



## TOWN OF EAST HAMPTON

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East Hampton, New York 11937-2684

Planning Department  
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Director

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January 5, 2010

**To:** Planning Board

**From:** Maureen Ryan  
Planning Aide

**Re:** Thorsen, Hobel and Mendel – Minor Subdivision  
SCTM #300-172-8-26, 27

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**Last Review Date:** October 28, 2009

**Items and Date Received:** Survey by David Saskas, dated revised November 19, 2009, received December 7, 2009; Letter from Richard Whalen, Esq., to the Planning Board attorney, Tiffany Scarlato, dated November 9, 2009, received November 9, 2009; Five letters from adjacent neighbors received in December, 2009.

### **Background Information:**

The applicants propose a subdivision waiver to reconfigure two tax map parcels into four lots. The area of the two parcels totals 1.955 acres (85,161 s.f.). The parcels are located on the western side of Meeting House Lane, north of Bluff Road in Amagansett, in this B-residential zoning district. Public water is proposed for the four lots.

At the last review the Board agreed to assume lead agency status; parcel 27 certificate of occupancy will be a condition of approval; counsel will clarify if variances regarding width are necessary; the map should be revised to depict: the common driveway easement detail, the removal of parcel 26 driveway, the proposed three lots utilizing common driveway, existing and proposed locations of utility pole, turnaround and detail; clarification of clearing determination; address Town engineer's comments.

### **Issues for Discussion:**

#### **Map revisions.**

The survey by David Saskas has been revised to depict the common driveway easement detail, the removal of the proposed lot 4 curb-cut, the three proposed lots utilizing the 20' wide common driveway, a notation that the existing utility pole will be re-located, and a proposed emergency vehicle "Y" shaped turn-around with 14' wide paved and 18' cleared forks conforming to the requirements of the Town Code.

#### **Lot width.**

According to the Town Code (§255-1-20), and as outlined in the letter from Richard Whalen, lot width is the length of the shortest line which can be drawn from side lot line to side lot line of a lot which touches the building line at any point. In the same section, a flag lot is defined as a lot which does not physically front on a street. Therefore, all sides of a flag lot are considered side yards. A line from any side yard to the opposite side yard will touch the building line, and hence, one may use the easterly side lot line to the westerly side lot line as the lot

width. In this case, the lot width is approximately 200'.

With regard to proposed lots 1 and 4 fronting the street and having a width of 100', the Planning Department reviewed the Davidson subwaiver, approved on November 10, 1999, and found a lot width variance was not required for the lot (178.88' wide where 200' was the required width) fronting the street since the pre-existing, non-conforming status of the lot was not becoming more non-conforming due to the proposed minor subdivision.

**Lot area.**

As mentioned in the previous memo, after the area of the common driveway is subtracted from the total lot area, each of the four proposed lots meet the 20,000 s.f. lot area required by §255-11-10 of the Town Code.

A turn-around which complies with the requirements of the Town Code has been placed at the rear of the common driveway on proposed lots 2 and 3. The turn-around area is accessed by the two lots from the common driveway. The turn-around fork, as with a private driveway that is used by the owner of the lot and by emergency vehicles, is included in the lot area of the parcel.

The Board may want to assure that the turn-around continues to comply with the road dimensions as outlined in §220-3.02(F)(4)(e) of the Town Code by requesting covenants and restrictions to this effect as a condition of approval.

**Clearing.**

According to a vegetation lot inspection by Lisa D'Andrea of the Planning Department, and after reviewing the clearing history and examination of the vegetation (non-native) on the existing parcels, the parcels can be considered totally cleared.

**Public comments.**

The Board received letters from five neighbors commenting on the increase in density of homes and the increase in traffic congestion in the area and requesting that the Board not grant variances to permit this minor subdivision to occur. The Planning Department notes that variances are not required for the proposed subwaiver. The Planning Board will need to consider and address all of the public comments after the public hearing.

**SEQRA.**

As lead agency, the Board should review the enclosed EAF Part II and make a SEQRA declaration.

In conclusion, if the Board finds the map revisions to be acceptable, agrees the lots do not require variances and makes a negative declaration pursuant to SEQRA and Chapter 128 of the Town Code, then the application is ready to be scheduled for a public hearing.

