corridor	Reserved Area

Recommended Open Space

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-6-1-1	3.30	village corridor, wetlands	acquisition, wetland easement
301-6-1-p/o6	0.50	village corridor	acquisition, scenic easement
301-6-1-p/o7	1.30	village corridor	acquisition, scenic easement
301-6-1-p/o8	0.30	village corridor	acquisition, scenic easement
301-6-1-p/o9.1	57.10	wetlands	wetland easements, Reserved Area

Historic Preservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
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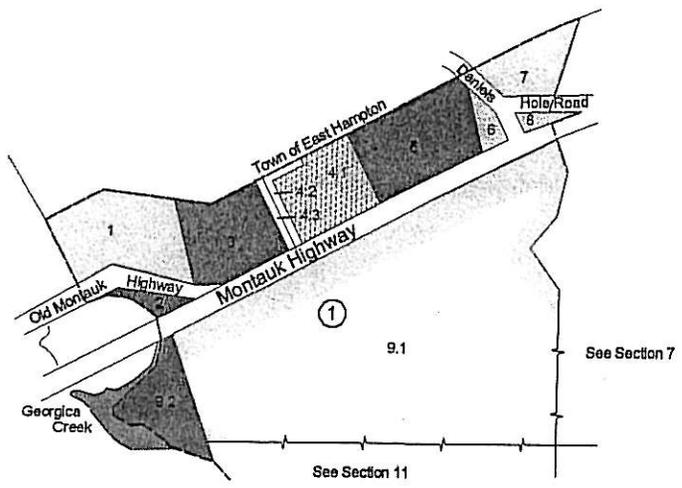
Commercial Streetscape Conservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-6-1-p/o4.1	2.20	special permit property	partial acquisition

Private Lands with Public Benefit

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-6-1-9.2	2.00	wetlands	Nature Conservancy

Village of East Hampton
 Open Space Program
 Section 6



-  Existing Public Lands & Easements
-  Recommended Open Space
-  Historic Preservation Program
-  Commercial Streetscape Conservation Program
-  Private Lands with Public Benefit

Existing Public Lands & Easements

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-7-1-p/o2	5.30	Trustees of the Town of East Hampton, village corridor	scenic easement
301-7-1-3	1.74	Trustees of the Town of East Hampton	wetlands
301-7-1-5.3	4.90	village corridor	Trustees of the Town of East Hampton
301-7-2-2.3	4.20	village corridor, agricultural land	Reserved Area
301-7-2-13.1	0.01	agricultural land	Reserved Area
301-7-2-13.2	0.01	agricultural land	Reserved Area
301-7-2-24	6.00	village corridor, agricultural land	Reserved Area
301-7-3-p/o4	2.00	wetlands	scenic easement

Recommended Open Space

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-7-1-p/o4	2.80	village corridor	scenic easement
301-7-1-6	0.38	village corridor	acquisition
301-7-2-p/o18	0.90	village corridor	scenic easement
301-7-2-p/o19	1.30	village corridor	scenic easement
301-7-3-p/o1	1.10	village corridor	scenic easement
301-7-3-p/o2	8.20	village corridor, wetlands	scenic easement, wetland easement
301-7-3-p/o3	1.70	village corridor, wetlands	scenic easement, wetland easement
301-7-3-p/o4	2.00	village corridor, wetlands	scenic easement, wetland easement
301-7-3-p/o5	2.00	village corridor	acquisition, scenic easement
301-7-3-p/o6	2.40	wetlands	wetland easement
301-7-3-p/o7	2.50	wetlands	wetland easement
301-7-3-p/o8	1.90	wetlands	wetland easement
301-7-4-p/o1	1.90	village corridor	scenic easement
301-7-4-p/o2	1.90	village corridor	scenic easement
301-7-4-p/o3	1.90	village corridor	scenic easement
301-7-4-p/o4	2.00	village corridor	scenic easement
301-7-4-p/o14.1	1.90	wetlands	wetland easement
301-7-4-p/o14.2	2.00	wetlands	wetland easement
301-7-4-p/o15	1.10	wetlands	wetland easement
301-7-4-p/o16	2.20	wetlands	wetland easement
301-7-4-p/o17	2.40	village corridor	scenic easement
301-7-5-p/o1.1	1.00	village corridor	scenic easement

Recommended Open Space - Cont'd.

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-7-5-p/o1.2	1.00	village corridor	scenic easement
301-7-5-p/o1.3	1.00	village corridor	scenic easement
301-7-5-p/o1.4	1.00	village corridor	scenic easement

Historic Preservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-7-2-12		individual landmark house (1650 - 1850)	historic preservation easement
301-7-2-15		individual landmark house (1650 - 1850)	historic preservation easement

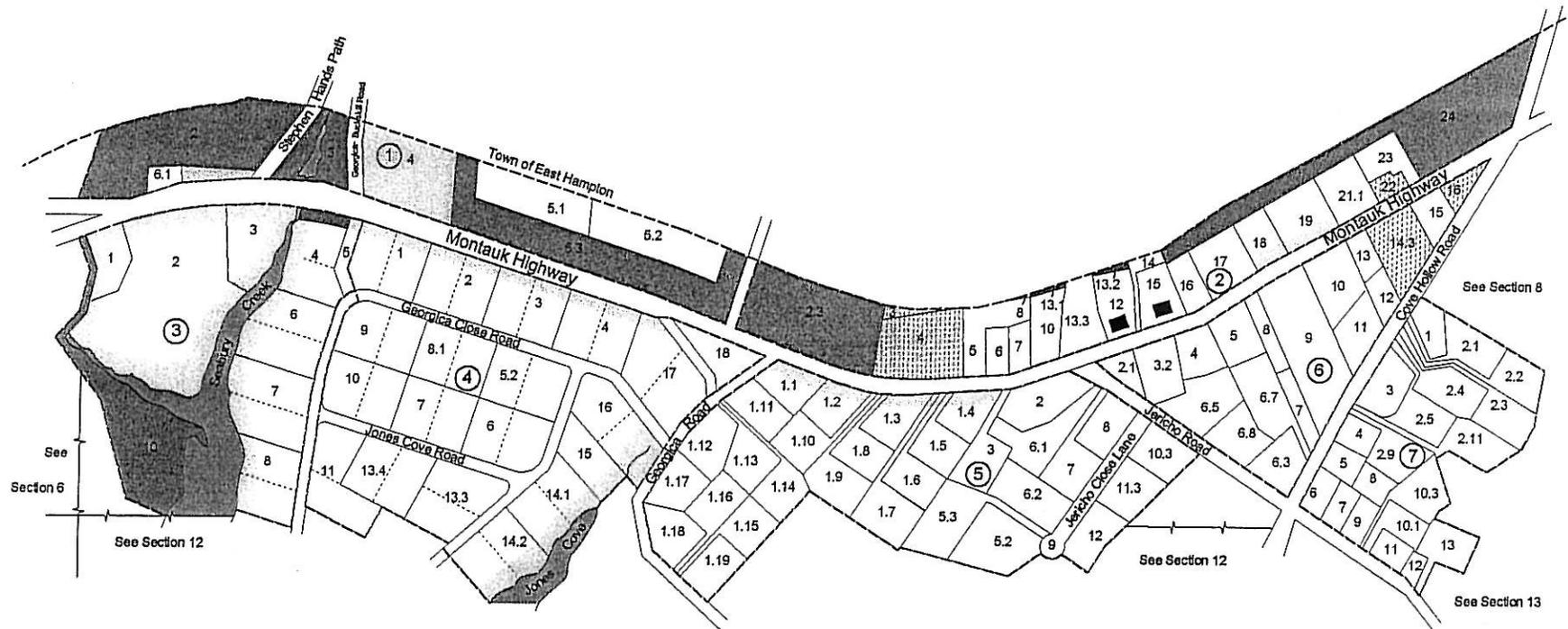
Commercial Streetscape Conservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-7-2-p/o3	0.29	special permit property	partial acquisition
301-7-2-p/o4	2.20	special permit property	partial acquisition
301-7-2-p/o8	0.01	special permit property	partial acquisition
301-7-2-p/o22	0.32	special permit property	partial acquisition
301-7-6-p/o14.3	1.50	special permit property	partial acquisition
301-7-6-p/o16	0.31	special permit property	partial acquisition

Private Lands with Public Benefit

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-7-3-10	4.00	wetlands	Nature Conservancy

Village of East Hampton
Open Space Program
Section 7



-  Existing Public Lands & Easements
-  Recommended Open Space
-  Historic Preservation Program
-  Commercial Streetscape Conservation Program
-  Private Lands with Public Benefit

Existing Public Lands & Easements

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-8-5-15	0.24	historic site	Home Sweet Home
301-8-8-1	1.10	road convergence	Village Green
301-8-8-3	2.80	wetland, village green	Town Pond, Village Green
301-8-8-4	0.08	road convergence	Village Green
301-8-9-1.3	0.16	historic site	Gardiner Mill, Village property
301-8-9-1.4	3.70	agricultural land	agricultural easement
301-8-9-1.5	3.70	agricultural land	agricultural easement
301-8-10-3	2.40	road convergence	Village Green, Bannister Park
301-8-12-p/o2.3	2.20	village corridor	scenic easement
301-8-12-p/o2.5	2.90	village corridor	scenic easement
301-8-12-p/o2.6	2.30	village corridor	scenic easement
301-8-15-14	0.12	buffer	Reserved Area
301-8-15-13	0.40	buffer	Reserved Area

Recommended Open Space

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-8-9-p/o2.1	9.30	wetlands	wetland easement
301-8-9-p/o8.2	2.60	wetlands	wetland easement
301-8-9-p/o8.3	4.10	wetlands	wetland easement
301-8-9-p/o14.3	2.80	wetlands	wetland easement
301-8-9-p/o14.4	2.40	wetlands	wetland easement
301-8-12-p/o5.7	1.10	village corridor	scenic easement
301-8-12-p/o5.8	1.10	village corridor	scenic easement
301-8-12-p/o5.13	1.10	village corridor	scenic easement
301-8-12-p/o5.14	1.10	village corridor	scenic easement
301-8-14-p/o4	1.50	wetlands	wetland easement
301-8-14-p/o5	1.90	wetlands	wetland easement
301-8-14-p/o8	1.90	wetlands	wetland easement
301-8-14-p/o9	1.10	wetlands	wetland easement
301-8-14-p/o10	2.80	wetlands	wetland easement
301-8-14-p/o11	1.30	wetlands	wetland easement
301-8-14-p/o12	3.40	wetlands	wetland easement
301-8-14-p/o13	3.00	wetlands	wetland easement

Recommended Open Space - Cont'd.

