October 5, 2020

Bruce A.T. Siska, Chairman
Inc. Village of East Hampton Planning Board
86 Main St.
East Hampton, New York 11937

Mr. Siska;

This letter serves to notify the Planning Board that with regards to the properties of Georgiana J. Slade, 39 Middle Ln. and Amphitrite Properties LLC, 35 Middle Ln., the Fire Apparatus Access Road as specified on the September 3, 2020 survey provided by the Saskas Survey Company P.C., meet the requirements as set forth by the New York State Fire Code and therefore satisfies the requirements of the East Hampton Fire Department. Please feel free to contact me if you should have any questions regarding this matter.

Sincerely,

Gerard Turza Jr.
Chief Engineer
East Hampton Fire Department
Memorandum to: Village of East Hampton Planning Board

Attention: Bruce A T. Siska, Chairman

From: Vincent A. Gaudiello, P.E.

Date: October 5, 2020

Regarding: 35 & 39 Middle Lane – Lot Line Modification Application
Shelley & Georgiana Slade
35 & 39 Middle Lane, East Hampton, New York
S.C.T.M. Parcel Nos. 0301-004.00-011.00-023.014 & 023.015

As requested, we have reviewed the lot line modification map and fire apparatus access road plan for the above referenced project, as follows:

- Fire Apparatus Access Road Plan (Sheet C6) prepared by D.B. Bennett, P.E., P.C. dated September 2, 2020

Our comments and observations are as follows:

The subject parcels are located on the northerly side of Middle Lane, approximately 1,200 linear feet east of Egypt Lane. The overall tract amounts to 4.4753 acres. Both parcels are developed with single-family residences.

The application involves a lot line modification that would result in an even land transfer (swap) of 5,189 square feet (0.1191 acres) between the two (2) lots, as follows:

<table>
<thead>
<tr>
<th>Parcel</th>
<th>S.C.T.M. Parcel Number</th>
<th>Existing Lot Area (Acres)</th>
<th>Proposed Lot Area (Acres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>0301-004.00-011.00-023.015</td>
<td>2.3574</td>
<td>2.3574</td>
</tr>
<tr>
<td>2</td>
<td>0301-004.00-011.00-023.014</td>
<td>2.1179</td>
<td>2.1179</td>
</tr>
<tr>
<td>Totals</td>
<td></td>
<td>4.4753</td>
<td>4.4753</td>
</tr>
</tbody>
</table>
In connection with the application, an improved fire apparatus access road is proposed that would serve both lots. The roadway would be 20 feet wide and include an emergency turnaround area and drainage improvements. The roadway section would be constructed with an aggregate base, asphalt base course (NYSDOT – Type 3 Binder) and gravel surface. The fire apparatus access road is designed in a manner that would comply with the standards and specifications of the International Fire Code, Appendix D and appears acceptable.

At this time, no objections are taken to the proposed application and engineering approval is recommended.

Should the Planning Board have any questions concerning our comments and/or the proposed roadway design, please do not hesitate to contact us.

VAG

copy: Pamela J. Bennett, Deputy Clerk
Billy Hajek, Village Planner

The Raynor Group, P.E. & L.S. PLLC
Good morning Mr. Gaudiello – Attached please find for your review and comment is the proposed drainage plan of the FAAR for 35 and 39 Middle Lane. I have also attached the lot line modification map and the entire file (if you should need it). Thanks, Pam Bennett

Pamela J. Bennett, Deputy Clerk
Inc. Village of East Hampton
86 Main Street
East Hampton, NY 11937
Hi John,

Ken reviewed and said the FAAR design is acceptable.

Given that Drew Bennett designed the drainage, the planning board will likely have to refer the plans to an outside consulting engineer for review, to ensure the drainage design is satisfactory. Typically, the matter would be referred to Drew for review.

-Billy

Hi Billy:

Following up on our email exchange from yesterday. Did you determine that the FAAR plans are satisfactory?

John Huber, Attorney
Dayton, Voorhees & Balsam, LLP
231 Pantigo Road, Suite 1
East Hampton, New York 11937
Telephone: (631) 324-0587
Facsimile: (631) 324-6593
E-mail: john@dvblp.com
Website: http://www.dvblp.com/

Hi John Huber

The garage is and will remain unoccupied until the structure is connected to the new septic system. Applicant will gladly accept this as a Planning Board condition of approval for the lot line modification.

John Huber, Attorney
Okay, thank you.

So there is an apartment there without a septic system?

Hi Billy:

The detached garage did have a separate cesspool but it was demolished over the last few months to make way for the adjusted lot line to the north. The garage will be connected to a new septic system that is being designed for the main house.

John Huber, Attorney
Dayton, Voorhees & Balsam, LLP
231 Pantigo Road, Suite 1
East Hampton, New York 11937
Telephone: (631) 324-0587
Facsimile: (631) 324-6593
E-mail: john@dvblp.com
Website: http://www.dvblp.com/

Hi John,

I’m looking over the revised map submitted for 35/39 Middle Lane.
Question: Does the apartment in the garage connect to the septic system for the main house? I do not see a septic system specifically for that building.

Thanks.

Billy Hajek, Planner
Village of East Hampton
Office: 88 Newtown Lane
East Hampton, NY 11937
631-527-5493
From: Pam Bennett

Sent: Tuesday, September 8, 2020 3:33 PM
To: Bill Hajek, Pam Bennett
Cc: Elizabeth Baldwin
Subject: RE: 35 & 39 Middle Lane

I sat with the architect and went over the FAAR also Chief Turza is ok with it so it should be good to go.

Kenneth E. Collum
Code Enforcement Officer/Fire Marshal
Village of East Hampton
P 631-324-4150 631-324-0763 F 631-324-4189
kcollum@easthamptonvillage.org
www.easthamptonvillage.org

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From: Bill Hajek
Sent: Tuesday, September 8, 2020 3:17 PM
To: Pam Bennett <PBennett@easthamptonvillage.org>; Ken <kcollum@easthamptonvillage.org>
Cc: Elizabeth Baldwin <ebaldwin@easthamptonvillage.org>
Subject: 35 & 39 Middle Lane

Hi Pam & Ken,

The recently submitted map will have to be reviewed for compliance with the FAAR requirements. Ken if it is okay by you, then it will have to be referred to an outside engineer. Drew designed the FAAR and drainage. The Village has used Vin Gaudiello at Raynor Group for these types of matters when Drew becomes conflicted.

Billy Hajek, Planner
Village of East Hampton
Office: 88 Newtown Lane
East Hampton, NY 11937
631-527-5493
The garage is and will remain unoccupied until the structure is connected to the new septic system. Applicant will gladly accept this as a Planning Board condition of approval for the lot line modification.

John Huber, Attorney
Dayton, Voorhees & Balsam, LLP
231 Pantigo Road, Suite 1
East Hampton, New York 11937
Telephone: (631) 324-0587
Facsimile: (631) 324-6593
E-mail: john@dvbllp.com
Website: http://www.dvbllp.com/

Okay, thank you.

So there is an apartment their without a septic system?

Hi Billy:

The detached garage did have a separate cesspool but it was demolished over the last few months to make way for the adjusted lot line to the north. The garage will be connected to a new septic system that is being designed for the main house.
Hi John,

I’m looking over the revised map submitted for 35/39 Middle Lane.

Question: Does the apartment in the garage connect to the septic system for the main house? I do not see a septic system specifically for that building.

Thanks.

Billy Hajek, Planner
Village of East Hampton
Office: 88 Newtown Lane
East Hampton, NY 11937
631-527-5493
September 3, 2020

Planning Board
Village of East Hampton
86 Main Street
East Hampton, New York 11937

Re: Subdivision (i.e., Lot Line Modification) Application - 35 Middle Lane, East Hampton & 39 Middle Lane, East Hampton

Dear Planning Board:

The law firm of Dayton, Voorhees & Balsam, LLP serves as Agent/Attorneys for the owners of the referenced premises in connection with the pending Subdivision (i.e., Lot Line Modification) Application.

Enclosed please find eight duplicate original lot line modification plans entitled “35 & 39 Middle Lane LLM” revised by David Saskas, Licensed Land Surveyor, as of August 31, 2020. As revised, these plans depict the Fire Apparatus Access Road (FAAR) required by the Planning Board in connection with this application. Also enclosed please find eight duplicate original FAAR plans prepared by D.B. Bennett, P.E., P.C., Consulting Engineer.

Please feel free to contact me at john@dvbllp.com with any comments or questions. Thank you for your consideration.

Respectfully,

DAYTON, VOORHEES & BALSAM, LLP

John Huber

Enclosure(s)
MEMORANDUM

TO:         Bruce A. T. Siska Chair of the Planning Board
FROM:      Kenneth Collum, Department of Code Enforcement
DATE:      August 6, 2020
SUBJECT:  Fire Apparatus Access Road at 35-39 Middle Lane

Please be advised the lot line modification of property located at SCTM# 301-4-11-23.14
and 23.15, with a street address 35 and 39 Middle Lane will require a Fire Apparatus
Access Road under FCNYS.

