

Minutes
Planning Board
June 11, 2020
11:00 a.m.
via Video-Conferencing and
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Those present were:

Bruce A.T. Siska, Chairman
Obron Farber, Member
John S. Tarbet, Member
D. Walker Wainwright, Member
J. Kenneth Wessberg, Member
Elizabeth Baldwin, Village Attorney
Billy Hajek, Village Planner
Britton Bistran, Agent on behalf of Hook Pond Lane LLC and
15 Hook Pond Lane, LLC
Jonathan Tarbet, Attorney on behalf of Frances W. Levy and Jack Levy
Jody Gambino, LTV Moderator
Jason Nower, LTV Moderator
Pamela J. Bennett, Deputy Clerk

Mr. Gambino: You guys are live.

Mr. Siska: All right good morning all, today is June 11th. Before we get started and open the meeting, I would just like to say a couple of things. First, I would like to introduce myself as the new Chairman for the East Hampton Village Planning Board. For those of you who do not know me, my name is Bruce Siska, I am a lifelong resident of the Village and I served on the Design Review Board for many years. I would like to thank a couple of people again before we get started. First off I would like to thank Mayor Lawler and the Trustees for giving me this opportunity, secondly I would like to thank Phil O'Connell, I think the Board also would like to thank Phil for his many years of service and dedication as this Board's Chairman and I would like to thank him for the hours he has helped me come up to speed on all of the applications you guys have been reviewing so far, and then lastly I would like to thank Pam and Billy again for their help, they have been great in getting me sort of acclimated to everything that you guys are looking at and ready for me to take over. All right I would like to welcome everyone to our

second virtual Planning Board meeting for the Village of East Hampton, like I said today is Thursday, June 11th 2020, the time is just after 11:00 o'clock.

1. **Minutes**

Mr. Siska: The first order of business today is the minutes from your last meeting on May 14th that I believe have been previously distributed. Did everyone have an opportunity to take a look at the minutes and do you have any changes, corrections, or anything you would like to discuss.

Mr. Wessberg: I saw them.

Mr. Siska: Does everything look good?

Mr. Wessberg: I make a motion we accept them.

Mr. Siska: Second?

Mr. Wainwright: Second.

Mr. Siska: All in favor?

Mr. Wessberg: Aye.

Mr. Wainwright: Aye.

Mr. Siska: Opposed? (no) Excellent, minutes have been approved, thank you.

2. **EH 226 LLC – 226 Further Lane and Furtherfarm, LLC –
218 Further Lane**

Mr. Siska: I think while we wait for our callers, I will take care of the adjournment which is the last item on our agenda. There has been submitted a letter from Ackerman, Pachman, Brown and Goldstein LLP respectfully requesting an adjournment of the scheduled June 11th Planning Board meeting for 218 and 226 Further Lane which we shall grant and if there is no objections to that, I will entertain a motion to adjourn that to the next meeting.

Mr. Wessberg: I make a motion.

Mr. Siska: Second?

Mr. Wainwright: Second.

Mr. Siska: All in favor?

Ms. Farber: Aye.

Mr. Tarbet: Aye.

Mr. Wessberg: Aye.

Mr. Siska: Great, thank you, so moved.

3. 44 Hunting Lane, LLC – 44 Huntting Lane

Mr. Siska: The thing on our agenda is an extension of time for 44 Hunting Lane, LLC, 44 Huntting Lane. I do not know if we have a caller on the line.

Mr. Gambino: Yes, we have a caller on the line. Hi caller, you are on the line.

Mr. Jonathan Tarbet: Hi, it is Jon Tarbet, I do not think this is my hearing, right?

Mr. Siska: Jon, not yet, we are on 44 Huntting Lane right now.

Mr. Jonathan Tarbet: Okay, just mute me and let me know when I should come back.

Mr. Siska: Will do, great, thank you.

Ms. Farber: Bruce, I...

Ms. Baldwin: I can explain the application.

Mr. Siska: Yes please.

