

Minutes
Planning Board
January 9, 2020

Those present were:

Philip O'Connell, Chairperson
Obron Farber, Member
John S. Tarbet, Member
Elizabeth Baldwin, Village Attorney
Kenneth E. Collum, Code Enforcement Officer
Billy Hajek, Village Planner
Matthew Pachman, Attorney on behalf of Furtherfarm, LLC
Pamela J. Bennett, Deputy Clerk

The Chairperson called the meeting to order at 11:00 a.m., and the following official business was discussed:

1. **Minutes**

Upon motion of Philip O'Connell, duly seconded by Obron Farber, the Board unanimously approved the December 12, 2019 minutes.

2. **Walter Maynard, Jr. – 35 Georgica Road**

Upon motion of Philip O'Connell, duly seconded by Obron Farber, the Board unanimously adopted the following modification of the applicant's resolution as follows:

RESOLVED, the Planning Board of the Village of East Hampton hereby modifies and amends the conditions of the Preliminary Approval of the "Application of Walter Maynard, Jr." Tax Map # 301-8-12-13.4, adopted on April 12, 2018 as follows:

1. Submission of an application for a final plat in the form required by Chapter 252 of the Code of the Village of East Hampton within six (6) months of the date hereof.
2. No change.
3. Delete.

4. Removal of the “cottage” currently straddling Reserve Area B and the flagpole strip and easement to Baiting Hollow Road to Lot 2, and the tennis court as depicted on the Preliminary Map prior to the filing of the final plat.
5. No Change.
6. No Change.
7. No Change.
8. No Change.

ORIGINAL HEARING

Furtherfarm, LLC – 218 Further Lane – SCTM #301-5-3-11.1
EH 226 LLC – 226 Further Lane – SCTM #301-5-3-11.3

The Chairperson called the hearing to order at 11:05 a.m., and the Notice of Hearing, as duly published in the East Hampton Star, was read.

Applications of Furtherfarm, LLC, SCTM#301-5-3-11.1 located at 218 Further Lane and EH 226 LLC, SCTM#301-5-3-11.3 located at 226 Further Lane, for Subdivision/Lot Line Modification approval pursuant to Chapter 252 of the Village Code to adjust the lot lines between the two subject properties by transferring approximately 24,818 square feet of land area and creating a new flag strip to provide two curb cuts and two driveways onto Further Lane. 218 Further Lane is presently vacant of buildings and will decrease in size from 300,068 square feet to 275,251 square feet. 226 Further Lane is presently being redeveloped with a new single-family residence and accessory structures and will increase in size from 179,095 square feet to 203,913 square feet. The request includes a modification of the Zachary Fisher Subdivision Waiver to eliminate a condition that these two parcels share a single common driveway/one curb cut and to allow both parcels to have individual driveway access onto Further Lane, resulting in two curb cuts. The subject properties are located in the Residence District R-160. This project is an Unlisted Action in accordance with SEQR.

Mr. O’Connell stated for the record that Members of the Planning Board have visited the property, sometimes with the applicant, sometimes without, but at no time was there a quorum of the Planning Board during a visit. The Planning Board Members had concerns about traffic safety.

Matthew Pachman Esq. appeared on behalf of Furtherfarm, LLC; no additional material was submitted into the record; no one appeared in opposition. Mr. Pachman stated that the Board is very aware and familiar with the application as the application has been before the Board multiple times and believes it is a strong application. The request is for 226 Further Lane, which is a flag lot, to have the flagpole portion shifted from the easterly side to the westerly side. An email in support of the application has been submitted by Michele Nuti dated December 26, 2019, the neighbor immediately to the west at 206 Further Lane and the neighbor who would be most affected by the application. Mr. Pachman requested that the hearing be closed and the Board issue a Negative Declaration and vote to conditionally approve the application subject to the applicant obtaining Suffolk County Department of Health approval.

Mr. O'Connell asked if the Town has responded to the referral. Mr. Hajek stated that he received a response from the Planning Department and they had some questions and he forwarded his memoranda; the Town said that they would like to provide comments but would not have them ready for today's meeting.

Ms. Farber stated that the applicant did hear the Board's concerns particularly with regard to safety; the design team and landscape architects provided a variety of options regarding the safety and line of sight for pedestrian, drivers, and bicyclists. There was a lot of work there and the Board recognizes that.

Mr. O'Connell stated that items to be considered are did the applicant demonstrate a significant change in circumstances to warrant modifying a previous Planning Board's decision. The applicant wants an uninterrupted front lawn and a second curb cut and the reason given is to comply with the FAAR requirements; the current access could be cleared to 20 feet in width. Mr. O'Connell stated that it has always been this Planning Board's and the previous Planning Board's position for subdivisions that there be one access point and to limit the number of curb cuts; this proposal creates an additional curb cut which the Board must take into consideration. The front lot that borders the street is identified in the Comprehensive Plan for maintaining an open vista. Mr. O'Connell stated that he was hoping to go through SEQR, however, the Town wants the record kept open for comments and he would like to see the Town's comments first. The Board agreed that it is curious to hear what the Town has to say. Mr. Hajek stated that he will prepare a draft

Part II for the next meeting. Ms. Farber questioned who will be submitting comments from the Town. Mr. O'Connell asked if the Town Planning Department reviews and then sends it to the Planning Board. Ms. Baldwin suggested that the Board might receive comments directly from the Planning Director.

The hearing was adjourned until the February 13, 2020.

Upon motion of John S. Tarbet, duly seconded by Obron Farber, the Board unanimously adjourned the meeting at 11:10 a.m.

NOTICE OF HEARING
NOTICE IS HEREBY GIVEN that the Planning Board of the Incorporated Village of East Hampton will hold a public hearing at the Emergency Services Building, 1 Cedar Street, East Hampton, New York, on Thursday, January 9, 2020 at 11:00 a.m. on the following application and to conduct such other business as may come before the Board:
Applications of Furtherfarm, LLC, SCTM#301-5-3-11.1 located at 218 Further Lane and EH 226 LLC, SCTM#301-5-3-11.3 located at 226 Further Lane, for Subdivision/Lot Line Modification approval pursuant to Chapter 252 of the Village Code to adjust the lot lines between the two subject properties by transferring approximately 24,818 square feet of land area and creating a new flag strip to provide two curb cuts and two driveways onto Further Lane. 218 Further Lane is presently vacant of buildings and will decrease in size from

300,068 square feet to 275,251 square feet. 226 Further Lane is presently being redeveloped with a new single-family residence and accessory structures and will increase in size from 179,095 square feet to 203,913 square feet. The request includes a modification of the Zachary Fisher Subdivision Waiver to eliminate a condition that these two parcels share a single common driveway/one curb cut and to allow both parcels to have individual driveway access onto Further Lane, resulting in two curb cuts. The subject properties are located in the Residence District R-160. This project is an Unlisted Action in accordance with SEQR. Said Planning Board will at said time and place hear all persons who wish to be heard in connection with the application. Interested parties may be heard in person, by agent, or by attorney.
Dated: December 20, 2019
By Order of Philip O'Connell, Chairperson
Planning Board, Inc.
Village of East Hampton
25-1

VILLAGE OF EAST HAMPTON, NY
DATE February 13, 2020
TIME 2:30 p.m.