Kenneth E. Collum
Hi Billy:

Just so I’m clear, has it been determined that this is a requirement, or is this something that you are suggesting to the Planning Board. I need to make sure so I can take responsive action if this has been deemed a requirement.

Thank you.

John Huber, Attorney
Dayton, Voorhees & Balsam, LLP
231 Pantigo Road, Suite 1
East Hampton, New York 11937
Telephone: (631) 324-0587
Facsimile: (631) 324-6593
E-mail: john@dvblp.com
Website: http://www.dvblp.com/

From: Bill Hajek <BHajek@easthamptonvillage.org>
Sent: Tuesday, August 04, 2020 9:34 AM
To: John Huber <John@dvblp.com>; Elizabeth Baldwin <ebaldwin@easthamptonvillage.org>; Ken <kcollum@easthamptonvillage.org>
Cc: Pam Bennett <PBennett@easthamptonvillage.org>
Subject: RE: 35 & 39 Middle Lane, East Hampton - Comments Following 7/9/2020 Planning Board Meeting

I believe the common driveway agreement needs to be memorialized with a modern easement that is depicted on the map (with metes and bounds).

From: John Huber [mailto:John@dvblp.com]
Sent: Tuesday, August 04, 2020 9:28 AM
To: Elizabeth Baldwin <ebaldwin@easthamptonvillage.org>; Bill Hajek <BHajek@easthamptonvillage.org>; Ken <kcollum@easthamptonvillage.org>
Cc: Pam Bennett <PBennett@easthamptonvillage.org>
Subject: 35 & 39 Middle Lane, East Hampton - Comments Following 7/9/2020 Planning Board Meeting

Good Morning Beth and Billy:

If I may, I’d like to check in on the status of the pending lot line modification application for 35 & 39 Middle Lane, East Hampton.

To date, the following issues have been addressed:

- Variance(s) will not be required pursuant to Beth’s 7/24/2020 email
- Ken Collum advised this morning that his FAAR review is pending and that his findings will be provided when completed.

To date, the following issues **await action**:

- **Revised Easement Language & Survey(s):** On 7/4/2020 I submitted for your review the relevant deeds for 39 Middle Lane. I believe the existing easement language in those deeds comports with existing and proposed site conditions, and that revision of the easement language is unnecessary. Please note, however, that the Applicants are willing to consider any proposed revisions that the Planning Board deems suitable. I also believe that if the existing deeded easement language is satisfactory, revised surveys would not be required. **Please advise on the status of your determination.**

- As requested by Billy, David Saskas is preparing revised lot line modification maps and I will submit these as soon as they are completed.

- Aside from the foregoing, are there any other actions items or other materials that you require from the applicant in order to move forward?

Thank you for your cooperation.

John Huber, Attorney
Dayton, Voorhees & Balsam, LLP
231 Pantigo Road, Suite 1
East Hampton, New York 11937
Telephone: (631) 324-0587
Facsimile: (631) 324-6593
E-mail: john@dvblp.com
Website: [http://www.dvblp.com/](http://www.dvblp.com/)
August 5, 2020

Planning Board
Village of East Hampton
86 Main Street
East Hampton, New York 11937

Re: Subdivision (i.e., Lot Line Modification) Application - 35 Middle Lane, East Hampton, NY 11937 (S.C.T.M. # 301-4-11-23.14) & 39 Middle Lane, East Hampton, NY 11937 (S.C.T.M. # 301-4-11-23.15)

Dear Planning Board:

The law firm of Dayton, Voorhees & Balsam, LLP serves as Agent/Attorneys for the owners of the referenced premises in connection with the pending Subdivision (i.e., Lot Line Modification) Application.

Enclosed please find eight duplicate original lot line modification plans entitled “35 & 39 Middle Lane LLM” revised by David Saskas, Licensed Land Surveyor, as of August 4, 2020. These plans depict separate and distinct layouts for the existing configuration, proposed transfer and proposed layout after transfer as requested via Billy Hajek’s June 25, 2020 Memorandum to the Planning Board.

Please feel free to contact me at john@dvbllp.com with any comments or questions. Thank you for your consideration.

Respectfully,

DAYTON, VOORHEES & BALSAM, LLP

John Huber

Enclosure(s)
VILLAGE OF EAST HAMPTON
Office of
Planning Board

July 16, 2020

Mr. Kenneth Collum
Code Enforcement Officer/Fire Marshal
Inc. Village of East Hampton
86 Main Street
East Hampton, NY 11937

Re: Lot Line Modification Application of Peerless Ariel LLC, 39 Middle Lane, SCTM #301-4-11-23.15, and Amphitrite Properties, LLC, 35 Middle Lane, SCTM #301-4-11-23.14

Dear Mr. Collum:

The Planning Board, at their meeting of July 9, 2020, asked that you review the above referenced request for a lot line modification to determine whether a Fire Apparatus Access Road would be required. For your convenience, I have attached a copy of the application, the map entitled 35 & 39 Middle Lane LLM dated May 29, 2020, Village Planner Billy Hajek’s memorandum dated June 25, 2020, and John Huber Esq.’s email dated July 4, 2020 containing easement information.

Very truly yours,

[Signature]
Pamela J. Bennett
Deputy Clerk
Planning Board

Attachments
Hi John,

After reviewing the information provided and considering past practices of the Village, it is my opinion that variances would not be required in your application referenced above.

Have a great weekend.

Thanks,
Beth

Elizabeth Baldwin
Village Attorney
Village of East Hampton
88 Newtown Lane (Physical Location)
86 Main Street (Mailing Address)
East Hampton, NY 11937
(631) 527-5494

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From: John Huber <John@dvblp.com>
Sent: Thursday, July 16, 2020 11:26 AM
To: Elizabeth Baldwin <ebaldwin@easthamptonvillage.org>; Bill Hajek <BHajek@easthamptonvillage.org>
Cc: Pam Bennett <PBennett@easthamptonvillage.org>
Subject: 35 & 39 Middle Lane, East Hampton - Comments Following 7/9/2020 Planning Board Meeting

Good Morning Beth and Billy:
Just checking in on the status of the following action items in connection with the pending lot line modification application for 35 and 39 Middle Lane:

- Are you able to confirm than an area variance will not be required based on the points I outlined below in my 7/9/2020 email and in light of Corliss v. Eastchester (copy attached)?
- Has a determination been made as to whether the existing driveway and utility easement language in the relevant deeds (see attached) is satisfactory?
- If possible, please advise on relevant timeframe for the Fire Marshall’s determination regarding a fire apparatus access road (FAAR).

On our side, I continue to work with David Saskas to secure and submit to you, as soon as possible, the revised lot line modification plan that Billy has requested. I hope to submit those to you on/about July 24th.

Based on the foregoing, do you have a sense of when you will deem this matter ready for a public hearing?

As always, I appreciate your collegiality and professionalism.

John Huber, Attorney
Dayton, Voorhees & Balsam, LLP
231 Pantigo Road, Suite 1
East Hampton, New York 11937
Telephone: (631) 324-0587
Facsimile: (631) 324-6593
E-mail: john@dvblp.com
Website: http://www.dvblp.com/

From: John Huber
Sent: Thursday, July 09, 2020 1:26 PM
To: Elizabeth Baldwin <ebaldwin@easthamptonvillage.org>; Billy Hajek (bhajek@easthamptonvillage.org)
Cc: Pam Bennett <PBennett@easthamptonvillage.org>
Subject: 35 & 39 Middle Lane, East Hampton - Comments Following 7/9/2020 Planning Board Meeting

Good Afternoon Beth, Billy and Pam:

Thank you for participating in this morning’s videoconference to discuss the lot line modification application for 35 & 39 Middle Lane.

Please consider the following points in response to this morning’s meeting.

**Area Variance**

I submit that an area variance should not be required under these circumstances because:

1. The proposed modification will not alter the existing lot areas
2. The proposed modification will not increase the degree of nonconformity
3. Insofar as the proposed lot lines to be modified are interior only, we are not altering the width of either lot or any other operative dimension that would require an area variance
4. These lots were lawfully subdivided in 1985, substantially prior to being zoned R-160. The lots have remained in separate ownership since the 1985 subdivision. Village Code Section 278-1, Paragraph B[3](a) addresses nonconforming lots and states in pertinent part that “a nonconforming lot may be used and a building or structure may be erected thereon for use in accordance with all other applicable provisions of this chapter [i.e., Chapter 278, Zoning], provided that it has been held in continuous single and separate ownership . . . prior to any subsequent date that it became nonconforming with respect to its area dimensions.” I believe this code provision expressly obviates the requirement for an area variance under these circumstances.

5. We are not creating “new” lots as contemplated by Code Section 278-3, Par. A(1). We are merely seeking a lot line adjustment to normalize existing interior lot lines on legally nonconforming parcels.

6. The in-ground swimming pool that existed previously at 35 Middle Lane was recently removed specifically to avoid the need for an area variance (e.g., pool setbacks, etc.).

7. The proposal easily meets the Village’s design criteria as set forth at Village Code Section 252-2, Par. E insofar as the proposed lot line adjustment bears a reasonable relationship to property conditions, and the proposed lot line adjustment will render the properties more “rectangular” in keeping with good planning.