MR

**Planning Board Consensus**

Does the Board find the map revisions to be acceptable?

Additional comments: \_\_\_\_\_  
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Is the Board in favor of requesting covenants and restrictions as a condition of approval to assure the turn-around continues to comply with the Town Code?

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

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Is the Board ready to make a declaration pursuant to SEQRA and Chapter 128 of the Town Code? If so, the application will be ready to be scheduled for a public hearing.

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

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**Note: This document shall not be considered official until and unless it has been signed by the responsible official of the lead agency.**

**TOWN OF EAST HAMPTON  
NEW YORK 11937  
ENVIRONMENTAL ASSESSMENT FORM  
PART II  
(To be completed by Lead Agency)**

**TOWN REVIEWING AGENCY: Planning Board**

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<b>PROJECT TITLE:</b>	Thorsen, Hobel & Mendel	<input type="checkbox"/> SITE PLAN
<b>STREET:</b>	134 & 138 Meeting House Lane	<input checked="" type="checkbox"/> SUBDIVISION WAIVER
<b>SCHOOL DISTRICT:</b>	Amagansett	<input type="checkbox"/> SUBDIVISION
<b>ZONING DISTRICT:</b>	B-residential	<input type="checkbox"/> SPECIAL PERMIT
<b>SUFFOLK COUNTY TAX MAP:</b>	172-8-26 & 27	<input type="checkbox"/> ZONE CHANGE
		<input type="checkbox"/> VARIANCE
		<input type="checkbox"/> NATURAL RESOURCES SPECIAL PERMIT
		<input type="checkbox"/> OTHER

**APPLICANT:** Thorsen, Hobel & Mendel  
c/o Mark Shuster, Land Marks, LLC  
**ADDRESS:** P. O. Box 2820, Amagansett, NY 11930  
**TELEPHONE:** (631) 324-8716

**COMMENTS:**

The applicants propose to subdivide two tax map parcels into four lots of approximately 20,000 s.f. each. The area of the two parcels totals 1.955 acres (85,161 s.f.). The parcels are located on the western side of Meeting House Lane, north of Bluff Road in Amagansett, in this B-residential zoning district.

Three of the proposed four lots are to take access from a common driveway proposed to be located between lots 26 and 27. Public water is proposed for the four lots.

This application is classified as an Unlisted Action pursuant to SEQRA and Chapter 128 of the Town Code.

**POSSIBLE IMPACT ON LAND**

- 1. Will there be a significant adverse impact as a result of physical change to the project site?**  
 Yes  No
- 2. Will there be a significant adverse Impact to any unique or unusual landforms on the site?**  
 Yes  No

No unique or unusual landforms have been identified on the site.

**POSSIBLE IMPACT ON WATER**

- 3. Will there be a significant adverse impact to any water body designated as protected?**  
 Yes  No

There are no water bodies designated as protected in the general vicinity of the site.

- 4. Will there be a significant adverse impact to any non-protected existing or new body of water?**

Yes

No

There are no non-protected existing or new bodies of water in the near vicinity of the site.

**5. Will there be a significant adverse impact to surface or groundwater quality?**

Yes

No

The proposed subdivision and increase in density of two additional residences and sanitary systems is not anticipated to have a significant adverse impact to surface or groundwater quality. The proposed density complies with the requirements of the Suffolk County Department of Health Services Groundwater Management Zone IV.

**6. Will there be a significant adverse impact as a result of altered drainage flow patterns or surface water runoff?**

Yes

No

To ensure all stormwater drainage is contained on the site, all proposed structures will contain leaders, gutters and roof drains designed for a 2" rainfall. In addition, stormwater drainage structures will be installed under the common driveway.

**POSSIBLE IMPACT ON AIR QUALITY**

**7. Will there be a significant adverse impact to air quality?**

Yes

No

The proposed project is not likely to generate any emissions which exceed federal and state air quality standards.

**POSSIBLE IMPACT ON PLANTS/ANIMALS**

**8. Will there be a significant adverse impact to any threatened or endangered species?**

Yes

No

No threatened or endangered species have been identified on the site.

