

Bridgehampton Citizens Advisory Committee
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Fred Cammann, Chair - Tony Lambert Vice Chair - Richard Bruce, Secretary

September 12, 2010

**PLEASE NOTE THE NEXT MEETING OF THE BRIDGEHAMPTON
CITIZENS' ADVISORY COMMITTEE WILL BE HELD ON
MONDAY SEPTEMBER 27, 2010
AT 7:00 AT THE BRIDGEHAMPTON BANK MEETING ROOM**

**A REPORT ON THE BRIDGEHAMPTON CAC MEETING HELD ON
August 23, 2010 AT THE BRIDGEHAMPTON BANK**

A. The meeting was called to order at 7:00 PM

Those present: Fred Cammann, Dick Bruce, John Daly, Jenice Delano, Cathie Gandel, Steve Long, Ian MacPherson, John Millard, Weezie Quimby, Georgia Rose, Christine Smith, Alejandro Saralegui, and Peter Wilson,

Guests : Supervisor Anna Throne-Holst, and Former Councilman Dennis Suskind.

B. A discussion with the Supervisor concerning the use of PDDs:

1. Proposed PDD for the County Road 39, Tuckahoe District,
2. Proposed PDD for the intersection of County Road 39 and Flying Point Road,
3. Effectiveness of PDDs as a planning tool in Southampton Town.

The Bridgehampton CAC reported to the Supervisor that it is dubious about the effectiveness of existing and proposed PDDs in Southampton used as a planning tool by the Department of Land management and endorsed by the Southampton Town Council. . It is the view of the CAC that PDDs present and proposed have not provided the community benefits to affected hamlets that outweigh the damages caused by overturning and revising existing zoning regulations.

Following the August 23 CAC meeting the following communication was received by the CAC.

August 27, 2010

Councilwoman Graboski presented an overview of the PDD (Planned Development Districts) legislation which originated at the state level. Copies of the state legislation were distributed for review.

Councilwoman Graboski said it is important to first understand PDDs, and then make decisions about how to change the legislation.

Graboski described zoning in general as a tool that is to “protective and predictable.” PDDs, however, can be described as a “floating zone” that can be applied on occasions where a proposed new use is acceptable to the Town – but is not a form of development that can be accomplished under existing zoning. According to the legislation, a PDD is an appropriate tool when the Town wishes to achieve various long term goals including:

- Encourage the most efficient and purposeful use of all remaining vacant land
- Preservation and improvement of existing smaller communities
- Preservation of a sense of place in communities and the creation and reestablishment of small hamlet communities and atmosphere which foster the sharing of amenities and the utilization of local services.
- Etc...The complete text is available in Town Code 330-240.

The goal of Councilwoman Graboski’s proposed legislation is to add the definitions for the term “community benefits” that are spelled out in the state law, to the local law. The Councilwoman specifically cited the controversy over the use of the Sebonack MUPDD (Mixed Use PDD) monies as an example of the reason why this clarification is needed as soon as possible.

In response to the Councilwoman’s presentation, two issues were raised by the group members:

1. The need to more specifically define community benefits by hamlet.
2. The need to involve the community at the outset of the PDD consideration and conceptualizing process.

The Councilwoman urged everyone to please send her their comments for consideration at ngraboksi@southamptontownny.gov

The Councilwoman said currently PDD proposals are “maxed out” when they come in. She also said there is a new approach to planning available that utilizes form-based codes. Switching to this type of system would require a new comprehensive plan – but the last plan was completed in 1999, and it may be time for a new one.

C. From Ian MacPherson, The following report was delivered to the Supervisor

In view of the possible further extensive development along Route 27 on April 26th the CAC unanimously passed the following motion: We the Bridgehampton CAC do not consider a bus/rail system will serve the East Ends interests, since vehicular traffic is fundamental to our area, and we therefore request that other options be considered (directed toward) reducing congestion including (consideration of) hamlet by passes.