8. Village Code Section 252-5.2 expressly authorizes the Planning Board to waive, when reasonable, any requirements (e.g., area variance) for the approval. I respectfully submit that an area variance is not necessary in this case, particularly since such a variance is unnecessary to protect the public health, safety or general welfare.

9. This is a “minor subdivision” as defined at Village Code Section 252-1 and will not have any impact beyond these 2 properties.

10. This is a Type II action pursuant to 6 CRR-NY 617.5(c)(16) and has been categorically determined not to have a significant environmental impact.

11. In summary, I submit that requiring an area variance under these circumstances would be unwarranted. The facts underlying this application clearly establish that the Applicants would meet the relevant area variance criteria (i.e., Village Law Section 7-712-b(3)(b)) and that the Applicants would be entitled to such relief as a matter of law.

Revised Easement Language & Survey(s)

Please refer to my 7/4/2020 email (attached) pursuant to which I submitted the relevant deeds for 39 Middle Lane. I believe the existing easement language in those deeds comports with existing and proposed site conditions, and that revision of the easement language is unnecessary. Please note, however, that the Applicants are willing to consider any proposed revisions that the Planning Board deems suitable. I also believe that if the existing deeded easement language is satisfactory, revised surveys would not be required.

Remaining Issues to Be Addressed

1. As determined by the Planning Board during this morning’s meeting, the application will be referred to Fire Marshall Collum for a determination as to whether a FAAR will be required. Based on our review of the NYS Fire Code, I believe a FAAR is not required under these circumstances.
2. A revised lot line modification map has been requested by Billy, and the Applicants are working with David Saskas to have this prepared and submitted as soon as possible.

3. Please note that the Applicants consent to continued use of a single curb cut for access to both properties.

Insofar as the Applicants are eager to proceed expeditiously, we would greatly appreciate your prompt feedback. Thank you for your consideration.

John Huber, Attorney
Dayton, Voorhees & Balsam, LLP
231 Pantigo Road, Suite 1
East Hampton, New York 11937
Telephone: (631) 324-0587
Facsimile: (631) 324-6593
E-mail: john@dvbllp.com
Website: http://www.dvbllp.com/
Matter of Corliss v Zoning Bd. of Town of Eastchester


In the Matter of Marie A. Corliss et al., Respondents,
v
Zoning Board of Town of Eastchester, Appellant.

—[*1] Zarin & Steinmetz, White Plains, N.Y. (David S. Steinmetz and Jody T. Cross of counsel), and John Sarcone III, Town Attorney, Eastchester, N.Y., for appellant (one brief filed).

Covey, Roberts, Buchanan, Carmody-Roberts, Katonah, N.Y. (Marie A. Corliss, pro se, of counsel), for respondents.

In a proceeding pursuant to CPLR article 78 to review a determination of the Zoning Board of Appeals of the Town of Eastchester, dated June 29, 2005, which, after a hearing, denied the petitioners' application for a "lot-line change" or, in the alternative, for an area variance, the appeal is from a judgment of the Supreme Court, Westchester County (LaCava, J.), entered January 31, 2006, which granted the petition, annulled the determination, and remitted the matter to the Zoning Board of Appeals of the Town of Eastchester with the direction to grant the application for both a lot-line change and an area variance.

Ordered that the judgment is modified, on the law, by deleting the provision thereof remitting the matter to the Zoning Board of Appeals of the Town of Eastchester with the direction to grant the application for a lot-line change and an area variance and substituting therefor a provision remitting the matter to the Planning Board of the Town of Eastchester with the direction [*2]to issue the de minimus lot-line adjustment and all necessary approvals to effect the same; as so modified, the judgment is affirmed, without costs or disbursements, and the matter is remitted to the Planning Board of the Town of Eastchester for further proceedings in accordance herewith.

The petitioners own a parcel of land consisting of two adjacent lots. One of the lots is improved, while the other is not. Seeking to develop the unimproved lot, the petitioners applied to the Planning Board of the Town of Eastchester (hereinafter the Planning Board) for a de minimis adjustment of the line between the two lots or, in the alternative, for an area variance. The petitioners needed the adjustment to bring the unimproved 5,095 square-foot lot into conformity with a zoning ordinance requiring lots in the R-6 Zoning District to be a minimum of 6,000 square feet for development. In their submissions to the Planning Board, the petitioners asserted that the "effective square" requirement of Town of Eastchester Zoning Ordinance § 9 (O) was not applicable to their request for a lot-line change. Thereafter, the Planning Board referred the matter to the Zoning Board of Appeals for the Town of Eastchester (hereinafter the ZBA), which implicitly determined that the effective square requirement applied to the petitioners' application. The ZBA then denied the petitioners an area variance which was needed to comply with the effective square requirement.

The petitioners commenced this CPLR article 78 proceeding for review of the ZBA's determination. The Supreme Court granted the petition, finding, inter alia, that the effective square requirement was inapplicable to the application, which was for a de minimis lot-line adjustment rather than subdivision approval, and, therefore, an area variance was not required. The ZBA appeals, and we now modify the judgment of the Supreme Court.
Town of Eastchester Zoning Ordinance § 9 (O) provides: "Every lot in a one- and two-family residential district created by final subdivision plat approved by the Planning Board after the effective date of this law shall be capable of containing a square wholly within its boundaries, the dimensions of which shall correspond to the dimensions listed in the Schedule of Residential District Regulations for the district, and some portion of the effective square shall touch the minimum required front yard setback line." Town of Eastchester Zoning Ordinance § 9 (C) (4) defines a final subdivision plat as a "drawing ... in final form, showing a proposed subdivision," and a minor subdivision as a "division of land into fewer than five (5) lots along an existing public road in such a way as to require no new streets to be constructed."

Here, the effective square requirement is not applicable to the de minimis lot-line adjustment requested by the petitioners. At issue in the petitioners' application is a minor adjustment of a boundary line between two existing lots, and not the creation of two new lots through the subdivision process (cf. Matter of Angiolillo v Town of Greenburgh, 290 AD2d 1, 7-9 [2001]). Accordingly, the Supreme Court correctly concluded that the area variance was not required.

The Supreme Court, however, in its judgment improperly remitted the matter to the ZBA to issue the unnecessary area variance. Instead, the Supreme Court should have remitted the matter to the Planning Board (see Town of Eastchester Zoning Ordinance § 9) for the issuance to the petitioners of the necessary de minimis lot-line adjustment and all necessary approvals to effect the [*3] same.

In light of our determination, we need not address the parties' remaining contentions.
Santucci, J.P., Goldstein, Carni and McCarthy, JJ., concur.
THIS INDENTURE, made the 1st day of March 2020

BETWEEN

Georgiana J. Slade, Trustee of the Trust for Jarvis J. Slade, Jr. under Declaration of Trust, dated May 9, 1984

party of the first part, and


as party of the second part.

WITNESSETH, that the party of the first part, by virtue of the power and authority given in and by said Trust, and in consideration of One-Million Five Hundred Thirty-One Thousand Two Hundred Fifty-Two Dollars and 50/100 Cents ($1,531,252.50) and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever, a Seventy-Five percent (75%) of Grantor's undivided Thirty-Three and One-Third percent (33-1/3%) interest as tenant in common in

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Village and Town of East Hampton, County of Suffolk and State of New York, bounded and described as follows:

SEE SCHEDULE A ATTACHED

Premises situate: 39 Middle Lane, East Hampton NY
SCTM NO.: 0391-004.00-11.00-023.015

TOGETHER with all right, title and interest, if any, of the party of the first part, in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances, and also all the rights of the party of the first part in said premises, and also the right of the party of the first part, individually, TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

[Signature]

Georgiana J. Slade, Trustee
TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE IN NEW YORK STATE

State of New York, County of New York ss:

On the 28th day of February in the year 2020 before me, the undersigned, personally appeared, Georgiana J. Slade, Trustee, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

__________________________
(signature and office of individual taking acknowledgment)

Yvonne M. O'Donnell
Notary Public, State of New York
No. 112,001
Commission Expires December 11, 2022

TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE OUTSIDE NEW YORK STATE

State (or District of Columbia, Territory, or Foreign Country) of: COUNTY OF: ss:

On the ______ day of _______ in the year _______ before me, the undersigned, personally appeared personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in the

__________________________
(insert the City or other political subdivision) (and insert the State or Country or other place the acknowledgment was taken)

__________________________
(signature and office of individual taking acknowledgment)

TRUSTEE’S DEED

Trust for Jarvis J. Slade, Jr.