Ms. Baldwin: This was an approval that the Board had already handled and the map was already signed off, however, they were not able to get it recorded in time so they are asking for an extension because the Code says that the approval expires

after 62 days, they need just an extension of time from this Board in order to allow the Chairman to re-sign the map for them. That is all it is.

Mr. Siska: Okay, go ahead.

Ms. Farber: I want to say something on this matter. Ken, were you going to speak?

Mr. Wessberg: No, go ahead, you go.

Ms. Farber: Okay, this was the first reference I ever saw to the name of the Vice President of Operations, our communication has been with Mr. Kean, and I just want to say as we grant another extension here that I do not know if anyone else has been keeping an eye on this property. I have known this property my entire life personally so I have particular interest in it and it is in a Historic District, and I have said over these months where we have had this application under consideration, that I was concerned that the Kean organization was not respecting the neighbors with regard to the level of dis-concern for the appearance of that property in the historic district. I have a real problem with it so with this, seeing as there is now the name of Giorgio Citarella, Vice President of Operations and Land Development for Kean Development, I would just like to request that Mr. Citarella and his organization be reminded that this is Hunting Lane, a Historic District, that there are neighbors that keep their properties very beautifully. This property is overgrown, they covered the graffiti but they did not do much else and it has been many, many months where it is really quite a disgrace. So before we grant this extension, which is going to give them however many more months before they deal with the appearance of that property, I am offended by the way that they have taken care of it and I hope that they give some better attention to it with regard to their neighbors and the fact that it is a Historic District, they should take better care of the visual appearance of that mess.

Mr. Gambino: There is a caller on the line.

Mr. Wainwright: I would to chime in, I fully support your comments, I drive by that property all the time, and I think it is appalling that it has been allowed to deteriorate without any maintenance whatsoever. It is offensive to me.

Mr. Siska: Okay.

Mr. Gambino: You have a caller on the line.

Mr. Wessberg: I have to agree with you guys also because I rode by there this morning and I think Obron if you remember we asked them to keep it mowed and we had the Code Enforcement I believe went over there and addressed it and now it is slipping away again.

Ms. Farber: Yes.

Mr. Wessberg: I think it should be addressed, I think the Code Enforcement should go back over there and tell them to cut the grass and maintain the grounds because it is an eyesore. I rode by this morning because I wanted to look at it before this meeting. So, I totally agree with you, Obron.

Ms. Farber: I am glad.

Mr. Wessberg: I think we had the Code Enforcement back in the fall, if I remember right, to address this and it seems to be slipping away again, and here we go for another extension again so it just seems like it goes on and on and on. I agree 100 percent.

Ms. Farber: Good. I do not know what the consequences are but I appreciate that the other Members of the Planning Board have also kept an eye on that property because I think we are all seeing the same thing. Elizabeth, what are the consequences for dismissing our request that they take better care of it. Ms. Baldwin?

Ms. Baldwin: I mean you could not grant an extension. It is more of a Code Enforcement issue than it would be a Planning Board issue so it is something that maybe the Planning Board would want to send either a memo or something to the Code Enforcement just asking them to look into any potential issues there.

Mr. Wessberg: I would recommend that because we have been there before, I have no problem for the last time to grant this extension but I think that the grounds have to be addressed and Ken Collum has been over there before.

Mr. Nower: Pardon me, we have a new caller on the line, I want to make absolutely sure, it might have gotten lost in the fray. May I unmute them?

Mr. Siska: Yes.

Mr. Hajek: May I just make a point.

Mr. Siska: Go ahead Billy.

Mr. Hajek: Okay, thanks. So, the extension of time is really just for them to fulfill their conditions of their subdivision approval. If the Board were inclined to not entertain it or decline their extension, all that does is put them back to a position of reapplying for a subdivision and I do not believe, I could be wrong, but I do not think the outcome would be much different from the layout that is currently existing. I am not sure that is a way or a mechanism of forcing them to maintain their property. I think that is a matter for Code enforcement but you can certainly, the Planning Board can reach out to Code Enforcement and ask them that they revisit the issue.

