



# TOWN OF EAST HAMPTON

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May 14, 2009

TO: Planning Board

FROM: Tara Powers, Principal Planner

RE: Daniela Roman Subwaiver  
SCTM# 300-103-6-8, 9, 10 & 12  
Application #A0520080049

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Last Review Date: February 11, 2009

**Items and Date Received:** Minor Subdivision Map, prepared by Saskas Surveying, dated last revised March 11, 2009; Lot 2 Common Driveway Plan prepared by D.B. Bennett, P.E., dated May 4, 2009.

### Background Information:

Application is for subwaiver approval to divide and reconfigure two parcels into three parcels. Originally the area contained four parcels, however; the two parcels adjacent to Old Stone Highway were combined due to lot sizes below zoning and the two parcels on Robins Way were combined for the same reason. The applicant now wishes to divide the two parcels into three lots. Lot 1 will have frontage on Old Stone Highway, Lot 2 will be accessible via flag strip from Robbins Way and Lot 3 will have direct frontage on Robbins Way.

The subject area is located within two zoning districts. The lot fronting on Old Stone Hwy. is located within the A2-Residence zoning district and the lot fronting on Robbins Way is within the B-Residence zoning district.



## Issues for Discussion:

### 1. Historical Significance of the Small Studio on Lot 1.

At the last review the Board requested information from the applicant on the significance of the small studio to the art world. The agent agreed to speak to the applicant. In their letter to the Board, dated May 6, 2009 they indicated that Saul Steinberg bought and transferred the studio to his property in 1974. The building had previously been used as a motel room. Sigrid Spaeth, Mr. Steinberg's wife, used that building as her artist studio. She was a painter.

At this time the Board should determine if the information submitted with regard to the small studio is sufficient and if any additional action is needed.

### 2. Conservation Easement Proposed.

The Board previously requested that the applicant revise the conservation easement to protect the wetlands and design it so that variance jurisdiction is within the easement on proposed Lot 1 and at least 15% of the total lot area. The easement area was also to contain the sanitary buffer on lot 2. The map has been revised so that the conservation easement generally follows the 100-foot wetlands variance setback line. The easement also contains the sanitary buffer as was requested. The total easement area is 43,112 sq. ft. or 20.98% of the lot area. The applicant further proposes that the areas that are currently cleared around the "artist studio" building will be maintained as cleared and that the shaded area on the map will be areas of the conservation easement that will be available for public access to the existing graveyard. The Planning Department finds the submission to be consistent with the Board's request. The Board should review the submission.

### 3. Driveway Location for Lot 2

The applicant has submitted a driveway plan for lot 2, which they believe demonstrates that a driveway and all associated storm water runoff can be accommodated for sufficiently. The applicant notes that the driveway has been positioned off-center to the north in the flag strip in order to maximize the distance from the contiguous developed lot to the south. The Planning Department requests that the Town Engineer review the submission for the Board.

### 4. Fire Department Comments. .

By letter dated March 27, 2009 the Amagansett Fire Department found that sufficient public water exists nearby and that no addition fire suppression devices are necessary.

### 5. Neighbor Comments.

By letter dated February 18, 2009 the adjacent neighbor at 41 Robbins Way, directly across from proposed Lot 3, had concerns with the placement of a driveway for this lot. The neighbor was concerned that headlights might shine directly into their living room and there might be an increase in noise if the driveway were placed across from their home. Currently the map does not show a location of the driveway for Lot 3. The Planning Department notes that the neighbor's concerns exist with the current lot configuration as well since a lot already exist in this location. This subdivision is making the lot slightly deeper than it is currently. The Board should discuss the neighbor's concerns and determine if a driveway location should be shown on the map. The neighbor suggests that the driveway be located directly across from the intersection with Glenway.

**6. Conclusions.**

Once the above issues are resolved, this application can be deemed complete and an Environmental Assessment Part II will be prepared by the Planning Department.

TP

**Planning Board Consensus**

*Is the conservation easement acceptable as shown?*

Additional comments: \_\_\_\_\_  
\_\_\_\_\_

*Has sufficient information been submitted on the small studio?*

Additional comments: \_\_\_\_\_  
\_\_\_\_\_

*Is the driveway profile for Lot 2 acceptable?*

Additional comments: \_\_\_\_\_  
\_\_\_\_\_

*Should a location for the driveway for Lot 3 be shown on the map?*

Additional comments: \_\_\_\_\_  
\_\_\_\_\_

*Is the application ready for a SEQRA declaration? If so, does the Board wish to make a negative declaration?*

Additional comments: \_\_\_\_\_  
\_\_\_\_\_

*Is the application ready to be scheduled for public hearing?*

Additional comments: \_\_\_\_\_  
\_\_\_\_\_

**Additional Board Comments:**

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