



RECEIVED
JUL 28 2020
FOR PLANNING DIVISION

TITLE:
849 COUNTY RD 39
SOUTHAMPTON NY 1193

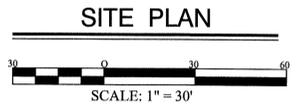
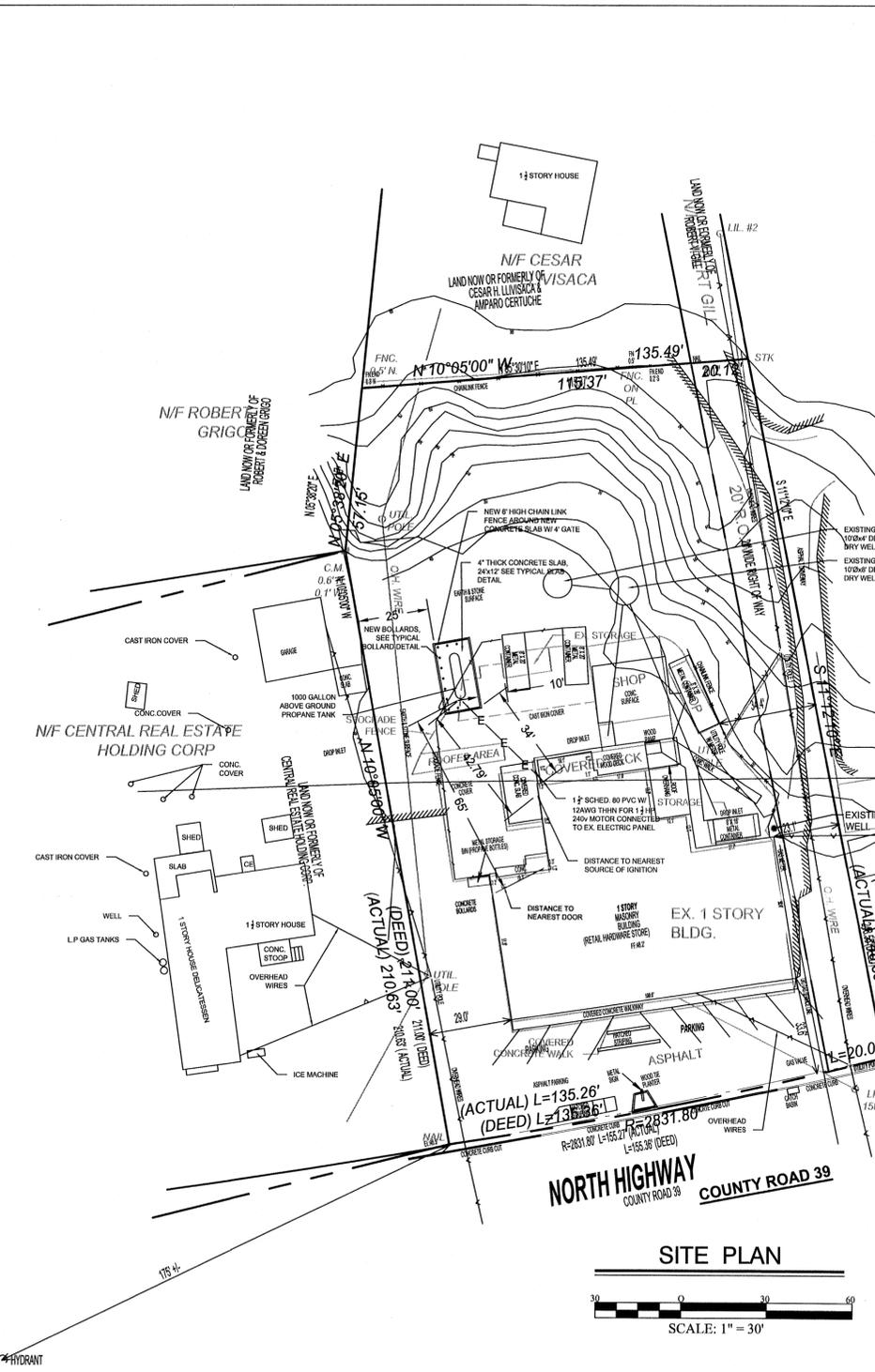
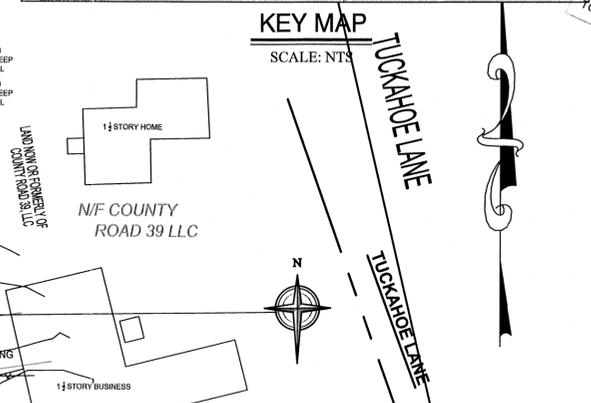
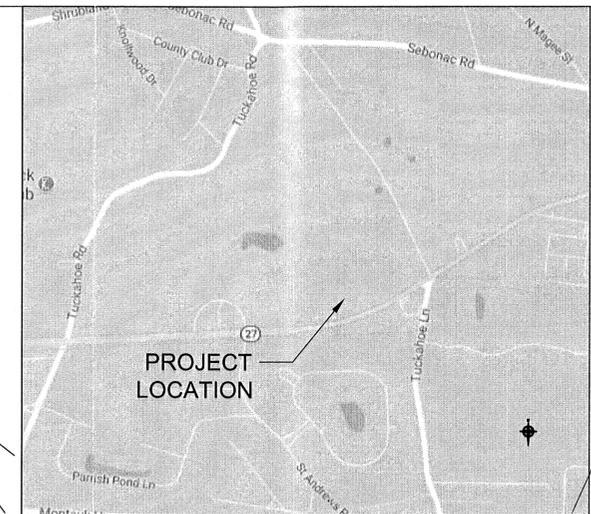
PROJECT:
SITE PLAN-
PROPANE FILL STATION

