

MEETING OF JULY 24, 2017
OF THE TRUSTEES OF THE FREEHOLDERS AND COMMONALTY
OF THE TOWN OF EAST HAMPTON

Present:

Rick Drew, Deputy Clerk
Bill Taylor, Deputy Clerk
Tyler Armstrong
Brian Byrnes
Jim Grimes
Diane McNally

Not Present:

Francis Bock, Trustee Clerk
Tyler Armstrong
Timothy Bock

Also Present:

Richard Whalen, Trustee Attorney
Lori Miller-Carr, Trustee Secretary
Christopher Walsh
John Aldred
Joseph Bloecker
Sara Davison
Bruce Horwith
Susan McCraw-Keeper
Rona Klopman
Simon Kinsella

The meeting was opened with the Pledge of Allegiance at approximately 6:30 p.m.

Bruce Horwith was present concerning the application of Pond Acquisition Corporation (the Creeks). Mr. Grimes reported he, Mr. Drew and Mr. Byrnes inspected the property. He noted because of the height of the Pond, not enough phragmite cuttings were done; and the permit expired on July 11, 2017. Mr. Grimes suggested issuing a new permit for cutting phragmites that will be valid until November with the condition that the applicant come in with a landscape plan (with quantities, sizes and locations) within 30 days of the expiration date. When the permit comes up for renewal in 2018, the landscape plan must be completed. A motion was made by Mr. Grimes to renew the Trustee permit (GP #6-16) issued to the Pond Acquisition

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Corporation (the Creeks) for phragmite control at 291, 252 and 249 Montauk Highway with the standard conditions in addition to the following: a) permit shall expire on November 21, 2017; b) receipt of a revegetation plan is a prerequisite to issuance of any future permits; and c) receipt of documentation authorizing Emily Hatch to sign on behalf of the applicant. This motion was seconded by Mr. Byrnes and unanimously approved.

Mr. Horwith reported he has been in contact with Solitude Lake Management concerning the proposed excavation of the northeastern bottleneck at Georgica Cove. He explained the proposal is to utilize a small hydraulic dredge, and a harvester to cut the phragmites and remove them with a suction hose. In a discussion, it was agreed Mr. Horwith will submit a written description of the proposal to the Board.

Simon Kinsella expressed appreciation to the Trustees for their support concerning Wainscott Pond and for hiring Dr. Gobler to do preliminary research in the summer of 2016. He told the Board the property owners along Wainscott Pond would like to continue the research plan with Dr. Gobler and have agreed to fund additional testing. A motion was made by Mr. Grimes to approve additional testing of Wainscott Pond by Dr. Christopher Gobler with the condition that a detailed research plan be submitted to the Trustees. This motion was seconded by Mr. Taylor. Ms. McNally was opposed.

An application was received from Clearwater Beach Property Owners Association for bulkhead replacement. The Accabonac/Hog Creek Committee will review the application and report back to the Board at the meeting of August 14th.

Rob Richardson expressed concern about encroachments on public access to the beaches. He pointed out in particular, Keck Path (at the end of West End Road) which has an easement with condition that public access be maintained. The private property owners installed boulders that are blocking access. Mr. Whalen advised Mr. Richardson that the Village of East Hampton is the landowner and they eliminated parking in that area. Mr. Richardson told the Board the State Parks installed a sign on Hicks Island which prohibits boats from landing on the shoreline. He felt the public has the right to use the shoreline and recommended the Trustees contact the State Parks.

Mr. Drew reported a request was received from Land Planning Services to extend the Maslin permit for sand placement at 307 Kings Point Road which will expire on July 25th. Ms. McNally said she would like to review this and felt as long as the request was received prior to the expiration date, there should be no problem with extending the permit.

A ZBA Public Hearing Notice for July 25th was received concerning the application *of* George and Anastasia Gavalas for construction of additions to a residence at 43 Marine Boulevard. Mr. Grimes noted the application requires several setback variances which are side yard or front yard but not in the area of Trustee jurisdiction.

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Mr. Grimes reported the application of Irving Paler to demolish an existing residence at 124 Beach Lane was also included in the ZBA Public Hearing Notice for July 25th. He added the project is located outside the area of Trustee jurisdiction.

Concerning the application of 199 Lily Pond Lane for re-construction of an existing revetment and dune restoration, Mr. Grimes reported he and Ms. McNally inspected the site of the proposed project. He noted the applicant would like to replace the revetment, in-place, in-kind. He will contact the agent for a more detailed description of the project.

A Notice of Hearing dated July 28th was received from the Village ZBA concerning the application of Howard and Sherri Lippmann for removal of phragmites. Mr. Grimes pointed out this application was previously approved by the Trustees.

