Trustees of the Freeholders and Commonalty of the **Town of Southampton** 116 Hampton Road

Southampton NY, 11968

http://www.southamptontownny.gov/trustees

Telephone: (631) 287-5717 Fax: (631) 287-5723



Edward J. Warner, Jr., Scott Horowitz, Secretary -William Pell IV **Bruce A. Stafford** Ann Welker

President Treasurer

# Regular Meeting of January 14, 2019 1:00 PM

Monday, January 14, 2019 1:00 PM **Town Hall - Town Board Room** 

# I. Call to Order

1:00 PM Meeting called to order on January 14, 2019 at Town Hall - Town Board Room, 116 Hampton Road, Southampton, NY.

# II. Pledge of Allegiance

# III. Roll Call

Attendee Name	Present	Absent	Late	Arrived
President Edward J. Warner Jr.				
Secretary-Treasurer Scott M. Horowitz				
Trustee William Pell IV				
Trustee Bruce A. Stafford				
Trustee Ann Welker				

# IV. Next Trustee Meeting

Work Session: 1/23/19 at 3:00 p.m. Regular Meeting: 1/28/19 at 1:00 p.m.

# V. Communications

#### Letters

1.U.S. Army Corps of Engineers re: Application of Canal Land Corp. Bulkhead Project, along the Shinnecock Canal, 270 East Montauk Highway, Hampton Bays, New York.

2.Letter from Bay View Pines Civic Association re: Implementing Parking and other Restrictions at BVP Beach (and adding lighting).

# VI. Discussions

Hunter Safety Presentation with Chief Bay Constables Rich Franks and Al Tuzzolo

# VII. Public Hearings

# 1. Public Hearing to Amend Article VII Section 54 (Catwalks and elevated walkways)

Adjourned 12/3/2018 1:00 PM, 12/17/2018 1:00 PM

✓ Vote Record - Motion					
		Yes/Aye	No/Nay	Abstain	Absent
	Edward J. Warner Jr.				
□ Adjourned	Scott M. Horowitz				
□ Closed	William Pell IV				
	Bruce A. Stafford				
	Ann Welker				

#### 2. Public Hearing on Revocation of Waterfowl Hunting Location Permit #204

✓ Vote Record - Motion					
		Yes/Aye	No/Nay	Abstain	Absent
	Edward J. Warner Jr.				
☐ Adjourned	Scott M. Horowitz				
□ Closed	William Pell IV				
	Bruce A. Stafford				
	Ann Welker				

# VIII. Public Portion

# IX. Applications for Permits

\*\*Board of Trustees hereby waive a public hearing on the following applications because it has been determined that the following projects do not raise a significant degree of public interest or public input is not needed to aid in the decision making process\*\*

#### Edward J. Warner Jr.

#### **Trustees Resolution 2019-10**

**Category:** General Permit - Trustees **Sponsors:** Edward J. Warner, Jr. **Department:** Trustees of the Freeholders

Applicant: Hampton Watercraft & Marine, P.O. Box 1010, Hampton Bays, New York

11946

Renewal Application (First) of 48 Newtown Road Corp., 48 Newtown Road, Hampton Bays, New York (SCTM No. 0900-188-02-10) Body of Water: Shinnecock Canal

**WHEREAS,** the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

**RESOLVED**, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the **RENEWAL PERMIT (FIRST) OF 48 NEWTOWN ROAD CORP., Permit No. FLH00001** originally issued on December 18, 2017 for the construction of an E-Dock to remove the existing dock and

pilings; and replace with one (1) 6'  $\times$  98' = 588 sq. feet one (1) 8'  $\times$  30' notched landing – a 4'  $\times$  8' notched cubic foot = 208 sq. feet (1) 6'  $\times$  40' end finger = 240 square feet (1) 6'  $\times$  37' end finger = 222 sq. feet (5) 2'  $\times$  30' fingers = 300 sq. feet (2) 3'  $\times$  35' fingers = 210 sq. feet (total 1768' square feet) of aluminum frame IPE deck and plastic floatation docks secured in place with (20) green hard pilings; (1) 3'  $\times$  16' ramp = 48 sq. feet; dredging of 100 cubic yards of maintenance dredging at various areas around the marina for the premises located at **48 Newtown Road, Hampton Bays, New York (SCTM No. 0900-188-02-010)**; and be it

**FURTHER RESOLVED**, the following conditions shall apply:

Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.

