

Planning Board
May 14, 2020
11:00 a.m.
via Video-Conferencing and
Published by Local TV, Inc.

Those present were:

Philip O'Connell, Chairperson
Obron Farber, Member
John S. Tarbet, Member
D. Walker Wainwright, Member
J. Kenneth Wessberg, Member
Elizabeth Baldwin, Village Attorney
Billy Hajek, Village Planner
Daniel Gelormini, Architect on behalf of David Andrew Trust
Revocable Trust
Alfred Wojciechowski, Architect on behalf of David Andrew Trust
Revocable Trust
Britton Bistran, Agent on behalf of Hook Pond Lane LLC and
15 Hook Pond Lane, LLC
Jason Nower, LTV Moderator
Pamela J. Bennett, Deputy Clerk

MINUTES

Mr. O'Connell: All right, good morning everyone. Jason, are the applicants on the line also, can you tell?

Mr. Nower: Let us see, I am going to start the call right now.

Ms. Bennett: Phil, if you want to give them some time, do you want to do the minutes and the adjournment first?

Mr. O'Connell: Sure, good idea. Well welcome everybody to the first ever virtual Planning Board meeting for East Hampton Village. So today is May 14th and it is 11:00 a.m. The first order of business is the minutes...

Ms. Baldwin: Phil, maybe just check, make sure, did we lose John?

Mr. O'Connell: We have Pam, Ken, Billy, me, Walker and Obron so we have a quorum.

Ms. Baldwin: Okay.

Mr. Nower: Yes, I believe we lost John, we have another person who is trying to join.

Mr. O'Connell: Did everybody have an opportunity to review the minutes?

Mr. Wessberg: Yes.

Mr. O'Connell: Were there any changes or points that you would like to discuss about the minutes?

Mr. Tarbet: I am in now.

Mr. O'Connell: Great, welcome John, happy to see you.

Mr. Tarbet: I do not know what happened but I am in.

Mr. O'Connell: Okay good and you are on tv also. Do we have a motion to accept the minutes as written?

Mr. Wessberg: I make a motion.

Mr. Tarbet: Second.

Mr. O'Connell: All in favor? Aye.

Mr. Wainwright: Aye.

Mr. Wessberg: Aye.

Mr. Tarbet: Aye.

Mr. O'Connell: It is passed unanimously.

ADJOURNMENT
EH 226 LLC – 226 Further Lane and
Furtherfarm, LLC – 218 Further Lane

Mr. O'Connell: The next order of business until the other applicants arrive is there is a letter from Ackerman, Pachman, Brown & Goldstein LLP respectfully requesting an adjournment of the scheduled May 14th Planning Board meeting on 218 and 226 Further Lane which we shall grant. If there is no objection, all in favor?

Mr. Wessberg: Aye.

Mr. Tarbet: Aye.

Ms. Farber: Aye.

Mr. Wainwright: Aye.

Mr. O'Connell: All right, so moved.

REQUEST FOR SCREENING APPROVAL
David Andrew Trust Revocable Trust – 27 Windmill Lane

Mr. Nower: We currently have three callers on the line and I can unmute them accordingly.

Mr. O'Connell: Okay so let us go for the request for screening approval by David Andrew Trust Revocable Trust, 27 Windmill Lane.

Mr. Nower: I am going to unmute all parties one by one to make sure they are there for the right hearing.

Mr. O'Connell: Okay.

Ms. Farber: Philip, whenever you suggest, I have some comments on this.

Mr. O'Connell: Okay.

Mr. Nower: Applicant, you are on the air. One more.

Mr. Gelormini: Daniel Gelormini from cbt architects here for 27 Windmill Lane.

Mr. O'Connell: Excellent. Can you hear us Daniel?

Mr. Gelormini: Yes. I can.

Mr. Nower: I have one more applicant, let me unmute them. Applicant, you are on the air.

Ms. Bistran: This is Britton Bistran, I am here for 15 and 11 Hook Pond Lane LLC.

Mr. Nower: Okay.

Mr. O'Connell: Hi Britton. We are going to mute you or you can mute yourself, we are just going to go through 27 Windmill Lane first, and then we will move onto 11 Hook Pond Lane and 15, okay?

Ms. Bistran: Okay, thanks.

Mr. O'Connell: Daniel, do you want to go first, do you want to say what you want to say.