TO

Georgiana J. Slade GST Exempt Trust

DIST 0301
SECTION 004.00
BLOCK 11.00
LOT 023.015
COUNTY OR TOWN: SUFFOLK
STREET ADDRESS: 39 Middle Lane

Recorded at Request of
COMMONWEALTH LAND TITLE INSURANCE COMPANY

RETURN BY MAIL TO:

Dayton Voorhees & Balsam LLP
231 Pantigo Rd Suite 1
East Hampton NY 11937
EXHIBIT A

ALL that certain piece or parcel of land situate in the Incorporated Village of East Hampton, Town of East Hampton, County of Suffolk and State of New York, more particularly bounded and described as follows:

BEGINNING at a point on the northerly side of Middle Lane, said point being distant 1427.57 feet easterly, as measured along the northerly side of Middle Lane from the easterly side of Egypyi Lane; running thence from the point of beginning along the land now or formerly of Jarvis J. Slade the following nine courses and distances: (1) N 9 degrees 18 minutes 42 seconds W, 27.34 feet; (2) N 30 degrees 41 minutes 48 seconds W, 315.92 feet; (3) N 59 degrees 18 minutes 12 seconds E, 20.00 feet; (4) N 30 degrees 41 minutes 48 seconds W, 124.27 feet; (5) S 59 degrees 54 minutes 42 seconds W, 116.87 feet; (6) S 29 degrees 14 minutes 18 seconds E, 50.97 feet; (7) S 60 degrees 45 minutes 42 seconds W, 60.00 feet; (8) S 29 degrees 15 minutes 35 seconds E, 63.00 feet; (9) S 60 degrees 45 minutes 42 seconds W, 45.02 feet; running thence along the land now or formerly of Ronald Delseren, N 29 degrees 14 minutes 18 seconds W, 46.82 feet; running thence along the land now or formerly of Evan M. Frankel the following three courses and distances: (1) N 29 degrees 20 minutes 08 seconds W, 141.02 feet; (2) N 59 degrees 54 minutes 42 seconds E, 223.63 feet; (3) N 30 degrees 36 minutes 08 seconds W, 104.50 feet; running thence along the land now or formerly of Janice Brightwell, N 58 degrees 47 minutes 40 seconds E, 217.70 feet; running thence along the land now or formerly of Lela Classen Brown, S 30 degrees 54 minutes 28 seconds E, 320.38 feet; running thence along the land now or formerly of John C. Ringold the following two courses and distances: (1) S 57 degrees 49 minutes 42 seconds W, 221.93 feet; (2) S 30 degrees 41 minutes 48 seconds E, 320.00 feet to the northerly side of Middle Lane; running thence along the northerly side of Middle Lane, S 56 degrees 40 minutes 55 seconds W, 30.00 feet to the point or place of beginning.

TOGETHER with a right-of-way easement for all driveway purposes including installation and maintenance of utilities to and over the existing driveway on other premises now or formerly of Jarvis J. Slade to and from the northerly side of Middle Lane, including access to said driveway along the easterly boundary of the other premises now or formerly of Jarvis J. Slade.
THIS INDENTURE, made the 1st day of March 2020

BETWEEN

Georgiana J. Slade, Trustee of the Trust for Jarvis J. Slade, Jr. under Declaration of Trust, dated May 9, 1984

party of the first part, and


as party of the second part,

WITNESSETH, that the party of the first part, by virtue of the power and authority given in and by said Trust, and in consideration of Five Hundred Ten Thousand Four Hundred Seventeen Dollars and 50/100 Cents ($510,417.50) and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever, a Twenty-Five percent (25%) of Grantor's undivided Thirty-Three and One-Third percent (33-1/3%) interest as tenant in common in

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Village and Town of East Hampton, County of Suffolk and State of New York, bounded and described as follows:

SEE SCHEDULE A ATTACHED

Premises situate: 39 Middle Lane, East Hampton NY
SCTM NO.: 0301-004.00-11.00-023.015

TOGETHER with all right, title and interest, if any, of the party of the first part, in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances, and also all the rights of the party of the first part in said premises, and also the right of the party of the first part, individually, TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

[Signature]

Georgiana J. Slade, Trustee
TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE IN NEW YORK STATE

State of New York, County of New York ss:

On the 24th day of February in the year 2020 before me, the undersigned, personally appeared, Georgiana J. Slade, Trustee, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

(signature and office of individual taking acknowledgment)

STATE OF NEW YORK

City of New York

COUNTY OF New York

On the 24th day of February in the year 2020 before me, the undersigned, personally appeared, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

(signature and office of individual taking acknowledgment)

TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE OUTSIDE NEW YORK STATE

State (or District of Columbia, Territory, or Foreign Country) of ss: COUNTY OF ss:

On the ______ day of __________ in the year ______ before me, the undersigned, personally appeared personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in the

(insert the City or other political subdivision) in

(and insert the State or Country or other place the acknowledgment was taken)

(signature and office of individual taking acknowledgment)

TRUSTEE'S DEED

Trust for Jarvis J. Slade, Jr.

TO

Georgiana J. Slade Non-GST Exempt Trust

DIST 0301
SECTION 094.00
BLOCK 11.00
LOT 023.015
COUNTY OR TOWN: SUFFOLK
STREET ADDRESS: 39 Middle Lane

Recorded at Request of
COMMONWEALTH LAND TITLE INSURANCE COMPANY

RETURN BY MAIL TO:

Dayton Voorhees & Balsam LLP
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East Hampton NY 11937
EXHIBIT A

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THIS INDENTURE, made the 1st day of March 2020

BETWEEN


party of the first part, and

Georgiana J. Slade, individually

as party of the second part.

WITNESSETH, that the party of the first part, by virtue of the power and authority given in and by said Trust, and in consideration of Two-Million Forty-One Thousand Six Hundred Seventy Dollars ($2,041,670) and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever an undivided Thirty-Three and One-Third percent (33-1/3%) interest as tenant in common in

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SEE SCHEDULE A ATTACHED

Premises situate: 39 Middle Lane, East Hampton NY
SCTM NO.: 0301-004.00-11.00-023.015

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IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

[Signature]
Shelley R. Slade, Trustee

[Signature]
Georgiana J. Slade, Trustee
TRUSTEE'S DEED

Shelley R. Slade Non-GST Exempt Trust

TO

Georgiana J. Slade, Individually

DIST 0301
SECTION 004.00
BLOCK 11.00
LOT 023.015
COUNTY OR TOWN: SUFFOLK
STREET ADDRESS: 39 Middle Lane

Recorded at Request of
COMMONWEALTH LAND TITLE INSURANCE COMPANY
RETURN BY MAIL TO:

Dayton Voorhees & Balsam LLP
231 Pentigo Rd Suite 1
East Hampton NY 11937
EXHIBIT A

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Good Morning Billy, Beth and Pam:

Happy July 4th

Attached for your review are copies of the deeded easements allowing utilities, including the existing water line referenced in Billy's attached memo, from 39 Middle Lane to be present on abutting 35 Middle Lane. These 2 properties are the subject of the referenced lot line modification application.

I submit to you that the attached deeded driveway and utility easement satisfactorily address the water line in question and obviates the need for new easement documentation.

Also, at your earliest convenience, please confirm that an area variance will not be required insofar as the respective areas of the subject lots will remain unchanged as a result of the proposed lot line modification. I am hoping that we can address/resolve this issue next week in advance of the Planning Board's July 9th meeting.

Thanks so much to all of you for your good work!!

John Huber, Attorney
Dayton, Voorhees & Balsam, LLP
231 Pantigo Road, Suite 1
East Hampton, New York 11937
Telephone: (631) 324-0587
Facsimile: (631) 324-6593
E-mail: john@dvblp.com
Website: http://www.dvblp.com/

From: Bill Hajek <BHajek@easthamptonvillage.org>
Sent: Thursday, June 25, 2020 3:53 PM
To: John Huber <John@dvblp.com>
Subject: Slade LLM

Hi John,

Attached is my report to the planning board.

I am recommending all lot line modifications be shown on a plan depicting the two lots as existing conditions, the proposed transfer, and the proposed lots post transfer with building envelopes. We have a few pending applications, and it turns out David is the surveyor on all of them, so I reached out to David and let him know. I have attached a sample plan of what I have been recommending to the board (and they have agreed).
Overall, this adjustment seems fine to me. It makes the two lots much more "regularly" shaped. I cannot say what the Fire Marshall might request in terms of access though. If a FAAR road is required, that could be problematic given the location of the garage/apartment building, in addition to the owners might not want expansive pavement driveways and turnarounds.

Billy Hajek, Planner
Village of East Hampton
Office: 88 Newtown Lane
East Hampton, NY 11937
631-527-5493
DATE:       June 25, 2020

TO:         Incorporated Village of East Hampton Planning Board
            Bruce A. T. Siska, Chair

FROM:       Billy Hajek

RE:          Slade Lot Line Modification

Properties Situate 35 & 39 Middle Lane
SCTM#301-4-11-23.14 & 23.15

The Planning Board received an application for Lot Line Modification approval to adjust
the common boundary (rear lot line) between the two above listed properties.

Three different maps were submitted with the request. The survey prepared by Saskas
Surveying Co. dated last revised May 29, 2020 and labeled “35 & 39 Middle Lane LLM”
most clearly depicts the apparent existing and proposed lot boundaries.

SEQRA:
The proposed project is classified as an Unlisted Action. The applicant is required to
submit an EAF Part I.

Background:
The subject properties are located at 35 and 39 Middle Lane and both are located in the
R-160 zoning district, which requires a minimum 160,000 square feet of lot area and 160
feet of lot width for the creation of new lots.

