



TOWN OF EAST HAMPTON

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SITE PLAN INITIAL EVALUATION

Little Fence

SCTM #300-189-5-7.3 & 7.4

App: A0520100002

Prepared by: Maureen Ryan
Planning Aide

Date: January 26, 2010

1. APPLICATION INFORMATION

- A. INFORMATION RECEIVED:** Surveys by George Walbridge of lot 7.3, dated revised November 2, 2009, and lot 7.4, dated revised November 24, 2009; Fence manufacturer specification sheet; Agricultural Easement, dated April 8, 1989. All received on January 12, 2010.
- B. DATE SUBMITTED:** January 12, 2010
- C. OWNER:** Judith Little
- D. APPLICANT/AGENT:** Denise Schoen, Esq., Tarbet, Lester & Schoen, PLLC
- E. SCHOOL DISTRICT:** Amagansett
- F. STREET NAME:** Further Lane
- G. TYPE OF STREET:** Town
- H. ZONING DISTRICT:** A5 Agricultural Overlay
- I. SEQRA - TYPE OF ACTION:** Unlisted
- J. INVOLVED AGENCIES:** Suffolk County Planning Commission
Architectural Review Board
- K. OTHER REVIEW:** Town Fire Marshal

2. DESCRIPTION OF PROJECT

- A. PROPOSED USE(S) AS CLASSIFIED BY TOWN CODE:** Residential
- B. EXISTING USE(S) AS CLASSIFIED BY TOWN CODE:** Residential
- C. ARE THE EXISTING & PROPOSED USES PERMITTED OR SPECIAL PERMITTED BY THE TOWN CODE?** Permitted
- D. AREA OF PARCEL (SQUARE FEET):** Lot 1 = 84,000 s.f., Lot 2 = 218,384 s.f.
- E. MOST RECENT CERTIFICATE OF OCCUPANCY:** Lot 1: September 12, 1990; Lot 2: October 4, 1990

- F. DESCRIPTION OF EXISTING STRUCTURES:** Lot 1: One-family residence with attached garage, deck and shed; Lot 2: One family residence, attached garage, deck, shed and pool
- G. DESCRIPTION OF PROPOSED STRUCTURES:** 6' black wire mesh fence: length on lot 1 = 426.98'; length on lot 2 = 1,023'
- H. EXISTING & PROPOSED LOT COVERAGE:** NA
- I. EXISTING & PROPOSED TOTAL COVERAGE:** NA
- J. HEIGHT OF PROPOSED STRUCTURES:** Lot 1: 4' to 6'; lot 2: 6'
- K. NUMBER OF STORIES OF PROPOSED STRUCTURES:** NA
- L. NUMBER OF EXISTING PARKING SPACES:** NA
- M. NUMBER OF PARKING SPACES REQUIRED:** NA
- N. TOTAL PARKING SPACES PROVIDED:** NA
- O. VARIANCES REQUIRED:** NA
- P. DOES EXISTING & PROPOSED LIGHTING COMPLY WITH BOARD POLICY?** NA
- Q. DISTANCE TO PUBLIC WATER:** Further Lane
- R. SOURCE OF WATER SUPPLY:** SCWA
- S. METHOD OF WASTE DISPOSAL:** Septic system
- T. DO SANITARY CALCULATIONS COMPLY WITH SCDHS STANDARDS?** NA
- U. NUMBER OF ACCESS POINTS:** One
- V. IS SIGHT DISTANCE ACCEPTABLE?** Yes

3. SUBMISSION REQUIREMENTS PURSUANT TO CHAPTER 255 (LIST ITEMS AND SECTION FOR THOSE ITEMS NOT SUBMITTED)

4. SITE ANALYSIS:

- A. SOIL TYPE:** BgA, Bridgehampton silt loam, 0-2% slopes; PsA, Plymouth loamy sand, silty substratum, 0 to 3% slopes; Du, Dune land; Beaches
- B. FLOOD HAZARD ZONE:** X, AE
- C. DESCRIPTION OF VEGETATION:** Lawn, landscaping
- D. RANGE OF ELEVATIONS:** Information not given
- E. NATURE OF SLOPES:** Flat
- F. TYPE OF WETLANDS WITHIN NRSP JURISDICTION:** Dunes and beaches
- G. SETBACK FROM ANY WETLAND OR WATER BODY:** The fence is setback well beyond the 100' distance from the primary dune crest.
- H. ARE THERE TRAILS ON SITE?** None have been identified
- I. DEPTH TO WATER TABLE:** Not given
- J. DOES THE SITE CONTAIN HISTORIC OR ARCHAEOLOGICAL RESOURCES?** None have been identified
- K. AGRICULTURAL DATA STATEMENT REQUIRED:** Yes
- L. IS THE SITE CONTAINED WITHIN:**

