

Minutes  
Planning Board  
May 10, 2018

Those present were:

Mark S. Butler, Chairman  
Obron Farber, Member  
John S. Tarbet, Member  
Karen L. Collins, Member  
Linda Riley, Village Attorney  
Kenneth E. Collum, Code Enforcement Officer  
J. Kent Howie, Ordinance Inspector  
Billy Hajek, Village Planner  
Richard E. Whalen, Attorney on behalf of 44 Huntting Lane, LLC  
John Kean, Applicant, 44 Huntting Lane, LLC  
Pamela J. Bennett, Deputy Clerk

The Chairman called the meeting to order at 11:00 a.m., and the following official business was discussed:

1. **Minutes**

Upon motion of Karen L. Collins, duly seconded by Obron Farber, the Board unanimously approved the minutes of April 12, 2018.

2. **44 Huntting Lane, LLC – 44 Huntting Lane**

Richard E. Whalen Esq. appeared on behalf of the applicant and stated that pursuant to the last meeting, he did look into obtaining access to The Circle over the spite strip but there has been no response from the property owner. The map has been revised to show that all three lots will have frontage on an access road to Huntting Lane; the applicant will be required to install an emergency vehicle turnaround which is shown on proposed Lot 3. Small portions of the carriage house, which carriage house is located at the rear of proposed Lot 1, will be removed in order to meet setback requirements and not exceed the maximum floor area for accessory buildings.

Mr. Butler questioned whether the map is correct by showing a turnaround that would require emergency vehicles to back up and turn around. Mr. Collum stated that he has not reviewed the map but that is one of the options.

Ms. Farber questioned the number of curb cuts that are allowed and/or are required and questioned why the existing house would not take access over the proposed access easement. Mr. Whalen stated that the main access into the existing residence is on the west side. Ms. Riley stated that there are standards but that the proposal meets the standards of the Code; you cannot have two driveways that are very close together but the two proposed driveways are not close together. Mr. Kean stated that the Board should take into consideration that the property is almost triple the size of a good portion of the lots on Hunting Lane. Ms. Farber stated that this is not a traditional driveway but a large driveway. Mr. Kean stated that he has to meet the Fire Code and has been in contact with the Building Department to find an alternative to make the proposed driveway more narrow. Ms. Farber asked about the width of the existing driveway. Mr. Kean stated that it is about 12 to 14 feet in width. Mr. Butler suggested having the proposed driveway easement the only curb cut. Mr. Whalen stated that having three lots accessing the driveway easement may affect the width of the driveway so the ability to reduce the width of the common driveway will be improved if all three houses do not have to share the driveway. Mr. Hajek stated that in order to maintain the existing carriage house/garage, you have to have a driveway that serves the garage as the Code requires it.

Mr. Hefner stated that he will summarize his April 24, 2018 memorandum and the relationship of the proposed subdivision to the goals of the Hunting Lane Historic District. The property contains the Henry Rutgers Remsen Coles house, built in 1899, the architect was Joseph Greenleaf Thorp and was built by George Eldredge and that duo was the premier people of the early summer colony and no architect contributed more to the character of East Hampton's early summer colony than Mr. Thorp. The carriage house was built in 1901. The roof across the front of the residence obscures the appearance of the house. The house has been before the Design Review Board for proposals to redevelop to the maximum allowable gross floor area and it has been a problem for the Historic District because of the size of the lot in relationship to other lots on the lane. The original lot extended approximately 250 feet deep from Hunting Lane and was later expanded northward to its present depth of about 429 feet; the proposed subdivision would restore the original lot with the rear property line behind the carriage house. The allowable gross floor area, as the parcel presently exists, is out of scale with the other houses on Hunting Lane. The nature of the subdivision would be a great

benefit to the Historic District in the sense that it would have a reasonably sized addition to the back of the house and the subdivision would prevent the construction of a huge house which house would be totally out of scale with the rest of the lane. The Design Review Board will be involved in the application to the extent that they have to approve a new driveway to the back lots. Mr. Butler asked Mr. Hefner if there were any drawbacks. Mr. Hefner stated that the only drawback is a very wide driveway. Mr. Tarbet stated that this would be an improvement over what exists which is a derelict house that takes away from the street. Mr. Whalen stated that what he does not want to do is, since there is no design plan for the reconstruction or rehabilitation of the house, get the subdivision tied up with the Design Review Board's review of what might happen on Lot 1.

Mr. Butler stated that Mr. Collum's letter of April 24, 2018 has determined that the subdivision needs to meet the fire access code. Mr. Collum stated he had not spoken with Mr. Kean after the last meeting but all the options will be reviewed and whatever meets the New York State Code for life safety will be implemented.

