

# BURKE & SULLIVAN, PLLC

*Attorneys at Law*  
*Est. 1970*

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Southampton, New York 11968

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*NYS Supreme Court Justice (2000-2007)*  
*Southampton Town Justice (1994-1999 / 2008-2015)*

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JOSEPH M. BURKE, Esq.

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Of Counsel:

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KIERAN PAPE-MURPHREE, Esq.

**Writer's email: [tmcculley@burkeandsullivan.com](mailto:tmcculley@burkeandsullivan.com)**

April 12, 2017

Hon. Jay Schneiderman, Supervisor  
Town of Southampton  
116 Hampton Road  
Southampton, NY 11968

RE: Petition for a change in the Zoning Map – Change of Zone  
5 Cedar Lane, Noyac  
SCTM No. 900-6-1-44

Dear Mr. Supervisor:

We represent the current owner of the above property which is adjacent (North) of the current Cromers Market property, which is currently leased by our client's company. Since the Town recently reconfigured Noyac Road, our client has been exploring the possibility of requesting a re-zoning of the adjacent property. It is currently zoned as residential (R-40) but comprises only 5,233 square feet (0.1201 Acres).

On behalf of the client we have examined the Town Master Plan and in particular the Noyac Hamlet Study produced in 2004. That study recommended a change to Noyac Road to control access to parking on the neighboring Cromers Market property. The report also recommended a change in zoning from Village Business to hamlet Commercial for the Cromers/Whalebone Landing site which is located adjacent to the above referenced property. Each of these two recommendations listed in the report were subsequently enacted by the Town.

One element of the study discussed including 5 Cedar Lane in the Hamlet Commercial Zone to be used in conjunction with the Cromer's Market property to provide additional formal parking for the Cromer's parcel. We are including sections of the Noyac Hamlet Study, 2004, showing the current informal parking as well as a conceptual sketch (Sketch 6: Illustrative Concept, in the study) of the 5 Cedar Lane property with formal parking.

Based upon the support of the Noyac Hamlet Study, our client would like to request a re-zone of the 5 Cedar Lane property from R-40 to Hamlet Commercial (HC). This proposed re-zone will follow the recommendation of the study. This petition request has been made in accordance with

*Date: April 17, 2017*  
*Re: Petition for a change in the Zoning Map – Change of Zone*  
*Premises: 5 Cedar Lane, Noyac*  
*Page: Page 2 of 2 Pages*

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Town Code Section 330-185(A). In support of this petition, the following information and materials have been provided for review:

Owner:

No. 5 Cedar Lane LLC  
c/o Anthony Lawless  
3500 Noyac Road  
Sag Harbor, NY 11963

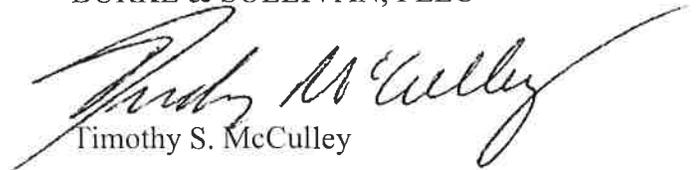
1. Petition fee in the amount of \$2,500 check issued by Cromer's Southampton Market, Inc. dated 3/12/2017, no. 20888
2. Four (4) copies of the site plan survey as prepared by Barylski Land Surveying last dated October 13, 2015
3. Four (4) copies of the meets and bounds description of the property
4. Four (4) copies of neighboring property identification including tax map
5. Four (4) copies of the sections of the Noyac Hamlet Center Study for the subject area.

Property is located within Noyac Fire Protection Area and within the Sag Harbor school district.

Your consideration of this petition request would be greatly appreciated. Of course if you require additional information do not hesitate to contact this office.