✓ Vote Record - Trustees 2019-TRUS-10								
☐ Adopted								
□ Tabled		Yes/Aye	No/Nay	Abstain	Absent			
☐ No Action☐ Closed	Edward J. Warner Jr.							
☐ Reschedule	Scott M. Horowitz							
□ Adjourned	William Pell IV							
☐ Acknowledged Signature☐ Adopted as Amended	Bruce A. Stafford							
☐ Defeated	Ann Welker							
□ Withdrawn								

#### **Trustees Resolution 2019-11**

**Category:** General Permit - Trustees **Sponsors:** Edward J. Warner, Jr. **Department:** Trustees of the Freeholders

**Applicant:** Agena Rigdon, DKR Shores, P.O. Box 488, Hampton Bays, New York 11946

Application of Robert Lach, 13 Wells Lane, Hampton Bays, New York (SCTM No. 0900-321-04-19) Body of Water: Wells Creek

**WHEREAS,** the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

**RESOLVED**, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **ROBERT LACH** to install two (2) 6  $\times$  6 untreated walers and one (1) untreated waler; to reconstruct boat ramp, as necessary, raising height of structure as part of permit granted under Richard Varela Permit GP000019 as area shall be disturbed during project; to add coarse stone to the tiered ramp area; and to establish a 10' non turf buffer area for the premises located at **13 Wells Lane, Hampton Bays, New York (SCTM No. 0900-321-04-19)**; and be it

**FURTHER RESOLVED**, the following conditions shall apply:

✓ Vote Record - Trustees 2019-TRUS-11								
☐ Adopted								
☐ Tabled ☐ No Action ☐ Closed ☐ Reschedule		Yes/Aye	No/Nay	Abstain	Absent			
	Edward J. Warner Jr.							
	Scott M. Horowitz							
□ Adjourned	William Pell IV							
☐ Acknowledged Signature ☐ Adopted as Amended	Bruce A. Stafford							
☐ Defeated	Ann Welker							
☐ Withdrawn								

**Category:** General Permit - Trustees **Sponsors:** Edward J. Warner, Jr. **Department:** Trustees of the Freeholders

Applicant: Agena Rigdon, DKR Shores, Inc., P.O. Box 488, Hampton Bays, New York

11946

Application of Janice Serrone, 5 Canal Way Hampton Bays, New York (SCTM No. 0900-321-1-16) Body of Water: Dug Canal

**WHEREAS,** the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

**RESOLVED**, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **JANICE SERRONE** to reconstruct existing (100') bulkhead in place of existing utilizing vinyl sheet piling ESP 400 series; to raise height 15" to match bulkhead to the West; to reconstruct existing 4' Boardwalks (400 square feet) landward of new structure; to backfill with 65 cubic yards of clean fill and establish a 10' non turf/stone and beach grass buffer area(s); and all material to be untreated at Old Harbor Colony, Hampton Bays, Town of Southampton, Suffolk County, New York for the premises located at **5 Canal Way, Hampton Bays, New York** (**SCTM No. 0900-321-1-16**); and be it

**FURTHER RESOLVED**, the following conditions shall apply:

√ Vote Record - Trustees 20	19-TRUS-12				
□ Adopted					
□ Tabled		Yes/Aye	No/Nay	Abstain	Absent
☐ No Action☐ Closed☐ Reschedule	Edward J. Warner Jr.				
	Scott M. Horowitz				
☐ Adjourned	William Pell IV				
☐ Acknowledged Signature ☐ Adopted as Amended	Bruce A. Stafford				
☐ Defeated	Ann Welker				
☐ Withdrawn					

# Scott M. Horowitz

#### **Trustees Resolution 2019-13**

**Category:** General Permit - Trustees

**Sponsors:** Scott Horowitz

**Department:** Trustees of the Freeholders

Renewal Application (First) of Permit No. FLD00024, Gregory Little, 8 John Terrace, East Quogue, New York (SCTM No. 0900-341-2-38) Body of Water: Daves Creek

**WHEREAS,** the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

**RESOLVED**, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the **RENEWAL PERMIT (FIRST) OF GREGORY LITTLE, PERMIT NO. FLD00024** originally issued on October 6, 2017 to replace a 4' X 55' fixed pier; decking to be FlowThru grated decking; to install a 6' X 20' floating dock attached to a 3' X 12' metal ramp; to install four (4) tropical hardwood piles for a 10' X 13.67 boat lift; and the dock will be at a depth of no more than 30" for the premises located at **8 John Terrace, East Quogue, New York (SCTM No. 0900-341-2-38)**; and be it

**FURTHER RESOLVED**, the following conditions shall apply:

Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.

