

Minutes
Planning Board
January 11, 2018

Those present were:

Mark S. Butler, Chairman
Philip O'Connell, Vice Chairman
Obron Farber, Member
Karen L. Collins, Member
Linda Riley, Village Attorney
Kenneth E. Collum, Code Enforcement Officer
J. Kent Howie, Ordinance Inspector
Billy Hajek, Village Planner
Thomas J. Osborne, Attorney on behalf of Vincent Chiavarone Builders LLC and
J. Mart Realty LLC
David Weaver, Surveyor on behalf of Walter Maynard Jr.
Thomas Helms, Neighbor of Walter Maynard Jr.
Pamela J. Bennett, Deputy Clerk

The Chairman called the meeting to order at 11:00 a.m. The Planning Board held a moment of silence for William J. Fleming Esq. who unexpectedly passed away last night; condolences to his family. The following official business was discussed:

1. **Minutes**

Upon motion of Karen L. Collins, duly seconded by Philip O'Connell, the Board unanimously approved the minutes of December 14, 2017.

2. **Vincent Chiavarone Builders LLC and J. Mart Realty LLC –
153 Newtown Lane**

Mr. Butler stated that he and Village Attorney Linda Riley have reviewed the final items of this subdivision. Mr. Osborne stated that the last item he has yet to attend to is to add a sentence to the Declaration of Covenants and Restrictions which will provide additional notice to buyers that they have a financial obligation to pay a one-sixth share of the mowing of the open area of Reserved Area A and to pay any taxes and insurance with respect to Reserved Areas A and B. Mr. Osborne stated that he has not yet added that to the document but will and then will have it

signed by the applicant who has no objection. Ms. Riley stated that a note was added to the Final Map as follows: Open Space areas to be owned by Village Greenhouse Estates Homeowners Association, Inc. Ms. Riley added that there are three documents (Declaration of Covenants and Restrictions, Common Driveway and Utility Declaration, and the Grant of Scenic and Conservation Easement) which must be recorded in the Suffolk County Clerk's Office, to be filed simultaneously with the Final Map, all of which must be recorded within 62 days.

Upon motion of Philip O'Connell, duly seconded by Karen L. Collins, the Board unanimously resolved to adopt the resolution of final approval and authorized the Chairman to sign the map:

Application of Vincent Chiavarone Builders, LLC, and J Mart Realty LLC
Tax Map # 301-1-6-8.1

Adopted: January 11, 2018

Application of Vincent Chiavarone Builders, LLC, and J Mart Realty LLC, Tax Map # 301-1-6-8.1, for approval of the final "Map of Village Greenhouse Estates" (hereinafter referred to as "the Final Map"), prepared by Saskas Surveying Company, P.C., last revised April 21, 2017, into six residential building lots with two designated Open Space Areas, the latter of which are to be maintained by the Village Greenhouse Estates Homeowners Association, Inc.

WHEREAS, the Planning Board reviewed and approved a "Preliminary Map", also entitled "Map of Village Greenhouse Estates" last revised September 18, 2013, pursuant to a resolution adopted on July 10, 2014, subject to certain conditions; and

WHEREAS, the applicants submitted an application for approval of "the Final Map" in March 2017; and

WHEREAS, the Final map has been duly referred to the Village Engineer and the Superintendent of Public Works and the Chief of the Village Fire Department, as required by East Hampton Village Code §252-3 C (2); and

The Planning Board of the Village of East Hampton hereby finds as follows:

1. The Planning Board finds, pursuant to Code §252-3 C (3) that “the Final Map” is in substantial agreement with the preliminary plat conditionally approved by the Board on July 10, 2014.

2. The Planning Board finds, pursuant to Code §252-7 that “the Final Map” meets the specifications for a final plat.

3. The Planning Board notes that a SWPPP consistent with the requirements of Chapter 252 of the Code has been approved by the Code Enforcement Office.

4. The Planning Board finds that the bamboo previously located on the premises has been successfully removed and the proposed underground barrier to prevent the further or future spread of bamboo has been installed.

5. The Planning Board finds that the “Declaration of Covenants and Restrictions,” including its requirement that each of the lot owners is required to contribute 1/6 of the expenses of the Homeowners Association in maintaining the Open Space areas, and the “Common Driveway and Utility Declaration,” and the “Grant of Scenic and Conservation Easement” granting a scenic easement over the Open Space areas to the Village of East Hampton, as depicted on “the Final Map,” and as finally submitted to the Planning Board, adequately provide for future development in character with the surrounding community and consistent with current land use requirements and provide for adequate access by emergency vehicles and for an appropriate amount of open space.

6. The “Final Map” has been approved by the Suffolk County Department of Health Services.

7. The “Final Map” provides that Open Space Areas “A” and “B” are to be maintained by a Homeowners Association, and the applicant has duly formed the Village Greenhouse Estates Homeowners Association, Inc., and provided a copy of its by-laws to the Village Planning Board. This approval is conditioned upon recordation of a deed conveying the Open Space Areas “A” and “B” to the Village Greenhouse Estates Homeowners Association, Inc. simultaneously with the recording of the Final Map.

