

Minutes
Planning Board
June 14, 2018

Those present were:

Philip O'Connell, Chairperson
Karen L. Collins, Vice Chairperson
Obron Farber, Member
Kenneth E. Collum, Code Enforcement Officer
J. Kent Howie, Ordinance Inspector
Billy Hajek, Village Planner
Frank Trentacoste, Applicant, Wooded Close LLC
Pamela J. Bennett, Deputy Clerk

Chairperson O'Connell called the meeting to order at 11:00 a.m. and thanked Mark Butler for his service to the Planning Board as Chairperson, Karen Collins is the new Vice Chairperson, and Mr. O'Connell stated that he has been appointed as the new Chairperson.

1. **Minutes**

Upon motion of Karen L. Collins, duly seconded by Obron Farber, the Board unanimously approved the minutes of May 10, 2018.

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

Mr. Hajek stated that the SEQR coordination letters were sent on May 21, 2018 which has a 30-day waiting period that has not lapsed but by the July meeting, the waiting period will have lapsed and that he can prepare a draft Environmental Assessment Form Part II for the Board. The applicant has submitted an application to the Design Review Board for removal of portions of the garage and also for the common driveway which, according to that application, has been reduced in width to 14 feet. A revised map has not yet been submitted to the Planning Board. Mr. O'Connell asked Mr. Hajek if he asked the applicant to show the curb cuts on the map. Mr. Hajek stated that he did not look at the map submitted to the Design Review Board but he did ask the applicant to do so.

3. Wooded Close LLC – 56 Egypt Close

Frank Trentacoste appeared before the Board requesting permission, pursuant to an email dated March 30, 2018, to place a farm stand structure on the Agricultural Easement at 56 Egypt Close. Mr. O'Connell stated that there was a question whether the farm stand structure was allowed within the easement which has been reviewed by the Village Board and the Village Attorney who have determined that it is a permitted structure which requires site plan approval by the Planning Board. Mr. Trentacoste noted that the structure is actually a wagon that gets pulled around. A photo of the wagon is contained in Village Administrator Hansen's email dated May 22, 2018. Mr. Trentacoste questioned whether the wagon, if it is used to haul watering hoses or melons, would still be considered a structure noting that he has three trailers on his field, one to haul stakes, one to haul melons, and one from which to sell produce and questioned whether the selling of produce makes it a structure. Mr. O'Connell stated that he believes so because it is a permanent spot. Mr. Trentacoste stated that he does not want to keep the farm stand structure in the same spot because there are no walls and the roof is slatted and he wants to be able to move it for shade.

Mr. Trentacoste stated that he would also like to add a shed to the property, with walls and a roof, so in the evening he does not have to worry about deer coming and eating everything; the information about the prefabricated shed is contained within the material submitted at the meeting. Ms. Collins questioned whether the Board should even be discussing the shed as it has not received approval from the Village Board. Mr. Hajek stated that a request was submitted for the wagon only and asked Mr. Trentacoste if the Board were to review and approve the shed, would the wagon still be necessary for sales. Mr. Trentacoste stated that the wagon will be used for farming, it will not leave the property, but it may be used for display of melons because they are so big. Mr. Hajek stated that Mr. Trentacoste needs to explain in greater detail exactly what is going to be used and how it is going to be used.

Mr. Trentacoste stated that the optimal scenario would be to have a shed where three quarters of the space would be used for retail and one quarter used for storage; there is currently no storage facility on the farm and the shed would be a 10 foot by 20 foot shed. The wagon will be used partially for harvesting and for pulling behind the tractor for melons and during peak season when there is a lot of produce, he would use it for items that did not need refrigeration. Ms. Collins questioned the location of the proposed shed. Mr. Trentacoste stated that it is shown on the survey that was submitted. Ms. Farber asked for a description of the

shed. Mr. Trentacoste stated that the shed is designed by New York Shed Company in Peconic, New York, with double doors in the front and a separate door in the back to access the storage area; it has small rectangular windows so the sunlight does not come in, it would protect the crops, and it would give him shade. Mr. O'Connell questioned whether there would be electric or plumbing. Mr. Trentacoste stated definitely no plumbing, electric maybe. Mr. O'Connell questioned whether the proposed shed would have to go back to the Village Board and Village Attorney. Mr. Hajek stated that the Board can entertain the request for the wagon but the Board might want to wait for an opinion from the Village Attorney for the actual shed. Mr. O'Connell stated that the Agricultural Easement requires site plan approval. Mr. Hajek stated that the definition of structure is very broad and gives a lot of powers of interpretation and the wagon has been interpreted to be a structure. Mr. O'Connell stated that the Board is to approve the location of the wagon. Mr. Trentacoste stated that he plans on moving the wagon, tilting the wagon one way in the morning and tilting the wagon the other way in the afternoon so as to avoid the sun. Ms. Farber asked how far off the road will people park in terms of traffic. Mr. Trentacoste stated that there is a wide shoulder and then there is access to the field as shown on the survey; there is an area where people can park but from the road to the fence line it is approximately 50 to 60 feet. Mr. Trentacoste asked the Board if he will be able to use the wagon for harvesting or will it have to be used only for retail and located in a certain place. Ms. Collins stated that the wagon can be used for whatever farming entails but if he is selling from it, it has to be located where the Board specifies. Mr. O'Connell agreed. Ms. Farber asked if the Board is comfortable with any number of cars that would go to the farm stand. Mr. O'Connell stated that that is outside the Board's purview. Mr. Hajek stated that he does not know if that is germane but noted that it is probably best if people park on the shoulder of the road and walk down.

Mr. Howie questioned whether the wagon is required to meet accessory structure setbacks. Mr. Hajek said no as the use of the property is agricultural, it is an agricultural structure, not an accessory structure, it is not a residential structure, and that he believes Village Attorney Riley opined early on that it is not an accessory structure. Mr. O'Connell asked Mr. Collum what the accessory setback would be. Mr. Collum stated that it would be a 20-foot side yard setback and the front yard 75 or 80 feet.

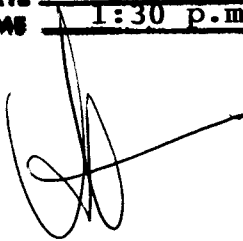
Upon motion of Philip O'Connell, duly seconded by Obron Farber, the Board unanimously resolved to approve the location of the wagon; the wagon to be located 175 feet to the east of the western (side) property line and 50 feet from the northerly (front) property line; the wagon to be no greater than 16 feet in length

and 8 feet in width; said wagon to be permitted to spin on its axis within that area; wagon to contain no plumbing or electrical facilities; approval of wagon to be revoked if replaced with a shed that must be reviewed and approved by the Village Board of Trustees and this Board.

Mr. O'Connell informed Mr. Trentacoste that if he wishes to locate a shed on the property, he would have to go back to the Village Board and receive their approval and then come back to the Planning Board for site plan approval. If there is going to be electric, that should be indicated as well.

Upon motion of Philip O'Connell, duly seconded by Karen L. Collins, the Board unanimously adjourned the meeting at 11:26 a.m.

FILED
VILLAGE OF EAST HAMPTON, NY
DATE July 12, 2018
TIME 1:30 p.m.

A handwritten signature in black ink, appearing to be 'W. O.', written over the signature line of the filing stamp.