✓ Vote Record - Trustees 2019-TRUS-13								
☐ Adopted								
☐ Tabled ☐ No Action ☐ Closed		Yes/Aye	No/Nay	Abstain	Absent			
	Edward J. Warner Jr.							
☐ Reschedule	Scott M. Horowitz							
□ Adjourned	William Pell IV							
☐ Acknowledged Signature☐ Adopted as Amended	Bruce A. Stafford							
☐ Defeated	Ann Welker							
☐ Withdrawn								

#### **Trustees Resolution 2019-14**

**Category:** General Permit - Trustees

**Sponsors:** Scott Horowitz

**Department:** Trustees of the Freeholders **Applicant:** First Coastal - Kelly Hoffmann

Application of Reuben Jeffery III, 37 Second Neck Lane, Quogue, New York (SCTM No. 0902-006-02-2.86) Body of Water: Penniman Creek (Shinnecock Bay)

**WHEREAS,** the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

**RESOLVED**, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **REUBEN JEFFERY III** for the construction of a 4' X 75' dock of entirely untreated wood; elevation of catwalk with open grate decking three (3) feet above grade; a ladder at the seaward end of the dock; and no ramp or float are proposed for the premises located at **37 Second Neck Lane, Quogue, New York (SCTM No. 0902-006-02-2.86)**; and be it

**FURTHER RESOLVED**, the following conditions shall apply:

Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.

√ Vote Record - Trustees 201	9-TRUS-14				
☐ Adopted					
□ Tabled		Yes/Aye	No/Nay	Abstain	Absent
☐ No Action ☐ Closed ☐ Reschedule	Edward J. Warner Jr.				
	Scott M. Horowitz				
☐ Adjourned	William Pell IV				
☐ Acknowledged Signature☐ Adopted as Amended	Bruce A. Stafford				
☐ Defeated	Ann Welker				
☐ Withdrawn					

#### **Trustees Resolution 2019-15**

**Category:** General Permit - Trustees

**Sponsors:** Scott Horowitz

**Department:** Trustees of the Freeholders

**Applicant:** Land Use Ecological Services, Inc., Dan Hall, 631-727-2400

Application of Alan Reid Marsh, Jr. and Mary F. Marsh, 125 Dune Road, Quogue, New York (SCTM No. 0902-15-1-15) Body of Water: Quogue Canal

**WHEREAS,** the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

**RESOLVED**, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **ALAN REID MARSH**, **JR. AND MARY F. MARSH** for the reconstruction of the existing bulkhead and boardwalk in place utilizing vinyl sheeting; 285 linear feet +/- of bulkhead, including returns, is proposed to be reconstructed in place utilizing vinyl sheeting and nontreated lumber; minimal fill is proposed landward of the bulkhead, <5 cubic yards as required; the existing boardwalk, 214 linear feet +/- of boardwalk landward of the bulkhead, is proposed to be reconstructed in place where depicted on the plans with a revised date of December 3, 2018; a 10' wide buffer area is proposed landward of the bulkhead planted with Beach Grass in 12" centers; a 4' wide access path is proposed through the 10' wide buffer for the premises located at **125 Dune Road, Quogue, New York (SCTM No. 0902-15-1-15)**; and be it

**FURTHER RESOLVED**, the following conditions shall apply:

✓ Vote Record - Trustees 2019-TRUS-15								
☐ Adopted								
☐ Tabled ☐ No Action ☐ Closed ☐ Reschedule		Yes/Aye	No/Nay	Abstain	Absent			
	Edward J. Warner Jr.							
	Scott M. Horowitz							
☐ Adjourned	William Pell IV							
☐ Acknowledged Signature ☐ Adopted as Amended	Bruce A. Stafford							
☐ Defeated	Ann Welker							
☐ Withdrawn								

# Bruce A. Stafford

#### **Trustees Resolution 2018-253**

**Category:** General Permit - Trustees

**Sponsors:** Bruce A. Stafford

**Department:** Trustees of the Freeholders

Applicant: Susanna Herrmann, En-Consultants, 1319 North Sea Road, Southampton, NY

11968

Application of Daniel Levene, 55 Coves End Lane, Village of North Haven, New York (SCTM No. 0901-6-2-51) Body of Water: Sag Harbor Cove

History:

11/05/18 Trustees of the Freeholders TABLED Next: 12/17/18 12/17/18 Trustees of the Freeholders TABLED Next: 01/14/19