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-8-14-p/o14	3.40	wetlands	wetland easement
301-8-14-p/o15	2.80	wetlands	wetland easement
301-8-14-p/o16	1.50	wetlands	wetland easement

Historic Preservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-8-3-3.1		small historic building (Post Office c. 1860)	acquisition
301-8-3-24.3		historic barn (Hedges Barn)	acquisition or historic preservation easement
301-8-7-51		extraordinary building in a historic district	historic preservation easement
301-8-7-53		extraordinary building in a historic district (Jeremiah Osborne House)	acquisition or historic preservation easement
		historic barn (Osborne Barn)	historic preservation easement
301-8-9-1.4		extraordinary building in a historic district	acquisition or historic preservation easement
301-8-9-1.5		land of historic value	acquisition or easement
301-8-9-3		extraordinary building in a historic district	acquisition or historic preservation easement
301-8-9-9.4		individual landmark house (1650 - 1850)	historic preservation easement
301-8-9-12		extraordinary building in a historic district	acquisition or historic preservation easement
301-8-12-6		individual landmark house (1650 - 1850)	historic preservation easement
301-8-13-22		individual landmark house (1650 - 1850)	historic preservation easement

Commercial Streetscape Conservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-8-2-p/o48.1	8.10	Most Holy Trinity Church, special permit property	partial acquisition
301-8-3-p/o19	0.58	1770 House, special permit property	partial acquisition
301-8-3-p/o20	0.20	East Hampton Historical Society, special permit property	partial acquisition
301-8-3-p/o21	0.20	Clinton Academy, special permit property	partial acquisition
301-8-3-p/o22	0.29	East Hampton Star, special permit property	partial acquisition
301-8-3-p/o29.1	2.30	East Hampton Library, special permit property	partial acquisition
301-8-5-p/o3	1.10	Guild Hall, special permit property	partial acquisition
301-8-5-p/o7	3.00	Mulford Farm, special permit property	partial acquisition
301-8-5-p/o8	1.50	St. Luke's Church, special permit property	partial acquisition
301-8-5-p/o9	0.47	The Pink House, special permit property	partial acquisition

Commercial Streetscape Conservation Program - Cont'd.

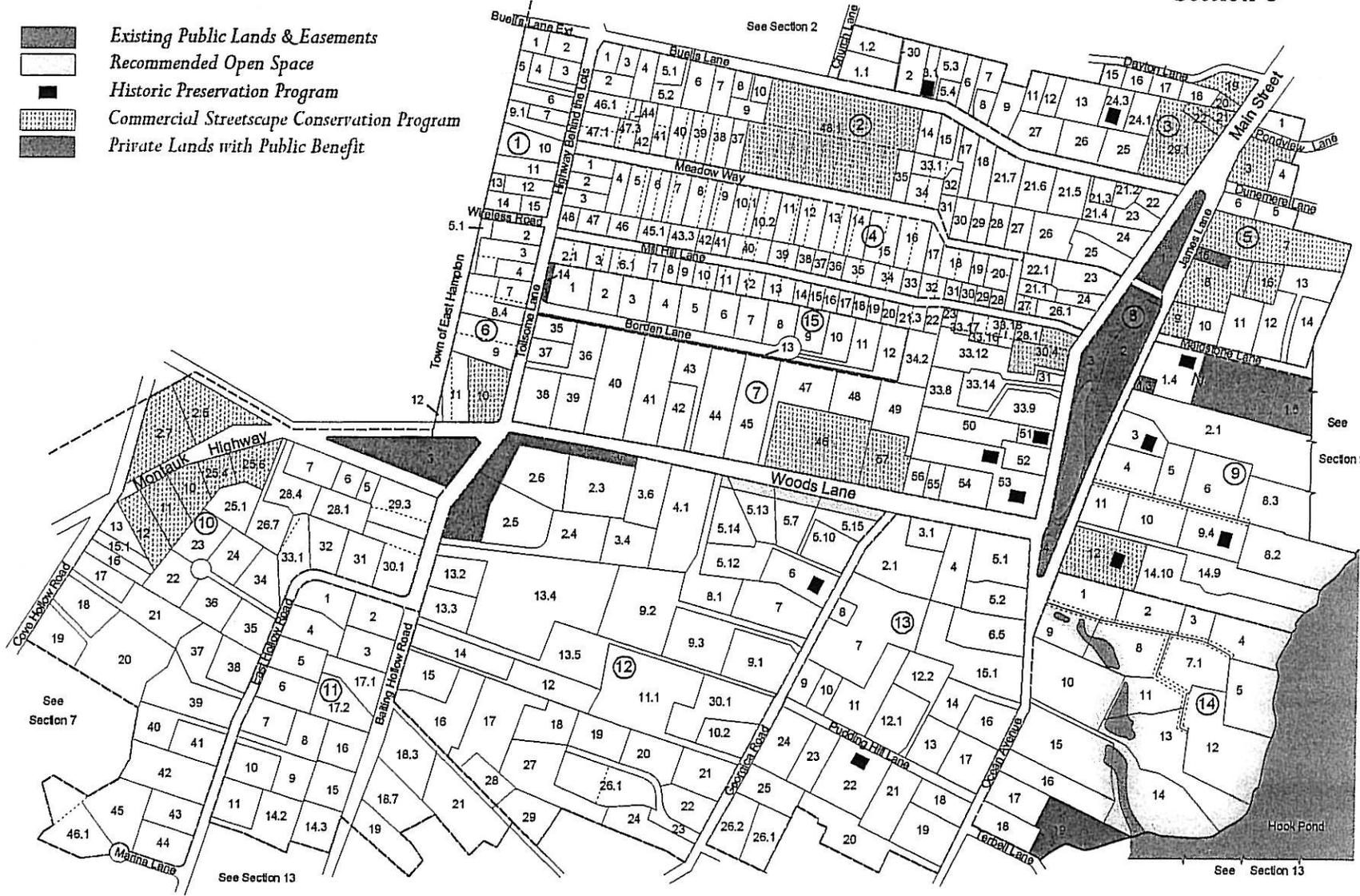
<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-8-5-p/o16	0.70	St. Luke's Church, special permit property	partial acquisition
301-8-6-p/o10	1.20	Getty Station, special permit property	partial acquisition
301-8-7-p/o30.3	0.92	Maidstone Arms Restaurant & Inn, Special Permit property	partial acquisition
301-8-7-p/o46	3.30	Jewish Center of the Hamptons, special permit property	partial acquisition
301-8-7-p/o57	1.10	Jewish Center of the Hamptons, special permit property	partial acquisition
301-8-9-p/o12	2.00	The Hedges Inn, special permit property	partial acquisition
301-8-10-p/o2.5	1.03	50 Montauk Highway, Apple Bank, commercial property	partial acquisition
301-8-10-p/o2.7	2.30	74 Montauk Highway, Red Horse, commercial property	partial acquisition
301-8-10-p/o10	0.70	65 Montauk Highway, Hardscrabble, commercial property	partial acquisition
301-8-10-p/o11	1.10	74 Montauk Highway, East Hampton Bowl, commercial	partial acquisition
301-8-10-p/o12	1.00	75 Montauk Highway, Florist, commercial property	partial acquisition
301-8-10-p/o25.4	0.50	57 Montauk Highway, commercial property	partial acquisition
301-8-10-p/o25.6	0.75	47 Montauk Highway, commercial property	partial acquisition

Private Lands with Public Benefit

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-8-8-2	1.80	cemetery	East Hampton Cemetery Association
301-8-14-19	1.60	wetlands	Peconic Land Trust

Village of East Hampton Open Space Program Section 8

-  Existing Public Lands & Easements
-  Recommended Open Space
-  Historic Preservation Program
-  Commercial Streetscape Conservation Program
-  Private Lands with Public Benefit



Existing Public Lands & Easements

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-9-1-3.3	2.50	wetlands	Nature Trail
301-9-1-9.29	1.50	wetlands	Nature Trail
301-9-1-9.30	5.20	wetlands	Nature Trail
301-9-1-p/o13.1	0.21	buffer	conservation easement
301-9-1-p/o13.9	1.40	wetland & hedgerow	conservation easement
301-9-1-p/o13.10	0.89	wetland & buffer	conservation easement
301-9-3-13	1.00	wetlands	Nature Trail
301-9-3-15	0.25	road convergence	Village Green
301-9-4-p/o26	3.70	wetlands	wetland easement
		Ocean Beach	Trustees of the Town of East Hampton
	1.70	Wiborg's Beach parking lot	maintain parking

Recommended Open Space

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-9-1-p/o4	0.85	wetlands	wetland easement
301-9-1-p/o5	1.10	wetlands	wetland easement
301-9-1-p/o6	1.50	wetlands	wetland easement
301-9-1-p/o7	1.00	wetlands	wetland easement
301-9-1-p/o8	0.50	wetlands	wetland easement
301-9-1-p/o10	1.10	wetlands	wetland easement
301-9-1-p/o11	1.30	wetlands	wetland easement
301-9-3-p/o11	1.40	wetlands	wetland easement
301-9-3-p/o12	2.40	wetlands	wetland easement
301-9-3-p/o14	1.00	wetlands	wetland easement
301-9-4-p/o14	3.10	wetlands	wetland easement
301-9-4-p/o15.1	4.40	wetlands	wetland easement
301-9-4-p/o23	1.60	dunelands	duneland easement
301-9-4-p/o24	1.60	dunelands	duneland easement
301-9-4-p/o25	1.60	dunelands	duneland easement
301-9-5-p/o10.1	2.40	dunelands	duneland easement
301-9-5-p/o11	2.40	dunelands	duneland easement
301-9-5-p/o12	2.40	dunelands	duneland easement
301-9-5-p/o13	2.40	dunelands	duneland easement

Recommended Open Space - Cont'd.