A ZBA Public Hearing Notice dated August 1st was received concerning the application of Adam Wade Potter Revocable Trust for removal of an existing residence at 155 Three Mile Harbor Road. The Board agreed the proposed project is located outside Trustee jurisdiction.

In response to a request from the Building Inspector for Trustee approval to issue a Certificate of Occupancy to JPR Partners at 267 Three Mile Harbor Hog Creek Highway, Mr. Byrnes reported he inspected the bulkhead and found that all the conditions of the Trustee permit have been met. A motion was made by Mr. Grimes to close out the Trustee permit (T #9-15) to JPR Partners for bulkhead reconstruction at 267 Three Mile Harbor Hog Creek Highway. This motion was seconded by Mr. Taylor and unanimously approved.

Mr. Taylor reported the Georgica Pond Committee has been working on a Memorandum of Understanding with the Georgica Association for the proposed dredging of the Pond's south inlet. A draft of the Memorandum of Understanding will be forwarded to the Trustees for their review prior to the meeting of August 14th.

Concerning the proposed no spray trial area in Accabonac Harbor, Mr. Drew reported he contacted Legislator Fleming's office and was informed the interns begin training tomorrow to collect water samples for mosquito larvae. Mr. Taylor added a representative of Vector Control will be in East Hampton on Wednesday, July 26th to do an assessment of the area to be tested and review the protocol with the interns. Mr. Taylor added representatives of the Natural Resources Department will be on site.

Ms. McNally reported she requested further information from the agent regarding the application of Lion Head Beach Association for bulkhead repair. She added not all the information has been received to date and asked that this matter be tabled to the meeting of August 14th.

Mr. Drew suggested tabling any discussion concerning the proposed Adopt-a-Beach Program as Mr. Armstrong is absent.

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Mr. Grimes reported a modified application for the cutting of phragmites, as opposed to excavation, was received from Mr. Horwith, the agent for One Association Road (MyWifeReallyLikesIt). He added it appears the vegetated buffer has been abandoned and he felt it should be a requirement. He will contact Mr. Horwith and advise him the project will not be approved unless the buffer is included as part of the application.

Concerning the application of Joseph Perella for shoreline stabilization at 43 Terbell Lane adjacent to Hook Pond, Mr. Grimes reported the Committee is waiting for submission of a survey that includes a proper revegetation plan.

Mr. Drew reported word was received that representatives of the Deepwater Wind Farm have proposed a new cable route from Cox's Ledge to the south along the ocean as opposed to Gardiner's Bay. He felt this is a positive step for the commercial as well as recreational fisheries. This matter will be discussed further at the next Harbor Management meeting scheduled for August 16th.

Mr. Drew reported Hamptons Web Design will submit a quote for the cost to post Dr. Gobler's real time buoy data on the website; and to develop a new blog on various issues (re: piping plover nesting sites, etc..)

Mr. Drew reported he spoke with Richard Hyman regarding a question pertaining to potential private ownership of a portion of Crooked Highway near Bull Path. It was agreed that Mr. Whalen will contact Fidelity Title Search Company to determine what the process would be to obtain a chain of title.

In response to a request from the Building Inspector for inspection prior to issuance of a Certificate of Occupancy to PND Hamptons, LLC at 10 Three Mile Harbor Drive, Mr. Byrnes will contact Land Planning Services to request an updated as-built survey.

Mr. Byrnes reported an as-built survey was requested from Donald Vanderveer for Three Mile Marina, but no response has been received to date. A previous request was received from the Building Inspector for inspection of Three Mile Marina by the Trustees prior to issuance of a Certificate of Occupancy.

A motion was made by Mr. Byrnes to approve payment of the following bills: a) Staples- \$29.47; b) North Fork Water Supply- \$47.94; c) Nawrocki Smith- \$8,000.00 (Town audit); d) East Hampton Marina- \$339.33 and e) Star Island Yacht Club- \$371.17 (pump-out boat repair). This motion was seconded by Mr. Grimes and unanimously approved.

A motion was made by Mr. Drew to approve the minutes of April 10, 2017 with amendments. This motion was seconded by Mr. Grimes and unanimously approved.

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Mr. Drew reported there have been complaints regarding the condition of the kayak racks at both Louse Point and Settler's Landing. Mr. Grimes agreed to replace the broken rails on the kayak racks at Louse Point.

Concerning the Largest Clam Contest which is scheduled for Sunday, September 24th, Mr. Drew reminded the Board to obtain prizes from sponsors.

Mr. Drew acknowledged the Correspondence portion of the agenda which did not require any action on the part of the Trustees.

A motion was made by Mr. Grimes to adjourn the meeting at approximately 7:50 p.m. This motion was seconded by Mr. Byrnes and unanimously approved.

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