**WHEREAS,** the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

**RESOLVED**, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **DANIEL LEVENE** to construct a dock consisting of 4' X 6' steps up to a 4' x 56' catwalk with open grate decking with 50% open space, supported by 6" X 6" posts; a 3' X 12' ramp; a 6' X 20' float supported by two (2) 8" diameter piles, all as shown on plans by En-Consultants dated August 1, 2018; and all wood to be non-treated for the premises located at **55 Coves End Lane, Village of North Haven, New York (SCTM No. 0901-6-2-51)**; and be it

**FURTHER RESOLVED**, the following conditions shall apply:

✓ Vote Record - Trustees 2018-TRUS-253								
☐ Adopted								
☐ Tabled ☐ No Action ☐ Closed ☐ Reschedule		Yes/Aye	No/Nay	Abstain	Absent			
	Edward J. Warner Jr.							
	Scott M. Horowitz							
☐ Adjourned	William Pell IV							
☐ Acknowledged Signature	Bruce A. Stafford							
☐ Adopted as Amended☐ Defeated☐	Ann Welker							
☐ Withdrawn								

Category: Dock

**Sponsors:** Bruce A. Stafford

**Department:** Trustees

**Applicant:** Inter-Science Research Associates, Inc. P.O. Box 1201, 36 Nugent Street,

Southampton, New York 11969

Renewal (First) Application of Rainer Schoenbach (FXD00042), 531 Sagaponack Road, Sagaponack, New York (SCTM No. 0908-3-2-6.1) Body of Water: Sagaponack Pond

**WHEREAS,** the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

**RESOLVED**, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **RAINER SCHOENBACH FOR THE RENEWAL (FIRST) OF PERMIT NO. FXD00042** originally issued on November 14, 2017 for the construction of a dock for riparian access to the surface waters of Sagaponack Pond; the dock assembly will consist of a 4' X 14' ramp up at the wetlands line; a 4' X 34' fixed pier catwalk elevated 4' above grade of the vegetated tidal wetlands; a 4' X 8' fixed pier catwalk; a 3'-3" X 4' platform; a 4' X 6' fixed pier catwalk; and a 4' X 12' "T" shaped dock as shown on the provided plans for the premises located at **531 Sagaponack Road, Sagaponack, New York (SCTM No. 0908-3-2-6.1)**; and be it

**FURTHER RESOLVED**, the following conditions shall apply:

✓ Vote Record - Trustees 20:	19-TRUS-16				
☐ Adopted					
☐ Tabled ☐ No Action ☐ Closed ☐ Reschedule		Yes/Aye	No/Nay	Abstain	Absent
	Edward J. Warner Jr.				
	Scott M. Horowitz				
□ Adjourned	William Pell IV				
☐ Acknowledged Signature☐ Adopted as Amended	Bruce A. Stafford				
□ Defeated	Ann Welker				
☐ Withdrawn					

## Ann Welker

#### **Trustees Resolution 2019-17**

Category: Dock

**Sponsors:** Ann E. Welker **Department:** Trustees

**Applicant:** Suffolk Environmental Consulting, Inc. P.O. Box 2003, Bridgehampton, New

York 11932

Renewal Application of Seatuck Five LLC (BLK00112), 50 South Bay Avenue, Eastport New York (SCTM No. 0900-365-01-14) Body of Water: Seatuck Cove

