

TOWN OF SOUTHAMPTON

Department of Land Management
Environment Division
116 HAMPTON ROAD
SOUTHAMPTON, NY 11968

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JAY SCHNEIDERMAN
TOWN SUPERVISOR

JANICE SCHERER
TOWN PLANNING AND
DEVELOPMENT ADMINISTRATOR

MARTIN SHEA
CHIEF ENVIRONMENTAL ANALYST

SCTM NO.: 900 _____
SUBDIVISION NAME AND LOT NO.: _____
PROPERTY LOCATION: _____ HAMLET: _____

TOWN OF SOUTHAMPTON ADMINISTRATIVE WETLANDS PERMIT APPLICATION Rev. January 1, 2021

PLEASE SUBMIT THE FOLLOWING ITEMS:

- COMPLETED APPLICATION** – One (1) application, with original signed and notarized owner’s endorsement and open government disclosure forms, and one (1) photo copy.
- APPLICATION FEE**- Submission of **an application fee of \$600.00 (six hundred dollars)** in the form of cash, money order, credit card payment, or check made payable to the “Town of Southampton”.
- LEGALIZATION FEE**- An **additional fee of \$1,000.00 (one thousand dollars)** is required for any fill deposition, excavation, clearing, construction, grading, septic system, hardscape or utility installation, which has been completed or is being undertaken, within 200 feet of regulated wetlands without a Town Wetlands Permit.
- Seven (7) scalable signed and sealed prints of the most recent survey**- See attached “Submission Requirements” check list. **No photocopies.**
- Two (2) sets of photographs of the project site**- Inclusive of residence, landscape, and naturally vegetated areas.
- Certified recorded copy of deed, inclusive of Liber/Page and Suffolk County Clerk recording stamp.**
- Copies of other legal documents**- See attached “Submission Requirements” check list.
- Environmental Assessment Form Part 1**, if applicable.

* IMPORTANT; PLEASE READ INSTRUCTIONS BEFORE COMPLETING APPLICATION
** APPLICATIONS WILL NOT BE DEEMED COMPLETE AND REVIEWED WITHOUT ALL ITEMS LISTED ABOVE.

I. CONTACT INFORMATION

Agent/Applicant: _____

Mailing Address: _____

Telephone Number: _____ Fax Number: _____

Email Address: _____

Deeded Property Owner: _____

Mailing Address: _____

Property Owner Email Address: _____

Telephone Number: _____

Is There a Gate/Other Security Feature: Yes No

If The Answer Above Is Yes, Please Provide Contact Information For Access:

II. ADMINISTRATIVE WETLAND PERMIT ELIGIBILITY

The Administrative Wetland Permit process allows for the issuance of administrative wetland permits for activities that will not impair the functions and benefits of wetlands and wetland buffers. These provisions are applicable only to those regulated activities listed below. Please check which category(ies) your application falls within. Your project must meet at least one of the eligibility criteria/categories listed in order for an administrative wetlands permit to be issued.

Activities Requiring/Eligible for an Administrative Wetlands Permit

- Construction, installation or removal of a fence, open arbor, trellis or other similar structure, provided that such activity will not have an undue adverse impact on wetlands, bluffs, cliffs, dunes or other steep slopes adjacent to the wetlands.
- Pruning, removal of nuisance and dead and diseased vegetation or supplemental planting of native vegetation, provided that such activity will not have an undue adverse impact on wetlands, bluffs, cliffs, dunes or steep slopes adjacent to the wetlands.
- Planting, seeding, cultivating, or maintaining with the use of fertilizers, other than those activities exempted under Section 325-4B(4) and 325-6A(3) where such activities would occur no closer than 75 feet landward of the wetlands boundary and provided further that such activity will not have an undue adverse impact on wetlands, bluffs, cliffs, dunes or steep slopes adjacent to the wetlands. Where such regulated activities are proposed on undeveloped property (ies), the minimum setbacks shall be one hundred feet (100) for turf, fertilizers, pesticides, herbicides, fungicides or similar treatments, landscaping or other clearing or disturbance of natural vegetation.
- Environmental testing activities, including test borings, soil sampling, environmental assessment and inventory activities and provided further that such activity will not have an undue adverse impact on wetlands, bluffs, cliffs, dunes or steep slopes adjacent to the wetlands.
- Actions designed to provide structural support to buildings and structures that have incurred or are in imminent peril of incurring structural damage, without which such buildings may suffer further failure and provided further that such activity will not have an undue adverse impact on wetlands, bluffs, cliffs, dunes or steep slopes adjacent to the wetlands.
- Demolition or removal of any material or structure provided that a project limiting fence is installed to contain disturbance if deemed appropriate and provided further that such activity will not have an undue adverse impact on wetlands, bluffs, cliffs, dunes or steep slopes adjacent to the wetlands.
- Restoration of wetlands and wetland buffers that were destroyed, substantially altered or

