



# TOWN OF EAST HAMPTON

300 Pantigo Place – Suite 105  
East Hampton, New York 11937-2684

Planning Department  
Marguerite Wolffsohn  
Director

Telephone (631) 324-2178  
Fax (631) 324-1476

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**TO:** Planning Board

**FROM:** Eric Schantz  
Planner

**RE:** North Shore Storage Project Site Plan  
SCTM# 300-27-4-33.1  
Application # A0520090049

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**Last Review Date:** November 18, 2009

**Items and Date Received:** 11/30/09 Lead Agency response from ARB 11/08/10 cover letter; 10 prints of Proposed Site Plan, dated revised 01/05/09.

**Background Information:** Site Plan application has been made to place six (6) 8' X 20' portable storage containers on a 22,823 sq ft. parcel zoned CI: Commercial Industrial. The parcel contains a single-family residence. It is located at 12 North Shore Road in Montauk. All adjacent properties north of this road are also within the CI zone and most contain a mix of commercial, industrial and residential uses. The property to the immediate east contains a construction materials storage yard (industrial) with no buildings or structures, and the property to the immediate west contains a total of seven (7) housing units within six (6) different one-story cottages (commercial).

The parcel is nearly 100% cleared of native vegetation. It is situated within FEMA flood zone AE (el. 9) whereas the existing site elevation is roughly 5' - 6' AMSL. There is a very shallow depth to groundwater, which the test hole indicates is less than one foot below grade.

## **Issues for Discussion:**

### **Nature of project**

Due primarily to the significant obstacles presented by the site's shallow depth to groundwater, the applicant is no longer including the originally-proposed two commercial buildings as part of the project. The recent submission has scaled down the project to only include six (6) 8' X 20' portable storage containers. As these are not permanent buildings, it is not anticipated that the Suffolk County Department of Health Services (SCDHS) will require a new sanitary system to be installed.

The Planning Board has traditionally handled applications for portable storage bins under the use classification “unlisted non-nuisance industry” (a special permit use classification) where they were to be used for “public storage” or “self-storage” type businesses. However, the applicant has stated to the Planning Department that the subject parcel will not be made accessible to the public for self storage and that the portable containers are to be used for storing materials and equipment related to his off-site business operations. In this case, it seems a more appropriate definition of the proposed use would be that of a “warehouse, storage yard or building supplies distribution” facility. This is a permitted use in the CI zone and it is noted that the neighboring parcel to the east has been approved for this use. However, whereas the neighboring parcel stores materials out in the open, for the subject parcel the applicant proposes to house them within the storage containers. Alternatively, if the items to be stored on site are for an established off site “service commercial” use, then this could also be construed to be the appropriate use designation. “Service commercial” is a special permit use in the CI zone.

It appears the nature of this use is both conforming to the Zoning Code, as it would be either a permitted or special permit use, and is consistent with the uses occurring in the immediate area. However, the Board should discuss the exact nature of use with the applicant and may wish for comments to be submitted in writing. Based upon conversations with the applicant, the Planning Department is confident at this time that the appropriate use definition is a “storage yard”.

### **Storage Containers**

Currently, the applicant has not planned any other structures associated with the storage yard use besides the portable storage containers. In past applications, the Board has expressed concerns over allowing portable storage containers for a number of reasons, one such being that they are easily moved to less-appropriate areas of the property, such as within minimum yard setbacks.

Additionally, it has been a concern of the Board that hazardous materials will be stored in such containers and that these materials will leak out and leach into the groundwater. The shallow depth to groundwater present on this site makes it particularly vulnerable to contamination.

For these reasons, the Board should consider requiring that a roughly 20’ X 50’ (to fit 6 containers) concrete slab be put in place. This would designate the appropriate location for the storage bins and, provided it is built to meet the Planning Boards Groundwater Protection Policy, can help reduce potential groundwater contamination.

Unfortunately, the very shallow depth to groundwater on this site also means that a slab most likely cannot be put in place on the site without raising the existing grade. Doing so would result in the need to add more fill to the site and re-grade other areas, potentially creating greater problems with controlling run-off and causing “ponding” of the site. The Board should discuss whether or not appropriate alternatives to a slab would be favored.

For example, based upon what items the applicant will be storing in the containers, the Board may feel that prohibiting the storage of liquids in quantities over a certain volume (e.g. 25 Gal.) along with an RCA (or similar) substrate may be adequate to mitigate potential groundwater contamination. The storage area itself could simply be delineated with fencing.

It should be noted that any designated storage areas will count towards coverage and the appropriate revisions to the site plan calculations should be made.

### **Access**

The storage containers are proposed to the rear of the site. The Board should read the comments of the Town Engineer and should determine if an improved access lane is necessary. Although the applicant should state this in writing first, due to the intended non-public nature of the facility, as well as the height of groundwater and potential flooding problems that may occur from creating a raised, improved access lane, the Board may not wish to see one added to the proposal. Another factor the Board should consider is the anticipated traffic and frequency with which the storage containers will be moved. The Board should discuss this issue with the applicant. At the very least, the applicant should illustrate on the site plan that an unobstructed 20' wide access path to the rear of the site will be maintained.

### **Parking**

The required number of parking spaces will be dependent upon what specific use is being proposed. Once the Board has discussed this issue with the applicant and is confident in the appropriate use definition, then the number of employees should be determined.

Required parking based on use is:

- Service Commercial: 1 per 500 sq ft.
- Unlisted Non-Nuisance Industry: (must be determined/not provided)
- Warehouse: 1 per employee
- Storage Yard: (must be determined/not provided)

It is noted that the neighboring parcel to the east contains a storage yard and does not appear to have any designated on-site parking.

### **Screening**

The Planning Board should discuss whether additional screening of the proposed portable storage bins is necessary. The property is currently screened from the neighbor to the west by a 6' tall stockade fence which terminates in the vicinity of the cottage near the dividing property line. The Board should determine if this is adequate or if trees and/or additional fencing should be required. As noted in the background information, the neighboring parcel is zoned CI and contains 6 cottages (commercial "transient motel" use).

The Board should also discuss the relationship between the on-site house and the proposed activities to the rear of the site. Additional fencing or screening to create a buffer between the two areas should be discussed.

**Town Engineer**

The Board should read the comments of the Town Engineer

**Conclusion**

In conclusion, the application is incomplete pending the resolution of the aforementioned issues and the submission of the required items.

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**Planning Board Consensus**

*Should the applicant submit a narrative addressing the proposed nature of use so that the appropriate use definition can be determined? Should the applicant also address the proposed number of employees to help determine the parking requirement? Should items intended to be stored in the containers also be stated in this narrative?*

Additional comments: \_\_\_\_\_  
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*Will a concrete slab designed to meet the Planning Board's Groundwater Protection Policy be required or does the Board feel confident that the storage area can be properly delineated and that groundwater contamination can be prevented through a mixture of requiring a designated and improved storage area and prohibiting the storage of certain types and quantities of materials?*

Additional comments: \_\_\_\_\_  
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*How will access to the rear storage area be provided? Should a 20' wide lane be illustrated on the site plan?*

Additional comments: \_\_\_\_\_  
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*Will additional screening in the form of a fence or landscaping be required either along the western property line or to separate the storage area from the residence?*

Additional comments: \_\_\_\_\_  
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**Additional Board Comments:**

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