**WHEREAS,** the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

RESOLVED, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of SEATUCK FIVE LLC FOR THE RENEWAL (FIRST) OF PERMIT NO. BLK00112 originally issued on December 20, 2017 for the construction of Section "A": Applicant proposes to remove the fixed walk (4' X 26'), the northeasterly floating dock (5' X 63') and the Jet ski floats (5" X 12' typical); applicant proposes to install an additional southerly floating dock (6' X 68'), which is to include three (3) finger piers (see dimensions); easterly floating docks (5' X 145' overall +/-), which is to include three (3) finger piers (see dimensions); one (1) southerly triangular corner gusset (40 sq. ft. +/-) and a 3' X 16' hinged ramp and two (2) triangular corner gussets (20 sq. ft. +/-); applicant additionally proposes to reconstruct "in-place/landward" of the existing bulkheading (shown in green) measuring 200.0' +/- in overall length (eighteen (18) new pilings installed for dockage); Section "B": Applicant proposes to reconstruct "inplace/landward" the existing bulkheading (331.0' +/-) and eliminate the existing wood walk (8' X 258' overall); additionally, applicant proposes to reconstruct/expand the existing concrete pad (1,500 sq. ft.+/-) and replace an existing fixed dock with a floating dock (3' X 32.7' +/-); (one (1) new piling installed for dockage); Section "C": Applicant proposes to reconstruct "inplace/landward" the existing bulkheading (201'L+/-) and eliminate the existing wood walk (8' X 190' overall) and replace with gravel; additionally, applicant proposes to install three (3) floating docks 8' X 22', 5' X 110' (max) and 8' X 25', which is to include a platform off the easterly end (4' X 4' and two (2) hinged ramps on either end (4' X 15' and 3' X 15) (seven (7) new pilings installed for dockage); Section "D": Applicant proposes to install low-sill bulkhead (135' +/-L overall) to protect the northeastern point of the shoreline and to restore the salt marsh landward of the low-sill bulkhead with clean compatible fill/sand to an elevation of .93' (.5' below MHW), including the planting of Smooth Cordgrass (Spartina alterniflora) @1.0' o/c; additionally, applicant proposes to install a floating dock 5' X 105' (max)) along the seaward (western) side of the low-sill bulkhead, wholly within the bounds of the marina property (three (3) new pilings installed for dockage) for the premises located at 50 South Bay Avenue, Eastport New York (SCTM No. 0900-365-1-14); and be it

**FURTHER RESOLVED**, the following conditions shall apply:

√ Vote Record - Trustees 20	19-TRUS-17				
☐ Adopted					
□ Tabled		Yes/Aye	No/Nay	Abstain	Absent
□ No Action □ Closed □ Reschedule	Edward J. Warner Jr.				
	Scott M. Horowitz				
☐ Adjourned	William Pell IV				
☐ Acknowledged Signature☐ Adopted as Amended	Bruce A. Stafford				
☐ Defeated	Ann Welker				
□ Withdrawn					

**Category:** General Permit - Trustees

**Sponsors:** Ann E. Welker **Department:** Trustees

**Applicant:** Howard Ruben 2445 Haywaters Road, Cutchogue New York 11935

Application of The MPK Trust (Joseph Connelly, as Trustee), 272 Royal Avenue, Flanders, New York (SCTM No. 0900-123-1-76) Body of Water: Royal Longneck Canal

**WHEREAS,** the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

**RESOLVED**, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **THE MPK TRUST (JOSEPH CONNELLY, AS TRUSTEE)** for the replacement of a failing bulkhead to prevent erosion/siltation and maintain canal integrity; the Rear Property includes deteriorated wooden bulkhead along R-L canal; to dismantle the old Bulkhead and replace it with 82' of 14' C-lock sheet pile, wood piles (20' X 10") and equally spaced 6" X 6" wood whalers; the new bulkhead will be @ 5" higher to match adjacent bulkhead to the north and anchored by 16-foot steel rod tie back and greenwood deadman; the new bulkhead remains at the location of the existing bulkhead; to excavate and replace @ 263 cubic yards (Area 0.028 ac) of soils to accommodate bulkhead removal and replacement; to fill the existing 4' X 2' X 8' step-down with 2.7 cubic yards of clean sand; to construct 6' by 4' cantilevered wooden landing, a 12' X 3' ramp and 20' X 4' floating dock; the Final Construction will include a 10' wide no lawn buffer adjacent to and landward of the bulkhead, to include 4' wide walkway and 6' wide gravel and/or native vegetation area for the premises located at **272 Royal Ave, Flanders New York (SCTM No. 0900-123-1-76)**; and be it

**FURTHER RESOLVED**, the following conditions shall apply:

✓ Vote Record - Trustees 2019-TRUS-18						
□ Adopted □ Tabled □ No Action □ Closed □ Reschedule □ Adjourned □ Acknowledged Signature □ Adopted as Amended □ Defeated						
		Yes/Aye	No/Nay	Abstain	Absent	
	Edward J. Warner Jr.					
	Scott M. Horowitz					
	William Pell IV					
	Bruce A. Stafford					
	Ann Welker					
☐ Withdrawn						

**Category:** General Permit - Trustees

**Sponsors:** Ann E. Welker

**Department:** Trustees of the Freeholders

**Applicant:** DKR Shores, Inc., P.O. Box 488, Hampton Bays, New York 11946

Application of Richard Hassan, 24 Dune Lane, Village of Westhampton Dunes (SCTM No. 0907-1-1-31) Body of Water: Private Dug Canal Off of Moriches Bay