35 Middle Lane (SCTM#301-4-11-23.14) is the westerly most lot with 200 feet of
frontage along Middle Lane. This property is 92,255 square feet in size and is improved
with a two story residence and a garage with living quarters (apartment). The most recent
Certificate of Occupancy issued to this property is dated June 6, 2017.

39 Middle Lane (SCTM#301-4-11-23.15) is the northerly flag lot. This property is
102,689 square feet in size and is improved with a two story residence and a frame
shed/run-in horse shed. The most recent Certificate of Occupancy issued to this property
is dated January 10, 2005.
The existing boundary between the two lots can be described as “saw tooth.” It is an irregular line and was established in 1985 (when the lots were created). It appears that this unusual configuration may have been established to design around a swimming pool and patio, which no longer exist.

**Prior Planning Board & Zoning Board Approvals:**

In January 1985 the Planning Board granted Subdivision Approval to divide 4.4 acres into two lots (roughly the two lots that currently exist). As a condition of approval the Planning Board required both lots share a common driveway. At this time of this approval, the proposed flag pole servicing Lot 1 was located on the westerly side of Lot 2.

By determination dated October 2, 1987 the Zoning Board granted variances to permit the construction of an accessory building (run-in shed/horse stall on the property that did not contain a principal building.

In May 1992 the applicant sought to shift the location of the flag pole. By determination dated May 29, 1992 the Zoning Board granted the necessary variances to permit the flag pole/20-foot access strip for Lot 1 to be shifted to its present location. It does not appear that this modification to the location of the flag pole obviated the prior requirement that both lots share a common driveway.

**Environmental Conditions:**
The subject properties are generally flag with elevations ranging from 33 feet to 46 feet above sea level. The properties are located in FEMA Flood Zone X (no special construction standards are required). The properties contain Bridgehampton silt loam and are considered prime agricultural soils.

**Proposed Project:**
The application proposed to adjust the common boundary between the two lots by “squaring off” Lot 2. According to the maps, there will not changes to the lot area (and equal amount of land is being transferred), therefore, there are no changes in permitted coverage or gross floor area for either lot.

Both subject properties are undersized for the zoning district. However, the lot line adjustment does not increase the degree of nonconformity for either lot. Therefore, it would appear that a variance is required for the project.

**General Comments:**
As I have indicated in prior reports to the Planning Board, the Village’s subdivision design regulations recommend lots be rectangular in shape, somewhat deeper than they are wider. This proposal corrects what is currently an unusual lot boundary and yields two lots that appear to be more in keeping with the Village’s subdivision design standards.

It appears that the requirement to share a single curb cut to Middle Lane, which was imposed in the 1985 subdivision (creating the two lots), still stands and both lots are required to share one common curb cut onto Middle Lane. If no formal easement agreement exists, I recommend it be established at this time.
I note that the waterline servicing Lot 1 traverses outside of the flag pole portion of that lot. The access and utility easement should be depicted to ensure this waterline and driveway are properly located and/or if any adjustments to the waterline or easements are required.

**Map Requirements & Submissions:**
I recommend the below survey items be submitted to the Planning Board:

- A survey plan depicting separate and distinct layouts for the existing configuration, proposed transfer, and proposed layout after transfer with building envelopes.
- Survey to depict the common driveway easement, utility easement and any other easements or restrictions that may exist on both properties.

If Counsel deems it appropriate, a copy of these easements may need to be submitted to the Planning Board file for review.

**Map Referrals:**
I recommend that map be referred to the Village Fire Marshall to determine if any road improvements or access improvements are required and to ensure adequate fire suppression system(s) exist.
The map does *not* require referral to the Suffolk County Planning Commission.

I am available to answer questions or provide additional information that may be requested by the Planning Board.

--BH
THIS INDENTURE, made the 1st day of March 2020

BETWEEN
Georgiana J. Slade, Trustee of the Trust for Jarvis J. Slade, Jr. under Declaration of Trust, dated May 9, 1984

party of the first part; and


as party of the second part.

WITNESSETH, that the party of the first part, by virtue of the power and authority given in and by said Trust, and in consideration of One-Million Five Hundred Thirty-One Thousand Two Hundred Fifty-Two Dollars and 50/100 Cents ($1,531,252.50) and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever, a Seventy-Five percent (75%) of Grantor's undivided Thirty-Three and One-Third percent (33-1/3%) interest as tenant in common in

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SEE SCHEDULE A ATTACHED

Premises situate: 39 Middle Lane, East Hampton NY
SCTM NO.: 0301-003.00-11.00-023.015

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IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

[Signature]
Georgiana J. Slade, Trustee
TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE IN NEW YORK STATE

State of New York, County of ______ ss:

On the ______ day of ______ in the year ______ before me, the undersigned, personally appeared, Georgiana J. Slade, Trustee, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

__________________________________
(signature and office of individual taking acknowledgment)

YESHA AE CHANDA
Notary Public, State of New York
Commission Expired December 17, 2022

TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE OUTSIDE NEW YORK STATE

State (or District of Columbia, Territory, or Foreign Country) of ______ ss: COUNTY OF ______ ss:

On the ______ day of ______ in the year ______ before me, the undersigned, personally appeared personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in

__________________________________
(Insert the City or other political subdivision)

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TRUSTEE'S DEED

Trust for Jarvis J. Slade, Jr.

TO

Georgiana J. Slade GST Exempt Trust

DIST 0301
SECTION 004.00
BLOCK 11.00
LOT 023.015
COUNTY OR TOWN: SUFFOLK
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THIS INDENTURE, made the 1st day of March 2020

BETWEEN

Georgiana J. Slade, Trustee of the Trust for Jarvis J. Slade, Jr. under Declaration of Trust, dated May 9, 1984

party of the first part, and


as party of the second part,

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Premises situate: 39 Middle Lane, East Hampton NY
SCOTN NO.: 0301-004.06-11.00-023.015

TOGETHER with all right, title and interest, if any, of the party of the first part, in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances, and also all the rights of the party of the first part in said premises, and also the right of the party of the first part, individually, TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

Georgiana J. Slade, Trustee
TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE IN NEW YORK STATE

State of New York, County of New York ss:

On the 26th day of February in the year 2020 before me, the undersigned, personally appeared, Georgiana J. Slade, Trustee, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

（signature and office of individual taking acknowledgment）

WITNESS MY HAND
Notary Public in and of the State of New York
Commission Expired: December 11, 2022

TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE OUTSIDE NEW YORK STATE

State (or District of Columbia, Territory, or Foreign Country) of: COUNTY OF ss:

On the ______ day of ________ in the year ______ before me, the undersigned, personally appeared, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in the

（insert the City or other political subdivision） in (and insert the State or Country or other place the acknowledgment was taken)

（signature and office of individual taking acknowledgment）

TRUSTEE’S DEED

Trust for Jarvis J. Slade, Jr.

TO

Georgiana J. Slade Non-GST Exempt Trust

DIST 0301
SECTION 004.00
BLOCK 11.00
LOT 023.015
COUNTY OR TOWN: SUFFOLK
STREET ADDRESS: 39 Middle Lane

Recorded at Request of
COMMONWEALTH LAND TITLE INSURANCE COMPANY

RETURN BY MAIL TO:

Dayton Voorhees & Balsam LLP
231 Pantigo Rd Suite 1
East Hampton NY 11937
EXHIBIT A

ALL that certain piece or parcel of land situate in the Incorporated Village of East Hampton, Town of East Hampton, County of Suffolk and State of New York, more particularly bounded and described as follows:

BEGINNING at a point on the northerly side of Middle Lane, said point being distant 1427.57 feet easterly, as measured along the northerly side of Middle Lane from the easterly side of Egypt Lane; running thence from the point of beginning along the land now or formerly of Jarvis J. Slade the following nine courses and distances: (1) N 9 degrees 18 minutes 42 seconds W, 27.34 feet; (2) N 30 degrees 41 minutes 48 seconds W, 315.92 feet; (3) N 59 degrees 18 minutes 12 seconds E, 20.00 feet; (4) N 30 degrees 41 minutes 48 seconds W, 124.27 feet; (5) S 59 degrees 34 minutes 42 seconds W, 116.87 feet; (6) S 29 degrees 14 minutes 18 seconds E, 50.97 feet; (7) S 60 degrees 45 minutes 42 seconds W, 60.00 feet; (8) S 29 degrees 15 minutes 35 seconds E, 63.00 feet; (9) S 60 degrees 45 minutes 42 seconds W, 45.02 feet; running thence along the land now or formerly of Ronald Delsener, N 29 degrees 14 minutes 18 seconds W, 46.82 feet; running thence along the land now or formerly of Evan M. Frankel the following three courses and distances: (1) N 29 degrees 20 minutes 08 seconds W, 141.02 feet; (2) N 59 degrees 54 minutes 42 seconds E, 223.63 feet; (3) N 30 degrees 56 minutes 08 seconds W, 104.50 feet; running thence along the land now or formerly of Janice Brightwell, N 58 degrees 47 minutes 40 seconds E, 217.70 feet; running thence along the land now or formerly of Lela Classen Brown, S 30 degrees 54 minutes 28 seconds E, 320.38 feet; running thence along the land now or formerly of John C. Ringold the following two courses and distances: (1) S 57 degrees 49 minutes 42 seconds W, 221.93 feet; (2) S 30 degrees 41 minutes 48 seconds E, 320.00 feet to the northerly side of Middle Lane; running thence along the northerly side of Middle Lane, S 56 degrees 40 minutes 55 seconds W, 30.00 feet to the point or place of beginning.