Mr. Gelormini: Sure, I am calling in to request screening of the existing landscaping for 27 Windmill Lane. We are requesting the screening because it is required based on a 1975 determination that any accessory buildings added to the site require Planning Board approval, the screening. Based on the existing mature landscaping and the well-maintained landscaping, we feel as though it satisfies the requirements, what was intended in that 1975 determination, and I am happy to go through some of the documents if you have any particular questions, I am happy to answer those as well.

Mr. O'Connell: Okay so let us just hold off on that for a moment. I am sure everybody saw that the Zoning Board was also required to review this and passed this. Obron, you had some comments on this?

Ms. Farber: Yes, I believe there is some bamboo on that property that, I just wonder if anyone has any interest in removing that bamboo just because we have an opportunity now to make note of it and recognize that it is not real

welcome in our community so is this a good time that somebody might look at that issue.

Mr. O'Connell: There really, there needs to be a nexus between what they are requesting and approval of this screening and the removal of the bamboo, I am not seeing it here, I am not sure if anybody else is, but maybe the applicant would like to comment on the bamboo and what the intention is, Daniel?

Mr. Wojciechowski: This is Alfred.

Mr. O'Connell: Alfred, could you just state your full name for the record.

Mr. Wojciechowski: Yes, it is Alfred Wojciechowski with cbt, we are the architecture firm, I am the partner of the firm, and Daniel is the architect project manager. Our intention is to preserve all of the existing landscaping on the property both screening and general beauty of the property, that is where we are at. There is a beautiful 100-year-old cherry tree that we are putting the accessory structures around, there are other mature plantings that are continuously being maintained with pesticide-free products, it is truly one of the beautiful properties, small properties in the area.

Mr. O'Connell: Okay, thank you.

Ms. Farber: I agree and I in fact, I think it is a beautiful property, and I think that all of the information that we have including Billy's Hajek's information from his memo of April 4th is really valuable. I would to take this opportunity to say that as a Planning Board, we are now being, should I continue?

Mr. O'Connell: For those of you who are not talking, please mute, we have a barking dog and a backing up truck.

Ms. Farber: Oh, is that what that sound was, okay.

Mr. Wainwright: Sorry, that is my dog.

Ms. Farber: Okay, we are being...

Mr. O'Connell: Keep talking Obron.

Ms. Farber: We are being asked to look at some findings that were made in 1975 by a prior Planning Board and I want to just take a moment, since we have it, to comment on this opportunity that we have to look at how we have to consider what prior Planning Boards have considered and recognize the importance of the word planning in the title of our group because we do not know how prescient any of our decisions are but we I think pretty much all agree that we really do need to respect decisions made by prior Planning Boards and before we overrule any findings, we really need to give careful consideration to that. And it is a little bit tricky because we live in a world, I mean here we are, look at the Zoom meeting, we live in a world where things are changing really fast and I often feel in our meetings that, that there is a sense of urgency by applicants who bring issues to our Board that very often is not considering neighbors and decades into the future. But this application is a really beautiful application. I think that this is not, I do not get the impression that this is an applicant who thinks that the rules do not apply to them, and I do not think there is any sense of entitlement, in fact, the opposite. I am really impressed with this property, I love the letters that came from the landscapers that talk about the non-toxic manner in which this property has been maintained over the years, and the idea that the Planning Board, back in 1975, said you know if you are going to be changing this property, then we need to keep the neighbors in mind. I think that is really beautiful and I think it would be really good if today and moving forward the Planning Board was more sensitive to that kind of consideration because this is an applicant who has really, as is proof by the letters of people who have taken care of his property, has taken beautiful care of this property and the fact that the architects have been enlisted to also consider the old plantings on the property and work around it. I just think it, I am really delighted to have the opportunity to say you know what, yes, we are looking at a finding from 1975 but I totally feel good about this applicant's request.

Mr. O'Connell: Great. Anybody else have any comments?

Mr. Tarbet: Yes, I agree with everything Obron said. This property has been carefully maintained and good guardianship of the property and I think it complies with the original intent of the Planning Board back. He has screened out his neighbors, I do not have any problem with this application.

Mr. O'Connell: Excellent. I make a motion to approve the application.

Ms. Farber: I second it.

Mr. O'Connell: All in favor?

Mr. Wainwright: Aye.

Mr. Wessberg: Aye.

Ms. Farber: Aye.

Mr. Tabet: Aye.

Mr. O'Connell: Unanimously passed. Thank you Alfred, thank you Daniel, do you have any other comments?

Mr. Wojciechowski: Thank you.

Mr. Gelormini: Thank you.

Mr. Wojciechowski: Thanks so much everyone.