Thanking you for your courtesies, I remain

Very truly yours,  
BURKE & SULLIVAN, PLLC



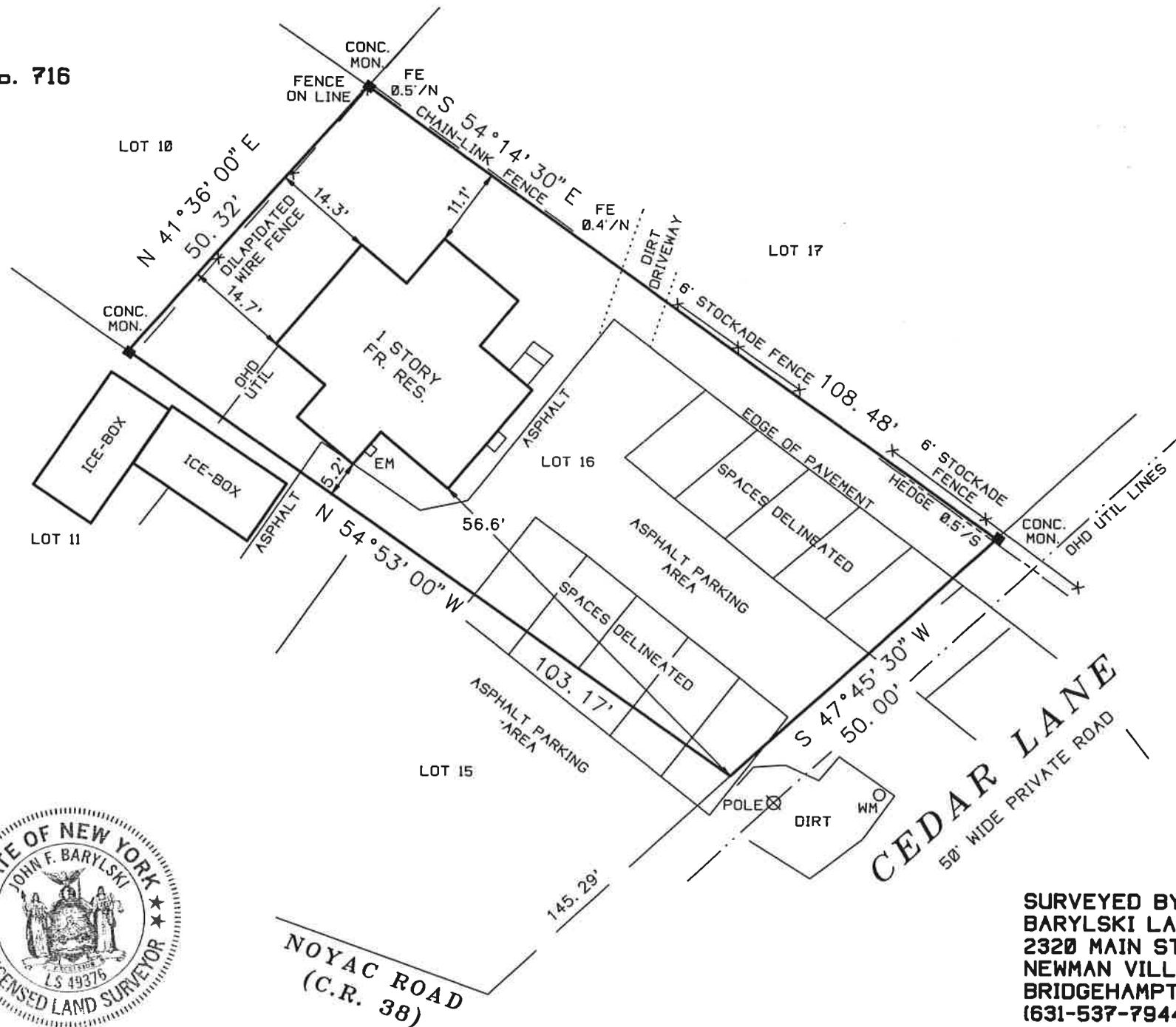
Timothy S. McCulley

TSM/er

cc: Kyle Collins, AICP, Town Planning and Development Administrator

SURVEYED FOR NO. 5 CEDAR LANE, LLC  
 PROPERTY LOCATED AT NOYACK  
 LOT No. 16  
 MAP OF G. INNESS HARTLEY  
 FILED: SEPTEMBER 18, 1931; FILE No. 716  
 TOWN OF SOUTHAMPTON  
 SUFFOLK COUNTY, NEW YORK  
 S.C.T.M. # 900-006-01-44  
 AREA = 5.233 SF. = 0.1201 ACRES  
 SCALE: 1"=20'

NOTE: THE EXISTENCE OF RIGHT OF WAYS,  
 WETLANDS AND/OR EASEMENTS OF RECORD  
 IF ANY, NOT SHOWN ARE NOT GUARANTEED.



UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION  
 OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW.

COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYORS INKED  
 OR EMBOSSED SEAL SHALL NOT BE CONSIDERED TO BE A VALID TRUE COPY.

GUARANTEES OR CERTIFICATIONS INDICATED HEREON SHALL RUN ONLY TO  
 THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS BEHALF TO  
 THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION  
 LISTED HEREON, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION.  
 GUARANTEES OR CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL  
 INSTITUTIONS OR SUBSEQUENT OWNERS.



SURVEYED BY:  
 BARYLSKI LAND SURVEYING  
 2320 MAIN ST. P.O. BOX 1302  
 NEWMAN VILLAGE CONDO.  
 BRIDGEHAMPTON, NEW YORK  
 (631-537-7944)  
 OCTOBER 13, 2015

## BARYLSKI LAND SURVEYOR P.C.

P.O. BOX 1302  
NEWMAN VILLAGE CONDO, UNIT 1  
MAIN STREET, BRIDGEHAMPTON, N.Y. 11932  
PHONE: 631-537-7944 FAX: 631-537-5913

March 13, 2017

### DESCRIPTION OF SCTM # 900-006-01-44

ALL that certain plot or parcel of land situate and being in Noyac, in the Town of Southampton, County of Suffolk and State of New York. Said parcel being known as Lot 16 on a certain map entitled "Map of G. Inness Hartley", said map being filed with the County Clerk on September 18, 1931, as File Map No. 716, said parcel to be described more particularly as follows:

**BEGINNING** at a point on the northwest side of Cedar Lane, said point being the intersection of the south side of Lot 16 with the northwest side of Cedar Lane and said point being 145.29' as measured northeasterly along the northwest side of Cedar Lane from the point of intersection of the northwest side of Cedar Lane with the north side of Noyac Road.

**RUNNING** thence northwesterly from said point or place of beginning North  $54^{\circ}-53'-00''$  West a distance of 103.17' to a point and Lot 10.

**RUNNING** thence northeasterly along Lot 10 North  $41^{\circ}-36'-00''$  East a distance of 50.32' to a point and Lot 17.

**RUNNING** thence southeasterly along Lot 17 South  $54^{\circ}-14'-30''$  East a distance of 108.48' to a point and the northwest side of Cedar Lane.

**RUNNING** thence southwesterly along the northwest side of Cedar Lane South  $47^{\circ}-45'-30''$  West a distance of 50.00' to the point or place of beginning.



Revisions  
 01-22-97  
 07-15-98  
 11-13-98  
 06-14-00  
 05-09-01  
 09-14-01  
 09-18-01  
 08-30-02  
 10-15-02  
 02-05-03  
 11-02-06  
 01-11-07  
 03-24-10  
 06-03-10  
 04-28-14  
 11-05-14

N 307.082 E 1.441.007  
 N 305.182 E 1.441.007  
 N 307.082 E 1.441.007  
 N 305.182 E 1.441.007

PARCELS 001-040 & 056, BLOCK 01, ARE IN  
 BLOCK "L" OF PINE NECK SUBDIVISION MAP.