TOGETHER with a right-of-way easement for all driveway purposes including installation and maintenance of utilities to and over the existing driveway on other premises now or formerly of Jarvis J. Slade to and from the northerly side of Middle Lane, including access to said driveway along the easterly boundary of the other premises now or formerly of Jarvis J. Slade.
THIS INDENTURE, made the 1st day of March 2020

BETWEEN


party of the first part, and

Georgiana J. Slade, individually

as party of the second part,

WITNESSETH, that the party of the first part, by virtue of the power and authority given in and by said Trust, and in consideration of Two-Million Forty-One Thousand Six Hundred Seventy Dollars ($2,041,670) and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever an undivided Thirty-Three and One-Third percent (33-1/3%) interest as tenant in common in

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Village and Town of East Hampton, County of Suffolk and State of New York, bounded and described as follows:

SEE SCHEDULE A ATTACHED

Premises situate: 39 Middle Lane, East Hampton NY
SCTM NO.: 0301-004.00-11.00-023.015

TOGETHER with all right, title and interest, if any, of the party of the first part, in and to any streets and roads abutting the above described premises to the center lines thereof, TOGETHER with the appurtenances, and also all the rights of the party of the first part in said premises, and also the right of the party of the first part, individually, TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

[Signature]
Shelley R. Slade, Trustee

[Signature]
Georgiana J. Slade, Trustee
TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE IN NEW YORK STATE

State of New York, County of New York ss:

On the ________ day of ________, in the year 2020 before me, the undersigned, personally appeared, Shelley R. Slade, Trustee, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument:

__________________________

(signature and office of individual taking acknowledgment)

__________________________

(signature and office of individual taking acknowledgment)

__________________________

Notary Public, State of New York

__________________________

County of Suffolk

Commission Expires: ________ 20____

TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE OUTSIDE NEW YORK STATE

State (or District of Columbia, Territory, or Foreign Country) of ________; COUNTY OF ________ ss:

On the ________ day of ________, in the year ________ before me, the undersigned, personally appeared personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in the

__________________________

(insert the City or other political subdivision)

(to insert the State or Country or other place the acknowledgment was taken)

__________________________

(signature and office of individual taking acknowledgment)

TRUSTEE’S DEED

Shelley R. Slade Non-GST Exempt Trust

TO

Georgiana J. Slade, Individually

DIST 0301
SECTION 004.00
BLOCK 11.00
LOT 023.015
COUNTY OR TOWN: SUFFOLK
STREET ADDRESS: 39 Middle Lane

Recorded at Request of COMMONWEALTH LAND TITLE INSURANCE COMPANY

RETURN BY MAIL TO:

Dayton Voorhees & Balsam LLP
231 Pantigo Rd Suite 1
East Hampton NY 11937
EXHIBIT A

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BEGINNING at a point on the northerly side of Middle Lane, said point being distant 1427.57 feet easterly, as measured along the northerly side of Middle Lane from the easterly side of Egypt Lane; running thence from the point of beginning along the land now or formerly of Jarvis J. Slade the following nine courses and distances: (1) N 9 degrees 18 minutes 42 seconds W, 27.34 feet; (2) N 30 degrees 41 minutes 48 seconds W, 315.92 feet; (3) N 59 degrees 18 minutes 12 seconds E, 20.00 feet; (4) N 30 degrees 41 minutes 48 seconds W, 124.27 feet; (5) S 59 degrees 54 minutes 42 seconds W, 116.87 feet; (6) S 29 degrees 14 minutes 18 seconds E, 50.97 feet; (7) S 60 degrees 45 minutes 42 seconds W, 60.00 feet; (8) S 29 degrees 15 minutes 35 seconds E, 63.00 feet; (9) S 60 degrees 45 minutes 42 seconds W, 45.02 feet; running thence along the land now or formerly of Ronald Delsener, N 29 degrees 14 minutes 18 seconds W, 46.82 feet; running thence along the land now or formerly of Evan M. Frankel the following three courses and distances: (1) N 29 degrees 20 minutes 08 seconds W, 141.02 feet; (2) N 59 degrees 54 minutes 42 seconds E, 223.63 feet; (3) N 30 degrees 56 minutes 08 seconds W, 104.50 feet; running thence along the land now or formerly of Janice Brightwell, N 58 degrees 47 minutes 40 seconds E, 217.70 feet; running thence along the land now or formerly of Leda Classen Brown, S 30 degrees 54 minutes 28 seconds E, 320.38 feet; running thence along the land now or formerly of John C. Ringold the following two courses and distances: (1) S 57 degrees 49 minutes 42 seconds W, 221.93 feet; (2) S 30 degrees 41 minutes 48 seconds E, 320.00 feet to the northerly side of Middle Lane; running thence along the northerly side of Middle Lane, S 56 degrees 40 minutes 55 seconds W, 30.00 feet to the point of place of beginning.

TOGETHER with a right-of-way easement for all driveway purposes including installation and maintenance of utilities to and over the existing driveway on other premises now or formerly of Jarvis J. Slade to and from the northerly side of Middle Lane, including access to said driveway along the easterly boundary of the other premises now or formerly of Jarvis J. Slade.
DATE: June 25, 2020

TO: Incorporated Village of East Hampton Planning Board
    Bruce A. T. Siska, Chair

FROM: Billy Hajek

RE: Slade Lot Line Modification
Properties Situate 35 & 39 Middle Lane
SCTM#301-4-11-23.14 & 23.15

The Planning Board received an application for Lot Line Modification approval to adjust the common boundary (rear lot line) between the two above listed properties.

Three different maps were submitted with the request. The survey prepared by Saskas Surveying Co. dated last revised May 29, 2020 and labeled “35 & 39 Middle Lane LLM” most clearly depicts the apparent existing and proposed lot boundaries.

SEQRA:
The proposed project is classified as an Unlisted Action. The applicant is required to submit an EAF Part I.

Background:
The subject properties are located at 35 and 39 Middle Lane and both are located in the R-160 zoning district, which requires a minimum 160,000 square feet of lot area and 160 feet of lot width for the creation of new lots.

35 Middle Lane (SCTM#301-4-11-23.14) is the westerly most lot with 200 feet of frontage along Middle Lane. This property is 92,255 square feet is size and is improved with a two story residence and a garage with living quarters (apartment). The most recent Certificate of Occupancy issued to this property is dated June 6, 2017.

39 Middle Lane (SCTM#301-4-11-23.15) is the northerly flag lot. This property is 102,689 square feet in size and is improved with a two story residence and a frame shed/run-in horse shed. The most recent Certificate of Occupancy issued to this property is dated January 10, 2005.
The existing boundary between the two lots can be described as “saw tooth.” It is an irregular line and was established in 1985 (when the lots were created). It appears that this unusual configuration may have been established to design around a swimming pool and patio, which no longer exist.

**Prior Planning Board & Zoning Board Approvals:**

In January 1985 the Planning Board granted Subdivision Approval to divide 4.4 acres into two lots (roughly the two lots that currently exist). As a condition of approval the Planning Board required both lots share a common driveway. At this time of this approval, the proposed flag pole servicing Lot 1 was located on the westerly side of Lot 2.

By determination dated October 2, 1987 the Zoning Board granted variances to permit the construction of an accessory building (run-in shed/horse stall) on the property that did not contain a principal building.

In May 1992 the applicant sought to shift the location of the flag pole. By determination dated May 29, 1992 the Zoning Board granted the necessary variances to permit the flag pole/20-foot access strip for Lot 1 to be shifted to its present location. It does not appear that this modification to the location of the flag pole obviated the prior requirement that both lots share a common driveway.

**Environmental Conditions:**

The subject properties are generally flag with elevations ranging from 33 feet to 46 feet above sea level. The properties are located in FEMA Flood Zone X (no special construction standards are required). The properties contain Bridgehampton silt loam and are considered prime agricultural soils.

**Proposed Project:**

The application proposed to adjust the common boundary between the two lots by “squaring off” Lot 2. According to the maps, there will not changes to the lot area (and equal amount of land is being transferred), therefore, there are no changes in permitted coverage or gross floor area for either lot.

Both subject properties are undersized for the zoning district. However, the lot line adjustment does not increase the degree of nonconformity for either lot. Therefore, it would appear that a variance is required for the project.

**General Comments:**

As I have indicated in prior reports to the Planning Board, the Village’s subdivision design regulations recommend lots be rectangular in shape, somewhat deeper than they are wider. This proposal corrects what is currently an unusual lot boundary and yields two lots that appear to be more in keeping with the Village’s subdivision design standards.

