

Appendix F-12
Carolyn Zenk, Esq. Letter

November 28, 2016

Carolyn A. Zenk
Attorney at Law
143 West Montauk Highway
Hampton Bays, New York 11946
Phone/fax: 631-723-2341

Southampton Town Board
Southampton Town Hall
116 Hampton Road
Southampton, New York 11968

November 28th, 2016

Re: Hills at Southampton *Draft Environmental Impact Statement*, dated September 2016
CHEATING/SUBSTITUTING & ADDING DOCUMENTS WITHOUT NOTICE

Dear Supervisor Schneiderman and Members of the Town Board:

PLEASE BE ADVISED that we have discovered serious **CHEATING** and **DISHONESTY** on the part of Discovery Land Company, for the Planned Development District change of zone for "The Hills at Southampton." Discovery Land Company has significantly altered the September 2016 *Draft Environmental Impact Statement without notice to the public*. Specifically, a third volume was added to the previously submitted, two volume September 2016 DEIS, which was released to the public for review. Furthermore, a critical map, which was prepared as late as *October*, has simply been slipped into the *September* DEIS 2016 document, *after the fact*.

PLEASE BE ADVISED that the substitution of an entirely different September DEIS renders the Town Board's resolution, which found a different DEIS complete for public review moot. **A GROSS PROCEDURAL ERROR EXISTS.**

I have attached proof of Discovery's unauthorized modifications. The cover sheet to the September 2016 Draft Environmental Impact Statement, which was handed out to the public, via disk, is attached as **Exhibit A/Two volume DEIS from disk supplied to public by Town Clerk's office staff**. The cover of the document makes it clear that the DEIS was once only *two* volumes. In sharp contrast, a second exhibit, which was taken from the Town's website, indicates that the DEIS document is now *three* volumes. See **Exhibit B/Three volume DEIS**. The Town Clerk's office now has a three volume set.

I have also attached what appears to be a new table of contents, which reads "Volume *III* of *III*" as **Exhibit C/New table of contents**. It indicates that the document contains a *single* yield map, "Yield Map, Hills at Southampton [Hills and Kracke Properties], N&P, LLP, *December 2014*." When one checks the DEIS that was *originally* handed out to the public and the *new* DEIS contained on the Town's website, one will only find a single yield map for two of the three properties-the Hills main parcel and Kracke. See **Exhibit D/Yield map for Hills/Kracke only**.

RECEIVED
TOWN OF SOUTHAMPTON
NOV 29 2016

2016 DEC -1 AM 11:58

RECEIVED

F-12.1
Sec. 1.4



Carolyn A. Zenk
Attorney at Law
143 West Montauk Highway
Hampton Bays, New York 11946
Phone/fax: 631-723-2341

Yet, when one checks the hard copy on file at the Town Clerk's office, one now finds *two* yield maps in the DEIS. The first is dated *December 2014*. **Exhibit E/Yield map for the Hills main parcel and Kracke only**. The second yield map, which CLEAN has never seen before, is entitled, "Yield Map for Parlato Property". It is dated *October 2016*. **Exhibit F/Yield Map Parlato**. The October date clearly indicates that this document was inserted into the *September 2016* DEIS. Unlike any of the other pocket parts in the hard copy of the DEIS at Town Hall, two maps are shoved into one pocket part. **THIS NEW PARLATO YIELD MAP IS NOWHERE TO BE FOUND ON THE ORIGINAL DEIS HANDED OUT TO THE PUBLIC NOR IS IT FOUND ON THE TOWN'S WEBSITE VERSION.**

CONCLUSION

CLEAN calls for the rejection of "The Hills" PDD. There have been a series of serious procedural irregularities, misstatements, and frauds, which indicate that this application should have been rejected by the Town Board long ago.

