

Generations Plead for a Home

THE EAST HAMPTON STAR

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Laurie Wiltshire represented the Talmage family at an East Hampton Town Board hearing last Thursday. Photo Credit: Morgan McGivernMembers of one of East Hampton's founding families made emotional pleas last week to the town board, seeking to have the zoning changed and agricultural protections removed on their 19 acres of farmland so that it could be subdivided into more house lots than currently allowed.

Eleventh and 12th-generation siblings and cousins in the Talmage family argued that two upzonings of the land located between Cedar Street and Long Lane, designed to protect the farmland, were based on an erroneous classification of the soils there as "prime," and that the land is actually virtually unfarmable.

Town officials had scheduled the hearing on a request to rezone the site, now in a five-acre residential zone with an agricultural overlay, to one-acre zoning, without the agricultural zone, but the family had changed its application just before the hearing to request three-acre zoning. The land is held in a limited partnership known as Diamond T.

Four adult siblings, their mother, and their children invoked generations of community involvement and ties to the land, and a desire to provide younger members of the family, who have been priced out of East Hampton, with an ability to stay here.

Stephanie Talmage Forsberg, an East Hampton Town trustee, described how her ancestors accepted 12 acres from the King of England and gave additional land to the trustees. "My family has continuously given back to the town," she said.

"I may soon have to face the hard reality that I may not be able to live here," said Sarah Talmage, a college student and 12th-generation member of the family. "Our beaches may be some of the best in the nation, but our close-knit sense of community is that times 10," she said.

All three of his children "want to live here and build homes," said Tom Talmage. "Please approve the zone change to help my family provide for themselves."

Kayla Talmage, who, like her cousin, served as a trustee, for two terms, said she moved four years ago to Hampton Bays, which was more affordable, and that her brother, sister, and their families also moved there recently. Returning to the family property, "to be able to build on it, would be the only way I could return to live in East Hampton," she said.

Under the current zoning, four house lots could be created, with 70 percent of the agricultural land set aside. The family's original request, a change to one-acre zoning with no agricultural protection, would have allowed 16 house lots. Under three-acre zoning, it is estimated that six house lots would be allowed, with one designated for affordable housing. Seventy percent of the farmland would remain untouched, if the agricultural zone also remains, or 50 percent if it is removed.

Previous zoning changes to the property in 1984 and 2005 and the establishment of the agricultural overlay zone were based on the land's classification as prime agricultural soil.

The town code, in its description of farm soil categories, references the United States Department of Agriculture's soil classifications, but, Laurie Wiltshire, a land planner for the Talmages, said those classifications have been revised, and an error acknowledged.

However, JoAnn Pahwul of the Town Planning Department said that regardless of how the U.S.D.A. now classifies the “Plymouth loamy sand” soil on the property, that soil type is considered prime soil under East Hampton Town Code. The type of soil on the Talmage land, according to the U.S.D.A., is still considered of “statewide significance,” she said.

Those driving by need only look at the row of cedar trees planted at the property’s edge along Cedar Street, Jane Talmage, the family matriarch, said. “They are the sorriest-looking trees I have ever seen — and on Cedar Street, no less.”

“Keeping 70 percent of the land after the discovery of a mistake is just stealing, in my opinion,” she said.

“This is the perfect place to do something for our youth for the future,” she said. “One by one we are running them out of town.”

Christopher Talmage, whose two children are 13th-generation Talmages, said he lives in Hampton Bays but commutes to the family driveway business, D.L. Talmage, on the homestead land. “The history and heritage of East Hampton Town has always been based on the people who live here and their commitment to the quality of life in the town,” he said. The zoning restrictions on the family land, he said, have “cost the family substantially” and are “breaking the roots to our family ties in the town.”

Debra Foster, a former town councilwoman who participated in crafting the comprehensive plan, also choked up, like many of the Talmages. “You’re not going to find a better family than the Talmages,” she said. “They’re the epitome of the kind of family that this town can be proud of.”

But, she said, overall community goals were applied objectively in adopting the comprehensive plan and enacting agricultural and other zones. “You have to decide what your goals are. One of our goals was to preserve farmland.”

A change to the way farm soils are categorized is of concern, Ms. Pahwul said, because it could set a precedent that could be applied to other farmland in the town, allowing increased development.

Ms. Wiltshire said her own review of other parcels that could be affected by a change to the town code regarding soil designations resulted in a much smaller list. Even if the owners of all three sites that she determined could be recategorized also successfully made that request to the town, she said, the result would be a potential for 10 more new house lots, with one required to be earmarked for affordable housing.

Ms. Wiltshire argued that the goals of the town comprehensive plan also include meeting the housing needs of current East Hampton residents and their family members.

“You could end this thing by Dec. 31,” Ms. Wiltshire told the board. She suggested board members have the required environmental review completed by the Planning Department and vote for the zone change at a special meeting before the end of the year. “I would kindly ask you to do that,” she said.

Because the County Planning Commission voted against the original zone change request, four out of five town board members would have to approve it to override that agency’s vote.

“You have my vote,” said Town Supervisor Bill Wilkinson. Councilman Dominick Stanzione agreed. But Councilwoman Sylvia Overby and Councilman Peter Van Scoyoc, who will remain on the board next year, said it would be premature to make a decision without having the Town Planning Department and planning board, as well as the County Planning Commission, weigh in on the revised zone change request.

“I think it’s really important that there be a process followed from start to finish, and it’s fair and it’s the same for everybody,” Mr. Van Scoyoc said.

“I’m being pressured to make a vote on something without really having all the information, and that’s not really fair,” Mr. Van Scoyoc said.

Ms. Overby said she could sympathize with the Talmage family members, but, she said, “the town expects a level playing field” regardless of how many generations a family has been in East Hampton.

The hearing is being held open while comments are sought from the other agencies and an environmental assessment is done on the new three-acre zoning request.

Original article and images at: <http://easthamptonstar.com/Government/20131226/Generations-Plead-Home>