



TOWN OF EAST HAMPTON

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Planning Department
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August 7, 2009

TO: Planning Board

FROM: Marguerite Wolffsohn
Planning Director

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

Last Review Date: public hearing held August 5, 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 Robins Way is within the B-Residence zoning district.

Issues for Discussion:

I. Public Hearing Comments.

A public hearing was held for this application on August 5, 2009. One member of the public spoke representing a group of homeowners. He stated that the subject property is a wildlife corridor and that there is a need to protect as much open space in the area as possible. He recommended that the property not be subdivided.

The Planning Department notes that the subject property contains approximately 4 acres of native woodland and that the approximately 3 acre parcel adjoining the southern property line contains a highly diverse wetland that is identified within the National Wetland Inventory by the US Fish & Wildlife Service and is designated by the Town's Local Waterfront Revitalization Plan as a Locally Significant Coastal Fish and Wildlife Habitat. However the proposed subdivision has been designed so that a conservation easement will buffer development from this wetland. The conservation easement encompasses the entire area within 100' of the wetland to avoid the possibility of variances being requested for development within wetland jurisdiction. The

conservation easement also encompasses a small portion of Lot 2 which will ensure that development on lot 2 cannot occur within 200' of the wetland. This easement will allow for continued maintenance of the already improved areas within this easement; however this is not expected to have a significant adverse impact on the wetland or other flora and fauna that exists.

Furthermore, future development of proposed lots 2 and 3 will be subject to the clearing restrictions of the Town's vegetation protection ordinance which will protect additional areas of the existing woodland. The Planning Department finds that the proposed subdivision will protect a wooded wildlife corridor between Quality Row and Robins Way and provide a significant buffer to the freshwater wetland.

2. Fire Department Comments.

By letter dated March 27, 2009 the Amagansett Fire Department found that no additional fire suppression devices will be needed for this application.

3. Engineering Review.

By memo dated May 28, 2009 the Town Engineer found all elements of the application to be satisfactory.

4. SEQRA.

On June 10, 2009 the Planning Board found this application to have no significant adverse environmental impacts and made a Negative Declaration pursuant to SEQRA.

5. Conclusions.

If the Board agrees, the application is now complete and ready for Planning Board approval.

Items to be approved:

- Minor Subdivision Map prepared by Saskas Surveying, dated last revised March 11, 2009 and received by the Board on May 6, 2009.
- Lot #2 Driveway Plan prepared by D.B. Bennett, P.E., P.C. dated May 4, 2009 and received by the Board on May 6, 2009.

Conditions of approval:

- SCDHS approval
- Filing of a large lot easement on Lot 3
- Filing of the conservation easement on Lots 1 & 2 which should allow for public access to the graveyard and for continued mowing of the grass area as depicted on the map.
- Dedication of the cemetery to the Town

Planning Board Consensus

Does the Board agree that the application is complete and ready for approval?

Additional comments: _____
