

Sag Harbor

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Harbor Heights Decision Looms

Opposition builds as work session and meeting approach

BY KATHRYN G. MENU

AS A DECISION on whether to allow the expansion of the Harbor Heights service station on Hampton Street looms, literally hundreds of residents of Sag Harbor and surrounding communities sent letters to the village zoning board of appeals (ZBA) over the course of the last two months, a majority opposing the development after three years of review.

The Sag Harbor ZBA will host a work session on the application next Monday, December 16 at 3:30 p.m. On Tuesday, December 17 the application is also on the ZBA's monthly meeting agenda. That meeting will begin at 6:30 p.m.

For over three years now, Harbor Heights property owner John Leonard has sought to redevelop the parcel, keeping both the Harbor Heights gas station and Sag Harbor Service Station, but relocating and expanding gas pumps and adding a convenience store.

The project has shrunk in size during the course of the village's review, but still requires three variances. The convenience store is now 718 square-feet within the existing Harbor Heights building, which will be rebuilt. The village code limits the size of a convenience store to 600 square-feet.

The plan includes four new pump islands with eight hoses, almost doubling the number of pumps at the station, as well as a canopy, which does not need a variance. Village attorney Denise Schoen has advised the ZBA it must determine whether an expansion of the pumps is an expansion of the station's pre-existing, non-conforming use. Variances for setbacks and landscaping are also required.

"The opposition has failed to establish any detriment to the public health, safety and welfare of the community," states Leonard's attorney Dennis Downes in a November 19 memo to the ZBA. "The record is devoid of any empirical evidence to that effect. The emails solicited by the Sag Harbor Group all have the same theme that the subject Premises should not change."

Downes argues there is a benefit

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to the community in that currently without a curb cut and with pumps located virtually in the right-of-way on Hampton Street, a queue of cars is created on the road while people wait to fuel their vehicles. With the new location and addition of pumps that will cease, he argues. Downes also notes landscaping will improve the property as well.

Jeffrey Bragman, an attorney representing Save Sag Harbor, a not-for-profit that has opposed the expansion, argues in his November 19 memo that there are a number of issues with the project, including that it is an expansion of a pre-existing, non-conforming use. He also contends the actual size of the convenience store is 944 square-feet, that the canopy should be considered a principal structure, and the addition of the canopy adversely impacts the neighboring community. Bragman also argues against a variance for landscaping, arguing that is critical to protect neighbors from being impacted.

"Simply stated, the property is not large enough to accommodate the applicant's design with its additional structures and an oversized convenience store," says Bragman. "However, it is ample for a smaller conforming plan. Rather than comply with zoning, the applicant chose to 'shoehorn in' an oversized plan, making it fit by reducing required buffers. This

unnecessary choice imposed the full burden of his oversized plan on the neighbors."

"My wife's family purchased their home in Sag Harbor over 30 years ago," said Art Murr, a resident of Redwood Road and one of hundreds who sent correspondence to the ZBA or signed petitions opposing the project. "Change is inevitable and, for the most part, has been done wisely and keeping the character of the village in mind. Now, however, the village is at a critical point in its development. Besides Harbor Heights, the new Watchcase Factory development will cause added pressure on Sag Harbor to change the character of the village and add more amenities and move Sag Harbor close to an East Hampton environment."

"It is particularly distressing that the owners of the gas station want to expand the number of gas pumps, that the square footage of the store is larger than projected, that the landscape buffers are insufficient and that the canopy is larger than the existing building," writes Carver Street resident Eileen Rosenberg in her letter to the board.

"I used to live on Harrison Street and so passed by Harbor Heights regularly," writes artist and North Haven resident April Gornik. "Although I am sympathetic to its owner wanting to renovate it, if it becomes too large, too brightly lit, and too encroaching on the historic Eastville neighborhood, it

will be a disaster. It is a kind of gateway and landmark in the sense of directing people coming from 114 into the village."

"I have spent every summer of my life in Sag Harbor and consider it my true home," said Ninevah Beach resident Donnamarie Barnes. "When I was young my family lived on Lighthouse Lane and I am familiar with the presence of the Harbor Heights station in that community. To drastically enlarge it would impact the entire area and would change the character of that residential neighborhood and the general tone of the village. The village has grown over the years and changes will always be before us, but we have the power to determine how that change and growth happens. The tradition and character of Sag Harbor is unique and loved, please be true to those traditions and preserve what we have."

Paul D'Ascoli, a resident of Wain-scott, wrote the lone letter in support of the expansion.

"Not sure why the people who oppose this renovation and expansion are so adamant about not giving Harbor Heights even a little slack and if anything to me it says more about them than the owner of Harbor Heights who, from what I can see, is trying to do the right thing to make this place less of an eyesore and a more useful gas station ... after all that is what it is and why is the opposition trying so hard to perfume a pig."

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