Mr. Wainwright: Again to comment, this property was an issue at my first Planning Board meeting two years ago, and I do not see anything that has been done in two years, and I do not really understand why not and it seems to me and it probably is out of our jurisdiction, there has to be some mechanism to force a developer, with a re-development, instead of leaving the place a mess.

Mr. Siska: Right, okay.

Mr. Tarbet: If I can just chime in on that, I was a neighbor there for many years up until six months ago, nothing has changed over the years, I supported the development project there but I do not see any effort to do anything in all the years that I lived there. It just got worse and worse.

Mr. Siska: Okay so I think we should go ahead and grant the extension. I can be in touch with Code Enforcement to deal with the property and at least maintain it, does that sound good to everybody?

Ms. Farber: Yes.

Mr. Wessberg: Yes, I have no problem with that.

Mr. Siska: Could I have a motion to grant that extension.

Mr. Tarbet: So moved.

Mr. Siska: Second?

Mr. Wessberg: Second it.

Mr. Siska: Okay, all in favor?

Ms. Farber: Aye.

Mr. Wessberg: Aye.

Mr. Tabet: Aye.

Mr. Wainwright: Aye.

Mr. Siska: Opposed? (no) So carried, perfect, thank you, and I will be in touch with Code Enforcement on that.

Mr. Hajek: You might want to check to make sure to see if that caller was for this matter.

Mr. Nower: I am going to unmute now. Hello caller, you are on the line.

Ms. Bistran: I am on for the next agenda item, Hook Pond Lane.

Mr. Nower: Hook Pond Lane, thank you very much.

Mr. Siska: Yes, that is next, thank you.

**4. Hook Pond Lane LLC – 11 Hook Pond Lane and
15 Hook Pond Lane, LLC – 15 Hook Pond Lane**

Mr. Siska: Next on our agenda is the lot line modification for Hook Pond Lane LLC and 15 Hook Pond Lane, LLC, 11 Hook Pond Lane and 15 Hook Pond Lane. I think we are still waiting on receiving a couple of things, one being the EAF Form Part I. The Board did receive the Fire Marshal's letter this morning stating that this road does not need to be improved for the FAAR requirements, and I think we are still waiting on a survey showing some of the items from Billy's memo which was dated May 7th. So other than that, I am not sure what we can sort of discuss on this today. Britton, do you have anything to add?

Ms. Bistran: No, I just wanted to let the Board know that I had just received the Fire Marshal memo, we were awaiting on that, and I am still working on the map revisions and wetlands flagging and all that information and hope to be back to the Board by the next meeting.

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Mr. Siska: Okay, perfect. Billy, do you have anything to add?

Mr. Hajek: No, no comments.

Mr. Siska: Okay so we will...

Ms. Farber: I just want to ask Britton, it is a beautiful property, and this application, and I do not have any problem with it but there are some magnificent old trees in the vicinity, I cannot really tell exactly where that lot line modification is going to happen, I wonder Britton if you know, for instance, there is a significant beech tree, if their plan is to preserve those trees. I suspect it is because they have been great care givers of the properties, of their several properties, but I was just curious if you know about that.

Ms. Bistran: I do believe the plan is to keep the mature trees and what I can do, since we have to do field work for the map submittal, if you want me to have those trees located on the survey so that you could have relationship to the future property lines, I would be happy to do that.

Ms. Farber: Sure, I would be curious, thank you.

Mr. Siska: Yes.

Ms. Bistran: Yes, I would be happy to do that.

Mr. Siska: Great, thank you.

5. **Frances W. Levy – 43 Georgica Road and**
Jack Levy – 39 Georgica Road

Mr. Siska: Okay, moving along, next item is again a lot line modification for 43 Georgica Road and 39 Georgica Road. I think we all received the information on that last week. Jon, are you on hold?

Mr. John Tarbet: I am going to have to...

Mr. Jonathan Tarbet: I am, I think my Dad has to recuse himself on this one.

Mr. Siska: Okay.

