

Planning Board
September 8, 2022
11:00 a.m.
via Video-Conferencing and
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Those present were:

Robert D. Caruso, Chairman
D. Walker Wainwright, Member
David Driscoll, Member
Vincent Messina, Village Attorney
Billy Hajek, Village Planner
Tom Preiato, Village Building Inspector
Jonathan Tarbet, Attorney on behalf of Stone Free Trust
Jody Gambino, LTV Moderator
Pamela J. Bennett, Village Clerk

Mr. Caruso: Good morning. I call to order the Planning Board for Thursday, September 8, 2022.

1. **Minutes**

Mr. Caruso: The first item on our agenda are the minutes of July 14, 2022. Do we have any questions or corrections? If not then I would entertain a motion to approve.

Mr. Wainwright: So moved.

Mr. Caruso: Thank you. Do I have a second?

Mr. Wainwright: Second.

Mr. Caruso: Thank you. All in favor?

Mr. Driscoll: Aye.

Mr. Wainwright: Aye.

Mr. Caruso: Great.

2. Stone Free Trust – 33 Hither Lane

Mr. Caruso: The next item on the agenda is 33 Hither Lane, Stone Free Trust. Is the applicant present?

Mr. Tarbet: Yes.

Mr. Caruso: Good morning, Jon. Do you just want to bring us up-to-date?

Mr. Tarbet: Sure. This is a parcel of land that met zoning and was as of right able to subdivide. We came to the Planning Board, I am sorry, there were some variances that were needed in order to keep structures on those properties though. So while it met zoning and was capable of being subdivided to do so, we would either need to remove some structures or receive variances to keep them after the subdivision. We appeared before this Board, you provided comments to the Zoning Board that you were generally in favor of the subdivision as laid out. We went to the Zoning Board, they granted variances, and now we are back before your Board.

Mr. Caruso: Okay, great. Tom Preiato, your input?

Mr. Preiato: Good morning. As Jon stated, they have received variances that are required, and as of right, the lot is the appropriate size and I really do not see any issues otherwise.

Mr. Caruso: Okay, thank you. Any other questions or comments? Vincent Messina?

Mr. Messina: Bill, I remember reading, you had a memo on this from 2021, if I recall correctly, were there any conditions that you were recommending being imposed?

Mr. Hajek: Just the normal conditions that would be typical of a subdivision like this. I think what the one item that I am not sure has been completely ironed out is the timing for installation of the common driveway and removal of the tennis court and existing driveway. So I think that, from my recollection, that is the only item that remains outstanding in terms of exactly when that would occur or if there is a required document like a covenant because I think the idea was that the property would stay as is until such time as the applicant applied for a building permit on Lot 1 at which time then they would have to put in the common driveway with the emergency turnaround. So I do not know if that is still the theory?

Mr. Tarbet: I think that made sense Billy. I think we have learned that we record those in order to have apply against, if we were to sell the property, you would want to record it so that a new buyer was aware of that issue, that condition. Maybe it is a small covenant.

Mr. Messina: Do we need a common driveway agreement here as well?

Mr. Hajek: Yes. There will be a common driveway agreement.

Mr. Messina: So Jon if you want we can include it there.

Mr. Tarbet: Yes, that is great. I think I said this to the Board a while ago, out of more than just curiosity than anything else, the property is currently owned by a pretty well-known artist and a major reason for pursuing this application was to build eventually an artist studio on the second parcel. That may happen in six months but also might not happen for five years so there is a possibility this could sit for a while without redevelopment so a covenant would be great. So if and when the person does go for a building permit, those things will be taken care of.

Mr. Hajek: I would just recommend then that I mean if the Board wants to proceed with issuing a resolution of approval, this is subject to Vin's opinion, but the Board could approve the matter conditioned upon the legal documents, the covenant and common driveway agreement, and that those would have to be recorded at the same time they record the subdivision map.

Mr. Messina: Yes, and my understanding, again, from looking at some other subdivision resolutions that the Board has passed, is that that is the common practice anyway.

Mr. Tarbet: I will work with Vinnie and Billy with regard to the specific language on this covenant.

Mr. Messina: You, Tom, and I will work it all out and circulate it.

Mr. Caruso: Should we approve it now or should we wait until it is all written out?

Mr. Messina: We can approve it now subject to that covenant approved by Mr. Preiato, Mr. Hajek, and myself.

Mr. Caruso: Okay, perfect. So we will go ahead and approve the, may I have a motion to approve this application based upon the legal resolution as described by Vincent Messina.

Mr. Caruso: Do I have a motion to approve?

Mr. Wainwright: So moved.

Mr. Caruso: Okay. Do I have a second?

Mr. Driscoll: Second.

Mr. Caruso: Thank you, and all in favor?

Mr. Driscoll: Aye.

Mr. Wainwright: Aye.

Mr. Caruso: That concludes our agenda for today. Are there any questions pertaining to any of these comments? If not then, I would entertain a motion to adjourn. Do I have a motion?

Mr. Wainwright: So moved.

Mr. Caruso: Thank you. Do I have a second?

Mr. Driscoll: Second.

Mr. Caruso: Thank you. All in favor?

Mr. Driscoll: Aye.

Mr. Wainwright: Aye.

Mr. Caruso: Thank you. See you at the next meeting.

The meeting was adjourned at 11:07 a.m.

FILED
VILLAGE OF EAST HAMPTON, NY
DATE: 11/10/22
TIME: 1:03 PM

Pamela J. Bennett