NOYACK BAY



Property or RW Line	Subdivision Lot No	Block Limit
Divides Common Owner	Subdivision Block/Bag No	Stock No
Subdivision Lot Line	Deed Dimension	County Line
Stream / Shore	Scaled Dimension	Town Line
Parcel No	Deed Area	

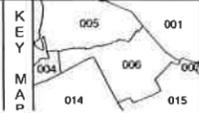
Fire District Line	Water District Line	Light District Line	Park District Line
SCH	F	W	L
H	HST	A	P
Hydrant District Line	Historical District Line	Ambulance District Line	Wastewater District Line
H	HST	A	VW

UNLESS DRAWN OTHERWISE, ALL PROPERTIES ARE WITHIN THE FOLLOWING DISRICTS:	
SCHOOL 14	SEWER
FIRE 40	HYDRANT
LIGHT 50	WATER
PARK	REFUSE
AMBULANCE	WASTEWATER

NOTICE
MAINTENANCE, ALTERATION, SALE OR DISTRIBUTION OF ANY PORTION OF THE SUFFOLK COUNTY TAX MAP IS PROHIBITED WITHOUT WRITTEN PERMISSION OF THE



COUNTY OF SUFFOLK ©  
 Real Property Tax Service Agency  
 County Center Riverhead, N Y 11901  
 SCALE IN FEET:  
 100 0 100 200



TOWN OF SOUTHAMPTON  
 VILLAGE OF  
 DISTRICT NO 0900

SECTION NO  
**006**



# Town of Southampton

Online Information

## Property Information

Property Address:

**5 Cedar Ln  
Noyac**

Owner(s):

**No. 5 Cedar Lane LLC**

Since: **11/2015**

Tax Map Number: **473689 006.000-0001-044.000**

Zoning: **R40**

Property Class: **One Family Year-Round Residence (No Waterfront)**

Subdivision: **G Inness Hartley**

PRIMARY MAILING:

Minor Subd:

**No. 5 Cedar Lane LLC  
c/o Anthony Lawless  
5 Cedar Ln  
Noyac NY 11963**

Filed Map #: **716** Filed Date: **09/18/1931**

FEMA Flood Zone (Bldg): **X** BFE: **0**

Wetland Inventory: **NO**

### Overlays

Agricultural Overlay: **NO**

Aquifer Protection Overlay: **NO**

Central Pine Barrens: **NO**

Stormwater Management Zone: **YES**

Groundwater Management Zone: **ZoneIV**

## Tax Information

S.C. Item #: **718897.00**

Tax Detail For Fiscal Year 2016  
Tax Detail For Fiscal Year 2015  
Tax Detail For Fiscal Year 2014  
Tax Detail For Fiscal Year 2013

[View](#)  
[View](#)  
[View](#)  
[View](#)

[Duplicate Tax Bill](#)

## Mass Appraisal Information

Information For Fiscal Year 2016  
Information For Fiscal Year 2015  
Information For Fiscal Year 2014  
Information For Fiscal Year 2013

[View](#)  
[View](#)  
[View](#)  
[View](#)

## Sales Information

Recent Sales

[View](#)

## Permits Information

\*\*\*Permits are always linked with the active parcel at the time a permit is issued. If a modification is made to a parcel resulting in the parcel being retired, the permit will remain on the parcel it was issued on. If you see \*\*\*, this means the permit was originally issued on the retired mother parcel and may be associated with the current parcel.

Permit #C17465 (Nov 1996)  
Permit #0991576 (Apr 1999)  
Permit #6793 (Sep 1969)  
Permit #F092197 (Nov 2009)

Up-dated C/o  
Search For Certificate  
Pre-existing C.o.  
Service Under 400 Amps

[View](#)  
[View](#)  
[View](#)  
[View](#)

## Additional Documents/Notes

\*For documents such as surveys, COs, CCs, etc, please refer to Permit Information above

Department: Assessor's Office

Building Picture (Pic)

[View](#)



# Town of Southampton

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## Online Information

Sale Picture (Pic)

[View](#)

Sale Picture (Pic)

[View](#)

Department: Building Division

Discards (Pic)

[View](#)

Descriptive Location Of Parcel (Te

[View](#)

Department: Planning

Zoning Information (Text)

[View](#)

## Parcel Genealogy/ History

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- SPLIT/ MERGE #:





# Town of Southampton

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Online Information

## Additional Documents/Notes

\*For documents such as surveys, COs, CCs, etc, please refer to Permit Information abo

Department: Assessor's Office

Building Picture (Pic)  
Deed & 5217 (OLE)

[View](#)

[View](#)

Department: Building Division

Descriptive Location Of Parcel (Te  
Discards (Pic)

[View](#)

[View](#)

## Parcel Genealogy/ History

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- SPLIT / MERGE #:



### Property Information

Property Address:

**3541 Noyack Rd**

**Noyac**

Tax Map Number: **473689 006.000-0001-047.009**

Zoning: **R40**

Property Class: **Residential Land w/Small Improvement (Waterfront)**

Subdivision: **Steven C Greene**

Minor Subd:

Filed Map #: **8728**

Filed Date: **04/07/1989**

FEMA Flood Zone (Bldg): **X**

BFE:

Wetland Inventory: **YES**

Owner(s):

**Stephen F Kroft**

Since: **3/1999**

**Jennet Conant**

Since: **3/1999**

PRIMARY MAILING:

**Stephen F Kroft**

**316 W 79th St Apt 12E**

**New York NY 10024**

#### Overlays

Agricultural Overlay: **NO**

Aquifer Protection Overlay: **NO**

Central Pine Barrens: **NO**

Stormwater Management Zone: **YES**

Groundwater Management Zone: **ZoneIV**

S.C. Item #: **370154.07**

### Tax Information

Tax Detail For Fiscal Year 2016

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Tax Detail For Fiscal Year 2015