Revisions		
No.	Date	Description
1		
2		
3		
4		
5		

Designed By: PD
Drawn By: JL
Checked By: PD

Date: 7/24/2020
Scale: 1" = 30'

C-1



PARCEL INFORMATION:
Property Owners: Thomas Maloney
Robert Maloney
TAX MAP NO. 0900 - 157 - 02 - 28.3
TOTAL AREA: 39,074 SF
ZONING = HIGHWAY BUSINESS

SITE PLAN BASED ON SURVEY PREPARED BY
MARTY HAND
21 SILVERBROOKE DRIVE
FLANDERS NY 11901
DATED APRIL 30, 2019

GENERAL NOTES:
1. INSTALLATION OF ABOVE GROUND PROPANE TANK / FILL STATION IS TO CONFORM WITH NFPA 58 REQUIREMENTS
2. ALL ELECTRICAL WORK IS TO CONFORM WITH THE MOST RECENT VERSION OF THE NATIONAL ELECTRIC CODE

THIS VESSEL IS DESIGNED FOR THE STORAGE OF LIQUEFIED PETROLEUM GAS ONLY.

CERTIFIED BY: QUALITY STEEL CORPORATION
QUALITY STEEL CORPORATION
1000 W.G. ABOVEGROUND PROPANE TANK TYPE A (FORMERLY BE-A7)
DESIGN PRESSURE: 250 PSI @ 100°F
WORKING PRESSURE: 200 PSI @ 100°F
CRN NO. N2848.5C
SERIAL NO. 1201
DATE: 01/08/20

GENERAL NOTES:
1. LIFTING LASHES DESIGNED FOR TOTAL LIFTING WEIGHT OF 8500 LBS.
2. TOTAL EMPTY WEIGHT IS 1800 LBS.
3. ALL DIMENSIONS ARE VISIBLE UNLESS OTHERWISE SPECIFIED.
4. COMPLETE TANK ORDER TO INCLUDE ALL SCOURING
5. ALL WELDING AND CAPACITIES ARE APPROXIMATE
6. EXTERIOR OF TANK TO BE OINT SLATED
7. PAINT PER SHOP ORDER
8. VACUUM PURGE TANK
9. DIMENSIONS ARE SUBJECT TO CHANGE WITHOUT NOTICE.
10. DIMENSIONS BETWEEN COORDINATES ONLY
11. THREADS OF ALL FITTINGS TO BE COATED WITH COMPOUND
12. ALL FITTINGS TO BE INSTALLED WITH FLAT ANGLE OF OFF
LONGITUDINAL CENTERLINE OF TANK.