degraded due to filling, excavation, drainage, clearing and/or invasion by nuisance plants, including restoration of natural ground elevations, natural hydrology, removal of non-native or nuisance vegetation and planting of native vegetation or habitat management techniques designed to enhance wetland values and provided further that such activity will not have an undue adverse impact on wetlands, bluffs, cliffs, dunes or steep slopes adjacent to the wetlands.

- Construction of additions to the landward side of an existing functional single family dwelling, where such dwelling generally lies parallel to the wetland boundary, provided that a non-disturbance/non-fertilization buffer at least fifty feet (50) in width would be maintained.
- Construction of additions to an existing structure, other than those set forth under Section 325-7B(8), where such activities would occur no closer than 100 feet landward of the wetlands boundary, provided that a non-fertilization/non-disturbance buffer zone at least 75 feet in width would be maintained, and provided further that such activity will not have an undue adverse impact on wetlands, bluffs, cliffs, dunes, or other steep slopes adjacent to the wetlands, provided that such residence is equipped with a septic system that meets current Suffolk County Department of Health Services standards.
- Remodeling, renovation or reconstruction of a structure to comply with Section 330-84D (Pyramid Law) of the Town Code and provided further that such activity will not have an undue adverse impact on wetlands, bluffs, cliffs, dunes or other steep slopes adjacent to the wetlands.
- Construction of accessory structures for existing single family dwellings, where such activities would occur no closer than 100 feet landward of the wetlands boundary, provided that a non-disturbance/non-fertilization buffer at least 75 feet in width would be maintained, and provided further that such activity will not have an undue adverse impact on wetlands, bluffs, cliffs, dunes, or other steep slopes adjacent to the wetlands.
- Construction of new single family dwellings, where such activity and all associated land disturbance would occur no closer than 125 feet landward of the wetlands boundary, provided that a non-disturbance/non-fertilization buffer of at least 100 feet in width would be maintained and provided further that such activity will not have an undue adverse impact on wetlands, bluffs, cliffs, dunes, or steep slopes adjacent to the wetlands.
- Construction within the existing foot print of the primary and accessory structures, provided that such activity would occur no closer than 75 feet landward of the wetlands boundary and provided that a non-disturbance/non-fertilization buffer zone of at least 50 feet would be maintained and provided further that such residence would be equipped with a septic system located no closer than 150 feet from the wetlands boundary and such activity will not have an undue adverse impact on wetlands, bluffs, cliffs, dunes, or other steep slopes adjacent to the wetlands.
- Construction of pervious residential driveways or walkways, where such activities would occur no closer than 75 feet landward of the wetlands boundary and provided further that such activity will not have an undue adverse impact on wetlands, bluffs, cliffs, dunes, or other steep slopes adjacent to the wetlands.
- Construction of access related structures, including, but not limited to, structures needed to ensure American Disabilities Act (ADA) compliance, such as stairs, ramps, walkways, trails and/or other similar structures, provided that such activity will not have an undue adverse impact on wetlands, bluffs, cliffs, dunes, or other steep slopes adjacent to the wetlands.

- The demolition, removal, relocation, repair and/or upgrading of existing fuel tanks, fuel lines, fuel dispensers, cesspools, septic systems, or sanitary wastewater activities, including necessary site work and provided further that such activity will not have an undue adverse impact on wetlands, bluffs, cliffs, dunes, or other steep slopes adjacent to wetlands.
- Installation and connection of underground electric, sewer, water, gas, or other utilities to a residence where such installation will occur no closer than 75 feet landward of the wetlands boundary and will involve restoration of existing ground elevation and vegetation and provided further that such activity will not have an undue adverse impact on wetlands, bluffs, cliffs, dunes or other steep slopes adjacent to wetlands.
- Open water marsh management measures and provided further that such activity will not have an undue adverse impact on wetlands, bluffs, cliffs, dunes or other steep slopes adjacent to wetlands.
- Construction of berms no closer than 75 feet landward of the wetlands boundary, and 100 feet for undeveloped property(ies) and provided further that such activity will not have an undue adverse impact on wetlands, bluffs, cliffs, dunes or other steep slopes adjacent to wetlands.
- Construction or installation of drainage structures for the retention of runoff provided that such structure incorporates the maximum feasible setback from wetlands and provided further that such activity will not have an undue adverse impact on wetlands, bluffs, cliffs, dunes or other steep slopes adjacent to wetlands.
- Renewal and/or transfer of all permits on the same conditions as the original permit if there is no change in the natural or physical conditions or characteristics of the project site which would warrant reconsideration of the permit. Renewal and/or transfer of all permits shall be for a period of one year.
- Improvement of existing driveways, but limited to adding curbing, entrance gates, lighting and improving drainage systems.