NOW THEREFORE, BE IT RESOLVED, by the Planning Board of the Incorporated Village of East Hampton, that the Application of Vincent Chiavarone Builders, LLC, and J Mart Realty LLC, Tax Map # 301-1-6-8.1, for approval of the

final "Map of Village Greenhouse Estates" ("the Final Map"), prepared by Saskas Surveying Company, P.C., last revised April 21, 2017, is hereby APPROVED and the Chairman of the Planning Board is hereby authorized to sign the Final Map, subject to the simultaneous recording in the County Clerk's office of the "Declaration of Covenants and Restrictions" and "Common Driveway and Utility Declaration" and the "Grant of Scenic and Conservation Easement," as well as the deed transferring title to the Open Space Areas A and B to the Homeowners Association within 62 days. Certified copies of the recorded documents shall be returned to the Village Clerk for inclusion in the Village files.

3. Walter Maynard Jr. – 35 Georgica Road

Chairman Butler called the hearing to order at 11:06 a.m., and the Public Notice, as duly published in the East Hampton Star, was read.

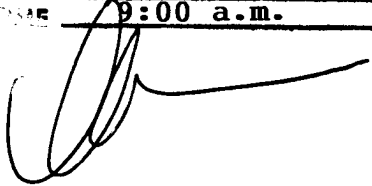
Application of Walter Maynard Jr., SCTM#301-8-12-13.4, for subdivision approval to divide a parcel containing 293,252 square feet into two lots and two reserved areas. Lot 1 contains 144,588 square feet, Lot 2 contains 89,448 square feet, Reserved Area "A" contains 41,924 square feet, and Reserved Area "B" contains 17,291 square feet. Access to the lots is proposed via common driveway from Baiting Hollow Road and an existing driveway onto Georgica Road is to be maintained. The existing and proposed lot configurations are depicted on a subdivision plat titled Preliminary Subdivision Maynard Estate by George Walbridge Surveyors, P.C. dated last revised November 29, 2017 and Driveway Plan and Profile by T.F. Engineering, PLLC dated November 28, 2017. The subject property is located in Residence District R-80 and is located at 35 Georgica Road. This project is classified as an Unlisted Action in accordance with SEQR and the Planning Board has adopted a Negative Declaration.

Mr. Helms, neighbor of the applicant, questioned whether the common driveway from Baiting Hollow Road is a new access. Mr. Weaver said yes, it is a new access and showed Mr. Helms the proposed subdivision map. With reference to closing the Public Hearing, Ms. Riley stated that the Board should leave the hearing open as the Suffolk County Planning Commission has not yet responded. Mr. O'Connell stated that since the Board has received no comments with reference to the proposed reserved areas, the applicant can draft the easement documents for the next meeting. Mr. Weaver stated that he will draft the Declaration of Covenants and Restrictions but noted that this is the review of the

preliminary map and that the applicant will also require Suffolk County Department of Health Services' approval.

Upon motion of Obron Farber, duly seconded by Philip O'Connell, the Board unanimously adjourned the meeting at 11:13 a.m.

FILED
VILLAGE OF EAST HAMPTON, NY
DATE March 9, 2018
TIME 9:00 a.m.



1521

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Planning Board of the Incorporated Village of East Hampton will hold a public hearing at the Emergency Services Building, 1 Cedar Street, East Hampton, New York, on Thursday, January 11, 2018, at 11:00 a.m. on the following application and to conduct such other business as may come before the Board:

Application of Walter Maynard Jr., SCTM#301-8-12-13.4, for subdivision approval to divide a parcel containing 293,252 square feet into two lots and two reserved areas. Lot 1 contains 144,588 square feet, Lot 2 contains 89,448 square feet, Reserved Area "A" contains 41,924 square feet, and Reserved Area "B" contains 17,291 square feet. Access to the lots is proposed via common driveway from Baiting Hollow Road and an existing driveway onto Georgica Road is to be maintained. The exist-

ing and proposed lot configurations are depicted on a subdivision plat titled Preliminary Subdivision Maynard Estate by George Walbridge Surveyors, P.C. dated last revised November 29, 2017 and Driveway Plan and Profile by T.F. Engineering, PLLC dated November 28, 2017. The subject property is located in Residence District R-80 and is located at 35 Georgica Road. This project is classified as an Unlisted Action in accordance with SEQOR and the Planning Board has adopted a Negative Declaration. Said Planning Board will at said time and place hear all persons who wish to be heard in connection with the application. Interested parties may be heard in person, by agent, or by attorney. Dated: December 29, 2017. By Order of S. Butler, Chairman. Planning Board Inc. Village of East Hampton 25-1