GENERAL SPECIFICATIONS

ITEM	DESCRIPTION	QTY	UNIT
1	WELDED PROPANE TANK	1	EA
2	ALLOWABLE WORKING PRESSURE	200	PSI
3	DESIGN PRESSURE	250	PSI
4	CRN NO.	N2848.5C	
5	SERIAL NO.	1201	
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293	DESIGN PRESSURE	250	PSI
294	CRN NO.	N284	

DEPARTMENT OF LAND MANAGEMENT
PLANNING BOARD
116 Hampton Road
Southampton, NY 11968

Phone: (631) 287-5735
Fax: (631) 287-5706
www.southamptontownny.gov

TOWN OF SOUTHAMPTON



JAY SCHNEIDERMAN
TOWN SUPERVISOR

CHAIR
DENNIS FINNERTY

VICE CHAIRPERSON
JOHN J. BLANEY

SECRETARY
PHILIP A. KEITH

BOARD MEMBERS
JACQUI LOFARO
JOHN ZUCCARELLI
ROBIN LONG
GLORIAN BERK

SITE PLAN/SPECIAL EXCEPTION APPLICATION FORM

This application form is required as part of any request to process the action listed below. In addition, Chapter §330 of the Town of Southampton Code requires specific material to be submitted in conjunction with this form. Other required items are indicated on the attached application checklist. It is the applicant's responsibility to insure that application package is complete and accurate. Incomplete applications will not be processed.

1. All applications must be completed in full and comply with §330 of the Town Code. Incomplete application packages will not be accepted.
2. These instructions and the application form shall be read carefully and understood before completing. Any questions should be referred to the Planning Division, Ph: 631-287-5735.

3. As per §330-183 of the Zoning Law, a complete Site Plan application shall consist of the following:
(check those appropriate)

Application form and copies in appropriate numbers
(a minimum of fifteen copies and additional copies if necessary)

Appropriate Site Plan review fee (See § 330-183B)

Area to be improved is less than 500 sq.ft. **\$1,100**

Area to be improved is greater than or equal to 500 sq.ft. and less than 10,000 sq.ft. **\$2,100**

Area to be improved is greater than or equal to 10,000 sq.ft.: **\$.25 per sq.ft.** (not to exceed \$15,000)

Site Plans, in appropriate quantity (a minimum of fifteen copies and additional copies if necessary) complying with minimum submission requirements listed in §330-183-C. The site plan may include landscape/grading plans, lighting plans, drainage plans, architectural building elevations and floor plans

Appropriate Environmental Assessment Form (EAF, if necessary. Check Town Code §157 and with the Planning Department).

4. A complete Special Exception application shall consist of the four items (a-d) mentioned in number 3 above, plus the following (check those appropriate, write NA where not applicable).

Legal petition, signed and notarized, explaining in detail how the proposed project will comply with Special Exception Standards.

Fee of **\$1,100** (plus **\$325** for special conditions and safeguards) (separate from review fee)



5. A minimum of fifteen sets of applications and plans are required. Additional copies of the application (SP and/or SE) and site plan may be necessary, if the following conditions are met:

- 2- Wetlands Permit required (See Chapter §325 of Southampton Town Code)
- 1- Project fronts a County Road
- 3 - Project fronts a State Road
- 1 - Special Exception Permit
- 1 - Project located in Pine Barrens compatible growth area or core area

_____ Total Copies

6. Application is hereby made to the Southampton Town Board for a Construction Permit for buildings and other structures customarily accessory and incidental to agricultural production as defined by Section 301 of the New York State Agricultural and Markets Law and in accordance with the provisions of the Zoning Law of the Town of Southampton Article X Agricultural Overlay District, Section § 330-50

Farmlands Preservation Program. Further, nine (9) copies of the following are submitted herewith (check those appropriate, write NA where not applicable).