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-9-5-p/o14	2.40	dunelands	duneland easement
301-9-5-p/o21.3	2.40	dunelands	duneland easement
301-9-5-p/o21.4	2.40	dunelands	duneland easement
301-9-6-p/o7.2	7.10	dunelands	duneland easement
301-9-6-p/o9.1	6.50	dunelands	duneland easement
301-9-6-p/o11.1	8.60	dunelands	duneland easement

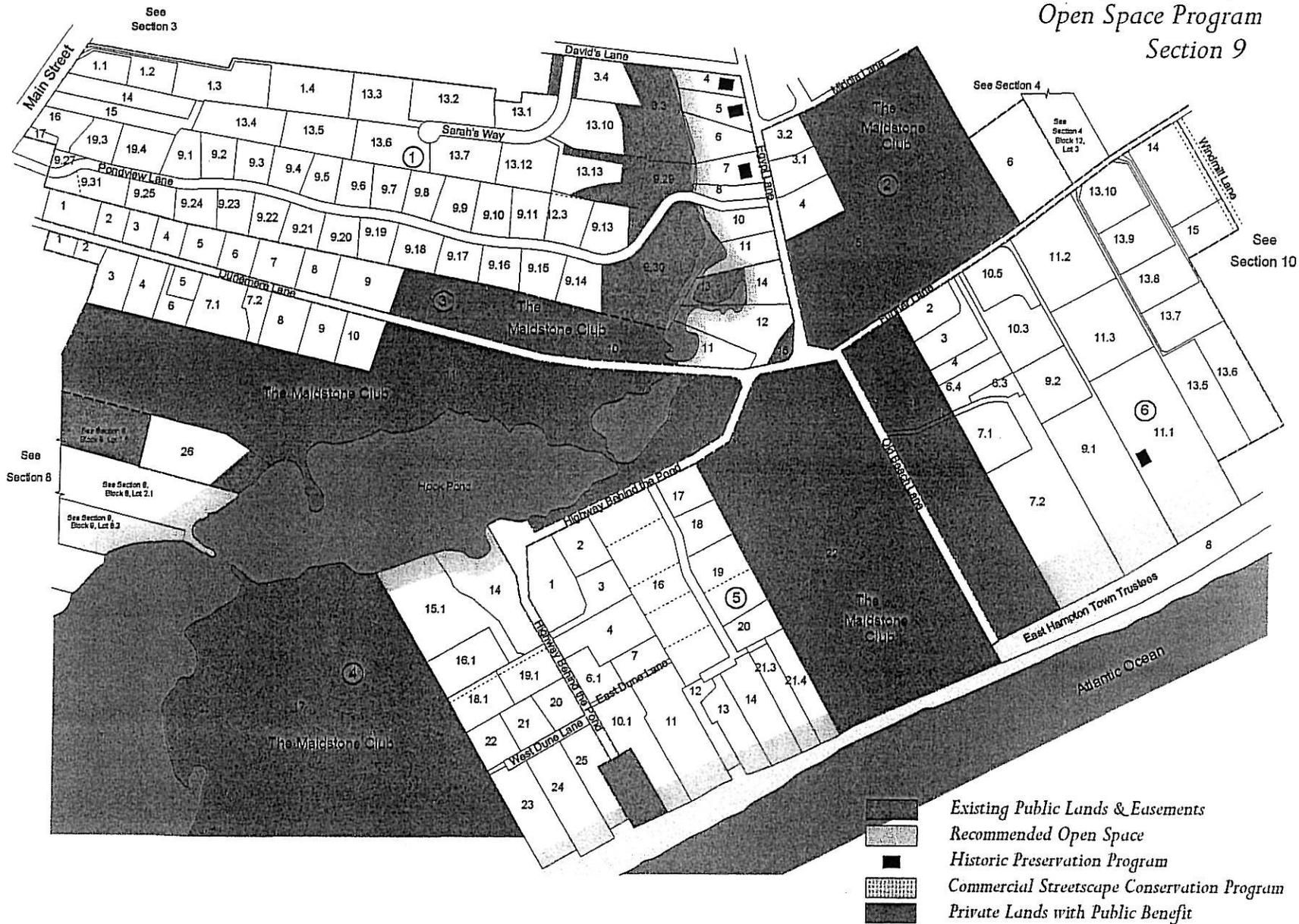
Historic Preservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-9-1-4		individual landmark house (1650 - 1850)	historic preservation easement
301-9-1-5		individual landmark house (1650 - 1850)	historic preservation easement
301-9-1-7		individual landmark house (1650 - 1850)	historic preservation easement
301-9-6-11.1		small historic building	acquisition

Private Lands with Public Benefit

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-9-2-5	23.80	Maidstone Club	retain open space benefit
301-9-3-p/o10	7.90	Maidstone Club, wetlands	retain open space benefit, wetland easement
301-9-4-p/o11	33.50	Maidstone Club, wetlands	retain open space benefit, wetland easement
301-9-4-p/o17	79.30	Maidstone Club, wetlands, dunelands	retain open space benefit, dunelands & wetlands easements
301-9-5-22	36.2	Maidstone Club	retain open space benefit, duneland easements
301-9-6-p/o1	13.6	Maidstone Club	retain open space benefit, duneland easements

Village of East Hampton
 Open Space Program
 Section 9



Existing Public Lands & Easements

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
	2.41	Two Mile Hollow Beach parking	maintain parking

Recommended Open Space

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-10-1-p/o10	4.20	dunelands	duneland easement
301-10-1-p/o11	3.70	dunelands	duneland easement
301-10-1-p/o32	3.80	dunelands	duneland easement
301-10-1-p/o33	1.80	dunelands	duneland easement
301-10-1-p/o34	3.30	dunelands	duneland easement
301-10-1-p/o36.1	5.90	dunelands	duneland easement
301-10-2-p/o3	4.70	dunelands	duneland easement

Historic Preservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-10-1-11		important building move here from elsewhere on South Fork	acquisition or historic preservation easement
301-10-1-22		important building move here from elsewhere on South Fork	acquisition

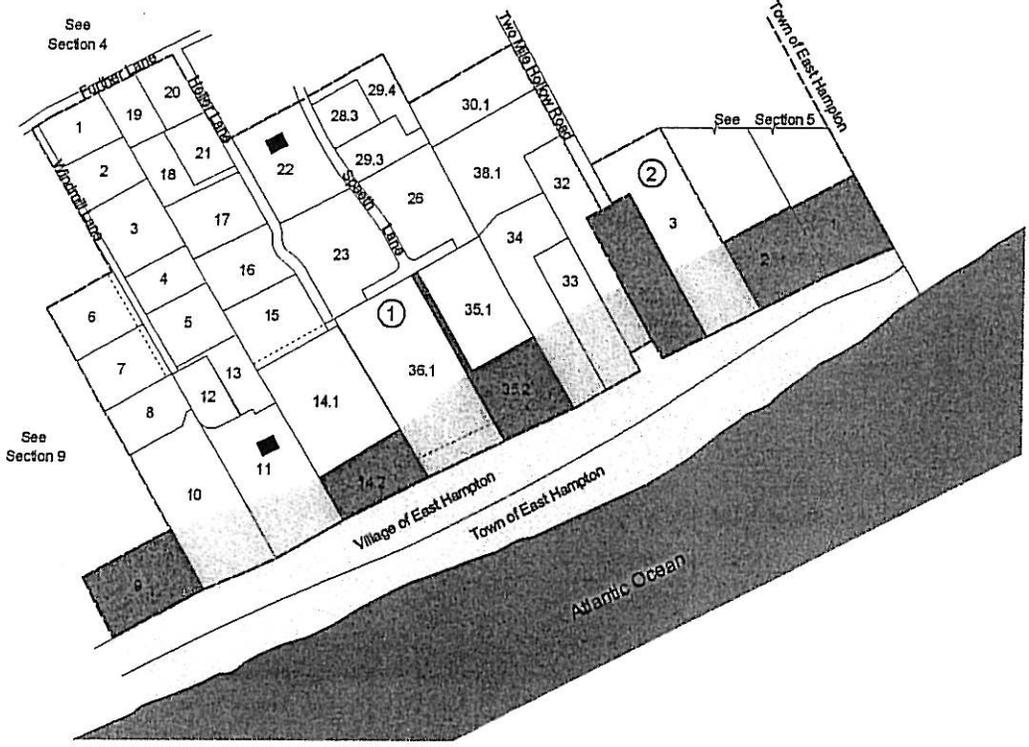
Commercial Streetscape Conservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
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Private Lands with Public Benefit

