

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

In the Matter of the Application

of

**LOT LINE
MODIFICATION
APPROVAL**

**CMP SJ, LLC
LOT LINE MODIFICATION
SCTM #300-176-8-22 & 23**

ADOPTED: ____/____/____

FINDINGS AND DETERMINATION OF THE BOARD

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

A. PROJECT DESCRIPTION

- 1. NATURE OF APPLICATION:** Application for lot line adjustment pursuant to § 220-2.18 et seq. of the East Hampton Town Code.
- 2. OWNERS OF PROPERTY:** Otis CMS Real Estate Holdings, LLC
- 3. SIZE OF AREA TO BE TRANSFERRED:** 10,692 sq. ft.
- 4. EXISTING SIZES OF PROPERTY:** Lot 1: 39,133 sq. ft., Lot 2: 18,533 sq. ft.
- 5. PROPOSED SIZES OF PROPERTY:** Lot 1: 28,441 sq. ft., Lot 2: 29,225 sq. ft.
- 6. PREPARER OF PROPOSED MAP:** David L. Saskas of Saskas Surveying Company, P.C.
- 7. DATE OF PROPOSED MAP:** Dated last revised December 11, 2020
- 8. DATE OF PUBLIC HEARING ON APPLICATION:** January 12, 2022

B. PROPERTY LOCATION AND DESCRIPTION

- 1. SUFFOLK COUNTY TAX MAP DESIGNATION:** SCTM# 300-176-8-22 & 23
- 2. STREET LOCATION:** 183 Marine Boulevard, 189 Marine Boulevard
- 3. CONTIGUOUS WATER BODIES:** Atlantic Ocean
- 4. HAMLET OR GEOGRAPHIC AREA:** Amagansett
- 5. SITE DESCRIPTION & EXISTING IMPROVEMENTS:** The parcels are situated in Amagansett off of Marine Boulevard and are Zoned B: Residence. They are also situated within the Coastal Erosion Overlay District (Zone 1) and Flood Hazard Overlay District. They are currently both improved with two-story single family residences as well as associated accessory structures. The properties front on the Atlantic Ocean and are roughly bisected by a primary dune. The parcels are also entirely seaward of the Coastal Erosion Hazard line and contain beach vegetation throughout.

6. **EXISTING FILED MAP NAME:** Beach Hampton
7. **EXISTING FILED MAP NUMBER:** 1238
8. **FILING DATE OF EXISTING MAP:** May 20, 1939
9. **BLOCK NUMBER IN EXISTING FILED MAP:** N/A
10. **LOT NUMBERS IN EXISTING FILED MAP:** 4 - 17

C. ZONING CLASSIFICATION

1. **ZONING DISTRICT:** B: Residence
2. **ZONING OVERLAY DISTRICT:** N/A

D. SEQRA REVIEW

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

E. COUNTY COMMISSION REVIEW AND ADDITIONAL FINDINGS OF FACT

1. Pursuant to the inter-municipal agreement between the Town of East Hampton and the County of Suffolk, the subject application does not require referral to the Suffolk County Planning Commission (SCPC).
2. By report dated August 16, 2021 the Fire Department has informed the Board that no additional fire protection devices are required for this application.

F. COMPLIANCE WITH TOWN CODE OR OTHER REQUIREMENTS OF LAW

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

1. The proposed lots conform to both lot area and lot width requirements for the B: Residence zoning district.
2. The application as approved satisfies the criteria for lot line adjustment set forth in § 220-2.18 of the Town Code.

G. DISPOSITION OF APPLICATION

Approval is hereby granted for the adjustment of lot lines between the aforementioned lots, in accordance with the Map described herein, subject to any conditions or modifications specified in § H below.

1. **NAME OF APPROVED MAP:** CMP SJ Lot Line Modification

- 2. PREPARER OF APPROVED MAP:** David L. Saskas of Saskas Surveying, P.C.
3. DATE OF APPROVED MAP: Dated Last Revised December 11, 2020

H. CONDITIONS OF APPROVAL

The lot line modification approval hereby granted is contingent upon full compliance with the conditions set forth in this section. No property may be transferred, nor any improvements made, except in accordance with this conditional approval.

1. The property to be transferred from Lot 1 (SCTM#300-176-8-23) to Lot 2 (SCTM#300-176-8-22) shall be placed in the same record ownership as Lot 2 (SCTM#300-176-8-22), such that no new or additional parcels of land are created.
2. No transfer or conveyances of property may be made except in accordance with the approved Map. No such conveyances may be made until and unless the applicants have met the conditions contained in ¶5 and 6 below, which compliance shall be certified by the signing of the Map by the Planning Board Chair.
3. For the sole purpose of enabling the Planning Board Chair to sign the Map, the applicants shall have satisfied any condition of this approval which requires the applicants to record one or more easements, declarations, or other legal instruments at the Office of the Suffolk County Clerk either *(a)* for easements or other conveyances which must be accepted by the Town Board, whether or not pursuant to the provisions of § 247 of the General Municipal Law, when these easements or other conveyances have been actually accepted by the Town Board, or *(b)* for all other easements, declarations, or legal instruments, when the form of these easements, declarations, or other instruments has been approved by counsel to this Board.
4. The applicants shall record any and all of the documents referred to in the preceding paragraph at the Office of the Suffolk County Clerk prior to the conveyance of either lot shown on the Map, and shall return three (3) copies of each such recorded document, with proof of recordation shown thereon, to the Town Clerk before building permits will be issued on either of the lots shown on the Map.
5. A scenic easement shall be provided over portions of proposed Lot 2, as shown on the approved map. This easement shall be granted to and accepted by the Town of East Hampton and recorded in the Office of the Suffolk County Clerk
6. The applicant shall obtain Suffolk County Department of Health Services approval of the Map.
7. All utilities servicing the proposed lots shall be installed belowground, including electric, telephone, and, if available, cable television wiring, in accordance with the requirements of Chapter 131 of the Town Code. Any electric transformers placed, installed, erected, or constructed on this property or on the adjacent highway rights-of-way shall be located below natural grade.

8. All stormwater run-off resulting from the development of the lots shown on the Map shall be contained within the said lots.
9. There shall be no further division of any of the lots shown on this Map.
10. The conveyance of land approved herein shall take place no later than eighteen (18) months from the date of this resolution.
11. All conditions prerequisite to the signing of the Map by the Planning Board Chair shall be met within six (6) months of the date of this resolution.

I. VALIDITY OF APPROVAL

The foregoing constitutes this Board's conditional approval of lot line adjustment for the Map entitled Lot Line Modification of CMP SJ, LLC. If any condition of this resolution is not met, or is not met within the prescribed time period, the approval hereby granted shall become void and of no effect.

DATED: February 16, 2022

cc:

Britton Bistran
PO Box 2756
Amagansett, NY 11930

Planning Department
Building Inspector
Board of Assessors