**WHEREAS,** the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

**RESOLVED**, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **RICHARD HASSAN** to reconstruct the existing 91' of bulkheading in-place with vinyl sheet piling; the 19' X 38' sections/returns to be "low sill" to allow for a double seawall system in lieu of a traditional anchoring system; on the frontage section 34' a traditional deadmen system; to backfill only the 34' section with approximately 20 cubic yards of clean fill trucked in from an upland source; to provide a 10' non-turf/beach grass buffer in this area; no fill is proposed in the low sill sections; silt curtain shall be installed prior to the construction and any disturbed areas in the low sill sections shall be restored with like/kind species; and all material to be untreated for the premises located at **24 Dune Lane, Village of Westhampton Dunes, New York (SCTM No. 0907-1-1-31)**; and be it

**FURTHER RESOLVED**, the following conditions shall apply:

✓ Vote Record - Trustees 2019-TRUS-19						
☐ Adopted						
☐ Tabled ☐ No Action ☐ Closed ☐ Reschedule ☐ Adjourned ☐ Acknowledged Signature ☐ Adopted as Amended ☐ Defeated		Yes/Aye	No/Nay	Abstain	Absent	
	Edward J. Warner Jr.					
	Scott M. Horowitz					
	William Pell IV					
	Bruce A. Stafford					
	Ann Welker					
☐ Withdrawn						

# X. Resolutions

#### **Trustees Resolution 2018-300**

**Category:** Resolutions

**Sponsors:** Edward J. Warner, Jr. **Department:** Trustees of the Freeholders

# Notice of Adoption of Amendment to Article VII Section 54 (Catwalks and elevated walkways)

History:

12/03/18 Trustees of the Freeholders TABLED Next: 12/17/18 12/17/18 Trustees of the Freeholders TABLED Next: 01/14/19

WHEREAS, the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton is considering amending the Rules and Regulations for Management and Products of the Waters of the Town of Southampton (the "Blue Book") by amending Article VII, Section 54 ("Catwalks and elevated walkways") in order to lower the height of catwalks, stairs, and elevated walkways and to require 60% light-penetrating decking on catwalks, stairs, and elevated walkways; and

WHEREAS, a public hearing was held on December 3, 2018, at which time any and all persons either for or against the amendment were heard; now therefore be it

RESOLVED, that Article VII, Section 54 ("Catwalks and elevated walkways") of the Rules and Regulations for Management and Products of the Waters of the Town of Southampton is hereby adopted as follows:

#### **SECTION 1. - Legislative Intent.**

The Trustees have found that lower heights for catwalks, stairs, and elevated walkways and the use of 60% light-penetrating decking not only reduces the visual impact of said structures on the environment, but it also allows for native wetlands vegetation to flourish around and underneath these structures, which results in shoreline stabilization benefits and water quality improvement. Lower heights for these structures makes them safer in the event of a fall, and the light-penetrating decking also allows water to flow through during storm events, which reduces damages to said structures and reduces the introduction of storm-debris and potential navigational hazards to the waters of the Town.

#### **SECTION 2. - Amendment.**

Article VII, Section 54 ("Catwalks and elevated walkways") of the Rules and Regulations for Management and Products of the Waters of the Town of Southampton is hereby amended by deleting the stricken words and adding the underlined words as follows:

# § 54. Catwalks, stairs and elevated walkways.

Construction of catwalks, stairs and elevated walkways shall utilize construction methods as unobtrusive as possible.

A. Catwalks, stairs and elevated walkways shall be built <u>four-three</u> feet above the existing grade <u>and shall be constructed using 60% light-penetrating decking</u>, unless otherwise stipulated by a majority of the Trustees on a case-by-case

basis.

- B. Any handrails shall be of minimum specifications to allow for safety standards accepted by the Town Building Department.
- C. The maximum overall width of any catwalk, stairs or elevated walkway is not to exceed four feet. This maximum overall width of four feet is to include the whole structure, including all decking, posts, pilings, handrails and cap rails.
- D. Posts and/or pilings shall not exceed eight feet on center and girder beams shall not exceed two inches by eight inches in width and height.

#### Section 3. - Authority.

The Trustees are authorized to establish and promulgate rules and regulations for the management and products of the waters of the Town of Southampton pursuant to the Dongan Patent of 1686.

#### Section 4. - Severability.

If any section or sub-section, paragraph, clause, phrase or provision of this regulation shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this regulation as a whole or any part thereof other than the part or provisions so adjudged to be invalid or unconstitutional.