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-10-1-9	2.20	Atlantic Double Dunes	The Nature Conservancy
301-10-1-14.2	1.70	Atlantic Double Dunes	The Nature Conservancy
301-10-1-35.2	2.50	Atlantic Double Dunes	The Nature Conservancy
301-10-2-1	2.00	Atlantic Double Dunes	The Nature Conservancy
301-10-2-2	2.00	Atlantic Double Dunes	The Nature Conservancy

Village of East Hampton
 Open Space Program
 Section 10



-  Existing Public Lands & Easements
-  Recommended Open Space
-  Historic Preservation Program
-  Commercial Streetscape Conservation Program
-  Private Lands with Public Benefit

Existing Public Lands & Easements

Tax Map Number Acreage Characteristics Recommended Disposition

Recommended Open Space

Tax Map Number Acreage Characteristics Recommended Disposition

Historic Preservation Program

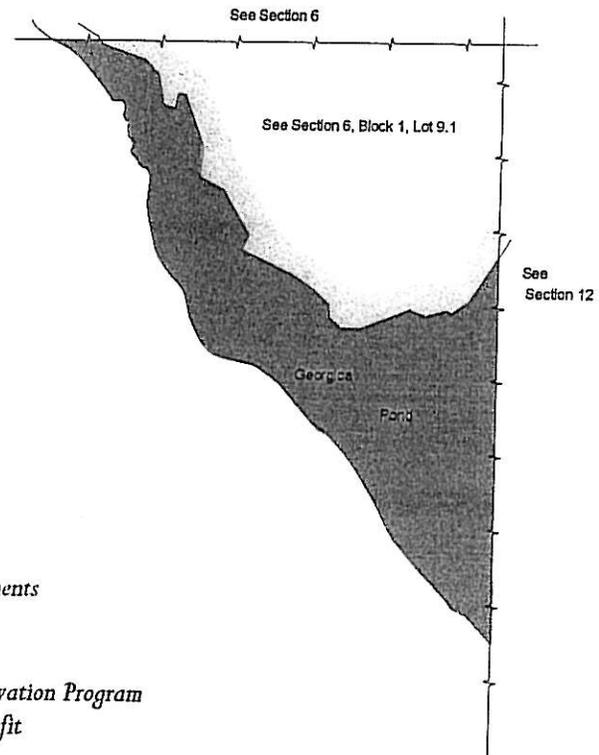
Tax Map Number Acreage Characteristics Recommended Disposition

Commercial Streetscape Conservation Program

Tax Map Number Acreage Characteristics Recommended Disposition

Private Lands with Public Benefit

Tax Map Number Acreage Characteristics Recommended Disposition



-  Existing Public Lands & Easements
-  Recommended Open Space
-  Historic Preservation Program
-  Commercial Streetscape Conservation Program
-  Private Lands with Public Benefit

Village of East Hampton
 Open Space Program
 Section 11

Existing Public Lands & Easements

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-12-9-16	3.50	buffer	Reserved Area
301-12-9-17	1.20	buffer	Reserved Area
301-12-9-18	0.75	buffer	Reserved Area
301-12-9-20	0.57	buffer	Reserved Area
301-12-10-p/01	2.70	wetlands	wetland easement
301-12-10-p/02	2.70	wetlands	wetland easement
301-12-10-p/03	2.90	wetlands	wetland easement
301-12-10-p/04	2.60	wetlands	wetland easement
301-12-10-p/05	2.60	wetlands	wetland easement
301-12-10-p/06	2.60	wetlands	wetland easement
301-12-10-p/07	3.40	wetlands	wetland easement
301-12-10-p/08	3.20	wetlands	wetland easement
301-12-10-p/09	3.10	wetlands	wetland easement
301-12-10-16	1.20	buffer	Reserved Area
		Cove Hollow parking area	maintain parking

Recommended Open Space

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-12-1-p/01	2.10	wetlands	wetland easement
301-12-1-p/02	2.10	wetlands	wetland easement
301-12-1-p/03	2.40	wetlands	wetland easement
301-12-1-p/04	2.90	wetlands	wetland easement
301-12-1-p/07.1	3.70	wetlands	wetland easement
301-12-1-p/08	1.80	wetlands	wetland easement
301-12-4-p/02.1	1.90	wetlands	wetland easement
301-12-4-p/02.3	3.00	wetlands	wetland easement
301-12-4-p/02.4	2.70	wetlands	wetland easement
301-12-4-p/03	2.70	wetlands	wetland easement
301-12-4-p/07.1	2.10	wetlands	wetland easement
301-12-4-p/08	4.90	wetlands	wetland easement
301-12-4-p/09	2.50	wetlands	wetland easement
301-12-4-p/010	3.00	wetlands	wetland easement
301-12-4-p/011.6	9.20	wetlands	wetland easement

Recommended Open Space - Cont'd.

301-12-4-p/o19.2	0.18	wetlands	wetland easement
301-12-4-p/o20.2	0.02	wetlands	wetland easement
301-12-4-p/o20.3	2.00	wetlands	wetland easement
301-12-4-p/o21.1	1.70	wetlands	wetland easement
301-12-4-p/o21.2	2.90	wetlands	wetland easement
301-12-4-p/o22	3.00	wetlands	wetland easement
301-12-5-p/o1	3.60	wetlands	wetland easement
301-12-5-p/o2	1.50	wetlands	wetland easement
301-12-5-p/o3	3.90	wetlands	wetland easement
301-12-5-p/o4	1.00	wetlands	wetland easement
301-12-5-p/o5	2.30	wetlands	wetland easement
301-12-5-p/o9	5.10	wetlands	wetland easement
301-12-5-p/o10	3.00	wetlands	wetland easement
301-12-5-p/o11	5.20	wetlands	wetland easement
301-12-5-p/o12	5.10	wetlands	wetland easement
301-12-7-p/o3	2.10	wetlands	wetland easement
301-12-7-p/o4	1.40	wetlands	wetland easement
301-12-7-p/o5	0.80	wetlands	wetland easement
301-12-7-p/o6	1.20	wetlands	wetland easement
301-12-7-p/o7	3.10	wetlands	wetland easement
301-12-7-p/o9.3	0.60	wetlands	wetland easement

Historic Preservation Program

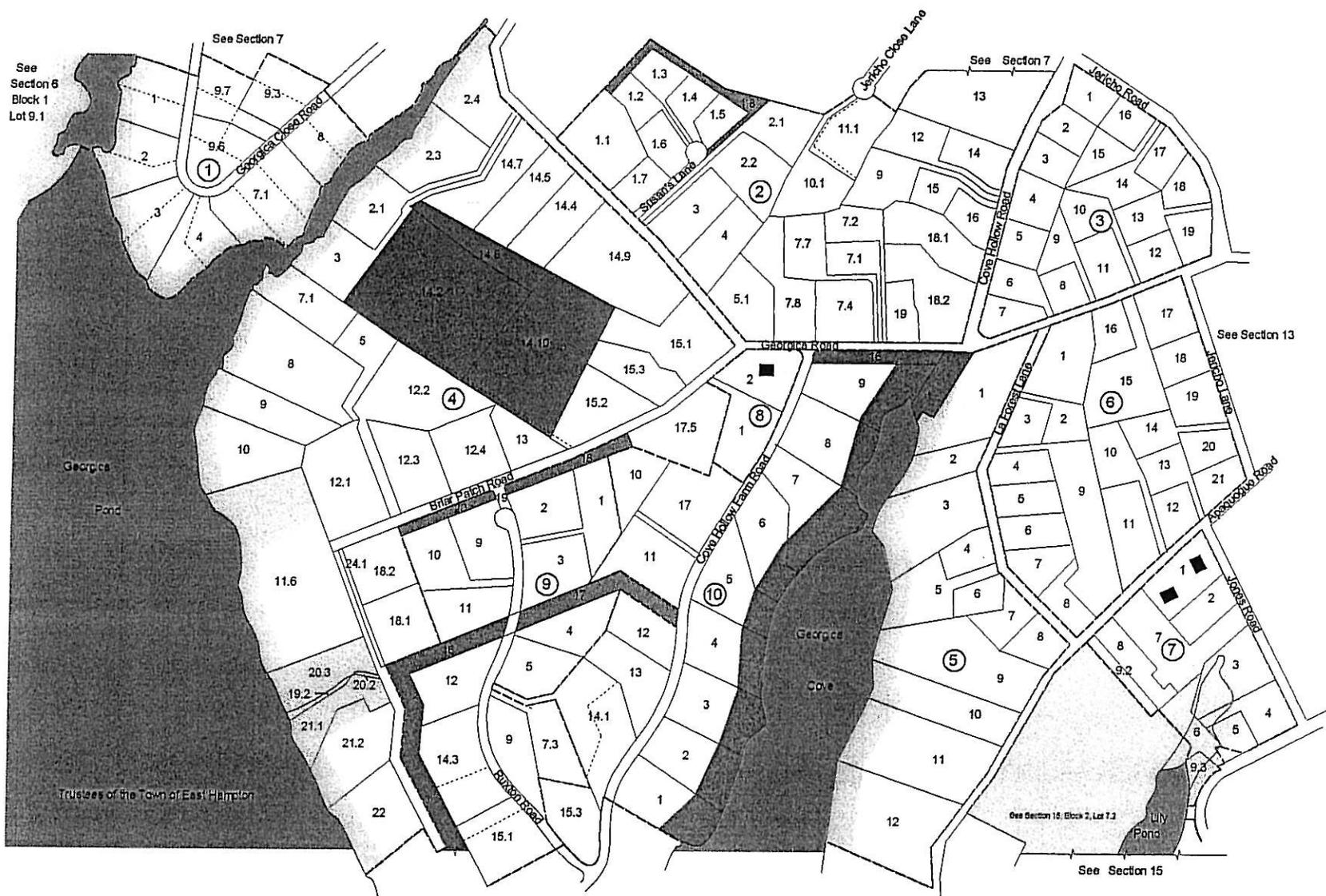
<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-12-7-1		individual landmark house (1650 - 1850)	historic preservation easement
		historic barn	historic preservation easement
301-12-8-2		individual landmark house (1650 - 1850) Baldwin Cook Talmadge House	historic preservation easement