**9. Will there be a significant adverse impact to non-threatened or non-endangered species?**

Yes

No

Although it is anticipated that a portion of the existing vegetation is to be removed, it does not appear that the proposed minor subdivision will have a significant adverse impact to non-threatened or non-endangered species. The Planning Department inspected the site and determined that the parcels had been cleared prior to the institution of the Town's vegetation ordinance. It is likely that much of the invasive flora on the site will be removed by the future construction.

**POSSIBLE IMPACT ON AGRICULTURAL LANDS**

**10. Will there be a significant adverse impact to agricultural land resources?**

Yes

No

No agricultural land resources have been identified on or nearby the property.

**POSSIBLE IMPACT ON AESTHETIC RESOURCES**

**11. Will there be a significant adverse impact to aesthetic resources?**

Yes

No

Aesthetic resources should not be significantly impacted. The parcels are located within a rather substantially developed portion of the Town and the use is consistent with the surrounding area.

**POSSIBLE IMPACT ON HISTORIC RESOURCES**

**12. Will there be a significant adverse impact to any site or structure of historic, prehistoric or**

**paleontological importance?**

Yes

No

No historic, prehistoric, or paleontological resources are believed to be on this parcel.

**POSSIBLE IMPACT ON OPEN SPACE AND RECREATION**

**13. Will there be a significant adverse impact to the quality and quantity of existing or future open space or recreational opportunities?**

Yes

No

No existing or future open space or recreational opportunities are planned for this parcel.

**POSSIBLE IMPACT ON TRANSPORTATION**

**14. Will there be a significant adverse impact to existing transportation systems?**

Yes

No

Existing transportation systems should not be substantially impacted. The existing parcels contain two curb cuts on the street. Two curb cuts are proposed in the minor subdivision, with one of the curb cuts utilized by the common driveway servicing three lots.

**POSSIBLE IMPACT ON ENERGY**

**15. Will there be a significant adverse impact to the community's sources of fuel or energy supply?**

Yes

No

A significant impact to the community's sources of fuel or energy supply is not expected.

**POSSIBLE IMPACT ON NOISE**

**16. Will there be objectionable odors, noise, glare, vibration or electrical disturbance as a result of this project?**

Yes

No

Aside from the normal odors, noise, glare, vibrations or electrical disturbances associated with construction, none are expected to result from this project.

**POSSIBLE IMPACT ON HEALTH AND HAZARDS**

**17. Will there be a significant adverse impact to public health and safety?**

Yes

No

No significant adverse impacts to public health and safety are expected. The number of driveways remains the same and have been determined to have proper sight distance. The project will have to obtain approval from the Suffolk County Department of Health Services.

**POSSIBLE IMPACT ON GROWTH AND CHARACTER OF THE COMMUNITY OR NEIGHBORHOOD**

**18. Will there be a significant adverse impact to the character of the existing community?**

Yes

No

The minor subdivision is not anticipated to have a significant adverse impact to the character of the existing residential community. The residential use is consistent with lot size, zoning and the Town's Comprehensive Plan for the area.

**19. Is there or is there likely to be controversy related to the potential environmental impacts?**

Yes

No

Five letters from adjacent neighbors were received commenting on the increase in density of homes and the increase of traffic congestion on the street. The Planning Board will need to consider and address all of the public comments after the public hearing.

**CONCLUSION:**

**Determination of Significance**

- One or more potentially significant adverse environmental impacts have been identified which may result from the proposed project. A Positive Declaration is hereby made pursuant to SEQRA and Chapter 128 of the East Hampton Town Code.
- One or more potentially significant adverse environmental impacts have been identified which may result from the proposed project. However, by incorporating the mitigated measures identified in this Environmental Assessment Form, these potentially significant adverse impacts may be avoided. A Conditioned Negative Declaration is hereby made pursuant to SEQRA and Chapter 128 of the East Hampton Town Code.
- No potentially significant adverse environmental impacts resulting from the proposed project have been identified. A Negative Declaration is hereby made pursuant to SEQRA and Chapter 128 of the East Hampton Town Code.

NAME OF LEAD AGENCY: Town of East Hampton Planning Board

John Lycke  
Print Name of Responsible Officer in Lead Agency

Planning Board Chairman  
Title of Responsible Officer

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Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
Date

\_\_\_\_\_  
Prepared By (Signature)

\_\_\_\_\_  
Date