# Section 5. - Effective Date.

This regulation shall take effect upon passing by a majority vote of the Trustees;

AND BE IT FURTHER RESOLVED, that the following Notice of Adoption is hereby authorized to be published:

## **NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that a public hearing was held by the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton on December 3, 2018, and the Board of Trustees at its meeting of December 3, 2018 adopted an amendment to the Rules and Regulations for Management and Products of the Waters of the Town of Southampton ("Blue Book"), Article VII, Section 54 ("Catwalks and elevated walkways") in order to lower the height of catwalks, stairs, and elevated walkways and to require 60% light-penetrating decking on catwalks, stairs, and elevated walkways

Copies of the amendment are on file in the Trustee's Office, Monday through Friday, from 8:30 a.m. to 4:00 p.m.

BY ORDER OF THE BOARD OF TRUSTEES OF THE FREEHOLDERS AND COMMONALTY TOWN OF SOUTHAMPTON, NEW YORK EDWARD J. WARNER, JR., PRESIDENT

✓ Vote Record - Trustees 2018-TRUS-300						
□ Adopted □ Tabled □ No Action □ Closed □ Reschedule □ Adjourned □ Acknowledged Signature □ Adopted as Amended □ Defeated						
		Yes/Aye	No/Nay	Abstain	Absent	
	Edward J. Warner Jr.					
	Scott M. Horowitz					
	William Pell IV					
	Bruce A. Stafford					
	Ann Welker					
☐ Withdrawn						

**Category:** Budget & Finance - Trustees

**Sponsors:** Edward J. Warner, Jr. **Department:** Trustees of the Freeholders

#### Warrant #1 of 2019 - Trustees

RESOLVED, per the recommendation and reviewed by the Town Comptroller, the following vendor payment warrant dated be approved in the amount of:

Warrant #1 \$1,359.77

In addition, one manual check in the amount of \$1,251.56 was paid to the Southampton Town Receiver of Taxes on 1/9/19; and

BE IT FURTHER RESOLVED, the Town Comptroller is directed to approve and execute all bank wire transfers required to fund payments associated with Warrant #1 of 2019.

√ Vote Record - Trustees 201	9-TRUS-20				
☐ Adopted					
□ Tabled		Yes/Aye	No/Nay	Abstain	Absent
<ul> <li>□ No Action</li> <li>□ Closed</li> <li>□ Reschedule</li> <li>□ Adjourned</li> <li>□ Acknowledged Signature</li> <li>□ Adopted as Amended</li> <li>□ Defeated</li> </ul>	Edward J. Warner Jr.				
	Scott M. Horowitz				
	William Pell IV				
	Bruce A. Stafford				
	Ann Welker				
☐ Withdrawn					

#### **Trustees Resolution 2019-21**

**Category:** Budget & Finance **Sponsors:** Scott Horowitz

**Department:** Trustees of the Freeholders

# Trustee Resolution Required for any Expenditure in Excess of \$1,000.00

RESOLVED, that the Board of Trustees hereby directs that an authorizing resolution of the Trustees shall be required for any expenditure to be made by the Trustees in excess of \$1,000.00 during the year, 2019.

✓ Vote Record - Trustees 2019-TRUS-21						
☐ Adopted						
☐ Tabled ☐ No Action ☐ Closed ☐ Reschedule ☐ Adjourned ☐ Acknowledged Signature ☐ Adopted as Amended ☐ Defeated		Yes/Aye	No/Nay	Abstain	Absent	
	Edward J. Warner Jr.					
	Scott M. Horowitz					
	William Pell IV					
	Bruce A. Stafford					
	Ann Welker					
☐ Withdrawn						

# Trustees Resolution 2019-22 Category: General Misc Sponsors: Bruce A. Stafford

**Department:** Trustees of the Freeholders

# **Authorize Contribution to Sag Harbor Water Quality Initiative**

WHEREAS, the Trustees are the owners of the underwater lands in the Southampton Town portion of the Village of Sag Harbor; and

WHEREAS, the health of these waters, including the products of the waters and other aquatic flora and fauna, is of the utmost importance to the Trustees, residents, and baymen; and

WHEREAS, it is in the best interest of the residents of the Town of Southampton to determine the presence of contaminants in the waters of Sag Harbor that could harm the health of both residents and marine life; and

WHEREAS Village of Sag Harbor has agreed to participate in the water quality monitoring program proposed by Dr. Gobler of Stony Brook University to the Sag Harbor Harbor Management Committee, and the East Hampton Town Trustees, the Town of Southampton, the Southampton Town Trustees have agreed to contribute funds for this water quality project; and

