

Wainscott Citizens Advisory Committee (WCAC)
Meeting of November 5, 2016

The next meeting will be held on December 3, 2016

Member Attendance:

Jose Arandia, Co-Chair
Frank Dalene
Dennis D'Andrea
Virginia Edwards
Barry Frankel, Co-Chair
Simon Kinsella
Carolyn Logan-Gluck
Susan Macy
Rick Del Mastro, WCAC Chair Emeritus
Bruce Solomon
Sally Sunshine
Cindy Tuma
Phil Young

Excused Absences:

Kathleen Begala

Elected Official:

Kathee Burke-Gonzalez, Town Councilwoman, Liaison to WCAC

Members of the Public:

Lynn Cronin
Sara Davison, Executive Director, Friends of Georgica Pond Foundation
Howard Fine
Karen Frankel
Michael Friedman
Mary Petrie
Joan Schlank
Carole Slater
Jeffrey Smith, President, Eastern Region Helicopter Council
Reine Turner
Jon Winkler, East Hampton Press

Minutes

The revised September 10, 2016 minutes were seconded and approved. The October 8, 2016 minutes were seconded and approved.

Liaison Report:

Moratorium

The Suffolk County Planning Commission voted 9-4 in support of the moratorium. Councilwoman Burke-Gonzalez made a motion to adopt the resolution, however Councilman Fred Overton would like to discuss it further, so the resolution is pending discussion at the November 15th work session. If Overton would like to contact the WCAC outreach group with any questions he may have regarding the moratorium, he is welcome to contact co-chairs Frankel and Arandia, as well as members Del Mastro, D'Andrea, and Kinsella. The moratorium would stay in effect one year from approval by the Secretary of State.

Car Wash

No new developments since the September planning board meeting. Co-chair Arandia notes that the property is back on the market as of a week ago listed by Saunders for \$3,250,000.00

Airport

The Second Circuit ruled Friday that the Town of East Hampton cannot enforce three noise and access limiting ordinances for the airport. Specifically, the unanimous 3 judge panel detailed their decision in a 53 page brief finding that the three ordinances were in violation of the Airport Noise and Capacity Act of 1990 (ANCA). The decision will now go back to Federal District Court Judge Joanna Seybert. Councilwoman Burke-Gonzalez will circulate the full decision, press release, and a summary of the decision written by Town's counsel.

Co-chair Arandia wondered whether the next step is to begin a discussion regarding closure of the airport. Councilwoman Burke-Gonzalez made clear that the Town cannot close a grant operated airport (which EH is through 2021) without authorization from the FAA.

Jeffrey Smith, President of Eastern Region Helicopter (ERH) made clear that ERH isn't going to change anything it has done over the past 3-4 years. Historically, they have followed noise abatement routes, and the voluntary shoulder curfew. Smith also addressed member of the public Carole Slater's helicopter concerns. She wondered whether warm up time can be limited, and was told helicopters should not be running for more than 5 minutes. Slater also wondered whether the entertainment/tour business can be stopped. No tour businesses originate out of EH, rather we are seeing Real Estate business which cannot be stopped because the FAA owns this airspace. Lastly, single ridership cannot be limited.

Chair emeritus Del Mastro suggested inviting Jim Brundage, EH Airport Manager to an upcoming meeting(s).

Public Service Announcements

- Town offices are closed 11/8 for Election Day, and 11/11 for Veterans Day.
- The recycling center will be closed Tuesday 11/8, and Wednesday 11/9.
- The Town has taken over Green River Cemetery and is looking for members to serve on its board. If anyone is interested, please reach out to Councilwoman Burke-Gonzalez.

- The EH food pantry has moved to Hampton Country Day Camp. Please contribute to their annual harvest, Saturday, November 12 from 12-2pm at EH middle school.

Committee Topics for Discussion:

Car Wash Update

Member of the public Davison asked whether a car wash can be removed as an approved zoning use in a central business district? Chair emeritus Del Mastro said he believes that the moratorium would drive this, as the hamlet study would result in recommendations which would then have to be adopted and enforced. Councilwoman Burke-Gonzalez will confirm whether the Town can change zoning while an application is pending.

Wainscott Pond Water Quality Update/Wainscott Ground Water Update

Member Kinsella's concerns are outlined in his October 24, 2016 letter regarding Hexavalent Chromium (Cr VI) to Town Attorney Michael Sendlenski have been referred to Suffolk County Water Authority, Suffolk County Health Department, and the New York State Department of Environmental Conservation for investigation.

Member Kinsella reiterated his concern that no one is looking after Wainscott's water aquifer, and wonders what recourse the community has, given that Suffolk County Water Authority is the fifth worst in Cr VI levels in the US. He also made clear that dust containing Cr VI poses an even greater threat than its presence in water. Member Dalene suggested that this would be a great opportunity to discuss potential legislation with Suffolk County Legislator Bridget Fleming. If no one is going to act and carry out testing, member Kinsella would like to have Dr. Gobler's students create testing of ground water, public water, areas around the Pitt, etc. to guide independent testing for analysis by a laboratory found in CA. This testing would cost approximately \$5,000.

A motion to form an environmental sub-committee was seconded and approved. Members will include Chair Emeritus Del Mastro, members Dalene, Edwards, Kinsella, Logan-Gluck, Macy, and Solomon, as well as member of the public Davison.

CPF (Davison)

Reauthorization of the CPF will extend it to 2050, and allows for the first time 20% of funds to be used for water quality/protection. Vote YES to proposal 1 on the BACK of your ballot on November 8.

Town and Committee Updates:

Building Department

Member Dalene is applying for a building permit for an addition to the existing structure of his home, with a goal to become energy independent.

Energy Sustainability Town Advisory Committee

The committee has been asked to work with Southampton to set a goal for 100% renewable energy, which would make the entire South Fork 100% renewable.

Other:

Traffic

Member of the public Carole Slater's letter regarding traffic enforcement has been forwarded to EH Town Highway Superintendent Stephen Lynch for his input. New York State does not allow stop signs to calm traffic, and speed bumps are considered a liability, therefore these options will not be explored. The maximum speed limit cannot be reduced below 30 mph unless it's a school zone, without special legislation, which New York State Assemblyman Fred Thiele has put forth for two roads, Wainscott Stone Road and Wainscott Main Street. Lastly, limiting turning from Wainscott Stone Road onto 27 from Memorial to Labor Day would cause too much congestion. A motion to create a traffic/speed control sub-committee was seconded and approved. Members will include Chair Emeritus Del Mastro, Member D'Andrea, and member of the public Slater.

In response to the Friends of Wainscott Stone Road letter, dated August 2016, the DOT found that installation of traffic signals, and restricting left hand turns would not be appropriate at this time as both actions would increase traffic.

Cozy Cabins

Chair Emeritus DelMastro asked that the Cozy Cabin signage be revisited at the December meeting.

Affordable Housing

Member of the public Schlank wondered why affordable housing in Wainscott is not going forward. As a committee, the Fred Thiele proposal was favored, however the location was in question and therefore not chosen.

Business Community Award

Presentation of Business Community Award to Pat Trunzo followed today's meeting.