Commercial Streetscape Conservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
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Private Lands with Public Benefit

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-12-4-14.2	9.10	prime agricultural lands	The Nature Conservancy
301-12-4-14.8	1.50	prime agricultural lands	The Nature Conservancy
301-12-4-14.10	7.00	prime agricultural lands	The Nature Conservancy



-  Existing Public Lands & Easements
-  Recommended Open Space
-  Historic Preservation Program
-  Commercial Streetscape Conservation Program
-  Private Lands with Public Benefit

Village of East Hampton
 Open Space Program
 Section 12

Existing Public Lands & Easements

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-13-5-p/o8.1	0.76	dune	scenic easement
301-13-5-p/o8.2	1.28	dune	scenic easement
301-13-10-18	1.70	Village Parking	Village property
301-13-10-19	16.60	Sea Spray	Village property
301-13-13-21	1.30	Main Beach Pavilion Ocean Beaches	Village property Trustees of the Town of East Hampton

Recommended Open Space

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-13-10-p/o3	1.50	wetlands	wetland easement
301-13-10-p/o4	1.80	wetlands	wetland easement
301-13-10-p/o5	4.40	wetlands	wetland easement
301-13-10-p/o6.1	3.20	wetlands	wetland easement
301-13-10-p/o6.2	1.90	wetlands	wetland easement
301-13-10-p/o15	1.00	wetlands	wetland easement
301-13-10-p/o17	1.00	wetlands	wetland easement
301-13-11-p/o6	8.50	dunelands	duneland easement
301-13-11-p/o10	3.50	dunelands	duneland easement
301-13-11-p/o11	2.70	dunelands	duneland easement
301-13-12-p/o3	2.80	dunelands	duneland easement
301-13-12-p/o4.2	2.80	dunelands	duneland easement
301-13-12-p/o6.2	2.00	dunelands	duneland easement
301-13-12-p/o9.1	4.20	dunelands	duneland easement
301-13-12-p/o12	2.20	dunelands	duneland easement
301-13-12-p/o13.3	2.10	dunelands	duneland easement
301-13-12-p/o20	1.40	dunelands	duneland easement
301-13-13-p/o6	1.30	dunelands	duneland easement
301-13-13-p/o7.2	4.00	dunelands	duneland easement
301-13-13-p/o11.1	1.60	dunelands	duneland easement
301-13-13-p/o12	2.40	dunelands	duneland easement

Historic Preservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
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Commercial Streetscape Conservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-6-4-p/o4.2	0.91	real estate office, Special Permit Property	partial acquisition

Private Lands with Public Benefit

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
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Section 14

Recommended Open Space

Existing Public Lands & Easements

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
		Ocean Beaches

Recommended Disposition
Trustees of the Town of East Hampton

Recommended Open Space

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
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Recommended Disposition

Historic Preservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
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Recommended Disposition

Commercial Streetscape Conservation Program

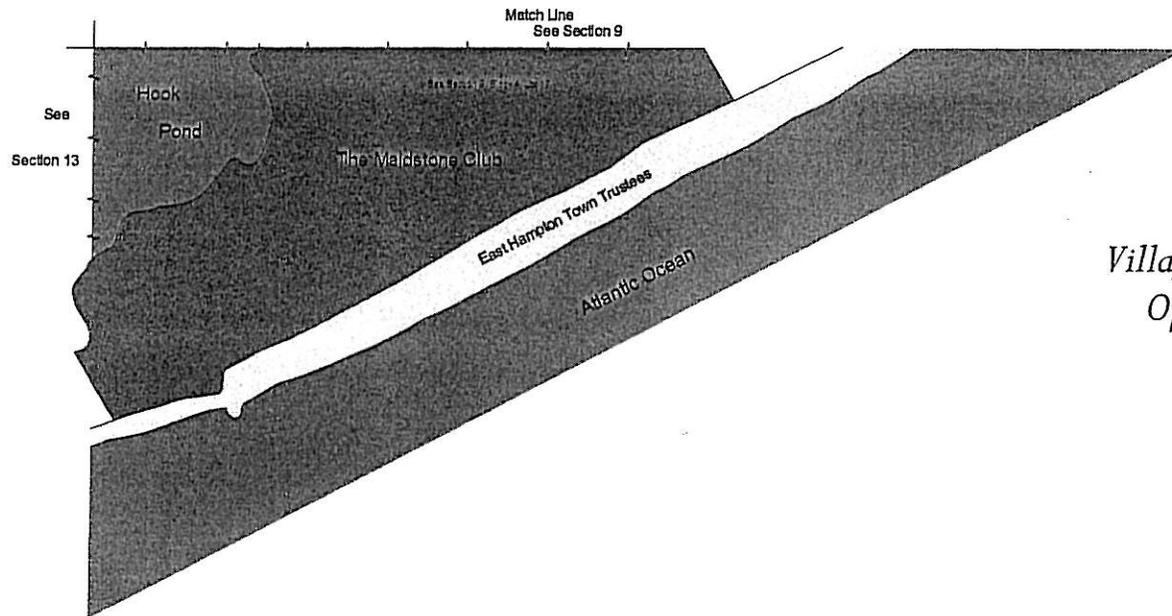
<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
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Recommended Disposition

Private Lands with Public Benefit

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
See 301-9-4-p/o17	79.30	wetlands

Recommended Disposition
retain open space benefit, wetland easement



*Village of East Hampton
Open Space Program
Section 14*

-  Existing Public Lands & Easements
-  Recommended Open Space
-  Historic Preservation Program
-  Commercial Streetscape Conservation Program
-  Private Lands with Public Benefit

Existing Public Lands & Easements

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-15-1-p/o1	1.40	wetlands	wetland easement
301-15-1-p/o2	2.20	wetlands	wetland easement
301-15-1-p/o3	1.80	wetlands	wetland easement
301-15-1-p/o4	2.90	wetlands	wetland easement
301-15-1-p/o5	3.90	wetlands	wetland easement
301-15-1-p/o6	3.50	wetlands	wetland easement
301-15-1-p/o7	3.80	wetlands	wetland easement
301-15-1-p/o8	1.90	wetlands	wetland easement
301-15-2-7.2	19.30	agricultural land thru 2007	Agricultural Easement thru 2007
301-15-4-10	2.90	Village Beach	Village Coast Guard Beach
301-15-4-15	0.12	duneland, County of Suffolk	duneland easement
301-15-5-12.1	0.75	Access	Village Access
301-15-5-18	0.21	duneland, County of Suffolk	duneland easement
301-15-6-p/o2	2.00	wetlands	wetland easement
301-15-6-p/o3	2.80	wetlands	wetland easement
301-15-6-p/o4	2.40	wetlands	wetland easement
301-15-6-p/o5	2.60	wetlands	wetland easement
		Ocean Beaches	Trustees of the Town of East Hampton
		Access, Georgica Gut	Trustees of the Town of East Hampton

Recommended Open Space

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-15-2-p/o7.2	19.30	agricultural lands, scenic vistas (easement thru 2007)	agricultural easement, purchase Development Rights
301-15-3-p/o1	3.30	wetlands	wetland easement
301-15-3-p/o3	4.10	wetlands	wetland easement
301-15-3-p/o4	1.70	wetlands	wetland easement
301-15-3-p/o7.1	1.60	wetlands	wetland easement
301-15-3-p/o8	1.10	wetlands	wetland easement
301-15-3-p/o9	2.00	wetlands	wetland easement
301-15-3-p/o10	1.30	wetlands	wetland easement
301-15-4-p/o1	2.90	duneland	duneland easement
301-15-4-p/o2	2.50	duneland	duneland easement

Recommended Open Space Cont'd.