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Tax Detail For Fiscal Year 2014

[View](#)

Tax Detail For Fiscal Year 2013

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[Duplicate Tax Bill](#)

### Mass Appraisal Information

Information For Fiscal Year 2016

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Information For Fiscal Year 2015

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Information For Fiscal Year 2014

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Information For Fiscal Year 2013

[View](#)

### Sales Information

Recent Sales

[View](#)

### Permits Information

Permit #A110718 (Jun 2011)

Fences/trellis/outdoor Sh

[View](#)

Permit #A110719 (Jun 2011)

Tennis Court

[View](#)

Permit #WAP130119 (Nov 2013)

[View](#)

### Additional Documents/Notes

\*For documents such as surveys, COs, CCs, etc, please refer to Permit Information a

Department: Assessor's Office

[View](#)

Building Picture (Pic)



# Town of Southampton

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Online Information

Department: Building Division

Descriptive Location Of Parcel (Te

[View](#)

## Parcel Genealogy/ History

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- SPLIT / MERGE #:



### Property Information

Property Address:

**3500 Noyack Rd**

**Noyac**

Tax Map Number: **473689 006.000-0002-035.017**

Zoning: **R40**

Property Class: **Flood Control**

Subdivision: **Poet's Corner**

Minor Subd:

Filed Map #: **7717** Filed Date: **03/23/1984**

FEMA Flood Zone (Bldg): **X**

BFE:

Wetland Inventory: **NO**

#### Overlays

Agricultural Overlay: **NO**

Aquifer Protection Overlay: **YES**

Central Pine Barrens: **NO**

Stormwater Management Zone: **NO**

Groundwater Management Zone: **ZoneV**

Owner(s):

**Kato LLC**

**Valentine Virginia, LLC**

Since: **12/2012**

Since: **12/2012**

PRIMARY MAILING:

**Kato LLC**

**ATT: Robert Bonuck**

**1500 Palisade Ave Apt 3A**

**Fort Lee NJ 07024**

### Tax Information

S.C. Item #: **363663.19**

[Tax Detail For Fiscal Year 2016](#)

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[Duplicate Tax Bill](#)

[Tax Detail For Fiscal Year 2015](#)

[View](#)

[Tax Detail For Fiscal Year 2014](#)

[View](#)

[Tax Detail For Fiscal Year 2013](#)

[View](#)

### Mass Appraisal Information

[Information For Fiscal Year 2016](#)

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[Information For Fiscal Year 2015](#)

[View](#)

[Information For Fiscal Year 2014](#)

[View](#)

[Information For Fiscal Year 2013](#)

[View](#)

### Sales Information

[Recent Sales](#)

[View](#)

### Permits Information

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### Additional Documents/Notes

\*For documents such as surveys, COs, CCs, etc, please refer to Permit Information above

Department: Building Division

Discards (Pic)

[View](#)



# Town of Southampton

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Online Information

## Parcel Genealogy/ History

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- SPLIT / MERGE #:



### Property Information

Property Address:

**3500 Noyack Rd**

**Noyac**

Tax Map Number: **473689 006.000-0001-043.000**

Zoning: **HC**

Property Class: **Area or Neighborhood Shopping Centers**

Subdivision: **G Inness Hartley**

Minor Subd:

Filed Map #: **716** Filed Date: **09/18/1931**

FEMA Flood Zone (Bldg): **X** BFE: **0**

Wetland Inventory: **NO**

#### Overlays

Agricultural Overlay: **NO**

Aquifer Protection Overlay: **NO**

Central Pine Barrens: **NO**

Stormwater Management Zone: **YES**

Groundwater Management Zone: **ZoneIV**

Owner(s):

**James Hansen** Since: **10/2011**

**Edward Cromer III** Since: **10/2011**

**(Trustee)**

**James Hansen (Trustee)** Since: **10/2011**

PRIMARY MAILING:

**James Hansen**

**15 Holly Hill Rd**

**Amagansett NY 11930**

### Tax Information

S.C. Item #: **718873.00**

Tax Detail For Fiscal Year 2016

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[Duplicate Tax Bill](#)

Tax Detail For Fiscal Year 2015

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Tax Detail For Fiscal Year 2014

[View](#)

Tax Detail For Fiscal Year 2013

[View](#)

### Mass Appraisal Information

Information For Fiscal Year 2016

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Information For Fiscal Year 2015

[View](#)

Information For Fiscal Year 2014

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Information For Fiscal Year 2013

[View](#)

### Sales Information

Recent Sales

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Permit #A07065 (Aug 1990)

Commercial Bldg Renovatio

[View](#)

Permit #A08376 (Sep 1991)

Commercial Bldg Renovatio

[View](#)

Permit #C13617 (Aug 1990)

Pre-existing C.o.

[View](#)

Permit #2215 (Aug 1968)

Variance

[View](#)

\*\*\* Permit #2919 (Nov 1971)

Variance

[View](#)

Permit #R0131046 (Nov 2013)

Cook Vapor Remove-New

[View](#)

Permit #A160628 (Jun 2016)

Repair, Renovate Dwelling

[View](#)

Permit #F160420 (Mar 2016)

Comm Add/reno 2501'-350

[View](#)



## Additional Documents/Notes

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\*For documents such as surveys, COs, CCs, etc, please refer to Permit Information above

Department: Assessor's Office

Building Picture (Pic)

[View](#)

Department: Building Division

Discards (Pic)

[View](#)

Descriptive Location Of Parcel (Text)

[View](#)

Department: Planning

School Districts

[View](#)

Zoning Information (Text)

[View](#)

## Parcel Genealogy/ History

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- SPLIT/ MERGE #:



### Property Information

Property Address:

**3495 Noyack Rd**

**Noyac**

Tax Map Number: **473689 006.000-0001-042.000**

Zoning: **HC**

Property Class: **Multiple Use or Multipurpose**

Subdivision: **G Inness Hartley**

Minor Subd:

Filed Map #: **716** Filed Date: **09/18/1931**

FEMA Flood Zone (Bldg): **X** BFE: **0**

Wetland Inventory: **NO**

Owner(s):

**George J Heine**

Since: **12/2013**

**Cathy Heine**

Since: **12/2013**

**Linda M. Heine**

Since: **12/2013**

PRIMARY MAILING:

**George J Heine**

**3495 Noyack Rd**

**Sag Harbor, NY 11963**

#### Overlays

Agricultural Overlay: **NO**

Aquifer Protection Overlay: **NO**

Central Pine Barrens: **NO**

Stormwater Management Zone: **YES**

Groundwater Management Zone: **ZoneIV**

### Tax Information

S.C. Item #: **718849.00**

Tax Detail For Fiscal Year 2016

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[Duplicate Tax Bill](#)

Tax Detail For Fiscal Year 2015

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Tax Detail For Fiscal Year 2014

[View](#)

Tax Detail For Fiscal Year 2013

[View](#)

### Mass Appraisal Information

Information For Fiscal Year 2016

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Information For Fiscal Year 2015

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Information For Fiscal Year 2014

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Information For Fiscal Year 2013

[View](#)

### Sales Information

Recent Sales

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### Permits Information

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Permit #C09664 (Feb 1986)

Pre-existing C.o.

[View](#)

Permit #1477 (Feb 1965)

Variance

[View](#)

Permit #2919 (Nov 1971)

Variance

[View](#)

Permit #A100464 (May 2010)

Repair, Renovate Dwelling

[View](#)

Permit #F100620 (May 2010)

Comm Service under 400 ar

[View](#)

### Additional Documents/Notes

\*For documents such as surveys, COs, CCs, etc, please refer to Permit Information abo



# Town of Southampton

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## Online Information

Building Picture (Pic)

[View](#)

Department: Building Division

Descriptive Location Of Parcel (Te  
Discards (Pic)

[View](#)

[View](#)

Department: Planning

Zoning Information (Text)

[View](#)

## Parcel Genealogy/ History

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- SPLIT/ MERGE #:



### Property Information

Property Address:

**10 Bay Ave  
Noyac**

Owner(s):

**George J Heine  
Cathy Heine-Taglic**

Since: **2/2003**

Since: **2/2003**

Tax Map Number: **473689 006.000-0001-041.000**

Zoning: **R40**

Property Class: **One Family Year-Round Residence (No Waterfront)**

Subdivision: **G Inness Hartley**

Minor Subd:

Filed Map #: **716** Filed Date: **09/18/1931**

FEMA Flood Zone (Bldg): **X** BFE: **0**

Wetland Inventory: **NO**

PRIMARY MAILING:

**George J Heine  
3495 Noyack Rd  
Sag Harbor, NY 11963**

#### Overlays

Agricultural Overlay: **NO**  
Aquifer Protection Overlay: **NO**  
Central Pine Barrens: **NO**  
Stormwater Management Zone: **YES**  
Groundwater Management Zone: **ZoneIV**

### Tax Information

S.C. Item #: **932557.00**

Tax Detail For Fiscal Year 2016  
Tax Detail For Fiscal Year 2015  
Tax Detail For Fiscal Year 2014  
Tax Detail For Fiscal Year 2013

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[View](#)  
[View](#)

[Duplicate Tax Bill](#)

### Mass Appraisal Information

Information For Fiscal Year 2016  
Information For Fiscal Year 2015  
Information For Fiscal Year 2014  
Information For Fiscal Year 2013

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[View](#)  
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[View](#)

### Sales Information

Recent Sales

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### Permits Information

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Permit #0205011 (Oct 2002)  
Permit #C021845 (Jan 2003)  
Permit #2744 (Mar 1971)  
Permit #RS110080 (Aug 2011)

Search For Certificate  
Pre-existing C.o.  
Variance  
Rent Law Standard 2 Yr

[View](#)  
[View](#)  
[View](#)  
[View](#)

### Additional Documents/Notes

\*For documents such as surveys, COs, CCs, etc, please refer to Permit Information above

Department: Assessor's Office

Building Picture (Pic)

[View](#)



# Town of Southampton

---

Online Information

Deed & 5217 (OLE)

[View](#)

Department: Building Division

Descriptive Location Of Parcel (Te  
Discards (Pic)

[View](#)

[View](#)

## Parcel Genealogy/ History

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- SPLIT/ MERGE #:

- Driveways near curves
  - Sight distance at intersections
  - Specific “problem areas” along Noyac Road which exhibit the potential for safety problems:
1. Cromer’s Market Area--Existing parking for Cromer’s and the adjacent businesses is “head-in,” and continuous access is permitted along the north side of Noyac Road. This uncontrolled access from Noyac Road leads to multiple points of conflict between vehicles entering parking spaces, backing from the spaces, and proceeding through the area. In addition, vehicles (especially trucks) parking on the north side of Noyac Road restrict sight distance east of Cromer’s. Some control of access to parking is necessary to increase safety (see Figure 4). Bay Avenue and Elm Street intersect Noyac Road at the west end of this area. These intersections are immediately adjacent to one another, resulting in additional difficulties for motorists. Noyac Road also curves at this location and the roadway banking (superelevation) appears to be improper.