Mr. Tarbet stated that the historic house will be the first undertaken before the back two lots. Ms. Riley stated that the Board does not know that. Mr. Butler stated that the Board knows from the EAF that if the approvals are obtained, they hope to start in September. Mr. Kean said yes, as soon as possible.

Mr. Hajek stated that this is a Type I Action pursuant to SEQR because the property is on the National Register of Historic Places and that he assumes the Planning Board would want to be lead agency. The applicant submitted an Environmental Assessment Form Part I, long form, and the coordinated review will be with the Suffolk County Department of Health Services and the Design Review Board. In terms of mapping requirements, aside from the roadway details, it appears that the map is complete but the one item that the Board could request is any improvements within 200 feet of the subject property so the Board can see other houses and driveways and scale and character of the area. Mr. Butler questioned the possibility of a cluster map. Mr. Hajek stated that this is the applicant's yield map as the map complies with Zoning but in terms of clustering, there has to be some perceived benefit to the community; there is no benefit of creating a reserved area. The map does not have to comply with the Workforce Housing Act because it is less than three homes. With reference to the development potential of the three lots that are proposed, and as Mr. Hefner said the existing house on Lot 1 is pretty close to near its maximum development potential, Mr. Hajek stated that the two main issues that he sees with the

subdivision is the driveway width and access and what is to occur to the house on Lot 1. He noted that the Board has accepted façade easements of historic structures so it would not be out of the norm to request the same. Mr. Butler asked Mr. Hajek about his thoughts with reference to reviewing the aerial map. Mr. Hajek stated that the layout of the lots appears to be consistent and compatible with the neighborhood. It is unfortunate that Lot 2 could not take access off The Circle but that appears not to be possible. Mr. Butler stated that he is a bit bothered that the property owner does not give the applicant the courtesy of a reply with reference to taking access over the spite strip. Mr. Hajek stated that the owner of the spite strip owns two lots to the west and at some time merged the two lots in order to build a swimming pool and suggested that the one foot spite strip was affixed to the lot that fronted on The Circle. Mr. Kean stated that the concern is the width of the driveway and that he will try to keep it to a typical 12 to 14 foot width and will work with the Building Inspector to make it work. Mr. Butler suggested that both the Planning Board and the Design Review Board write to Mr. Zucker about taking access over his property to The Circle. Ms. Riley stated that a letter could be sent to Mr. Zucker and asked the applicant to submit Mr. Zucker's contact information. Mr. Kean stated that he will send Mr. Zucker a letter stating that at a meeting the Board had asked him to make contact again and to please respond. Mr. Tarbet stated that access and egress off The Circle is very difficult, much more difficult than Hunting Lane, and he is not in favor of adding two more houses coming off The Circle. Mr. Hajek stated that it would be only one lot.

Mr. Butler questioned the review of the Environmental Assessment Form. Ms. Riley suggested that the Board should first establish Lead Agency status by sending a copy of the file to the Suffolk County Department of Health Services and to the Design Review Board indicating that the Planning Board wishes to assume Lead Agency.

Upon motion of Karen L. Collins, duly seconded by Obron Farber, the Board unanimously resolved that they would like Lead Agency Status and authorized SEQR coordination.

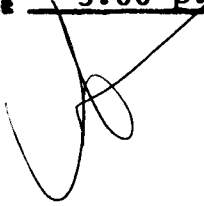
Ms. Riley stated that the Board should also resolve whether or not to ask the applicant to submit a cluster plan. Mr. Butler asked that that matter be deferred to the next meeting when Mr. O'Connell will be in attendance. Mr. Hajek stated that he will review the Environmental Assessment Form Part I before the next meeting. Mr. Whalen stated that he does not think a cluster plan is suitable for this property given the size and surrounding neighborhood.

Mr. Butler questioned whether the third floor is included in the gross floor area. Mr. Kean stated that that area is not included because they cannot retain the third floor; it was legal to have a third floor when the house was built but under today's Code, it is not. If the original house is maintained without exceeding a 50 percent renovation, it could be maintained but in this case the third floor will become an attic.

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Upon motion of John S. Tarbet, duly seconded by Karen L. Collins, the Board unanimously adjourned the meeting at 11:43 a.m.

**FILED**  
**VILLAGE OF EAST HAMPTON, NY**  
**DATE** June 14, 2018  
**TIME** 3:00 p.m.

A handwritten signature in black ink, appearing to be 'J. Tarbet', is written over the signature line of the filing stamp.