- A copy of the approved subdivision map defining the grant easement (agricultural reserve) and the location of the proposed construction, if applicable.
- A copy of the recorded grant easement (agricultural reserve) or development rights indenture
- A copy of the Planning Board resolution approving the subdivision plan and other covenants, if applicable.
- A site plan, at a scale of no less than one (1) inch equals forty (40) feet, prepared by an architect, civil engineer, or surveyor, and consisting of the following information unless waived by the Farmland Permit Administrator.
- Agricultural Construction Permit Application Fee **\$1,100.00**

7. A Fee Schedule is included in this package.

PLEASE NOTE: If the site was subject of a previous site plan approval then new site plans may be necessary for the Special Exception request, however, the required number of as built surveys and petitions are still required.

Application Name: Shinnecock Hardware East

SCTM No.: 900-157-2-28.3

Property Address: 849 County Road 39, Tuckahoe

I. General Information

- a) Applicant's Name: Kevin Springer
Address: 11 Maple Avenue, Hampton Bays NY 11946
Phone No.: 631-255-9592

- b) Name of Business (Existing or Proposed): Shinnecock Hardware
Address: 849 County Road, Tuckahoe

- c) If the applicant is a corporation, give the name and title of the responsible Officer:
Name: N/A
Title: _____

- d) Landowner's Name: Robert J. Mahoney
Address: 849 County Road 39, Tuckahoe

- e) Licensed Architect, Landscape Architect, Civil Engineer or Land Surveyor
Name: Paul W. Dilandro, P.E.
License No: 097252
Address: 158 County Road 39 Suite 10
Telephone: 631-680-3590

- f) If the applicant does not own the property, prepare the Owner Endorsement Form at the end of this packet establishing authorization of the applicant's proposed subdivision of his land.

- g) All communications with regard to this subdivision shall be addressed to the following person until further notice:
Name: Kevin Springer
Address: 11 Maple Avenue, Hampton Bays, NY 11946
Phone No: 631-255-9592

II. Proposed Site

a) General location of Property north side
of, County Road 39, approx. 650 feet west of Tuckahoe Road
(street or road)

feet) (north/east/south/west)
of, _____, m. _____
(nearest interesting street)
(hamlet)

b) Total area under consideration: 39,074 sq. ft. or
.9 acres.

c) Zoning District(s):
Zoning Districts of adjoining Properties:

d) Zoning Overlay(s) (Please check all that apply)

- i. Agricultural*
- ii. Aquifer Protection
- iii. Tidal Flood Plain
- iv. Tidal Wetland & Ocean Beach
- v. Old Filed Map
- vi. Archaeological* (NYS Circles and Squares map)

*Include a survey showing the location of Class I and II prime agricultural soils

e) Latest Deed(s) describing this parcel(s) is/are recorded in the Suffolk County Clerk's Office as Follows:

DATE:	LIBER:	PAGE:

f) Are there any encumbrances or liens against this land other than mortgages? Yes No

g) Description of Project:

In the space below, please provide a description of the project, the proposed use and operation thereof, including a detailed explanation of the design concept, the objective of the project sponsor and how the project is or is not in compliance with the Town Code.

Additional sheets may be added if necessary

install a 1000 gallon above-ground propane tank on concrete slab with fencing and bollards

III. Characteristics of Site and Surrounding Lands

a. Current land use of site (agricultural, commercial, undeveloped)

commercial

b. Current conditions of site (building, brush, etc.)

existing hardware store

c. Character of surrounding lands (within 200 feet) (residential, commercial, agriculture, wetlands, etc)

commerical to east and west; residential to the north

IV. Nature of Use (i.e. retail, office, warehouse): retail

IV. Nature of construction:

a. Anticipated construction time: upon

b. Will Development be staged? YES: NO:

V. Impact:

a. Anticipated increase in number of residents, shoppers, employees, etc.

no significant increase anticipated

VI. Zoning:

a. Has an application been made to the Zoning Board of Appeals for this property? YES: NO:

If yes, please list the name of application and date of determination.

b. Is a Change of Zone requested at this time? YES: NO:

VII. Buildings:

a. Are all buildings and structures shown on the survey? YES: NO:

b. Existing Building Area Coverage: Square Feet: _____ Percent Lot: under 30%

c. Proposed Building Area Coverage: Square Feet: n/a Percent Lot: _____

d. Height of Proposed Buildings: Feet: n/a Stories: _____

e. Residential Buildings: Number of Dwelling Units by Size

n/a

f. Non-Residential Buildings: Total Floor area and Total Sales area

no new retail space proposed

g. Is a cellar proposed? YES: NO:

h. Proposed siding material: n/a

Roofing material: n/a

Construction Type: n/a

i. Are fire-walls proposed or necessary? YES: NO:

j. Standard Industrial Classification Code Number:

5983

(as identified in the Table of Use Regulations listed in the Town Code)

VIII. Utilities

The site will be served by the following utilities:

Fire District: Southampton

Water District or Company: SCWA

Electric and/or Gas Company: PSEG

Post Office: Southampton

School District: Tuckahoe

IX. Signs

- a. Are there any existing free-standing or attached signs? YES: NO:
(all signs must be indicated on site plan.)
- b. Have sign permits been obtained for all existing signs? YES: NO:
- c. Are free-standing or attached signs proposed? YES: NO:

**Plans indicating location, size, colors and materials of all proposed signs must be submitted with the site plan application. A Sign Permit from the Building Department must be obtained for all signs.

X. Parking

- a. Number of off-street parking spaces required as calculated using the Schedule of Off-Street Parking Space Requirements for Non-Residential Uses, listed in Section 330-94 of the Town Code: no new parking proposed
- b. Number of existing parking spaces: 16
- c. Number of handicap parking spaces provided (must be at least 5% of total parking spaces provided.): 2
- d. Number of truck loading spaces: undefined
- e. Is a parking waiver requested? YES: NO: If yes, for how many spaces? _____

Note: a formal letter requested waiver must be submitted separately along with this application

XI. State Environmental Quality Review Act (SEQR)

(Pursuant to Part 617, NYCRR and Chapter 157 of Town Code)

- a. Do any tidal or freshwater wetlands occur on the subject site? YES: NO:
- b. Are the wetlands and/or the proposed activity regulated by the following agencies?
 New York State Department of Environmental Conservation: YES: NO:
 U.S. Army Corps of Engineers: YES: NO:
 Southampton Town Conservation Board: YES: NO:
 Southampton Town Trustees: YES: NO:
- c. Has a permit been obtained from any of the above agencies? YES: NO:
If yes, which ones? _____
- d. Is the site located in a designated critical environmental area? YES: NO:
If yes, which ones? _____
- e. Is the proposed action a Type I, Type II, or unlisted action? _____

Note: Part I of an Environmental Assessment Long Form must be submitted for all Type I and Unlisted Actions

***PLEASE SUBMIT 15 COPIES OF APPLICATION AND PLANS. ***

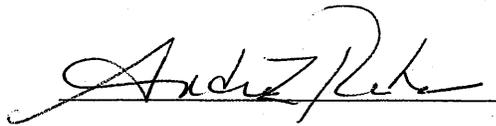
***Note:** A minimum of 15 copies is required. Additional copies may be necessary.

I hereby depose and certify that all the above statements and information, and all statements and information contained in the supporting documents and drawings attached hereto and true and correct.

Applicant's Name

Applicant's Signature

Sworn before me this 21st day of September 2018



Notary Public

ANDREA L RUHLING
Notary Public, State of New York
No. 01-RU6233114
Qualified in Suffolk County
Commission Expires December 27, 2018

5. During the 24 months before the filing of this application, have any of the following individuals made campaign contributions exceeding \$500 in total, in cash or in kind, to the campaign for public office of any Town officer or employee, to any individual campaign committee, or to any political party committee designated to accept donations on such Town official's or employee's behalf as a candidate for public office?