2. “Deli Area”-- During the day, much of the parking and pedestrian activity is related to The Pantry Delicatessen and the liquor store on the south side of the roadway. At times, particularly when trucks are parked on both shoulders, traffic flow on Noyac Road is affected. Pedestrian crossings from vehicles, which are parked on the shoulder/grass areas along the north side of the roadway, are a concern (see Figure 5).
3. Trout Pond--The horizontal “S” turn on Noyac Road, combined with a change in vertical grades in this area, is a potential safety problem.
4. Long Beach Road Intersection -- Motorists traveling south on Long Beach Road from North Haven experience delays in waiting for gaps in traffic to enter Noyac Road. The existing intersection configuration, which includes a “circle” for vehicles entering or exiting Long Beach Road, can be confusing to motorists.



Figure 4: View looking east on Noyac Road, east of Bay Avenue. The existing “head-in” parking negatively affects traffic flow and safety along Noyac Road.



Figure 5: Mid-day view looking east on Noyac Road, east of Pine Neck Avenue. Parking for the Pantry Deli, including trucks, occurs on both shoulders of the road.

businesses such as the deli and liquor store, coupled with pedestrian crosswalk improvements.

- *Trout Pond* – The horizontal “S” turn on Noyac Road, combined with a change in vertical grades, could be smoothed by a realignment project. Since there is strong support for retaining the existing roadway alignment, both as a speed-reducing device and to minimize environmental impacts, traffic calming measures should be installed on either side of the area in question to increase awareness of the hazard. This is a priority for further study.
- *Long Beach Road Intersection* - The Town is actively pursuing funding for a traffic-calming project on Long Beach Road which would include construction of a redesigned roundabout at the Noyac Road/Long Beach Road intersection. The new roundabout would make the intersection more “driver-friendly,” reduce delays for southbound Long Beach Road traffic and calm through-traffic on Noyac Road. If approved by the State, the Town of Southampton would receive ninety (90) percent of the project’s cost, or approximately \$172,000, from from the New York State Department of Transportation Local Safe Streets and Traffic Calming Program.
- *Reconstruction of Noyac Road* - The Town Highway Department is attempting to keep pace with pavement and drainage maintenance work through its repaving and storm water mitigation projects on Noyac Road. However, due to both the volume of traffic and its nature (i.e. high percentage of trucks), pavement and drainage maintenance is an on-going battle. The roadway pavement was not initially designed for this traffic composition. Periodic asphalt resurfacing provides a smooth wearing surface but does not address deficiencies in the pavement base asphalt or in the subgrade material beneath the pavement. The optimal solution would be to reconstruct the pavement and drainage system, while retaining one lane of

travel in each direction and incorporating traffic calming measures in the design of this reconstruction. Since the estimated cost for this work is several million dollars, the Town is pursuing Federal and State funding for this work.

- *Reduction of “Through” Traffic* - As noted in the Introduction to this section, it would be difficult to eliminate “through” traffic volumes from Noyac Road because its geographical location lends itself to use by motorists when Montauk Highway is congested, particularly on summer weekends. However, a new bypass roadway parallel to Montauk Highway would accomplish this. To address the feasibility of constructing such a route, a detailed study addressing traffic and other environmental impacts is required. The Town should ensure that the preliminary analyses in the current SEEDS and SITS studies serve as a realistic “first step” in addressing this issue.
- *Reduction of Truck Traffic* - The Town should seriously consider recommending that trucks over 10,000 pounds (except those making local deliveries in the Noyac Road corridor) be excluded from Noyac Road. However, as with a potential bypass route, this should be the subject of a detailed study, to ensure that negative impacts do not occur when these trucks pursue alternative routes. In addition, the Town would be required to establish a Town truck route system.

#### Summary of Transportation Recommendations

Short-term recommendations were developed to reduce the speeds of vehicles traveling on the roadway, and thus minimize the potential for traffic accidents. Most likely it will be necessary to employ several measures to achieve a significant reduction in speeds. Longer-term recommendations were developed for specific “problem areas.”

#### *Short-Term Recommendations-Traffic Calming Measures*

- Install “Speed Awareness” signs.
- Install pavement markings to limit the width of travel lanes to 11 feet (12 feet on curves). Install “wide” edge lines.
- Install “in-pavement” reflectors.
- Upgrade curve warning and speed limit signs. Consider flashing beacons in conjunction with warning signs.
- Install rumble strips.
- Create “gateways.”
- Improve intersection “stop line” sight distance, or install additional warning signs, as needed.
- Wherever there are a significant number of pedestrians crossing the roadway, install pedestrian crosswalks, warning signs and sidewalk “bulb-outs” into the roadway shoulder area.
- Provide pavement markings and delineators on shoulders.
- Evaluate the use of innovative signs (e.g. driveway warning signs).

#### *Longer-Term Solutions for “Problem Areas”*

- *Cromer’s Market Area*—Provide angle parking, separate from Noyac Road traffic flow, at businesses. Consider realigning Elm Street or Bay Avenue to create a single intersection with Noyac Road. Utilize Cedar Lane to replace parking spaces lost due to angle parking, and to accommodate spaces lost by prohibiting parking on the north side of Noyac Road east of Cedar Lane. Realign Noyac Road to smooth the horizontal curve, and provide proper roadway banking, or super elevation, around the curve.
- *“Deli Area”*—In conjunction with sidewalk construction to connect businesses in this area, establish crosswalk(s), incorporating sidewalk “bulb-outs” and pedestrian warning signs.
- *Trout Pond*—Implement traffic calming measures along Noyac Road, such as upgraded warning signs, to improve safety at the horizontal “S” turn and change in vertical grades.

- *Long Beach Road intersection*—Implement a traffic-calming project on Long Beach Road, which would include construction of a roundabout at the Noyac Road/Long Beach Road intersection.
- *Reconstruction of Noyac Road*—Pursue Federal and State funding to reconstruct the pavement and drainage system, while incorporating traffic calming measures.

#### Implementation of Recommendations

**Table 2** summarizes the Transportation recommendations, and includes a suggested “grouping” of the short-term traffic calming measures. As noted previously, the effectiveness of a group of measures can be evaluated by conducting “after” studies of speeds and accidents following implementation. After Group 1 measures are employed, this will help to determine if measures in Group 2 should be employed.