LOT LINE MODIFICATION
Hook Pond Lane LLC, 11 Hook Pond Lane
15 Hook Pond Lane, LLC, 15 Hook Pond Lane

Mr. O'Connell: Britton, if you could unmute yourself and we will talk about your application, please.

Ms. Bistran: Good morning, Chairman, Members of the Board, as I noted this is Britton Bistran, I am representing Hook Pond Lane LLC and 15 Hook Pond Lane, LLC, both of which are LLC's owned by the Cumming family. In front of you today for a lot line modification to transfer 12,220 square feet from 11 to 15. Both lots are you noted are significantly undersized in the zoning district, however, this adjustment will make the two lots more similar in size, that is the owner's intent. They both, they do not meet the 160,000 by a long shot but the proposal does make 15 less nonconforming and more appropriate in size to its neighbor. I know there were a lot of things in Billy's memo asking for, you know this is an initial review, so asking for an EAF and some map revisions and we are happy to work on all those items as well as seeking a variance from the Zoning Board.

The only question I had was if we did receive any Fire Marshal comments, I would like to address those so we can do one round of revisions and come back to the Board with something that is close to complete. That is all I have unless you have questions of me.

Mr. O'Connell: One thing, we just need for the file authorization that you are representing both parties because I did not see that letter in the application.

Ms. Farber: It is on the last page.

Mr. O'Connell: Oh, it is, okay, I missed it, thank you.

Ms. Bistran: Pretty sure I did.

Mr. O'Connell: Okay, great, thanks. So, you reviewed Billy's memo and you are going to, we are just going to, we will wait to get the EAF Part I, we are not going to declare Lead Agency at this time. I do have a bit of a concern that the modification may create a situation where the applicant is seeking future variances for GFA, coverage, and/or setbacks so I just want to keep that in mind. And then we do need to find out from the Fire Marshal, so let us submit to the Fire Marshal to see if this is going to require a FAAR road because if it requires a FAAR road, we are going to have to go to 26 feet and then you are going to have to get all the neighbors on the street to agree to that. And then the other thing that we have is we have the wetlands with that little arm of Hook Pond fairly close to the street so we may have another issue there. The majority of this is mostly outlined in Billy Hajek's, the Village Planner's memo, which was an outstanding memo addressing all the points. So next step here, Billy, we will refer this out to Ken Collum for review with regard to the FAAR road?

Mr. Hajek: Yes, it is the Board's decision to refer it to Kenny so I would recommend you do that.

Mr. O'Connell: Absolutely.

Mr. Hajek: It is not just the matter of widening the road, there might be some physical implications to it because there is a dreen or a ditch, culverted ditch, that extends under the road so it is a complicated matter.

Mr. O'Connell: Okay. Does anybody else have any comments?

Ms. Farber: I just have an emotional comment which is where I am on this Board you guys all know that and that is that this family, I cannot believe we have two such applicants in one day as opposed to any difficult discussions. I just want to comment that I am familiar with this, that this family has shown great respect for the tradition of maintaining the historic beauty on their various properties in the center of our Village and I appreciate that.

Mr. O'Connell: Okay. Any other comments? Britton, do you have anything else?

Ms. Bistran: Not at this time.

Mr. O'Connell: Okay so let us refer this out to Ken Collum, the Fire Marshal and Code Enforcement Officer, and get his take on the FAAR road requirement and then this can be taken up at the next meeting. Does that sound good to everybody?

Ms. Farber: Yes.

Mr. Wessberg: Yes.

Mr. Wainwright: Yes.

Mr. Tarbet: I am good with that.

Mr. O'Connell: This will be my last Planning Board meeting so I just want to thank all my colleagues and fellow Board Members, Billy Hajek our Village Planner, and Beth Baldwin the Village Attorney for being so supportive and helpful throughout all these hearings and processes so thank you all. Do I have a motion to adjourn the meeting?

Mr. Wessberg: I make a motion.

Mr. O'Connell: All right, all in favor?

Mr. Wessberg: Aye.

Mr. Wainwright: Aye.

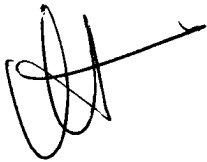
Mr. Tarbet: Aye.

Ms. Farber: Aye.

Mr. Wessberg: Good luck Phil.

Mr. O'Connell: Thanks, take care.

FILED
VILLAGE OF EAST HAMPTON, NY
DATE: June 11, 2020
TIME: 3:00 p.m.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.