It appears that the requirement to share a single curb cut to Middle Lane, which was imposed in the 1985 subdivision (creating the two lots), still stands and both lots are required to share one common curb cut onto Middle Lane. If no formal easement agreement exists, I recommend it be established at this time.
I note that the waterline servicing Lot 1 traverses outside of the flag pole portion of that lot. The access and utility easement should be depicted to ensure this waterline and driveway are properly located and/or if any adjustments to the waterline or easements are required.

**Map Requirements & Submissions:**
I recommend the below survey items be submitted to the Planning Board:

- A survey plan depicting separate and distinct layouts for the existing configuration, proposed transfer, and proposed layout after transfer with building envelopes.
- Survey to depict the common driveway easement, utility easement and any other easements or restrictions that may exist on both properties.

If Counsel deems it appropriate, a copy of these easements may need to be submitted to the Planning Board file for review.

**Map Referrals:**
I recommend that map be referred to the Village Fire Marshall to determine if any road improvements or access improvements are required and to ensure adequate fire suppression system(s) exist.
The map does not require referral to the Suffolk County Planning Commission.

I am available to answer questions or provide additional information that may be requested by the Planning Board.

--BH
Please read the "Land Use and Zoning Regulations" booklet

Planning Board
Incorporated Village of East Hampton
www.easthamptonvillage.org
SUBDIVISION APPLICATION

___ Subdivision Waiver
___ Subdivision
XX Lot Line Modification

APPLICANT
Name
Dayton, Voorhees & Balsam, LLP, as Agent
Mailing Address 231 Pantigo Road,
   Suite 1, East Hampton, NY 11937
Telephone (631) 324-0587

OWNER (if different)
Name Please refer to Attachment A - Owner Information
Mailing Address
Telephone

XX Letter of owner's authorization attached if application submitted by an agent

APPLICANTS ATTORNEY
Name Dayton, Voorhees & Balsam, LLP
Mailing Address 231 Pantigo Road, Suite 1,
   East Hampton, NY 11937
Telephone (631) 324-0587

APPLICANTS SURVEYOR/ENGINEER
Name Sasaki Surveying Company, P.C.
Mailing Address 124 Cedar Street,
   East Hampton, NY 11937
Telephone (631) 324-6917

LOCATION OF PROPERTY
Street 35 & 39 Middle Lane, East Hampton, NY 11937
Zoning District R-160
Suffolk County Tax Map # District 301
Section
Block 23
Lot 23.14 (35 Middle Lane) and 23.15 (39 Middle Lane)
ENCLOSURES

___ Fee $1,000 plus $750 for each new proposed lot
___ 8 copies of up-to-date survey by licensed surveyor
___ 8 copies of proposal

PROJECT INFORMATION

1. Describe project briefly:

Proposed modification of certain common lot lines that exist between the premises at 35 Middle Lane and 39 Middle Lane as depicted on the accompanying lot line map prepared by Saskas Surveying Company, P.C.

2. Is proposed action: ____ New ___ Expansion ___ Modification

3. Describe existing conditions: The subject premises, 35 Middle Lane and 39 Middle Lane, are contiguous parcels on which single-family residences and related improvements exist. Certain common boundary lines between the two parcels are irregularly configured and this condition inhibits optimal use and potential improvement of the properties.

4. Describe proposed conditions: As depicted on the accompanying lot line modification map, this application seeks to modify certain irregularly configured property boundaries in order to optimize the layout of the respective lots while maintaining adequate public road access, road frontage and existing lot area.

5. Anticipated construction time:

N/A

6. Will development be phased? ____ Yes ___ No

7. If multi-phased:
   a. number of phases: ________________________________
   b. date of commencement: ________________________________
   c. final phase completion (approximate) ________________________________
   d. is first phase functionally dependent on subsequent phases: ________________________________

8. Amount of land affected:
   Initially 4.4753* acres   Ultimately 4.4753* acres
   *Note: The existing lot area of each parcel will remain unchanged.

9. Will proposed action comply with existing zoning or other existing land use restrictions: ___ Yes ___ No
10. What is present land use in vicinity of project?
   xx Residential   Industrial  Commercial
   ___ Agricultural  ___ Park/Forest/Open Space
   ___ Other(describe):

11. Does action involve a permit approval now or ultimately from any other agency?  xx Yes   ___ No If yes, list agency(s) and permit/approval:

Suffolk County Department of Health Services, Office of Wastewater Management - Approval of Realty Subdivisions and Developments

12. Does any aspect of the action have a currently valid permit or approval?
   ___ Yes  xx No

13. As a result of proposed action, will existing permit/approval require modification?  ___ Yes  xx No

14. Proposed number of lots The 2 existing lots will remain; only certain common boundary lines will be modified as proposed, and the respective lot areas will remain unchanged

15. Easements or other restrictions on property, particularly right-of-way easements: 39 Middle Lane holds a deeded easement to use the existing driveway on 35 Middle Lane for all driveway and utility purposes.

16. Does applicant or predecessor in title own adjacent property?  xx Yes   ___ No If yes, when did this parcel come into separate ownership? These parcels came into separate ownership pursuant to the January 10, 1985 Resolution of the East Hampton Village Planning Board.

The following questions address general planning concerns.

1. Do new lots have proper vehicular access?  xx Yes   ___ No

2. Is adequate drainage provided for?  xx Yes   ___ No

3. Are utilities readily available?  xx Yes   ___ No
4. Are minor subdivision lots of a shape and configuration making them usable for building?  \( \times \times \) Yes  ____ No

5. Does each lot have proper road frontage?  \( \times \times \) Yes  ____ No

6. If minor subdivision, is each lot created so it does not exceed 150 percent of the lot area requirements of the zone in which it is located and may not be further subdivided?  \( \times \times \) Yes  ____ No

7. Are lots created so that topography does not interfere with their use?  \( \times \times \) Yes  ____ No

8. Is land divided so that it does not create traffic, safety or drainage problems?  \( \times \times \) Yes  ____ No

9. Is division of land consistent with surrounding area?  \( \times \times \) Yes  ____ No

10. Is land divided so that it does not interfere with future planning of community, particularly street layout?  \( \times \times \) Yes  ____ No

11. Are mutual easements used in order to minimize driveway access on public roads?  \( \times \times \) Yes  ____ No

12. Are boundaries created so that they do not attempt to circumvent the Planning Board rules and regulations?  \( \times \times \) Yes  ____ No

CHECKLIST FOR SUBMISSION

The following items are required for a complete application. Please check items satisfied or mark N/A if not applicable. All spaces should be marked.

**Elements of submission:**

- Fee $1,000 plus $750 for each new proposed lot
- 8 copies of up-to-date survey by licensed surveyor
- 8 copies of proposal
Elements of drawings:

SURVEY to show

___ north arrow
___ scale
___ parcel size
___ bearings and distances
___ relation of property to that adjoining
___ Suffolk County tax map number
___ date
___ licensed surveyor

Existing conditions

___ wetlands as flagged
___ wetlands code setback lines
___ area landscaped and/or fertilized within 125 feet of wetlands
___ buildings and structures
___ impervious surfaces
___ sanitary systems
___ topographic information at 2 foot intervals
___ unique or unusual land forms
___ easements
___ deed restrictions
___ roads, driveways
___ right-of-ways
___ woodlands
___ agricultural lands
___ water bodies
___ unvegetated areas
___ flood plain boundaries and designations
___ coastal erosion boundary
___ utilities

Proposed conditions

___ landscaping
___ improvements
___ impervious surfaces
sanitary system
 test hole information
depth to water table

PLAN to show

entire parcel in one ownership
proposed method of subdivision
existing road frontage in feet
road frontage for each proposed lot in feet
all existing structures and setbacks
cesspools and/or septic system
easements or other restrictions on property,
 particularly right-of-way easements
unusual topographic features
vehicular access
drainage
utilities

Please attach any additional information that you feel will help to clarify your project.

Please refer to the following Sections of the Code for Specifications, Plans, and Design Criteria:

Section 252-6 Specifications for preliminary layout
Section 252-7 Specifications for final plat
Section 252-8 Final road and drainage plans
Section 252-9 Design criteria
Section 252-10 Specifications

STATE OF NEW YORK)

ss:

COUNTY OF SUFFOLK)


being duly sworn deposes and says he or she is the owner or agent for the owner of the property described above. That all statements made in this application are true to the best of his or her knowledge and
belief, except as to matters therein stated to be alleged on information and belief and as to the matters he or she believes the same to be true.

Sworn to before me this

9 date of June, 2020

Notary Public

Charles Collins
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02CO6372792
Qualified in Suffolk County
Commission Expires March 26, 20_
FOR YOUR INFORMATION

SUBDIVISION SUBJECT TO
SUFFOLK COUNTY PLANNING COMMISSION REVIEW

NOTE: If this is required, three additional copies of the survey will be needed. The Suffolk County Planning Commission has imposed review fees for which it will bill you directly. The County requires additional information to be included on the survey so please call Village Hall for further details.