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
301-15-4-p/o4	1.90	duneland	duneland easement
301-15-4-p/o5	2.10	duneland	duneland easement
301-15-4-p/o6	2.30	duneland	duneland easement
301-15-4-p/o7	3.70	duneland	duneland easement
301-15-4-p/o12	1.20	duneland	duneland easement
301-15-4-p/o13	1.20	duneland	duneland easement
301-15-4-p/o14	2.70	duneland	duneland easement
301-15-5-p/o3	3.00	wetlands	wetland easement
301-15-5-p/o4	2.50	dunelands	duneland easement
301-15-5-p/o5	4.00	dunelands, wetlands	duneland & wetland easements
301-15-5-p/o6	0.94	dunelands	duneland easement
301-15-5-p/o8	1.20	dunelands	duneland easement
301-15-5-p/o9	1.30	dunelands	duneland easement
301-15-5-p/o10	2.00	dunelands	duneland easement
301-15-5-p/o11.1	6.80	dunelands, wetlands	duneland & wetland easements
301-15-5-p/o14.1	2.20	dunelands	duneland easement
301-15-5-p/o16.2	12.00	dunelands, wetlands	duneland easement

Historic Preservation Program

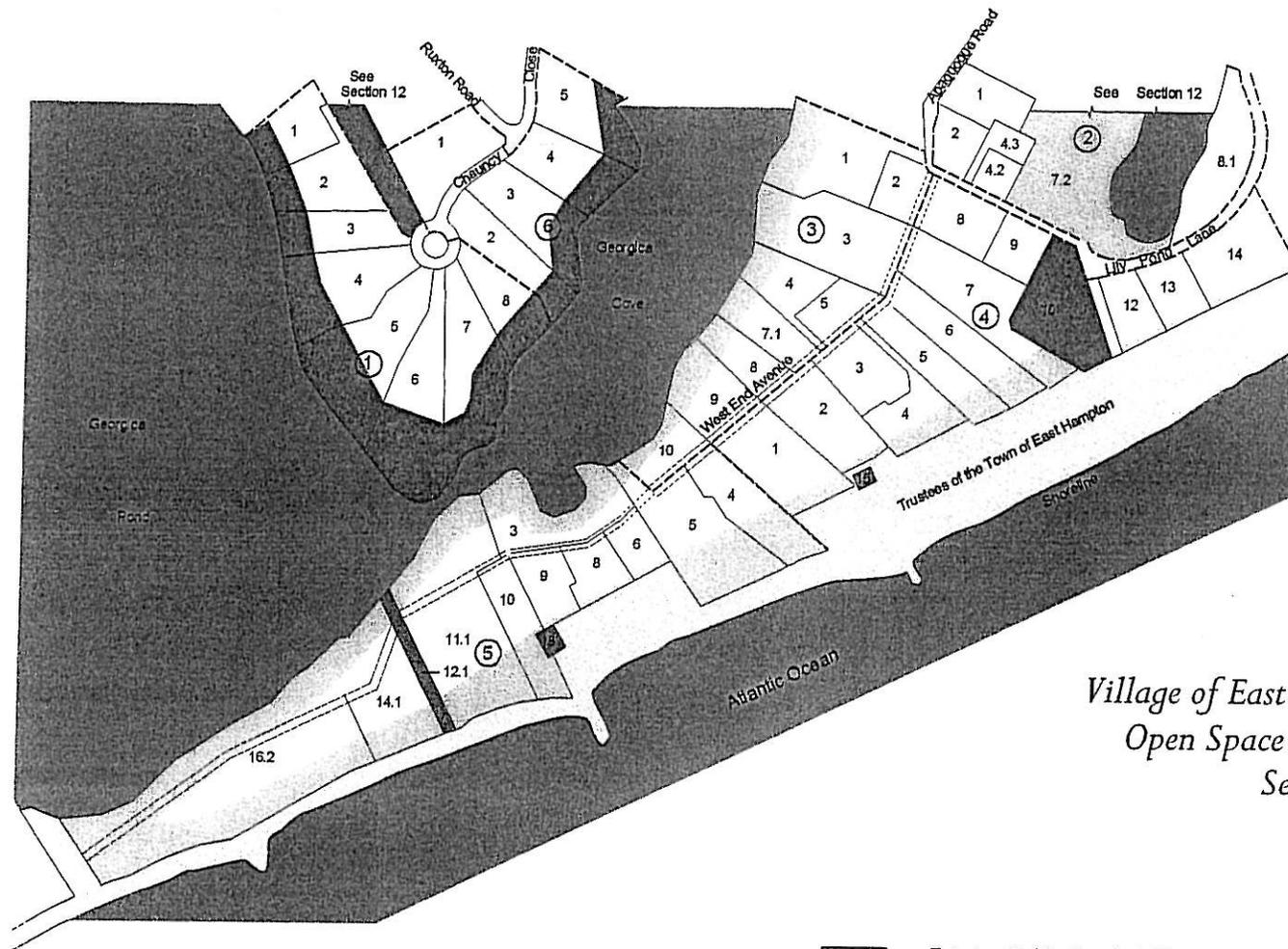
<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
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Commercial Streetscape Conservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
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Private Lands with Public Benefit

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>	<u>Recommended Disposition</u>
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Village of East Hampton
Open Space Program
Section 15

-  Existing Public Lands & Easements
-  Recommended Open Space
-  Historic Preservation Program
-  Commercial Streetscape Conservation Program
-  Private Lands with Public Benefit

Existing Public Lands & Easements

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
		Ocean Beaches

Recommended Disposition
Trustees of the Town of East Hampton

Recommended Open Space

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
301-16-1-p/o1	2.00	dunelands
301-16-1p/o2.1	3.00	dunelands

Recommended Disposition
duneland easement
duneland easement

Commercial Streetscape Conservation Program

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
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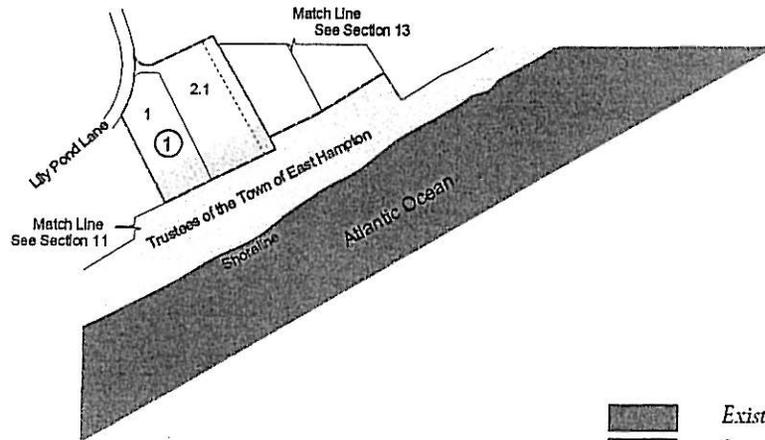
Recommended Disposition

Private Lands with Public Benefit

<u>Tax Map Number</u>	<u>Acreage</u>	<u>Characteristics</u>
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Recommended Disposition

*Village of East Hampton
Open Space Program
Section 16*



-  Existing Public Lands & Easements
-  Recommended Open Space
-  Historic Preservation Program
-  Commercial Streetscape Conservation Program
-  Private Lands with Public Benefit

Addendum

Following are the Goals and Recommended Action Summary from Village of East Hampton Comprehensive Plan, February 15, 2002

GOALS

Village Neighborhoods Goal:

Preserve and protect the existing character and quality of life in each of the Village's diverse residential neighborhoods.

Commercial Districts Goal:

Maintain the areas of the Village's commercial districts as they currently exist and keep the size and scale of commercial buildings compatible with the character of the Village.

Natural Resource Protection Goal:

Protect and preserve the Village's great beauty and natural areas.

Historic Character Preservation Goal:

Protect and preserve the historic character of the Village.

Transportation System Goal:

Facilitate the flow of traffic through the area while preserving the character of the Village.

Public Facilities and Services Goal

Provide facilities and services that meet the needs of the Village's population.

Working with the Town of East Hampton Goal:

Improve Village/Town interaction.

RECOMMENDED ACTION SUMMARY

NEIGHBORHOOD PRESERVATION

- NP1 Retain existing residential zoning districts and related area requirements in Chapter 57 of the Village Code
- NP2 Revise existing limitations on gross floor area to accomplish more compatible residential development and redevelopment
- NP3 Consider additional limits on accessory structures and buildings
- NP4 Maintain limitations on the height of primary structures and consider limiting the height of accessory buildings and structures
- NP5 Consider use of an “encroachment plane” regulation which could vary in degrees according to lot size
- NP6 Require setbacks that are based upon lot size
- NP7 Require all site plans and surveys to show all improvements to a property
- NP8 Require all site plans and surveys to show all required setbacks and calculations
- NP9 Continue to manage the Village’s street trees
- NP10 Work cooperatively with owners of private property containing elm trees
- NP11 Minimize street treatments that detract from Village character
- NP12 Maintain unobstructed vegetated borders along public rights-of-way
- NP13 Require private property owners to remove obstructions in vegetated borders along public rights-of-way
- NP14 Maintain road shoulder edges to reduce unevenness and ruts
- NP15 Prohibit overflow parking from commercial uses into residential neighborhoods
- NP16 Prohibit installation of lighting on nonresidential properties that adversely impact adjacent residential neighborhoods
- NP17 Prohibit special events that impinge on adjacent residential properties
- NP18 Enforce existing noise regulations
- NP19 Require landscaped buffers between residential and nonresidential uses
- NP20 Identify all existing buildings that contain rental rooms
- NP21 Establish standards, requirements, and enforcement provisions for lodging facilities
- NP22 Conduct annual inspections of all buildings that include rental rooms