- | | <u>Yes</u> | <u>No</u> |
|---------------------------------|--------------------------|-------------------------------------|
| 1. Owner | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Applicant | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Agent for owner or applicant | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Attorney | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Other | <input type="checkbox"/> | <input type="checkbox"/> |

If the question to Question 5 is yes, Town Code Chapter 23 requires that the information be provided below:

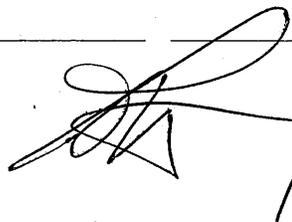
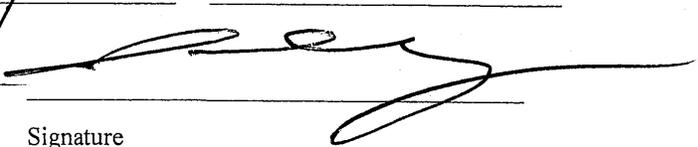
<u>Name/Address</u>	<u>Amount/Date</u>	<u>Name of Campaign Committee</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

6. During the preceding 24 months before the filing of this application, have any of the following individuals employed any Town officer or employee or a relative thereof involving compensation in an amount of \$500 or more? Said compensation may be directly made, or indirectly made through a corporation or business interest held by any Town officer or employee or their relative.

- | | <u>Yes</u> | <u>No</u> |
|---------------------------------|--------------------------|-------------------------------------|
| 1. Owner | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Applicant | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Agent for owner or applicant | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Attorney | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Other | <input type="checkbox"/> | <input type="checkbox"/> |

If the answer to Question 6 is yes, Town Code Chapter 23 requires that the information be provided below:

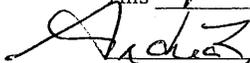
<u>Name</u>	<u>Position</u> (Owner, Agent, Attorney, Other)	<u>Corporation</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

 Signature

Sworn to before me

This 4th day of September 2018



 Notary Public

ANDREA L RUHLING
Notary Public, State of New York
No. 01-RU6233114
Qualified in Suffolk County
Commission Expires December 27, 2018

A FALSE STATEMENT MADE HEREIN IS PUNISHABLE AS A CLASS "A" MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW OF THE STATE OF NEW YORK

A. For the purposes of this disclosure, an official of the State of New York or an elected or appointed official or employee of the Town of Southampton shall be deemed to have an interest in the owner and/or applicant when that official or employee, their spouse, brothers, sisters, parents, children, grandchildren or the spouse of any of them is:

- a. the owner or applicant; or
- b. an officer, director, partner, or employee of the applicant or owner; or
- c. Legally or beneficially owns or controls stock of a corporate applicant or owner, or is a member of a partnership or association applicant or owner; or
- d. Is a party to an agreement with the applicant or owner, express or implied, whereby said official or employee may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application. Ownership of less than five percent of the stock of a corporation whose stock is listed on the New York Stock or American Stock Exchange shall not constitute an interest for the purposes of this disclosure.

SITE PLAN/SPECIAL EXCEPTION APPLICATION FORM CHECK LIST
THIS FORM TO BE COMPLETED BY APPLICANT

Project Name: Shinnecock Hardware East

SCTM No.: 900-157-2-28.3

Property Address or Location: 849 County Rd 37 Southampton

Contact Person: Kevin W. Sparger

Application submitted by: Property Owner Owner's Agent

Date: _____

SUBMISSION REQUIREMENTS
IS ITEM INCLUDED?
PLEASE CHECK YES OR NO

	YES	NO
Fees:		
Site Plan:		
1. The improved or altered area is 500 SF or less	<input checked="" type="checkbox"/>	___
2. The improved area of the project is greater than 500 SF but does not exceeds 2 acres	___	___
3. The improved area of the project exceeds 2 acres	___	___
Special Exception Fee	___	___
Fee Waiver Requested	___	___
Site Plan Application Form	<input checked="" type="checkbox"/>	___
Special Exception Legal Petition	<input checked="" type="checkbox"/>	___
 Site Plan: Legal Data		
Site plan @ 1" = 40' or greater	<input checked="" type="checkbox"/>	___
Key Map @ 1" = 200' or greater	<input checked="" type="checkbox"/>	___
Name and Address of Owner of Record	___	<input checked="" type="checkbox"/>
Name and Address of person/firm preparing map	<input checked="" type="checkbox"/>	___
Signed/Stamped	___	___
Date	<input checked="" type="checkbox"/>	___
North Arrow	<input checked="" type="checkbox"/>	___
Scale (Graphic or Written)	<input checked="" type="checkbox"/>	___
Property Description (error of closure not exceed 1 in 10,000)	<input checked="" type="checkbox"/>	___
Location, Names, Ownership of adjacent streets and curblines	<input checked="" type="checkbox"/>	___