III. PROPERTY DATA/SITE CHARACTERISTICS

Parcel size (in acres and square feet): _____

Zoning District (inclusive of overlay districts): _____

This application is being made because of the presence of one or more of the following types of natural features on or adjacent to the site (check all that apply):

- Tidal Wetlands Freshwater Wetlands Brackish Wetlands

Has a wetland permit or letter of non-jurisdiction been obtained or applied for, under Chapters 175 or 325 of the Southampton Town Code, with respect to this property? If so, give date and names of all such permits, letters and applications.

- Yes No

Are there any "right-of-way", easement or other recorded covenants which encumber the property? If so, please indicate the nature of these restrictions and supply certified recorded copies of the legal instruments (i.e., deed, covenant, scenic or conservation easement, etc.) which created this restriction. Such documents can be obtained from the Suffolk County Clerk's Office in Riverhead, NY.

Has a wetlands permit or letter of non-jurisdiction been obtained or applied for from the New York State Department of Environmental Conservation for this project? If so, please provide a copy.

- Yes No

Has a permit been obtained or applied for from the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton (Trustees) for this project? If so, please provide a copy.

- Yes No

Does this project, as proposed, meet all the recommended wetland setbacks set forth in Sections 325-7 and 325-9 of the Town Code? If not, identify those aspects of the project that do not meet the recommended setbacks and state the proposed setbacks.

Predominant soil types: _____

Approximately what percentage of the property is:

_____ Well Drained _____ Moderately Drained _____ Poorly Drained

Approximate depth to groundwater: _____ Last test hole date: _____

Does the property contain any species of plant or animal life listed as rare, threatened or endangered by New York State, the New York State Natural Heritage Program or the federal government?

Yes

No

If yes, please identify each species and its status as classified by New York State, the New York State Natural Heritage Program or the federal government?

IV. PROJECT INFORMATION

Please provide a detailed description of each activity proposed, inclusive of all construction activities, driveways, hardscape, utility installation, fences, sanitary systems, demolition, structure elevation, land disturbance, excavation, fill deposition, tree removal, and/or clearing of natural vegetation, and provide the square footage of each structure and/or land disturbance, as well as the wetland setbacks. Use a separate sheet if necessary.

Is a new Innovative/Alternative Onsite Wastewater Treatment System (I/A OWTS) proposed and/or required, pursuant to Section 123-52 (I/A OWTS Required) of the Town Code.

Yes No

How much, if any, natural vegetation will be cleared or removed from the project site?

_____ Acres _____ Square feet _____ Vegetation type

How many cubic yards will be excavated and/or removed from the project site?

_____ Cubic yards _____ Excavated material type

How many cubic yards of fill will deposited at the project site?

_____ Cubic yards _____ Material Type

Purpose of fill deposition: _____

Does the application involve Federal, State or Local Government Funding? If yes, detail funding source.