- NP23 Enforce regulations pertaining to rented rooms in single-family homes
- NP24 Prohibit the extension or enlargement of nonconforming uses where rooms are rented
- NP25 Increase the amount of fines for violation of regulations pertaining to renting rooms and extension or enlargement of nonconforming uses
- NP26 Limit lodging facilities with more than two guest rooms to those now legally existing
- NP27 Enforce regulations against group rentals
- NP28 Require nonresidential uses in residential districts to operate so as not to diminish quality of life for neighbors *(see NP15 through NP19)*
- NP29 Monitor nonresidential properties in residential districts on a regular basis to ensure that they conform to the status under which they operate
- NP30 Redefine the criteria for initiating action against a property owner for extension or enlargement of a nonconforming use
- NP31 Prohibit extensions or enlargements of preexisting or nonconforming uses with the intention that the property revert to its primary residential and conforming use
- NP32 Establish weight limits for trucks on all Village streets
- NP33 Encourage commercial vehicles on Town or Village business to use primary roads rather than secondary residential streets
- NP34 Aggressively enforce village speed limits
- NP35 Protect neighborhood character by limiting traffic lights to the minimum required in accordance with safety design standards
- NP36 Maintain restrictions on daytime and overnight parking
- NP37 Require owners to provide adequate parking for new construction on private property
- NP38 Consider extending the quiet hours in Chapter 38 beyond the hours from 11:00 p.m. to 7:00 a.m.
- NP39 Limit hours of operation for construction crews
- NP40 Establish limits for the duration of construction to one building permit (1 year) with a potential for one six-month extension
- NP41 Consider limiting the hours of operation for professional landscape crews
- NP42 Consider limitations on outdoor lighting
- NP43 Define "special events" and indicate "special area of congestion"

- NP44 Establish guidelines, policies, and procedures to control the number of events on each seasonal weekend
- NP45 Establish a Special Events Planning Committee
- NP46 Prepare and publish a calendar of special events
- NP47 Encourage special parking and transportation arrangement to ease congestion during special events

COMMERCIAL NEEDS

- C1 Prohibit expansion of the Village's Commercial Districts
- C2 Consider, where appropriate, reducing the extent of the Village's Commercial Districts
- C3 On a district-by-district basis, consider further limiting the size of nonresidential buildings in the village's six commercial districts
- C4 Prohibit overflow parking from the commercial districts into residential neighborhoods
- C5 Prohibit installation of lighting in commercial areas that adversely impacts residential areas
- C6 Prohibit uses and activities that impinge on adjacent residential properties
- C7 Enforce existing noise regulations consistent with the purpose and intent of Chapter 38 of the Village Code

- C8 Require landscaped buffers between nonresidential and residential uses
- C9 Under certain circumstances, consider reducing parking requirements of second floor apartments
- C10 Consider reducing the impervious cover limitations for development projects that include second floor apartments
- C11 Consider permitting a limited number of small-scale multifamily residential developments in the commercial districts
- C12 Establish design guidelines for small-scale multifamily developments
- C13 Evaluate the feasibility of securing wastewater disposal permits for new housing in the commercial districts by transferring development rights within the Village (*same as PF28*)
- C14 Consider alternatives to encourage housing units in one or more of the commercial districts to be "affordable"
- C15 Seek to acquire public open space in the commercial districts
- C16 Decrease the maximum allowable coverage to 80 percent in the Core Commercial District and to 70 percent in the Commercial District and Manufacturing-Industrial District

- C17 When properties are redeveloped in the commercial districts, require landowners to incorporate open spaces that provide critical visual links and pedestrian connections
- C18 Adopt simple and concise design guidelines for commercial development
- C19 Develop and implement streetscape plans and design guidelines for each commercial district
- C20 Coordinate development of a streetscape plan for the North Main Street area with the Town
- C23 Evaluate, develop, and implement plans to improve the appearance and efficiency of public parking facilities
- C22 Without compromising safety, design and locate signs so that they are aesthetically pleasing

NATURAL RESOURCES

- NR1 Establish criteria to define open space properties that should be acquired
- NR2 Continue to seek to acquire high priority open space
- NR3 Seek to acquire public open space in the commercial districts similar to the Old Barn Book Store Park on Main Street (*same as (17)*)
- NR4 Continue to protect beaches and dunes consistent with Chapters 6, 10, and 14 of the Village Code

- NR5 Consider efforts to protect Village-owned beaches and dunes
- NR6 Continue to mitigate impacts of new development and redevelopment on wetlands consistent with Chapter 163 of the Village Code
- NR7 Provide information to the public on land management techniques to protect wetlands
- NR8 Enforce existing regulations on activities within wetland buffers consistent with Chapter 163 of the Village Code
- NR9 Encourage property owners to convey conservation easements on wetlands
- NR10 Continue to install leaching pools along Village roadways for storm drainage
- NR11 Consider additional stormwater management improvements that will help to reduce discharges into Village ponds
- NR12 Routinely inspect and maintain stormwater management facilities
- NR13 Coordinate with the Town of East Hampton regarding management strategies to reduce the impacts of stormwater runoff from the Town
- NR14 Encourage public awareness regarding the proper handling and disposal of household hazardous waste

NRI5 Minimize Village use of fertilizers and lawn chemicals on Village open space

NRI6 Mitigate impacts of beach activities on critical habitat areas

HISTORIC CHARACTER PRESERVATION

H1 Periodically review and update the Village's inventory of historic resources

H2 Where appropriate, continue to utilize opportunities to coordinate Village initiatives with other government agencies

H3 Identify individual properties and districts which are potentially eligible for the National Register

H4 Coordinate with owners of highly significant properties to identify those who are interested in having their property nominated to the National Register

H5 Identify additional areas of the Village where creation of a local historic district would contribute to protecting the historic character of the Village

H6 Cooperate with property owners to ascertain interest in local historic districts

H7 Where there is public support, create additional local historic districts

TRANSPORTATION

T1 Seek to reduce the volume of traffic on Montauk Highway by reducing automobile dependency and by developing alternate travel routes

T2 Periodically review local traffic conditions and consider transportation system improvements as needed that are compatible with Village character

T3 Limit traffic lights to the minimum required for safety

T4 Consider implementing a traffic safety campaign informing the community through an instructional mailing and notices in the newspapers

T5 Continue to operate and evaluate the Lumber Lane Shuttle

T6 Consider shortening the Lumber Lane Shuttle route to reduce turnaround time

T7 Seek methods to increase ridership of the Lumber Lane Shuttle

T8 Enforce speed limits to protect pedestrians

T9 Improve crosswalks and encourage their use

T10 Seek more highly visible and attractive means to alert drivers to crosswalks

T11 Improve and maintain shoulder edges for safe for bicycle and pedestrian use

- T12 Consider bicycle lanes where road widths are wide enough to accommodate them safely
- T13 Routinely coordinate with public and private bus service providers to review routes, service issues, and ridership trends
- T14 Routinely coordinate with the Long Island Rail Road to review service issues, ridership trends, and long-term capital improvement plans for the Rail Road
- T15 Do not add new areas of public parking — or expand the area of existing public parking lots — in or adjacent to the Village's Commercial Districts
- T16 Maximize capacity within existing lots and along existing streets in the Village's Commercial Districts
- T17 Consider restricting certain areas of public parking lots or streets to vehicles with Village resident permits
- T18 Aggressively enforce existing on-street and public parking lot regulations
- T19 Increase parking fines to encourage voluntary compliance with parking time limits
- T20 Improve signage directing visitors to the Lumber Lane Lot
- T21 Redesign, improve and maintain an attractive, safe, secure and lighted walkway connecting the Lumber Lane Lot with the Reutershan Lot

- T22 Provide a safe, secure, and lighted walkway connecting the Lumber Lane Lot to Newtown Lane
- T23 Encourage local employers to request that their employees utilize the Lumber Lane Lot
- T24 Continue to require new commercial development projects to include adequate on-site parking to meet the demand that will be generated by future building occupants and customers

PUBLIC FACILITIES AND SERVICES

- PF1 Continue to manage and maintain Herrick Park
- PF2 Continue to cooperate with the East Hampton School District to permit student use of Herrick Park and to encourage the School District to participate in park maintenance
- PF3 Provide and maintain connections within and through the Park
- PF4 Provide and maintain adequate lighting that does not impact adjacent residential neighborhoods
- PF5 Continue to limit use of Herrick Park for special events
- PF6 Continue to manage and maintain the Nature Trail
- PF7 Continue to manage and maintain the various Village greens

- PF8 Continue to assess the overall demand and supply for beach parking at the Village's five beaches
- PF9 Take actions as needed to ensure beach access parking by maximizing the number of parking spaces within existing lots without expanding the land devoted to parking
- PF10 Consider establishing Village residents only parking areas
- PF11 Continue, to restrict street parking where beach access parking spills over into adjacent residential neighborhoods
- PF12 Institute more aggressive ticketing and towing of vehicles without permits
- PF13 Reconsider the option of limiting lockers to Village residents, relocating reserved parking for locker holders and/or eliminating reserved parking for locker holders
- PF14 Ensure adequate lifesaving protection at Village beaches
- PF15 Ensure that signage adequately addresses safety concerns
- PF16 Produce a public information brochure about beach safety
- PF17 Continue periodic evaluations of limits to driving on the beach
- PF18 Add bicycle racks at beaches
- PF19 Periodically review village needs for police protection and enforcement of the Village Code to determine if increased enforcement or personnel is appropriate
- PF20 Continue to recruit and train volunteer fire fighters and EMS technicians
- PF21 Continue to provide adequate facilities and equipment to provide for the fire protection and emergency medical care needs of Village residents
- PF22 Regularly review water quality data obtained by the County and from the SCWA and publish data in local newspapers
- PF23 Provide information to private property owners who still rely upon individual on-site wells regarding the importance of routinely testing their well water
- PF24 Provide information to residents and business owners regarding the importance of maintaining on-site wastewater disposal systems to reduce contamination of the Village's water resources
- PF25 Wherever possible, require property owners who are renovating older existing structures to upgrade and/or relocate on-site disposal systems so that they comply with current applicable requirements of the Code and County Health Standards
- PF26 Ensure that the Village Department of Code Enforcement is adequately staffed and empowered to complete its responsibilities
- PF27 Conduct annual inspections of all buildings that include rented rooms to ensure compliance with existing regulations