I. All proposed subdivisions that wholly or partly lie within one mile of an airport.

II. All proposed subdivisions that lie wholly or partly within 500 feet of:
   
   a. village/town boundary
   b. right-of-way of any existing or proposed county or state road or highway
   c. existing or proposed boundary on any other county, state or federally owned land, held or to be held for governmental use
   d. Atlantic Ocean, Georgica Pond, Hook Pond or estuary or any of foregoing bodies of water.

III. All proposed subdivisions that lie wholly or partly within any area that has been designated a Suffolk County Pine Barrens Zone.

IV. All proposed condominiums within the boundaries of the Village.
Attachment A – Owner Information

Address: 35 Middle Lane, East Hampton, NY 11937
SCTM #: 301-4-11-23.14
Owner: Amphitrite Properties, LLC
Address: c/o Shelley R. Slade
        1121 Crest Lane
        McLean, VA 22101
Telephone: (202) 271-1083

Address: 39 Middle Lane, East Hampton, NY 11937
SCTM #: 301-4-11-23.15
Owner: Georgiana J. Slade, Individually
        Georgiana J. Slade GST Exempt Trust
        Georgiana J. Slade Non-GST Exempt Trust
Address: c/o Georgiana J. Slade
        417 Park Avenue, Apartment 9E
        New York NY 10022
Telephone: (646) 431-6095
AGENT AUTHORIZATION

TO: VILLAGE OF EAST HAMPTON (ALL DEPARTMENTS)
FROM: SHELLEY R. SLADE
SUBJECT: DAYTON, VOORHEES & BALSAM, LLP AGENT AUTHORIZATION – 35 MIDDLE LANE, EAST HAMPTON, NY 11937 (SCTM # 301-4-11-23.14)

I, Shelley R. Slade, being duly sworn, depose and say that I am a Trustee of the Shelley R. Slade GST Exempt Trust and the Shelley R. Slade Non-GST Exempt Trust, which are, in turn, the members of Amphitrite Properties, LLC, owner of the premises at 35 Middle Lane, East Hampton, NY 11937, S.C.T.M. # District 301, Section 4, Block 11, Lot 23.14 and I hereby designate Dayton, Voorhees & Balsam, LLP, Attorneys, to represent and act on behalf of the foregoing as agent and to sign and submit any and all forms, requests and applications related to the subject premises.

This Authorization shall remain in effect until final determination of relevant matters unless the Village is notified in writing by me that this Authorization has been revoked or amended.

Shelley R. Slade, Trustee

ACKNOWLEDGMENT

COMMONWEALTH OF VIRGINIA )
 ) ss.: 
FAIRFAX COUNTY 
Alexandria, City 

On the 30 day of March 2020 before me, the undersigned, a notary public in and for said state, personally appeared SHELLEY R. SLADE, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity as Trustee and that by her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Kathryn Godfrey Owen
NOTARY PUBLIC
My Commission Expires: 2-29-24
AGENT AUTHORIZATION

TO: VILLAGE OF EAST HAMPTON (ALL DEPARTMENTS)

FROM: GEORGIANA J. SLADE

SUBJECT: DAYTON, VOORHEES & BALSAM, LLP AGENT AUTHORIZATION – 39 MIDDLE LANE, EAST HAMPTON, NY 11937 (SCTM # 301-4-11-23.15)

I, Georgiana J. Slade, being duly sworn, depose and say that I am a Trustee of the Georgiana J. Slade GST Exempt Trust and the Georgiana J. Slade Non-GST Exempt Trust, which are, in conjunction with me individually, the owners of the premises at 39 Middle Lane, East Hampton, NY 11937, S.C.T.M. # District 301, Section 4, Block 11, Lot 23.15. I hereby designate Dayton, Voorhees & Balsam, LLP, Attorneys, to represent and act on behalf of the foregoing as agent and to sign and submit any and all forms, requests and applications related to the subject premises.

This Authorization shall remain in effect until final determination of relevant matters unless the Village is notified in writing by me that this Authorization has been revoked or amended.

Georgiana J. Slade

ACKNOWLEDGMENT

STATE OF NEW YORK )
) ss.: 
COUNTY OF Queens )

Pursuant to Governor Cuomo’s Executive Order No. 202.7, on the 26th day of May 2020 before me, the undersigned, a notary public in and for said state, remotely appeared and directly interacted with me via audio-video technology, GEORGIANA J. SLADE, personally known to me or proved to me on the basis of
satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her individual and representative capacities and that by her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

GEORGIANA J. SLADE affirmatively represented to me during the foregoing video conference that she was physically situated in New York County within the State of New York and I indicated that I was located in Queens County, New York. GEORGIANA J. SLADE thereafter transmitted directly to me by fax or other electronic means a legible copy of the signed document on the same date it was signed. I then printed and physically notarized the document as memorialized below.

[Signature]

Notary Public
My Commission Expires: ______________

CAROLYN O. PILGRIM
Notary Public, State of New York
No. 01TO4851321
Qualified in Kings County
Commission Expires Jan. 27, 2022
Pursuant to the application for Certificate of Occupancy heretofore filed, this certifies that the structure(s) located at
35 MIDDLE LANE, Suffolk County Tax Map Number 4-11-23.14
conform(s) substantially to the approved plans and specifications of Permit No. 8735-01 issued 11/26/2001,
and to all of the requirements of the Code of the Village of East Hampton and may be occupied only as:

A two story wood frame single family dwelling containing an unfinished attic and basement; a detached one story two car garage with an
attached apartment containing two bedrooms and one full bath; in-ground masonry swimming pool.

Work Description:

ADDITION

described herein and depicted on the survey dated 12/30/2002 and prepared by Saskas Surveying Company, P.C.

All properties are subject to periodic re-inspection to ensure code compliance and that Certificate of Occupancy may be suspended, revoked,
or amended accordingly. Pursuant to the Code of the Incorporated Village of East Hampton, this certificate is issued to the owner(s) of the
property described herein, currently:

SLADE, JARVIS J.

Kenneth E. Collum, Code Enforcement Officer No. 9140

Dated: 6/6/2017

Robert J. Jahoda, Code Enforcement Officer No. 9143
CERTIFICATE OF OCCUPANCY

Pursuant to the application for Certificate of Occupancy heretofore filed, this CERTIFIES that the structure(s) located at 39 Middle Lane, Suffolk County Tax Map Number 301-4-11-23.15, conform(s) substantially to the approved plans and specifications of Application No. 8939 for a building permit (received 12/5/02 and issued 2/19/03), and to all of the requirements of the Code of the Incorporated Village of East Hampton and may be occupied (only) as is described below herein and as is depicted on the survey prepared by George Walbridge Surveyors, P.C. dated 16 April 2004.

Primary Structure: Preexisting nonconforming (to current minimum required set backs pursuant to local zoning) two story (with unfinished basement containing storage/mechanical spaces only and no attic) single family frame dwelling with stepping stone walk at front, side and rear, stepping stone entry/patio at rear, metal/masonry cellarway at rear, stepping stone walk/patio/entry at side, wood/masonry cellarway at side and stepping stone walk at side/front.

Accessory Structure(s): Detached preexisting nonconforming (to current minimum required set backs pursuant to local zoning) one story (no basement or attic) frame accessory structure (unimproved horse stable, roofed and enclosed on three sides).

The following local agency approvals or determinations are noted to be on file and applicable to these premises: Zoning Board of Appeals Determinations adopted 10/2/87 and 5/29/92 and Planning Board Determination adopted 1/10/85 (specific restrictions applicable as contained therein).

Please note that all properties are subject to periodic re-inspection to ensure code compliance and that this Certificate of Occupancy may be suspended, revoked, or amended accordingly.

This certificate is issued to Jarvis J. Slade as Trustee, owner of the property herein described in accordance with the provisions of the Code of the Incorporated Village of East Hampton.

Receipt Number A-55242
Dated: 10 January 2005

Code Enforcement Officer
June 9, 2020

Planning Board
Village of East Hampton
86 Main Street
East Hampton, New York 11937

Re: Subdivision (i.e., Lot Line Modification) Application - 35 Middle Lane, East Hampton, NY 11937 (S.C.T.M. # 301-4-11-23.14) & 39 Middle Lane, East Hampton, NY 11937 (S.C.T.M. # 301-4-11-23.15)

Dear Planning Board:

The law firm of Dayton, Voorhees & Balsam, LLP serves as Agent for the owners of the referenced premises in connection with the enclosed Subdivision (i.e., Lot Line Modification) Application. As demonstrated more fully by the enclosed application form and supporting materials, we request the Planning Board’s approval to modify certain common boundaries that separate the properties located respectively at 35 Middle Lane and 39 Middle Lane.

Enclosed please find Check # 216 payable to the Village of East Hampton in the sum of $1,000 to cover the fee associated with this application.

Enclosed also are the following:

- Subdivision Application
- Agent Authorizations
- Most recent occupancy certificate for each property
- Eight collated sets of the most recent survey for each property and the “35 & 39 Middle Lane LLM” which depicts, among other things, the existing and proposed property lines for the subject parcels.

Please feel free to contact me at john@dvbllp.com with any comments or questions. Thank you for your consideration.

Respectfully,

DAYTON, VOORHEES & BALSAM, LLP

[Signature]

John Huber

Enclosure(s)