Adjoining lands and owners	✓	—
Public easements, setbacks, or dedicated area on site or adjoining land	—	✓
Outline of existing easements, deed restrictions or covenants on site	—	✓
Existing Zoning	✓	—

Site Plan: Natural Features

Existing contours at max. 2' intervals, or spot elevations (Identify source of contour information)	—	✓
Approximate boundaries of areas subject to flooding	—	✓
Identification of unique natural features (wetlands, steep slopes)	—	✓
Identification of cultural features on site or adjacent	—	✓
Archeological, historic buildings, agricultural fields on or adjacent	—	—

Site Plan: Existing Structures and Utilities

Building footprints and uses not requiring buildings	✓	—
All paved areas, parking areas, sidewalks, vehicular access to street	✓	—
Existing culverts (dimension and grades) flow direction and grades	—	✓
Underground/above ground utilities on site and adjacent		
Electrical Service	—	✓
Water Mains	—	✓
Sewer Mains	—	✓
All existing site structures (including fences)	✓	—
Location and use of all buildings and structures within 200'	—	✓
Nearest Fire Hydrant, cisterns, other fire protection	—	✓

Site Plan: Proposed Development

Location of building or structures (Indicate all setbacks and horizontal distances from existing structure)	✓	—
Location and design of non-structural elements (parking, loading areas)	✓	—
Parking calculations		
Automobile	—	✓
Truck	—	✓
Outdoor lighting plan – location & lamp Design (Lightening power w/ foot-candles indicated on site plan, and time of use)	—	✓
Grading and drainage plan		
Drainage calculations	—	✓
Proposed contours/spot elevations	—	✓
Sewage disposal treatment	—	✓

Storage areas for materials, vehicles, equipment, supplies, products	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Building Elevations including:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Description of materials, colors	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sign Plans	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Proposed location	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Design	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Landscape Plans	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Plant List	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Size and Quantity	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cablevision installations, location of water valves, water supply	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Outdoor storage areas (located in side or rear yard and screened or fenced)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Phased development plans (when appropriate)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Compliance with ZBA Variance (if applicable)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Additional Materials:

Certificate of Appropriateness (Landmarks & Historic District)	<input type="checkbox"/>	<input type="checkbox"/>
Wetland Permit Application (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>
Sign Permit Application (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>
Owners Endorsement	<input type="checkbox"/>	<input type="checkbox"/>
Disclosure Affidavit	<input type="checkbox"/>	<input type="checkbox"/>
Agriculture Data Statement	<input type="checkbox"/>	<input type="checkbox"/>

Additional Comments:

For all information that is not provided state "No".
If the applicant believes these items are not applicable, indicate such and give reasoning.

Other comments about the submission may be provided here.

Kevin Springer

Applicant's Name

Applicant's Signature

**Special Exception Application of
Shinnecock Hardware East
849 County Road 39, Tuckahoe
900-157-2-28.3**

Application is to install a 1000 gallon, above-ground propane tank on a concrete slab, with fencing and bollards. The project conforms to the General and Special Standards pursuant to §330-122 and §300-133 of the Town Code, as follows:

§330-122 General standards.

- A. Such use will be in harmony with and promote the general purposes and intent of this chapter as stated in § 330-3.

The subject property is zoned Highway Business and is currently improved with a hardware store. The proposed propane tank is an appropriate accessory use to a hardware store where the sale of propane is common.

- B. The plot area is sufficient, appropriate and adequate for the use and the reasonably anticipated operation and expansion thereof.

