

**Planning Board
April 11, 2024 – 11:00 a.m.
LTV Studios
75 Industrial Road,
Wainscott, NY 11975**

Those Present Were:

Robert D. Caruso, Chairman
David Driscoll, Member
Jeff Williams, Member
Dennis Limonius, Member
Billy Hajek, Village Planner
Thomas Preiato, Village Building Inspector
Gabrielle McKay, Village Deputy Clerk
Britton Bistran, Agent for Gladys W. Collier Revocable Trust – 26 Jericho Road

Those Absent Were:

Wes Robinson, Member

Robert D. Caruso: Beautiful. Good morning, everyone, and welcome. I call to order the Planning Board for April 11th, 2024.

MINUTES – APRIL 13, 2023

Robert D. Caruso: The first item on our Agenda are the minutes of April 13th, 2023. Any questions or corrections? If not, I would entertain a motion to approve the minutes. Do I have that motion?

Jeff Williams : So moved.

Robert D. Caruso: Thank you so much. Do I have a second?

Dennis Limonius: Second.

Robert D. Caruso: Thank you. And all in favor?

Board in Unison: Aye.

MINOR SUBDIVISION – GLADYS W. COLLIER REVOCABLE TRUST
26 JERICHO ROAD – SCTM# 301-12-2-13

Robert D. Caruso: Great. The next item is the Subdivision of Gladys W. Collier Revocable Trust, 26 Jericho Road. Is the Applicant present? Yes, good morning and just introduce yourself and give us a brief review.

Britton Bistran: Good morning. I'm Brittan Bistran, representing 26 Jericho Partners LLC. In their pursuit to subdivide their property into three conforming residential lots. Um, a similar application was filed in 2018, different representation that wasn't completed. Myself, along with Denise Shurn, submitted this pre-application conference so that the Board and the Applicant would have, uh, be able to revive this project and review it on a pre-application basis in order to address any comments prior to a formal submission. The proposed minor subdivision does not require any dimensional variances, creates three conforming lots on seven acres of property in the R-80 Zoning District. As for the details, as thoughtfully presented in Billy's Memo, um, I would add the following comments. The first on the scenic easement, the proposal proposes 35% of the total acreage into scenic easements along Jericho Road and Cove Hollow Road. The Applicant agrees with, Billy's comment that it would be a better design to increase the size of the easement on lot one on Cove Hollow Road and eliminate the one on Jericho, so we accept that. The other issue was the proposed common driveway to serve lot one and two and a singular... We had proposed a common driveway access for one and two, and then a standalone access for lot three. The memo suggests that all three lots may benefit from one access, however, in preliminary discussions, we don't think this would be a desirable design element, because it would make that road serving the three lots with a potential for six dwellings, a fire access road, which, as I'm sure the Board is familiar with, they're a lot more... say suburban, um, paved wider, not sort of diverges from the rural character in this neighborhood. So, we would prefer to keep it as just two accesses on to a separate access for lot three. Denise Shurn is the attorney that's working with me on this, she's not able to make it today because she's in court. So, I would sort of defer to her on the workforce housing issue. My preliminary sort of planning understanding of that is that the Village's ADU Code saying that you could only have your family or yourself or your employees live in an ADU. I would interpret that to say that that's the same thing that the Workforce Housing Law was trying to do, and it might be trying to achieve the same goals. But, um, I would defer to your attorney or Denise on that particular matter. The other items were just technical requirements, the EAF, obviously we have to prepare that and engineering and all that will come with our formal submission to this Board.

Robert D. Caruso: Okay.

Britton Bistran: I stand ready to answer any questions.

Robert D. Caruso: Any questions? Board members. Okay. Thank you. I'm sorry. Do you have a question?

David Driscoll: Uh, just... Could you just speak in a little more detail about the fire access road? You're saying by statute it would require a fire access road? This...the three plots if they all had a common driveway?

Britton Bistran: Correct. That's my understanding that the due to the length and the number of dwelling units served, that it would require a fire access road.

David Driscoll: And the... Even though it's just three plots, if you have ADUs on each one of them... Units that control whether or not you have access.

Britton Bistrrian: It could be a total six. Right.

David Driscoll: And the difference between a driveway and a fire access road, do you know specifically what the elements are that differentiate them?