## **2.2 Land Use and Design**

The land use and design recommendations are integrally related to the transportation recommendations. Future development should maintain the existing character of Noyac Road, reinforcing desired uses but keeping in mind the impact on adjacent neighborhoods, on circulation throughout the corridor, and on the natural environment.

Given the nature of the Study Area, issues discussed at the various community meetings and the scope of work, land use and design recommendations focused on three different existing commercial ‘nodes’ along Noyac Road: 1) the area between the “Deli” and Trout Pond; 2) the area surrounding Cromer’s Market; and 3) the area surrounding The Waterside. These areas and the coinciding design recommendations are summarized below.

□ **From the “Deli” to Trout Pond**

This site, as described in the existing conditions section, is located on both the north and south sides of Noyac Road. From west to east, this key portion of Noyac Road contains a variety of uses: Trout Pond itself and its surrounding open space, the commercial area at the foot of the marina, the vacant ‘motel site’ opposite, various residential properties in what is now a Village Business zone, the Noyac Professional Center (an approved but not constructed new low-rise office development), and the various commercial buildings surrounding the Pantry Deli (see **Figure 9**).

Along with limited access to parking, this commercial node also lacks cohesiveness and connectedness between the uses. Further, given the proposed office center on the Burke property, questions remain as to how to link this development to existing commercial and retail uses.



Figure 9: View of “Deli” area looking west on Noyac Road.

More specifically, around this area a number of issues were raised:

- Lack of sufficient on-site parking leading to problems between adjacent stores;
- Poor parking configurations in front of stores, requiring backing into the busy road;
- Difficulty in crossing the roadway with speeding cars and heavy traffic;
- Lack of a central focus for the area and pedestrian connections between adjacent stores; and
- Fragmented existing development and the potential for inappropriate infill development.

Accordingly, this study generally recommends:

- ✓ Controlling access in front of the buildings with angled parking.
- ✓ Improving the use of the rear-yard to increase availability of on-site parking space.
- ✓ Amending zoning to achieve desired uses and site configurations.

Proposed Development Approaches

*Commercial Development West of the “Deli”*

The commercial area as a whole is zoned (VB), Village Business (see **Map 5**) and contains a number of vacant or underutilized sites that, according to the build-out analysis, might in the future be developed ‘as of right’ under existing zoning for commercial establishments of a larger size and configuration than desired by the community. The commercial area is interspersed with residentially zoned land, some subdivided into small lots but with substantial large tracts of undeveloped land, including the former ‘motel site,’ now undeveloped (see **Figure 10**).



Sketch 2: Illustrative Concept - Motel Site Option 1 – “As of right” development (9 market units on 1 acre lots).



Sketch 3: Illustrative Concept - Motel Site Option 2 - Open space (would require Town purchase of land from owner).

□ **Cromer’s Market/The Whalebone General Store**

This site, as described in the existing conditions section (see Figure 4), is located on the north side of Noyac Road at the intersection of Noyac Road and Bay Avenue (see also Figure 13). The Cromer’s Market area (which includes both the market and the adjacent Whalebone General Store and real estate office complex) was cited in every public meeting both as a key community land use and as a problem site due to traffic and circulation problems. Issues include the need for more parking, the dangerous pull-in spaces adjacent to Noyac Road, how to improve the cohesiveness between adjacent stores, and how to enhance service and delivery.

*Proposed Development Approach*

The seeds for a solution lie in a mix of ownership of adjacent properties—especially the Town-owned property across Noyac Road from the complex, a ‘sump’ maintained to control runoff, and drainage in the area. The property lies on the inside of a particularly problematic curve. By shaving off a sliver of no more than 10 to 15 feet (and also possibly minor frontage from an adjacent private property to the west), the curve can be straightened, sight lines improved, and the road moved to the south to free up land adjacent to the stores sufficient to allow a one-way angled parking, separated from the highway by a 4’-0 wide median (the median should be configured as shown to allow curb cuts for each individual property in order to

serve all businesses equally) (see **Sketch 6**). Straightening this curve is a safety priority cited by many community participants. Traffic calming measures – landscaping adjacent to Cromer’s Market, signage and striping – would be used to counteract any potential increase in traffic speed.



Sketch 4: Illustrative Concept - Motel Site Option 3 – Cluster housing (9 units) and 2 additional affordable housing units (total=11) in return for dedication of 35 percent of site as open space and 25 percent of site for Community Center complex.



Sketch 5: Illustrative Concept – Motel Site Option 4 – Cluster housing (9 units) and 2 additional affordable housing units (total=11) in return for preservation of a minimum of 60 percent of the site as open space.

The net total parking spaces can be increased by reconfiguring adjacent spaces:

- To the rear of the store, a planned reconstruction creating a new refrigerated warehouse space to replace existing truck beds used for that purpose can result in more efficient use of land for parking and truck delivery and a net increase in spaces.
- Similarly, rebuilding in the medium term the small office/storage facility on the adjacent property to the rear will allow a better designed employee lot.
- Finally, with the participation of an adjacent landowner, additional spaces can be added to the east of the access road

leading to the rear of the property. This road extends as a paper right of way almost to the shore, although because of wetlands it can never be completed as a real accessway. Trading a portion of that road in return for land for adjacent parking may be part of the structure of a deal.

Additional circulation improvements in the longer term will require further cooperation and agreement among abutting landowners. The ability to improve safety on Noyac Road by minimizing curb cuts could be enhanced by combining Bay Avenue and Elm Street as shown in Sketch 6. Further study of this option is recommended as it involves a partnership effort between the Town and adjacent landowners.