The subject property has a lot area of 39,074 square feet, where 40,000 square feet is the minimum required in the HB Zoning District. However, this property enjoys a pre-existing CO for a hardware store use with more than sufficient area to accommodate the sale of propane.

- C. The proposed use will not prevent the orderly and reasonable use of adjacent properties, particularly where they are in a different district.

The proposed propane tank is located in the rear of the site and will appropriately fenced and therefore will not prevent the orderly and reasonable use of adjacent properties, particularly the property to the north which is located in the R-60 Zoning District. Access to that property is by way of easement to the east, which is unaffected by the proposed propane tank.

D. The site is particularly suitable for the location of such use in the Town.

Although a pre-existing, non-conforming use, the hardware store enjoys a pre-existing CO, which was issued in 1989. Further, there was a ZBA decision in 1985 indicating a hardware store use. As such, the sale of propane is appropriate for this site given the long standing hardware store use.

E. The characteristics of the proposed use are not such that its proposed location would be unsuitably near to a church, school, theater, recreational area or other place of public assembly.

The subject property is not located near a church, school, theater, recreational area or other place of public assembly.

F. The proposed use, particularly in the case of a nonnuisance industry, conforms to this chapter definition of the special exception use where such definition exists or with the generally accepted definition of such use where it does not exist in this chapter.

There is no definition of a propane tank use in the Town Code, however the project does conform to the generally accepted definitions associated with such use. There are a number of sites throughout the Town that sell propane and this project is no different than any of those.

G. Access facilities are adequate for the estimated traffic from public streets and sidewalks, so as to assure the public safety and to avoid traffic congestion; and, further, that vehicular entrances and exits shall be clearly visible from the street and not be within 75 feet of the intersection of street lines at a street intersection, except under unusual circumstances.

Access to the site is by way of existing curb cut along the highway with no proposed changes at this time. The location of the propane tank in the rear ensures activities will be away from the road. Internal circulation will remain as it currently exists.

- H. All proposed curb cuts have been approved by the street or highway agency which has jurisdiction.

The curb cut is existing.

- I. There are off-street parking and truck loading spaces at least in the number required by the provisions of §§ 330-92 through 330-101, but in any case an adequate number for the anticipated number of occupants, both employees and patrons or visitors; and, further, that the layout of the spaces and driveways is convenient and conducive to safe operation.

The site contains a pre-existing hardware use and associated parking.

- J. Adequate buffer yards and screening are provided where necessary to protect adjacent properties and land uses.

Additional buffering to the adjacent residential property to the north can be accommodated.

- K. Adequate provisions will be made for the collection and disposal of stormwater runoff from the site and of sanitary sewage, refuse or other waste, whether liquid, solid, gaseous or of other character.

The existing drainage structures adequately handle the collection and disposal of stormwater runoff while the existing septic system addresses the sanitary sewage.

- L. No outdoor sales lot, rental equipment storage or display area will be permitted in the required front yard area of any business district, except that in the HB District such uses may be permitted in the required front yard, provided that they are set back 50 feet from the front property lines.

No outdoor sales lot, rental equipment storage or display area is proposed.

- M. The proposed use recognizes and provides for the further specific conditions and safeguards required for particular uses in this article.

The storage and sale of propane is subject to the specific standards pursuant to § 330-133, as stated below.

§330-133 **Fuel storage in tanks.**

- A. Any such installation of flammable liquids or gas shall be in conformance with the applicable recommendations of the National Board of Fire Underwriters.

The proposed propane tank will be in conformance with the applicable recommendations of the National Board of Fire Underwriters, as well as any and all applicable Federal, State and Local requirements.

- B. The recommendations of the local Fire Chief having jurisdiction and of the Town Bureau of Fire Prevention shall also be considered prior to approval of such a use.

This application will be referred to the Town Office of Fire Prevention and any requirements of that agency will be incorporated into the approval for this project.

- C. All such uses shall be located on sites large enough to contain the impact of any potential accident that might result from their existence without damage to adjacent properties, any surface waters or the groundwater reservoir.

The subject property is nearly 40,000 square feet and therefore large enough in the event of an accident. Further, all necessary protective measures as required by law and through the Planning review process will be strictly adhered to.