

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

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**In the Matter of the Application**

**of**

**80 FIRESTONE-BLUFF CREST COTTAGES  
SITE PLAN/SPECIAL PERMIT  
SCTM #300-17-1-05**

**RESOLUTION  
AMENDING  
APPROVAL**

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**ADOPTED: \_\_/\_\_/\_\_\_\_**

The Planning Board has reviewed a prior determination of the Board and desires to modify certain provisions of the approval as set forth below. Except as modified herein, the determination is reaffirmed in all respects.

**REQUEST TO MODIFY:** Site plan/special permit approval dated September 1, 2021

**PROPERTY LOCATION:** 80 Firestone Road, Montauk

**PROPOSED AMENDMENT:** To modify the conditions of approval to allow for the approved staircase over the bluff to be constructed prior to obtaining approval of the Suffolk County Department of Health Services (SCDHS)

**MODIFICATION AS APPROVED:** To change the condition of approvals as follows:

Conditions of approval #4.1, 4.2, 4.3 and 4.4 currently read:

“4.1 No building permits may issue, nor may clearing, grading, or construction activities be commenced, until and unless the conditions enumerated in sub¶ 4.2, 4.3 and 4.4 below have been met, as evidenced by the report of the Planning Board Chair.

4.2 The applicant shall obtain final approval of the Suffolk County Department of Health Services (SCDHS).

4.3 The applicants shall obtain final approval of the Architectural Review Board

4.4 The applicants shall obtain approval from the New York State Department of Environmental Conservation (NYSDEC).”

The modification would change condition of approval 4.1 to read as follows:

“4.1 No building permits may issue, nor may clearing, grading, or construction activities be

commenced, with the exception of those required for construction of the staircase over the bluff, until and unless the conditions enumerated in sub¶ 4.2, 4.3 and 4.4 below have been met, as evidenced by the report of the Planning Board Chair. No building permits may issue, nor may clearing, grading, or construction activities be commenced for construction of the staircase over the bluff until and unless the conditions enumerated in sub¶ 4.4 below has been met, as evidenced by the report of the Planning Board Chair.”

**REASONS SUPPORTING MODIFICATION:** The proposed staircase from the subject property, over the bluff and down to the beach adjacent to Fort Pond Bay has received the required Natural Resources Special Permit (NRSP) from the Zoning Board of Appeals (ZBA). This structure requires approval of the New York State Department of Environmental Conservation (NYSDEC) but does not require approval of the Architectural Review Board (ARB) or the Suffolk County Department of Health Services (SCDHS). Accordingly, the condition that approvals from these involved agencies be obtained prior to the issuance of a building permit for the staircase (only) is unnecessary.

**APPROVED PLAN AS MODIFIED:** N/A

**CONDITIONS TO MODIFICATION:**

1. The applicants shall obtain approval from the New York State Department of Environmental Conservation (NYSDEC) prior to the issuance of a building permit for the staircase over the bluff.
2. The applicant shall apply for and obtain a building permit no later than three (3) years from the date of this resolution.
3. The applicant shall apply for and obtain a Certificate of Occupancy no later than four (4) years from the date of this resolution.

DATED: February 2, 2022

cc: Joel Halsey  
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The Plaza  
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Montauk, NY 11954

Planning Department  
Building Inspector  
Architectural Review Board