D. A Review of the Proposed Sylvan Haus Commercial Building before the Town Planning Board for the Bridgehampton CAC Committee

Ms. Claire Vail
Department Of land Management
Town of Southampton
116 Hampton Road, Southampton NY 11968

August 30, 2010

Analysis and Critique

The presentation package by the owner and his consultants is a first class job with clear documentation and explanation of content and process. The project is a cleverly conceived and well-organized mixed-use development proposal, which required two minor variances (already approved) to achieve its objectives: a variance to allow a residential use in the HB highway business zone, and a second variance to provide (8) parking spaces where 8.6 (or 9) would be required by code. This, in our opinion, is very little relief for a site as challenging as this to develop.

As far as we can tell from the documentation, any environmental concerns regarding sanitary and surface runoff issues are being addressed by the site engineering specification. Obviously, new occupants and activity on a previously undeveloped site in this location will generate more traffic and congestion pressure on this already overburdened highway corridor, but the small scale of this project will not contribute enough loading to make a debate of this issue a salient point here. The “death of a thousand small cuts” argument could be brought up, but this property owner is exercising his legal right to the use of the property under the current zoning. He could have tried to get more zoning relief and be asking for more building area on the site, but he is not doing so. That restraint is to be commended.

Some of us might not be comfortable with the contemporary character of the building’s styling. It is, in our opinion, the only area of discussion that could be open to debate here. The surrounding building context is generally not of traditional character. The building design itself is well-scaled and relatively quiet and modest, even “minimalist” or neutral in color and character. It is refreshing to see this approach for a new building, rather than the tired old pseudo-traditional imitations of horse and buggy days we are beaten to death with out here. The designers have chosen to open the street façade to reveal the retail activity inside, giving it an almost pavilion –like appearance from the front. We might have enjoyed a bit more of this transparency wrapped around facing the parking area to make it even more transparent, but the demand for wall space and looking at the parking lot may have deterred this. The use of materials on the exterior is low maintenance and very much in keeping with a responsible commercial property.

The elephant in the room here, as always on commercial buildings is **signage**. We will have to wait for this to materialize until a tenant is secured and comes in with their own proposal. In conclusion, we support and applaud this restrained application.

E. Sent: Thursday, August 26, 2010 11:02 AM
To: Jacqueline Sherman-Smith
Subject: Vintage Vines LLC

Dear Jacqueline; The Bridgehampton CAC met with Dennis Suskind at its regular meeting on Monday August 23 and reviewed the Vintage Vines Preliminary Application. The consensus was that the revised plan with its reduced number of lots was a great improvement from the original plan. We did not have the time to really go through page by page, but we were grateful for the effort the developer and the Planning Department is making on this subdivision. It is clear that the environmental aspects of this sensitive woodlands are being respected within the limits of the existing R-20 Zoning District within the Aquifer Protection Overlay and that the Planning Department will continue to monitor the actual development of this sensitive site.

Fred Cammann for the Bridgehampton Citizens' Advisory Committee
August 26, 2010.

F. A Report on Progress concerning Safety Issues at the beach at the end of Ocean Road.

August 27, 2010

This morning Councilwoman, Nancy Graboski arranged for John Millard and Fred Cammann representing the unanimous views of the Bridgehampton Advisory Committee to meet with her and with Town Attorney Michael Sordi to discuss the legal issues that need to be addressed concerning placing safety supervision at the beach located at the end of Ocean Road in Bridgehampton. Also included were other Bridgehampton community members who share the CAC's concerns about the safety issues at this location. At its July meeting The Bridgehampton CAC had unanimously approved and forwarded to the Southampton Town Board the following resolution. The visiting committee was following up on that resolution by once again urging the town to move forward with the goal of providing safety protection at this site.

On July 26 the following resolution was passed and is therefore sent to the Town Board

The Bridgehampton Citizens' Advisory Committee met on July 26, 2010 to review the issue of providing safety personnel and facilities at the location commonly described as "Ocean Road Beach", located at the Southern terminus of Ocean Road/Atlantic Avenue in the unincorporated hamlet of Bridgehampton. By unanimous vote the CAC agreed that each year during the period between Memorial Day and Labor Day the unsupervised and unprotected premises here identified have for many years been a dangerous threat to the safety and well being of all who visit this location, whether by automobile, by foot, bicycle, or any other means of transportation

Consequently the Bridgehampton Citizens' Advisory Committee urgently requests the Town Board to take steps to permanently alleviate the dangerous conditions that prevail at the "Ocean Road Beach" location during the summer ocean bathing season.

