

# **DELEYER**

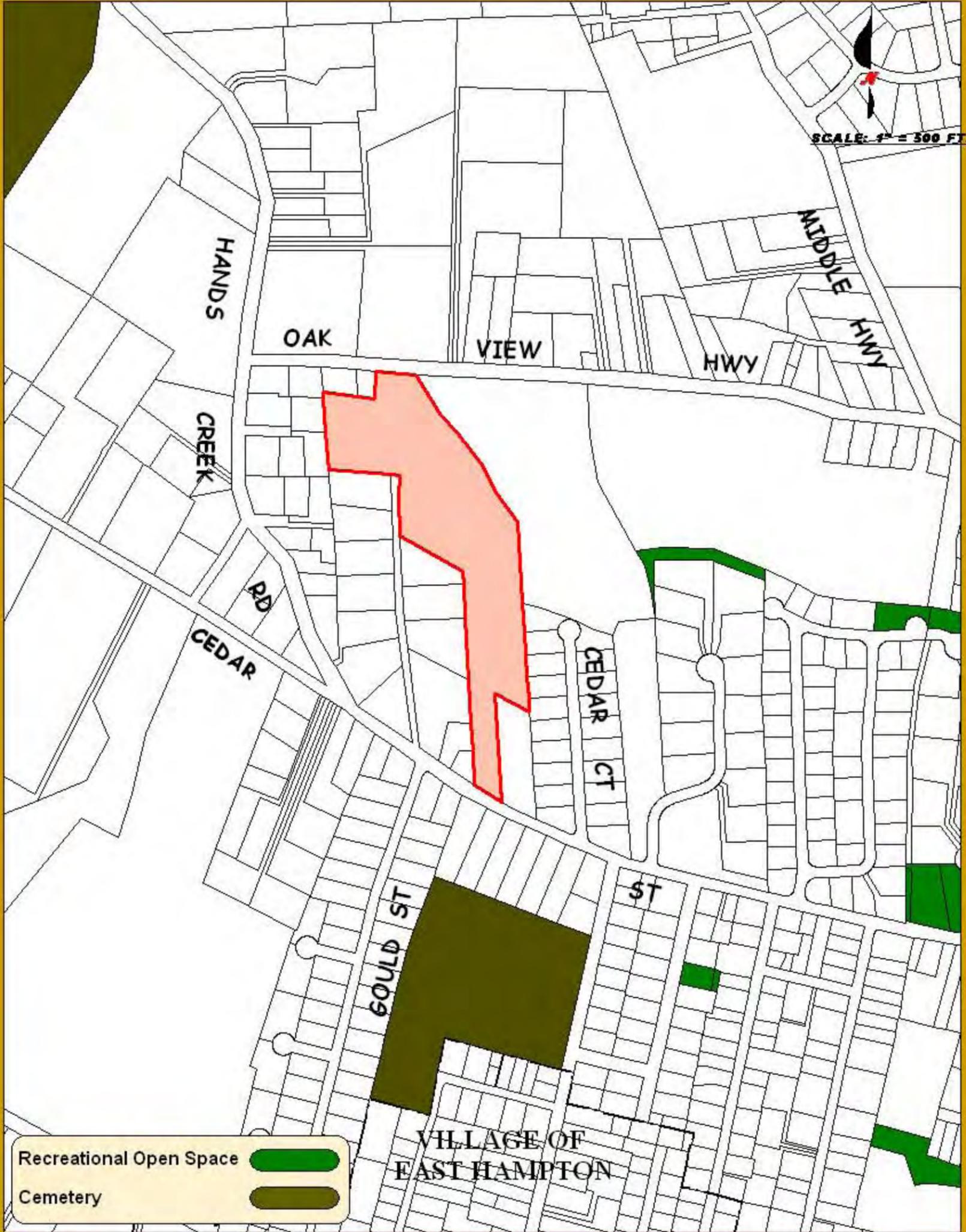
## **Baseline Documentation**



**Suffolk County Tax Map  
300-159-4-19.1  
171 Oakview Highway  
Area 14.84 Acres  
Town of East Hampton, New York**

### **Purchase of Development Rights**

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



CPF Property

### LOCATION MAP

**TOWN OF EAST HAMPTON  
SCTM #300-159.000-0004-019.001**

**DeLeyer Property  
171 Oak View Highway  
East Hampton School District**



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



## **Resolution # 193 Adopted January 20, 2005**

### **(193) AUTHORIZE ACQUISITION**

Property of Andre J. & Christine F. Deleyer  
S/S of Oak View Highway and N/S of Cedar Street, East Hampton  
SCTM #300-159-4-p/o 19.1

The following resolution was offered by COUNCILMAN JOB POTTER,  
seconded by Councilwoman Mansir, and adopted:

**WHEREAS**, pursuant to § 247 of the General Municipal Law of the State of New York, the Town Board held a public hearing on **January 20, 2005** to consider the purchase of development rights and therefore creating a Conservation Easement over approximately **13.64 acres** of land located at **S/S of Oak View Highway and N/S of Cedar Street, East Hampton**, which land is identified on the Suffolk County Tax Map as **SCTM #300-159-4-p/o 19.1**; and

**WHEREAS**, the proposed purchase price for the development rights of the subject property is **\$3,250,000.00**, plus survey, title, prorated tax, and recording charges; and

**WHEREAS**, the Town of East Hampton's obligation to purchase and Owner's obligation to sell the development rights to the above described property is subject to and conditioned upon Seller obtaining Town of East Hampton Planning Board approval of the specific map labeled, "Map of Property Deleyer", prepared by George Walbridge Surveyors, P.C and dated December 15, 2004 including the deferment of the open space requirement as permitted by East Hampton Town Code Section 193-2-80; and

**WHEREAS**, the following restrictions shall be added to the Easement for the Agricultural Area (SCTM #300-159-4- p/o 19.1):

- 1) Land may only be used for pasturing of livestock or cultivating of annual crops, but the pre-existing riding academy use will continue to be a permitted use; and
- 2) The Town of East Hampton will retain right of first refusal on the agricultural area and if Town does not exercise such right and the agricultural area is transferred to a third party it may be used for agricultural operations as set forth in Town Code §193-4-35 in addition to the pre-existing riding academy; and
- 3) There is to be no increase in building coverage in the agricultural area; and
- 4) In the Agricultural Area, the building envelope shall remain in the vicinity of the existing agricultural buildings as determined by the Planning Board.

**WHEREAS**, the purpose of said acquisition is preservation of open space; and

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Supervisor is hereby authorized and directed to enter into a contract of sale with the record owner of the subject property, reputedly **Andre J. & Christine F. Deleyer**, for the purpose of acquiring development rights on said property at a cost to the Town of East Hampton not to exceed **\$3,250,000.00**, plus reasonable survey, title, prorated tax, and recording charges; and be it further

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

**RESOLVED**, the monies to be expended for purchase of development rights of the foregoing property shall be drawn from the Town of East Hampton **Community Preservation Fund** Budget Account; and be it further

**RESOLVED**, that copies of this resolution shall be forwarded to:

Assistant Town Attorney Elizabeth L. Baldwin;  
Planning Department;  
Mr. Scott Wilson, Peconic Land Trust, 296 Hampton Road, P.O. Box 1776,  
Southampton, NY 11968.