Britton Bistrrian: Design and materials. Um, I don't want to say that particularly, but there are a lot wider, and they can't be made of loose granular surfaces. So, they have to be paved or equivalent and much wider than a standard driveway.

Robert D. Caruso: Oh, and you will come back with a little more detail on that or...

Britton Bistrrian: Sure we can... If the Board would like, we could, um, have Denise prepare a statement both on the workforce and the fire access road with our formal submission.

Robert D. Caruso: Why don't we do that with the formal but thank you for the preliminary review.

Britton Bistrrian: And if I could just get some comments on the Board whether, um, the scenic easement, whether we would make the adjustment that Billy suggested, we'd be happy to incorporate that.

Robert D. Caruso: Yes, so, yeah, let's go ahead with that. Yes.

Britton Bistrrian: Okay. We're happy to do that.

Dennis Limonius: I personally think the, um, the easement is really nice to have all around the side of it. It's going to hold the character and context of all the properties together. So, there won't be a heavy change to the to the viewing from Cove Hollow Road. Um, my only question is here on the current access road proposed is do you feel this is enough, um, for two driveways to share potentially right up against a neighbor's property to the north?

Britton Bistrrian: Do I feel that it's enough? It meets specs for width, so I do feel it's adequate for width for two drive... for two access points, it meets Code. Um, and that's a pretty heavily landscaped and fenced area. I think getting it, you know, they always say in good planning, you want to keep it away from corners to access roads because people pull in and out and Amazon trucks pull in. So, I think being farther from the corner makes good sense. It also tucks it into the back of the lot so that you're not disrupting the intact building envelope.

Jeff Williams : I believe the neighboring driveway is right alongside the other property line?

Britton Bistrrian: On the other side of the... Yes, correct.

Jeff Williams : Um, I similarly was just looking at the space. It's a 20-foot-wide access easement. Um, will there be a definition of the sort of width of the proposed driveway? And within that and my other concern was just would there be enough room for green scaping to

allow both the driveway... Because from my observation, the neighboring house also it's side facing. So, the front of that house faces this whole space. So, I just was concerned about there being sufficient space for both the driveway and some green scape, which would likely be desired.

Britton Bistrrian: So usually, 20-foot-wide is a standard access and then throughout most jurisdictions you do a 12-foot driveway. So, it allows for at least four feet on both sides or eight feet on the other side. So, it's more than enough. You only need a few feet to plant. So, if the Board wanted to see, um, that I guess it's west... northwestern border of the driveway, we could integrate that into the plan. We could propose a planting area, you know, the first five feet or...

Robert D. Caruso: I think that should be as much planting as possible around the whole perimeter, yeah.

Dennis Limonius: And just if 12 feet is in fact sufficient for fire truck access, and then potentially there'll be some consideration of how there will be a turnaround because it looks like the driveway just ends at lot.

Britton Bistrrian: Right, there will be a turnaround. That's =just indicative of the pre-submission. The engineering will be completely developed in our next submission. This was sort of more of a conceptual layout. Um. And I guess if I could just get clear directions on specifically the proposed scenic easement on lot one, because I think, um, what Mr. Limonius said might be different than what Billy's Memo said. So, I want to make sure that I'm getting a consensus.

Robert D. Caruso: Anyone?

Dennis Limonius: I think it's fine.

Robert D. Caruso: I think it's fine also, yeah.

Britton Bistrrian: As it is.

Robert D. Caruso: Yeah.

David Driscoll: Uh, as depicted here?

Britton Bistrrian: Correct.

David Driscoll: I think we well... I thought we were looking to, uh, extend, um.

Britton Bistrrian: Cove Hollow. Billy had suggested that maybe.... Billy, you want to address it?

Robert D. Caruso: Yeah, Billy, could you just.

David Driscoll: Well, you know, right. Right now, from west to east, uh, in lot three, lot two, you probably have, uh, from the property line to the end of the easement on lot one is probably,

and this is rough calculation, about 220 feet, something in that area. Uh, in lot two, it drops down to I think...

Britton Bistran: 200.