In our presentation On August 27, 2010 we reported that another regrettable ocean rescue had to be made at this location on the preceding day. Once again the rescue had to be furnished by lifeguards from the adjoining private club, leaving that premises understaffed during a time when the ocean conditions called for diligent supervision. Participants in the incident considered the rescue serious enough that it may well have prevented a drowning. We pointed out that this is an ever repeating pattern at a location that is increasingly frequented by tourists, community members, and residents of neighboring hamlets and villages during the beach swimming season.

Although about 50% of the road ending at this location has a clouded ownership and may require eventual condemnation by the town, the Western 50% of the road and its adjoining property have previously been deeded to the Town and that side of the road presently is more than ample as a site for any sanitary and other facilities that will be necessary at this location.

The sense of the meeting was presented to us by the Town Attorney in his role as "devil's advocate" he posited that in addition to the unresolved property ownership issues, there could well be all matter of health department requirements, calling for studies from the Suffolk County Department of Parks etc., expenditures of funds, and so on that of course would continue to delay any action at this location. We repeated that from the CAC's perspective, the issue of safety was far more immediate; we were trying to point out to the Town that this location was and continues to be an attractive, easily accessed, and highly popular ocean bathing location totally within the Town's responsibility. We pointed out that the Town actively promotes its beach and ocean attractions to encourage the visits that bring welcome tourist who provided business to our town. We pointed out that this site, over and over again, continues to provide incidents that require ocean related rescues.

In our query as to the advisability of delay because of the legal fallout from property ownership matters we questioned the vulnerability of the Town to legal action if the town proceeds to provide safety measures. Who would sue? And what legal authority would look unfavorably upon the Town's attempts to protect its residents and visitors at this site while the ownership problems of the Eastern 50% of the road were being cleared up?

Councilwoman Graboski and Town Attorney Sordi said that they thought that Allyn Jackson, the Town's Superintendent of Parks and Recreation, would have the best idea of the regulatory requirements that would be applicable to providing lifeguards at the Ocean Road beach during the season and that they would obtain his views on the issue. Councilwoman Graboski also undertook to get back in touch with me once the Town had a better idea of those regulatory requirements as well as estimates of their cost and the

time required to implement them so that we could meet again with her and/or the appropriate representatives of the Town.

The Bridgehampton Citizens' Advisory Committee once again urges the Town to move speedily to prevent any further accidents at this site, and asks that provision be made to provide lifeguards and sanitary facilities in time for the beginning of the 2011 beach season.

G. From: Mark Viseckas
Sent: Wednesday, August 18, 2010 9:46 AM
To: Nancy Graboski Subject: Window sign application

Re: a recent illuminated window sign application that I denied as a prohibited sign, but will soon be brought to the ZBA. The real estate firm, Sotheby's, retained a Westchester based architect to make an application that includes placing two LCD 48" televisions in the windows facing the sidewalk along Montauk Hwy. The purpose is to show moving pictures of the properties for sale. I know of no other advertising display of this type throughout the Town. The address is: 2446 Montauk Hwy.

Since there are a number of high end real estate services along Main St. that may desire to install similar devices should the variance be granted, one might imagine strolling, or driving, through a Bridgehampton "Vegas" strip in a worse case scenario.

Let me know if you need anything additional

Mark Viseckas, Sr. Building Inspector, Building & Zoning Division
Town of Southampton, 116 Hampton Rd.
Southampton, NY 11968, (631) 702-1831

The Bridgehampton CAC heartily endorsed Mr. Viseckas' premises and his actions

The meeting subsequently adjourned until Monday September 23, 2010

Fred Cammann hacres@optonline.net
Chair Bridgehampton CAC.