Yes No

Funding Source: _____

SUBMISSION REQUIREMENTS CHECK LIST

- Seven (7) signed and sealed prints of the most recent survey with the following (photocopies or hand drawn sketches will not be accepted):**
 - Wetland boundary- Flagged or verified as accurate by the Environment Division within three (3) years of the date of the application.
 - Location of all existing and proposed structures; inclusive of all buildings, at grade patios; sheds; docks/catwalks; location, height, and types of existing and proposed fences; stairways, generators; propane tanks; AC units; elevated electric panels and platforms; underground utilities; driveways; walkways; retaining walls; pool equipment and other hardscaping; tree removal, landscaping, and/or limits of land disturbance/clearing of natural vegetation with setbacks to the flagged wetland boundary.
 - Parcel size, as expressed in square footage and acres.
 - Location of any existing recorded covenanted wetland preservation areas, wetland buffers, scenic, conservation, access or other easements, surface water quality control buffers, and/or deeded right-of-ways.
 - Existing and proposed clearing in square feet and percent lot area, if lot is located in the Town Aquifer Protection Overlay District.
 - Location and components of the existing and/or proposed sanitary systems.
 - Profile, with invert elevations, of the proposed sanitary system and/or swimming pool demonstrating compliance with a minimum two (2) foot vertical separation above the seasonally high groundwater table as verified with recent test hole data.
 - Location of the water supply well or public water line.
 - Contour elevations, or topography, if required.
 - Test hole data profile and location.
 - Location of proposed drywells or subsurface drainage structures.
 - FEMA flood zone information, as well as existing and proposed first floor elevations of all habitable structures, if applicable.
 - Limits of all existing and/or proposed clearing/land disturbance, with calculations.
 - Existing and proposed grading, with fill deposition calculations.
 - Discharge pipes or culverts
 - Subdivision information, inclusive of map name, block and lot numbers.
 - Surveyor signature and stamp
 - Updated revision date

- Seven (7) scalable prints of a native re-vegetation plan prepared by a landscape design professional, if applicable, providing the following (maximum printed scalable size not to exceed 24-in. x 36-in):**
 - Deeded owners name, property address and Suffolk County Tax Map Number.
 - Design professional's contact information and signature (and stamp, if prepared by a licensed design professional).
 - Plan view depicting all existing and proposed structures, existing and proposed limits of clearing, location of any existing/proposed/required buffers/easements, approximate location proposed of plantings, approximate location of canopies and species of existing mature trees, existing natural vegetation to be preserved, existing/proposed pervious pedestrian pathways, and existing/proposed fences.
 - Plant key which provides common and scientific names of all proposed plants (genus and species); stock type, size/container size; and approximate spacing.
 - Plan date, with revisions dates as needed.
 - North Arrow
- Other Legal Documents**
 - Certified recorded copies of any easements, deeded right-of-ways, covenants, or other restrictions and encumbrances.
 - Any NYSDEC Order on Consent or Town Notices of Violations/Stop Work Orders/Overclearing applications, if applicable.

PERMISSION TO INSPECT PROPERTY

PLEASE NOTE: *If ownership is held jointly or in partnership, each owner and/or partner must sign a separate permission to inspect.*

STATE OF NEW YORK)

SS:

COUNTY OF SUFFOLK)

_____, being duly sworn, deposes and says:

(Print Name)

- I am: (check one)
- 1. the sole owner in fee
 - 2. a part owner in fee
 - 3. an officer of the corporation which is the owner in fee of the premises described in the foregoing application.
 - 4. designated party authorized to act pursuant to a trust or other legal document.
 - 5. member/owner(s) of Limited Liability Corporation (LLC).

(if you checked #3, #4 or #5, please provide proof of authority (i.e.: Corporate Resolution; Surrogate Letter; Executor of the Will; Certified Letter of Testamentary; Letter of Administration; Attorney-Opinion Letter; Letter of Probate; Power of Attorney, etc.)

I reside at _____
Mailing Address

Hamlet/Post Office/Village State Zip Code

I hereby grant permission to the Town of Southampton Environment Division to enter my property and consent to inspection of the project site and adjacent property areas in connection with the within application for a Wetlands Permit. Town Environment Division staff may enter the property without prior notice between 7:00 am and 7:00 pm, Monday – Friday. If the property is posted with “keep out” signs or fenced with an unlocked gate, Town Environment Division staff may still enter the property. Town Environment Division staff may take measurements, analyze site physical characteristics, take soil or vegetation samples, sketch and photograph the site. I understand that failure to give this consent may result in denial of the permit(s) sought by this application.

By signing this consent form, the signer agrees that this consent remains in effect as long as the application is pending and in the event of approval this consent shall extend to cover the period of time from the issuance of either an Administrative Wetlands Permit or a Resolution of Conditional Approval until the time that a Certificate of Wetlands Compliance is issued, and this consent is effective regardless of whether the signer, applicant or an agent is present at the time of the inspection. In the event that the project site or facility is posted with any form of “posted” or “keep out” notices, or fenced in with an unlocked gate, this permission authorizes Town Environment Division staff to disregard such notices or unlocked gates at the time of inspection.