Mr. John Tarbet: Do I sign out on that?

Mr. Siska: Maybe walk away.

Mr. Wessberg: Just walk away.

Mr. Siska: All right Jon, you are on.

Mr. Jonathan Tarbet: It is funny because with the LTV delay, I actually still see him sitting there. This application is the result of our client doing work on the property and it came to our attention that the existing patio for the house is over the existing, it has a C.O., and it is over the existing property line and the house and the pool that exist do not meet setbacks to the existing property line. So what we propose to do is move the property line, keeping the exact total lot area for both properties so the new lot line will result in the exact same lot area as the existing lot line and what it will allow us to do is have the existing house and the existing pool be conforming where they are not conforming now. And that is the short of it. I do not think it really makes any change other than making a currently nonconforming condition to be a conforming condition.

Mr. Siska: Okay, thank you. Billy or Beth, do you have any comments? I know we just received this information so I am sure Billy you have not had time to sort of review it and write up a memo but do either of you have any comments right off the start?

Ms. Baldwin: I do not have anything.

Mr. Siska: Okay, Billy?

Mr. Hajek: I will perform a thorough review of the proposal and have a report for the Planning Board at the next Planning Board meeting.

Mr. Siska: Okay. Do any of the Board Members have any comments or questions right now?

Mr. Wessberg: I do not.

Mr. Wainwright: No.

Mr. Siska: Obron?

Ms. Farber: Yes...

Mr. Jonathan Tarbet: The other thing that may come up, sorry, I apologize.

Mr. Siska: Go ahead Obron.

Ms. Farber: On the subdivision application, I just want to clarify because it seems to be a matter of significance to the applicant that both of the properties, with the granting of the subdivision, both of the properties would have frontage on Georgica Road, and if you look at the subdivision application for questions one, five, and eleven, they have specifically typed in that both lots front on Georgica Road and have significant frontage for each to have a separate driveway but when you look at the survey and you look at the size of what will be Lot 2 after the subdivision, I just wonder, naturally the fewer curb cuts we have is more desirable as our town moves into the future and since they specifically on questions one, five, and eleven typed in this notation with regard to separate driveways that I just wanted to comment that I noticed it and I hope that they can find a way to share a common driveway.

Mr. Siska: Okay, thank you. Anybody else?

Mr. Gambino: Mr. Chairman, I want to let you know we have one caller on the line.

Mr. Siska: Okay. No other questions on this application? So we will wait on...

Mr. Jonathan Tarbet: Can I just say, sorry...

Mr. Siska: Yes, go ahead Jon.

Mr. Jonathan Tarbet: Sorry Bruce I know we can talk about it next time but I was just going to say that it may come up, a question may come up whether there is enough room to, in the resulting, because the existing configuration and the proposed configuration are not perfect squares, so the Board having concerns that you could build a house that meets current GFA and a pool without having to ask for any variances and we did do that and we will submit a plan showing that you can build a conforming size house and a pool on the proposed lot. We will do that for next time.

Mr. Siska: Okay, perfect. I think Billy would probably put that in his memo as well so thank you for that. All right so we will look forward to that for the next meeting. I think that is all unless the caller wants to bring up something, I am not sure who the caller is.

Mr. Jonathan Tarbet: So sorry Bruce, that is Madeline from my office, we just both joined the call so we could hear you guys.

Mr. Siska: All right, perfect. That takes care of our agenda for today. Does anybody have anything else they want to bring up before we adjourn? Mr. Tarbet (John) is back, that is good. Can I entertain a motion to adjourn the meeting?

Mr. Wessberg: I will make a motion.

Mr. Siska: Second?

Mr. Wainwright: Second.

Mr. Siska: All right, all in favor?

Ms. Farber: Aye.

Mr. Wessberg: Aye.

Mr. Siska: Opposed? (no)

Ms. Farber: Welcome Mr. Siska.

Mr. Siska: Thank you.

Mr. Wessberg: Good job Bruce.

Mr. Siska: Thank you all.

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