- PF28 Monitor nonresidential uses on a regular basis to, ensure that no violations have occurred and that they conform to the particular status under which they operate
- PF29 Ensure compliance with requirements of the ADA, where applicable
- PF30 Review a scale of fines for illegal actions that more effectively deter noncompliance, invoking home rule options if necessary
- PF31 Provide information to the public to enable compliance
- PF32 Continue to document approved conditions with Certificates of Occupancy, plans, and surveys
- PF33 Provide adequate communication to the public about the Administrative Boards and their processes
- PF34 Establish and make known selection criteria for members of each Administrative Board
- PF35 Announce Administrative Board openings to the public to afford an opportunity for interested persons to be considered
- PF36 Provide procedural and substantive training and orientation for all new appointments to Administrative Boards
- PF37 Encourage all members of Administrative Boards to attend appropriate available training and informational seminars

WORKING WITH THE TOWN

- V/T1 Establish a joint Village/Town general planning coordination committee
- V/T2 Identify transportation issues of mutual concern
- V/T3 Coordinate and encourage railroad service for local and long-distance travel
- V/T4 Coordinate and encourage public and private bus service
- V/T5 Coordinate efforts to establish a transportation hub at the airport with adequate parking
- V/T6 Coordinate efforts to promote alternative routes for through traffic movement not destined for the Village
- V/T7 Coordinate efforts to improve railroad overpasses
- V/T8 Explore options for lessening traffic congestion, travel distances, infrastructure costs, and inconveniences to Village and Town residents
- V/T9 Cooperate to initiate joint review of development within 500 feet of Village/Town boundaries
- V/T10 Coordinate development of a consistent streetscape plan for the North Main Street area
- V/T11 Coordinate future land use planning for scenic approaches to the Village so as to mitigate adverse visual impacts

V/T12 Identify and implement measures to reduce contaminant loading to Village surface water resources from upstream areas in the Town

V/T13 Investigate opportunities to increase recycling in the Village and the Town

V/T14 Coordinate with the Town to ensure that waste disposal trucks with Town contracts only use major roadways and remain off Village residential streets

INTERMUNICIPAL AGREEMENT, dated as of October 22, 1998, between the Town of East Hampton and the Incorporated Village of East Hampton, both being municipal corporations and political subdivisions of the State of New York, acting by and through their Boards, pursuant to General Municipal Law Section 119-0.

WHEREAS, "AN ACT to amend the town law, in relation to authorizing certain towns in the Peconic Bay region to establish community preservation funds; and to amend the tax law, in relation to authorizing certain towns to impose a real estate transfer tax with revenues therefrom to be deposited in said community preservation fund and providing for the repeal of certain provisions, upon expiration thereof" hereinafter referred to as "the State Law", has been adopted by the New York State Legislature and signed by the Governor of the State of New York; and

WHEREAS, the State law provides, inter alia, that the Town of East Hampton may establish a community preservation fund pursuant to the provision of Town Law 64-e and Tax Law Section 1449-aa et. seq. utilizing revenues generated from the imposition of a transfer tax imposed upon the sale of transfer of parcels of property located in the Town of East Hampton, and adopt a community preservation project plan to preserve parcels of property in the Town, including the preservation of parcels located within the boundaries of the Incorporated Village of East Hampton; and

WHEREAS, the Town of East Hampton has adopted local laws pursuant to the State law, which provide for the establishment of a Community Preservation Fund, adopt a Community Preservation Project Plan, and impose a two percent (2%) real estate transfer tax on the conveyance of real property located in

the Town of East Hampton, including real property located within the Incorporated Village of East Hampton, subject to the approval of the electors of the Town of East Hampton of a proposition to be submitted in a mandatory referendum to be held on November 3, 1998; and

WHEREAS, the Community Preservation Project Plan adopted by the Town of East Hampton specifically includes the preservation of parcels and the acquisition of certain other property rights or interests in and over real property located within the Incorporated Village of East Hampton; and

WHEREAS, the Incorporated Village of East Hampton has estimated that approximately forty (40%) percent of the revenue anticipated to be generated by the proposed transfer tax within the Town of East Hampton will be directly attributable to the conveyance of parcels within the Incorporated Village of East Hampton; and

WHEREAS, the parties acknowledge that real property located within the Incorporated Village of East Hampton constitutes approximately twenty (20%) percent of the taxable property within the Town of East Hampton; and

WHEREAS, it is to the mutual benefit of the parties hereto to establish a mutual understanding and agreement with respect to the implementation of the State law as it affects revenues generated from the conveyance of real property within the Incorporated Village of East Hampton and the acquisition and preservation of real property or the acquisition of certain rights or interests in real property located within the Incorporated Village of East Hampton and it is to the mutual benefit of the parties to establish such understanding and agreement prior to the submission of the

proposition for the real estate transfer tax at the referendum scheduled in connection therewith:

NOW, THEREFORE, the parties agree as follows:

1. Ten (10%) percent of the revenue generated from the proposed real property transfer tax will be credited, on an annual basis, within the Community Preservation Fund for the purposes of acquiring real property rights and for the preservation of such real property rights and interests located within the Incorporated Village of East Hampton, pursuant to the sections of the Community Preservation Project Plan adopted by the Town of East Hampton which related to the recommendations for acquisition of property interests within the Village of East Hampton and for the preservation of open space in the Village. It is expressly understood and agreed between the parties that, although there is no requirement that ten (10%) percent of the revenue generated by such tax must be actually expended on property or property rights within the Village of East Hampton on an annual basis, it is the intention of the parties that such amount will be actually expended on property or property rights within the Village of East Hampton during the effective period of the State law and the term of this Agreement.
2. In order to foster the goal of preserving as many parcels identified on the Community Preservation Project Plan as possible, the parties agree to the following financial incentive: if the Incorporated Village of East Hampton dedicated additional Village revenues to Community Preservation Project Plan land preservation purposes, the Town agrees to match, dollar for dollar, said Village revenues with revenues generated from the real property transfer tax, up to a maximum of an additional ten (10%) of said transfer tax revenue. In summary, during the effective period of the State law and the term of this Agreement, the Village shall receive up to a guaranteed amount of twenty (20%) percent of the real property transfer tax revenues when the Village matches dollar for dollar all transfer tax revenues above the ten (10%) percent sum set forth in Section 1 above. The parties further agree that on or before December 31, 2005, the Village will give the Town written notice as to whether or not the Village shall seek said matching funds and, if so, whether the Village shall require the maximum amount of ten (10%) percent additional revenues or a lesser percentage.
3. One member of the seven -member advisory board established by the Town of East Hampton pursuant to Town Code Section 139-1-40, know as the East Hampton Community Fund Advisory Board, shall be a resident of the Village of East Hampton and shall be appointed pursuant to a nomination made by resolution of the Board of Trustees of the Village of East Hampton.
4. Title to any real property or to any interests or rights in real property located within the boundaries of the Incorporated Village of East Hampton acquired with funds from the Community Preservation Fund shall be vested in the Town of East Hampton. The Village of East Hampton shall have co-title to any real property rights acquired or real property rights or interests preserved within the boundaries of the Village when the Village contributes Village revenues pursuant to Section 2 above.
5. The State law provided that the Town, or a not-for-profit corporation under contract with the Town, shall administer and manage lands acquired and rights and interests preserved with the real property transfer tax revenues. The parties agree that pursuant to Section 119-o of the New York Town Law, the Village shall have the sole right and obligation to perform the functions, duties and powers set forth in the State law regarding the administration and management of any property acquired and any rights and

interests preserved within the boundaries of the Village; and, the Village shall hold the Town harmless from any liability, cost, attorneys fees, judgments or expenses arising out of the Village's administration and management of said property. Said management shall be exercised in accordance with the Community Preservation Project Plan and the applicable provisions of the State law. The parties further agree that any property managed by the Village pursuant to this Intermunicipal Agreement shall be made equally accessible to Village and Town residents; no financial or other burdens shall be additionally placed on Town residents regarding said parcel. In addition, both parties fully acknowledge the provision of the State law which states that property acquired or preserved with transfer tax revenues shall be kept "accessible to the public unless....public accessibility would be detrimental to the lands or any natural resources associated therewith."

6. This Agreement shall take effect immediately upon execution of the Agreement by the Mayor of the Village of East Hampton and the Supervisor of the Town of East Hampton pursuant to duly adopted resolutions by their respective Boards. It shall expire at midnight on December 31, 2010, except that the provisions of Section 5 of this Agreement shall survive said expiration date.

7. The provisions of the Agreement embody the entire agreement between the parties with respect to the subject matter stipulated herein. It shall not be changed or modified except in writing, and executed by both parties.

8. If any term, provision, or portion of any provision of this Agreement shall be deemed illegal, invalid and/or non-enforceable, the remainder of the Agreement shall be deemed to remain valid and shall be enforceable to the fullest extent permitted by law.

9. Any waiver by either party of any term, condition, covenant or provision of this Agreement shall not be deemed as a waiver at any time thereafter of the same or any other term, condition, covenant and/or provision of this Agreement. Moreover, a failure to assert any right or privilege shall not be deemed a waiver or relinquishment thereof. Except as otherwise expressly provided herein, any rights and powers shall be deemed cumulative, and not one of them shall be deemed exclusive of any other remedy provided by law, and exercise of any one shall not impair the right to exercise the other.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed by the respectively authorized representatives and their seals to be affixed hereto as of the day and year first set forth above.

TOWN OF EAST HAMPTON

By: Catherine H. Lester
Supervisor

VILLAGE OF EAST HAMPTON

By: Paul F. Rickenbach, Jr.
Mayor