WHEREAS the Town of Southampton has pledged \$2000.00, the Southampton Town Trustees have pledged \$5,000.00, the Sag Harbor Village has pledged \$7,500.00 and the East Hampton Town Trustees have pledged \$5,000.00 towards this program; and

WHEREAS, for the sole purpose of adhering to the SUNY Research Foundation's funding requirements, the East Hampton Town Trustees have agreed to pool these funds in escrow and fund the initiative with a single \$19,500.00 check; and

NOW THEREFORE BE IT RESOLVED, the Southampton Town Trustees authorize payment in the amount of \$5,000 to the East Hampton Town Trustees; and

BE IT FURTHER RESOLVED, that the President is authorized to execute an agreement appointing the East Hampton Town Trustees as the escrow agent for the Trustee's contribution for this project.

✓ Vote Record - Trustees 2019-TRUS-22					
☐ Adopted					
☐ Tabled ☐ No Action ☐ Closed ☐ Reschedule ☐ Adjourned ☐ Acknowledged Signature ☐ Adopted as Amended ☐ Defeated		Yes/Aye	No/Nay	Abstain	Absent
	Edward J. Warner Jr.				
	Scott M. Horowitz				
	William Pell IV				
	Bruce A. Stafford				
	Ann Welker				
☐ Withdrawn					

**Category:** General Misc **Sponsors:** Scott Horowitz

**Department:** Trustees of the Freeholders

Resolution Authorizing the Board of Trustees to Waive the Commercial/Aquaculture Mooring Application Fee of \$250.00 for the Peconic Baykeeper, Inc.

**WHEREAS,** the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

**RESOLVED**, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby waives the Commercial/Aquaculture Mooring Application Fee of \$250.00 for the **PECONIC BAYKEEPER, INC.** as the Corporation was organized for charitable, scientific and educational purposes that qualify as tax exempt under Section 501(c)(3) of the Internal Revenue Code and Regulations and exists as a Not-For-Profit Corporation; and be it

**FURTHER RESOLVED**, the following conditions shall apply:

Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.

√ Vote Record - Trustees 20	19-TRUS-23				
□ Adopted □ Tabled □ No Action □ Closed □ Reschedule □ Adjourned □ Acknowledged Signature □ Adopted as Amended □ Defeated		Yes/Aye	No/Nay	Abstain	Absent
	Edward J. Warner Jr.				
	Scott M. Horowitz				
	William Pell IV				
	Bruce A. Stafford				
	Ann Welker				
□ Withdrawn					

#### **Trustees Resolution 2019-24**

**Category:** Waterfowl Hunting Location Permit

**Sponsors:** Edward J. Warner, Jr. **Department:** Trustees of the Freeholders

#### Waterfowl Hunting Location Applications for Approved Individuals from Waitlist

**WHEREAS**, the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; and

WHEREAS, the following Waterfowl Hunting Location APPROVED INDIVIDUAL FROM WAITLIST Applications were received in the Trustees' Office:

- 1. James Wilson, Permit #125
- 2. Christopher J. Ott, Permit #24
- 3. Jesse J. Fritz, Permit #25; and

**WHEREAS**, the Board of Trustees, based upon the recommendation of the Southampton Town Bay Constables, hereby extend the deadline contained in Article V (Waterfowl Hunting), Section 38(C)(6) of the Rules and Regulations for the Management and Products of Waters of the Town of Southampton, to January 27, 2019 to coincide with the last day of duck hunting season; and

**WHEREAS**, the Southampton Town Bay Constables, pursuant to Article V, Section 38 have reviewed the Waterfowl Hunting Location Applications listed above and have recommended that they be approved; now therefore be it

**RESOLVED**, that pursuant to Article V (Waterfowl Hunting), Section 38 of the Rules and Regulations for the Management and Products of Waters of the Town of Southampton, the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby approves the above-listed Waterfowl Hunting Location Applications and grants them Waterfowl Hunting Location Permits, and directs that the names of those individual(s) who were approved from the waitlist to be stricken from the waitlist.

✓ Vote Record - Trustees 2019-TRUS-24						
□ Adopted □ Tabled □ No Action □ Closed □ Reschedule □ Adjourned □ Acknowledged Signature □ Adopted as Amended □ Defeated						
		Yes/Aye	No/Nay	Abstain	Absent	
	Edward J. Warner Jr.					
	Scott M. Horowitz					
	William Pell IV					
	Bruce A. Stafford					
	Ann Welker					
☐ Withdrawn						

# XI. Closing