David Driscoll: 200 feet thereabouts. And then lot one, which, you know, I think we agree is kind of the critical lot because it's on the corner and visually it, you know, it's important to give a good presentation there. I think it drops down to about 100. So, you know, I think we're looking to move that at least, you know, it's my recommendation that we move that in line somewhat with the other two lots. So, it appears as a continuous easement and not a stepped easement.

Britton Bistran: So, I believe if I'm interpreting Billy's comments, was that to make all three lots have the same or similar scenic easements on Cove Hollow and eliminate the scenic easement on Jericho? Okay. Am I interpreting you correctly? Okay.

Billy Hajek: Yeah.

Robert D. Caruso: Thank you very much. And, Billy, could you just give us your analysis?

Billy Hajek: Good morning, Chairman and members of the Board. Billy Hajek for the Village. So, I had prepared a brief Memoranda for the Board, it was a dated April 5th. The history of this, as Britton touched on was a pre preliminary submission and at the time, they were proposing to subdivide the property into four lots with reserve area, but it was... They were proposing an active reserve area, which didn't comport with the code for a variety of reasons. It required lot area variances, reserved areas can't, you know, qualify as active reserve area. So, there were, you know, a lot of moving parts that that project was, I guess, essentially abandoned. But the recommendations that I had offered to the Board at that time have been somewhat incorporated into this map. So, I think what you have now is a fairly good start, I think it's a pretty good design. The two comments that I had offered, one was about the common driveway. I do believe though, it... Adding, I mean, it's an opinion that will have to figure out if the number of lots determines the width of the required access. And a fire apparatus access road does have to be an improved width of 26 feet. So, it's fairly substantial. It's probably going to be wider than some of the roads in the area, which is something we don't.... You know, we wouldn't necessarily want to propose that. So, I think the number of lots using the common driveway is going to dictate, you know, the width of it. And um, you know, a standard common driveway width is 12 to 14 feet of improved surface, something along those lines. Som we can refine that, in more detail. And then, but in terms of the, the scenic easement, I think it... Personally, I feel it'd be a better appearance from Cove Hollow Road, to have the scenic easement line sort of more match up. People are going to disturb and landscape right up to the edge of the easement and if you're having these sort of like varying lines, I think it's just going to lend itself to potential encroachments. I think it's going to look a little awkward. It was just a suggestion to consider, to try to even that line out. And the only way to even it out, I mean, you could ask for more than 35%, but I personally think 35% is a really good number. And, you know, the Code doesn't require... have a, have a minimum or a maximum, but I think 35% is very reasonable. And the only way to accomplish that would be to give up a little bit of easement somewhere else. And yeah, it just seemed logical.

Robert D. Caruso: I do... I don't know about other Board members, but I do agree with that, and I think it should be continuous. In other words, it shouldn't be like landscaping. It's going to look like this here and suddenly it ends and it's going to look like this over there. It should be continuous, a continuous flow.

Billy Hajek: So, I mean the board can also take their time and think about it. You can all visit the property and look at the neighbors and check out the neighborhood.

Robert D. Caruso: Yeah, why don't we do that?

Robert D. Caruso: Absolutely.

Billy Hajek: And, you know, come back and you know, you're not you're not bound by any decisions today. So... it's really just a give and take. You know, at this point.

Robert D. Caruso: Yeah, I think that's a good idea.

Billy Hajek: Okay.

Dennis Limonius: Mr. Driscoll's comments or. Yes. Trying to get that one step out, definitely a more uniform line. And I think we're at a good layout right here, and that little bit could make it even a tad bit better, which is, uh, very encouraging.

Robert D. Caruso: Okay, Any other questions, Board members? So, this concludes our preliminary review, and we'll go... We'll move forward, and Denise will get her comments. And you'll keep us informed, right? Okay. All right. So, all right. So, we'll be in touch then. All right. Uh, any other questions? Okay.

Robert D. Caruso: That concludes our agenda for today. Do I have a motion to adjourn?

David Driscoll: You have a motion.

Robert D. Caruso: Yeah. Okay. Uh. Um, do I have a second?

Jeff Williams : Second.

Robert D. Caruso: All in favor?

Board in Unison: Aye.

Robert D. Caruso: Great. All right. See you at the next meeting. Thank you.

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FILED
VILLAGE OF EAST HAMPTON, NY
DATE: 6/11/24
TIME: 10:27 AM

Abigail McNeil