Respectfully,



Carolyn Zenk
Attorney at Law/Vice President of CLEAN

Enclosures: Proof of illegal modification of Discovery's DEIS

ORIGINAL
- Source - Disk from Town Clerk's office



DRAFT Environmental Impact Statement
The Hills at Southampton
Mixed-Use Planned Development District (MUPDD)

Town of Southampton, Suffolk County New York
Volume I of II (Main Text, Figures and Plans)



Exhibit A - 2 Volume DEIS
supplied to public by
Town Clerk's office staff

September 2016

- Source Town's Website +
Town Clerk's office -



DRAFT Environmental Impact Statement
The Hills at Southampton
Mixed-Use Planned Development District (MUPDD)
Town of Southampton, Suffolk County, New York
Volume I of III (Main Text and Figures)

✓



- Exhibit B New 3 Volume OEIS
posted on Town Website
& hard copy Clerk's office -

September 2016

TABLE OF CONTENTS
✓ Volume III of III

Boundary Survey of Parcels A, D, E, F, G, H, I, J, K, L, M [Hills Property], N&P, LLP,
August 23, 2016

Boundary Survey of Property, [Kracke Property], N&P, LLP, checked 4/5/16

Survey of Property, [Parlato Property], N&P, LLP, revised 8/23/16

Road Abandonment Strategy #1, N&P, LLP, 8/23/16

Master Plan, VITA Planning and Landscape Architecture, March 24 2016

✓ Yield Map, Hills at Southampton [Hills and Kracke Properties], N&P, LLP, December 2014

Landscape Concept Plan, VITA Planning and Landscape Architecture, March 24, 2016

Preliminary Plant List, VITA Planning and Landscape Architecture, March 24, 2016

Color-Coded Master Plan, VITA Planning and Landscape Architecture, March 24, 2016

Conceptual Lighting Sketch, N&P, LLP, 2/29/2016

Erosion Control Plans (3 sheets), N&P, LLP, 3/14/16

Alternative 2a: Hills South Parcel, VITA Planning and Landscape Architecture, September 13,
2016

Alternative 2a: Kracke Property, VITA Planning and Landscape Architecture, September 13,
2016

Alternatives 2a, 2b & 3: Parlato Property, VITA Planning and Landscape Architecture,
September 13, 2016

Alternative 2b: Hills South Parcel/Kracke Property, VITA Planning and Landscape
Architecture, September 13, 2016

Alternative 3: Hills South Parcel/Kracke Property, N&P, LLP, September 13, 2016

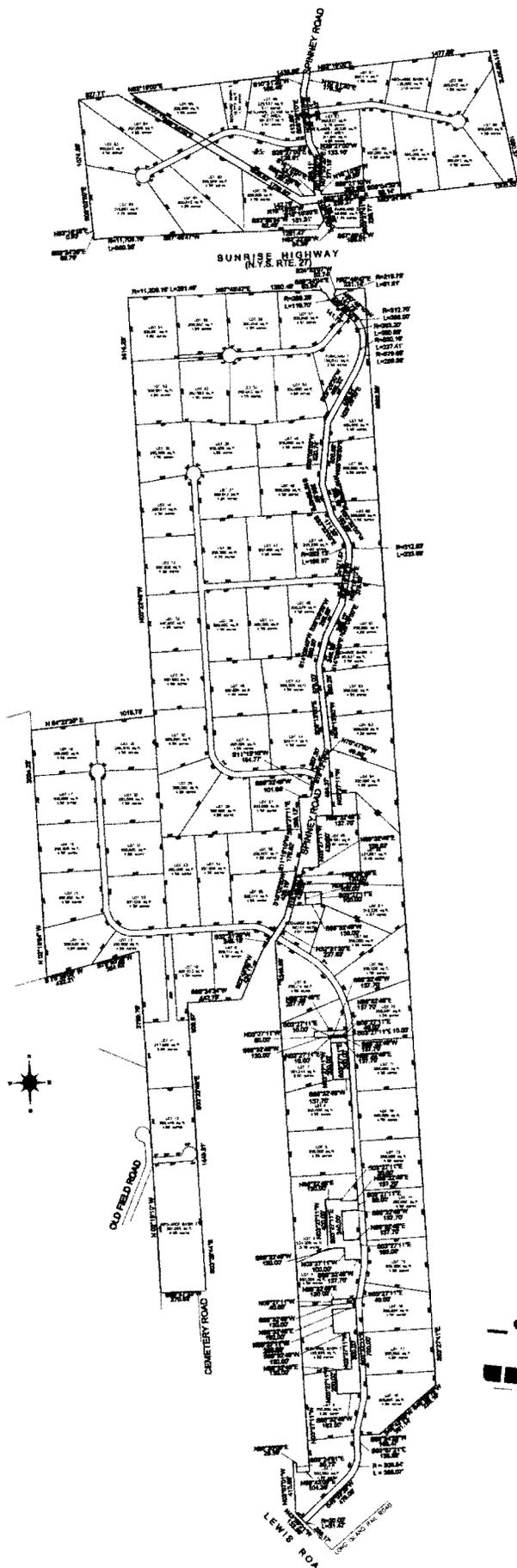
Alternative 4: Hills South Parcel/Kracke Property, N&P, LLP, September 13, 2016

Alternative 7: Hills South Parcel/Kracke Property, VITA Planning and Landscape
Architecture, September 13, 2016

Alternative 7: Parlato Property, VITA Planning and Landscape Architecture, September 13,
2016

- Exhibit C | *New Table Contents*
DEIS w/ map listed

- Source: original disk handed to public by Clark & Town's website



- Exhibit D/ Yield Map Hills/ Kracker only

- Note: No parlato yield map/ illegally added later

NOTE: REVISIONS TO BE SUPPLIED BY JACKSON POOLS

REVISIONS		DATE		APPROVED	
NO.	DATE	APPROVED	DATE	APPROVED	DATE

PREPARED BY: JACKSON POOLS
 DESIGNED BY: JACKSON POOLS
 DRAWN BY: JACKSON POOLS
 CHECKED BY: JACKSON POOLS
 DATE: DEC 2014

N&P NELSON & POPE, LLP
 100 WEST 100TH STREET, SUITE 100
 NEW YORK, NY 10024
 TEL: 212-850-8000
 FAX: 212-850-8001

SUBMITTED: 6/15
 DATE: DEC 2014
 DATE: DEC 2014
 1" = 200' (PLAT) 1/8" = 200' (SHEET)
 1 OF 1

- Source: Town Clerk hand
copy 3 volume DEIS -

5/2/11

HING POOLS.

APP'D	DATE					
		<p>✓ YIELD MAP ✓ HILLS AT SOUTHAMPTON SITUATED AT EAST QUOGUE TOWN OF SOUTHAMPTON, SUFFOLK COUNTY NEW YORK</p>				
			NELSON & POPE, LLP ENGINEERS • DESIGNERS • SURVEYORS 572 WALT WHITMAN ROAD, MELVILLE, N.Y. 11747-2188 (516) 427-5665 FAX (516) 427-5620			
			SUBMITTED: _____ APPROVED: _____ N.Y.S. LIC. No. TOWN ENGINEER			
		DESIGNED: GEO	DATE: DEC. 2014 ✓	SCALE: 1" = 300'	JOB# 14003	SHEET
		CHKD. CV	DATE: DEC 2014 ✓		FILE# 900-250	1 OF 1

- Exhibit E / Yield Map Hills /
Kraeke only -

24	00,000
1	58,000 SF
3	
5	9,266 SF

- Source: Town Clerk
Hard Copy 3
Volume DEIS

EA: 38.54 ACRES (1,678,817 SF)

EA: 55.71 ACRES

EA: 94.25 ACRES

EA: 94.25 ACRES

NS: 1.68 ACRES (73,141 SF)

EA: 92.57 ACRES

REVISIONS:

BY:

YIELD MAP

FOR

✓ PARLATO PROPERTY

SITUATED AT

EAST QUOGUE

TOWN OF SOUTHAMPTON, SUFFOLK COUNTY, NEW YORK

PROJECT NO.: **14003**

DRAWN BY: **GEO**

CHECKED BY: **CV**

DATE: **✓ OCTOBER 2016**

SCALE: **1" = 100'**

FILE NO.: **900-250**

CADD: **14003 YM PARLATO 2**

DRAWING NO.:

C-101

SHEET NO.: **1 OF 1**



NELSON & POPE

ENGINEERS & SURVEYORS
572 WALT WHITMAN ROAD, MELVILLE, N.Y. 11747
PHONE (631) 427-5665 FAX (631) 427-5620
WWW.NELSONPOPE.COM

- Exhibit F / Oct 2016 yield map
slipped into Sept 2016
DEIS

Note: Town Website does
not include this map
on disk handed to public