Further study is warranted to enhance traffic safety in the Cromer's Market area and along the entire Noyac corridor. There is strong community support and desire to accelerate funding of a study to identify and implement appropriate traffic/parking mitigation measures on a fast track basis.



Sketch 6: Illustrative Concept - Possible circulation and parking approach to Cromer's Market area.

❑ **The Waterside Restaurant Site**

This site is located at the intersection of Noyac Road and Long Beach Road at the eastern edge of the project Study Area. The Waterside complex is situated on the north side of Noyac Road near the existing traffic circle. The subject property is 29,125 square feet (0.669 acre). The complex contains a leased restaurant/bar opening up onto a dockside water environment; the lower level currently functions as a private meeting space, made available by the owners at little or no cost to community groups and proportionately higher cost to individuals and organizations (see Figure 14). This lower level portion of the site is accessed through a separate property reportedly co-owned by the Waterside owner and the Town Trustees, adjacent to Town-owned parking/beachfront. Not only the building itself with its 'seaside' architectural feel, but even more the memories it represents from the events and informal gatherings hosted there, have been a long time part of Noyac's collective consciousness.

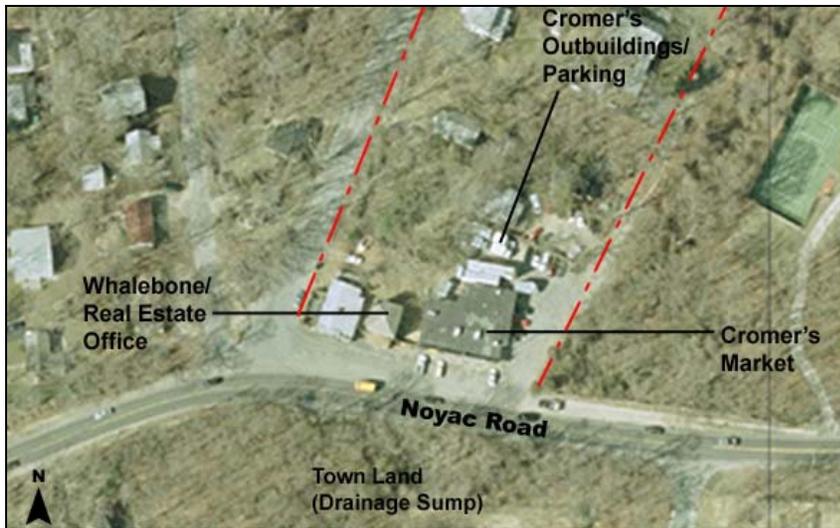


Figure 13: Existing conditions at Cromer's Market area.

The Division of Code Enforcement coordinates its efforts within the Department of Public Safety with the Divisions of Fire Prevention and Animal Shelter, as well as the Town Safety Officer. They also coordinate with the Office of the Supervisor, Land Management, Public Works, the Office of the Town Attorney, Justice Court, the Police Department, Parks and Recreation, the Town Trustees and with various CACs and other citizen groups. This Division is particularly relevant to the issue of noise emanating from some commercial uses along the corridor as well as litter in key areas along Noyac Road such as Trout Pond Park.

The Superintendent of Highways, under authority of the New York State Vehicle and Traffic Law, is responsible for the installation and maintenance of traffic control devices (e.g. signs, traffic signals, pavement markings) on Town roads. The Town Code contains a listing of traffic control regulations, which can be amended following a public hearing. These regulations include:

- Stop intersections
- Yield intersections
- One-way roadways
- Parking regulations
- Restricted turning movements
- Intersections controlled by traffic signals

In the past, the State Department of Transportation had the authority to set speed limits on Town roads. Since the Town's population now exceeds 50,000, the Town may now establish these speed limits. Enforcement of traffic regulations falls under the jurisdiction of the Town's Police Department.

### 3.3 The Noyac Hamlet Center Partnership

The various community groups, Town officials, property owners, civic groups and private merchants or businesspeople all represent stakeholders who have gathered 'around the table.' Their interaction has been spirited and healthy and it has resulted in a sharing of goals and objectives and participation in defining recommendations during the charrette process and related public meetings.

The various community groups, Town Officials, civic groups and private merchants or businesspeople all represent stakeholders that have gathered 'around the table.' Their interaction has been spirited and healthy and it has resulted in a sharing of goals and objectives and participation in defining recommendations during the charrette process and related public meetings.

It is important that this spirit of cooperation remains as the planning and implementation process of Noyac Road improvements continues. Each organization should maintain its autonomy, but should focus its efforts on a commonly agreed upon agenda.

There are a number of issues in which community-wide discussion is important—issues that will affect all residents: how to implement road improvements, how to ensure equitable housing for a diverse hamlet population and how to monitor ongoing development proposals for new commercial or residential development.

Assuming that agreement on future development can be reached on the basis of mutual benefit, implementation of the strategic recommendations of this Plan will require shared actions— each partner may have a potential role to play, not only in planning but also implementing improvements. Some may be public responsibilities, but not-for-profit groups or private entities may best accomplish many others.

For instance, a major recommendation is for a new 'Noyac Community Center.' Who will operate such a center? How will it be made available to all members of the community? Who will structure and run recreational, cultural or civic functions? Who will resolve conflicts between public uses and private functions? Similarly, who will speak for the community in the detailed planning and implementation of roadway improvements as Town, County or State funding and plans are defined?

Having community wide consensus to deal with such issues is critical. Participants in developing and maintaining this consensus, as in this study, should include representatives of major community groups, private sector interests such as merchants, individual landowners, and developers and civic groups representing historic and environmental interests.

This basic strategy for continuing partnership efforts should therefore focus on the following tactics:

- Coordinate public investment in the road itself to add value to the community;
- Leverage private projects for public objectives and civic benefit;
- Use civic participation to help facilitate maintenance/ approvals

## It Takes a Partnership