Sworn before me this

_____ day of _____, 20____

Notary Public

Signature

(If owner is a corporation, please indicate name of corporation and the title of the corporate officer whose signature appears above)

TOWN OF SOUTHAMPTON

Department of Land Management
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SOUTHAMPTON, NY 11968



JANICE SCHERER
TOWN PLANNING AND
DEVELOPMENT ADMINISTRATOR

Phone: (631) 287-5710
WWW.SOUTHAMPTONTOWN.NY.GOV

JAY SCHNEIDERMAN
TOWN SUPERVISOR

Open Government Disclosure Form

(Zoning Board of Appeals, Planning Board, Conservation Board, all other Land Management Review)

STATE OF NEW YORK)
SS:
COUNTY OF SUFFOLK)

_____, being duly sworn, deposes and says:
Print Name

I am the owner and/or applicant for a project that is the subject of a pending application before the Southampton (Check one)
 Zoning Board of Appeals, **Planning Board**, **Conservation Board** **all other Land Management Review**. I make this affidavit under penalty and swear to the truth herein. I am aware that this affidavit is required by General Municipal Law §809 and Southampton Town Code [Chapter 23](#) and that I shall be guilty of a misdemeanor should I knowingly or intentionally fail to make all disclosures herein. I am also aware that I may be subject to the penalties in Southampton Town Code [§23-14](#) should I knowingly or intentionally fail to make all disclosures herein.

- The application name is: _____
- I reside at _____
- The officers of the applicant corporation/owner corporation are as follows:
 Pres. _____ Sec. _____
 Vice Pres. _____ Treas. _____
- Do any of the following individuals have an interest in the owner or applicant (as defined on page iii, note "A")?

| | Yes | No |
|--|--------------------------|--------------------------|
| A. Any official of New York State | <input type="checkbox"/> | <input type="checkbox"/> |
| B. Any elected or appointed official or employee of Southampton Town or Suffolk County | <input type="checkbox"/> | <input type="checkbox"/> |

If the answer to Question 4 is YES, General Municipal Law §809 and Town Code [Chapter 23](#) require that you disclose the name and the nature and event of the interest of said individual(s) in the owner or applicant.

| <u>Name</u> | <u>Residence</u> | <u>Nature of Interest</u> |
|-------------|------------------|---------------------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

Administrative Wetlands Permit Application
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5. During the 24 months before the filing of this application, have any of the following individuals made campaign contributions exceeding \$500 in total, in cash or in kind, to the campaign for public office of any Town officer or employee, to any individual campaign committee, or to any political party committee designated to accept donations on such Town official's or employee's behalf as a candidate for public office?

| | <u>Yes</u> | <u>No</u> |
|---------------------------------|--------------------------|--------------------------|
| 1. Owner | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Applicant | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Agent for owner or applicant | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Attorney | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Other | <input type="checkbox"/> | <input type="checkbox"/> |

If the question to Question 5 is yes, Town Code Chapter 23 requires that the information be provided below:

| <u>Name/Address</u> | <u>Amount/Date</u> | <u>Name of Campaign Committee</u> |
|---------------------|--------------------|-----------------------------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

6. During the preceding 24 months before the filing of this application, have any of the following individuals employed any Town officer or employee or a relative thereof involving compensation in an amount of \$500 or more? Said compensation may be directly made, or indirectly made through a corporation or business interest held by any Town officer or employee or their relative.

| | <u>Yes</u> | <u>No</u> |
|---------------------------------|--------------------------|--------------------------|
| 1. Owner | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Applicant | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Agent for owner or applicant | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Attorney | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Other | <input type="checkbox"/> | <input type="checkbox"/> |

If the answer to Question 6 is yes, Town Code [Chapter 23](#) requires that the information be provided below:

| <u>Name</u> | <u>Position</u> (Owner, Agent, Attorney, Other) | <u>Corporation</u> |
|-------------|--|--------------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

False statements made herein are punishable as a class "A" Misdemeanor pursuant to Section 210.45 of the New York State Penal Law.

- A. For the purposes of this disclosure, an official of the State of New York or an elected or appointed official or employee of the Town of Southampton shall be deemed to have an interest in the owner and/or applicant when that official or employee, their spouse, brothers, sisters, parents, children, grandchildren or the spouse of any of them is:
- a. the owner or applicant; or
 - b. an officer, director, partner, or employee of the applicant or owner; or
 - c. Legally or beneficially owns or controls stock of a corporate applicant or owner, or is a member of a partnership or association applicant or owner; or
 - d. Is a party to an agreement with the applicant or owner, express or implied, whereby said official or employee may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application. Ownership of less than five percent of the stock of a corporation whose stock is listed on the New York Stock or American Stock Exchange shall not constitute an interest for the purposes of this disclosure.

Submitted by (please print): _____