NYS Significant Coastal Fish & Wildlife Habitat	Yes
Local Significant Coastal Fish & Wildlife Habitat	Yes
US Fish & Wildlife Significant Ecological Complex	No

PEP CLPS list	No
Town Community Preservation Fund List	No
Recommended Scenic Area of Statewide Significance	Yes
Suffolk County designated Pine Barrens	No
South Fork Special Groundwater Protection Area	No
Town Overlay District	AOD

Other Background Information:

The applicant seeks to place a black wire mesh deer fence with native vegetation in a straight line along the easterly property line, adjacent to the flag strip which is part of the 4.7 acre ocean front parcel. According to the application, the proposed 4' deer fence is to extend 280' into lot 1 from Further Lane. The 6' deer fence is to extend another 145' on lot 1 and continue 1,023' into lot 2. The applicant owns both parcels.

During the subdivision of the site in December, 1988, the applicant granted agricultural easements to the Town in the amount of 1.4 acres on lot 1 and 3.06 acres on lot 2. Lot 2 also contains a 0.353 acre conservation easement in the dunes to the south of the parcel. It appears that the applicant also transferred a parcel of 4.7 acres of ocean front dune land to the Nature Conservancy.

The Town Code (§255-3-35(F)) states that parcels of land in the Agricultural Overlay District and having lot area of 10 acres or more require site plan review for the erection of a residence or any structure accessory thereto. The agricultural easement, dated April 8, 1989, states in item 3 that buildings or structures may be erected in the easement area provided site plan approval is granted by the Planning Board.

A Suffolk County Planning Commission referral is required since the site plan application concerns a parcel within 500' of the Atlantic Ocean and within 500' of a New York State Agricultural District. Architectural Review Board comments are required on the fence since the parcel is located in the Agricultural Overlay District and requires site plan approval.

Issues:

The Fence.

The proposed 6' black 12.5 gauge wire mesh Solidlock fixed knot game fence is manufactured by Bekaert Fence Products. The specification sheet indicates the proposed fence to have 6" vertical spacing between the wires. According to the photo in the spec sheet, the fence appears similar to the deer fences seen on other agricultural parcels in the Town.

According to the survey by George Walbridge, the proposed deer fence with native vegetation extends the length of the agricultural easement on lot 2, or 753'. Site plan approval is required only for that portion of the fence. As mentioned above, the application states that the proposed fence is to extend 1,023' into lot 2. However, the entire easterly property line totals 1,023' and that would also include the 70' conservation

easement to the south. According to the conservation easement, dated April 8, 1989, no structures shall be erected in this area, except for the maintenance of the staircase across the dunes. Therefore, the fence would not be permitted to extend 1,023' into the property and across the 70' of conservation easement adjacent to the dunes. During a visit to the site, the Planning Department was informed by the caretaker of the site that the applicant would like the fence to extend to a line perpendicular to the southerly end of the residence which would extend the fence 923' into lot 2 and not 1,023'.



Fence to extend straight into property along natural screening.



Natural vegetation at end of lawn providing screening for the proposed fence.

The applicant has indicated that native vegetation will be installed with the fence. The Board should discuss whether the submission of a landscaping plan describing the vegetation and the spacing would be helpful for the Board to visualize how the proposed fence is to be screened.

Lot Inspection.

A lot inspection is pending to determine if a Natural Resources Special Permit will be required.

Agricultural Data Statement.

The property is located within a New York State Agricultural District. The applicant should obtain an agricultural data statement from the New York State Agriculture and Markets Department. According to §305a of the Agriculture & Markets Law, the applicant must complete and return to the Planning Board an agricultural data statement when seeking site plan approval. The law requires that the Board consider the agricultural data statement in its review of the possible impacts, if any, of the proposed fence on the functioning of farm operations within the agricultural district.

SEQRA.

This is a Type II action according to the SEQRA. The application does not require a lead agency or a declaration pursuant to SEQRA and Chapter 128 of the Town Code.

Fire Marshal.

The Planning Board received a memo from Michael Johnson, the Chief Fire Marshal, dated January 20, 2010, stating no additional water supplies for fire fighting purposes are required.

In conclusion, the application is incomplete pending clarification from the applicant as to the length of the proposed fence, the lot inspection results, Architectural Review Board comments and the agricultural data statement.

MR

Planning Board Consensus

Does the Board agree that the applicant should clarify the length of the proposed fence on lot 2?

Additional comments: _____

Is the Board in favor with the height and location of the Bekaert Solidlock deer fence?

Additional comments: _____

Does the Board feel the applicant should submit a landscaping plan?

Additional comments: _____

Does the Board agree the application is incomplete pending the lot inspection results, Architectural Review Board comments and the agricultural data statement?

Additional comments: _____

Additional Board Comments:

