



## Trustees of the Freeholders

116 Hampton Road  
Southampton, NY 11968

Meeting: 03/15/21 01:00 PM  
Department: Trustees of the Freeholders  
Category: Public Hearings - Trustees  
Prepared By: Lisa Dunlap

**ADOPTED**

**TRUSTEES 2021-71**

DOC ID: 36156

# Notice of Public Hearing to Authorize Board of Trustees to Impose Temporary Modification on Seasonal Razor Clam and Commercial Shellfish Harvest Restrictions to Prevent Harm to Shellfish Population

WHEREAS, the Baymen's Association has requested emergency action by the Board of Trustees in order to limit harvest of Razor Clams, and Hard Clams in order to protect the local shellfish population; and

Section 1. - Legislative Intent.

WHEREAS, the Board of Trustees seek to Impose Temporary modification on Seasonal Razor clam and Commercial shellfish harvest restrictions to prevent harm to shellfish population.

Section 2. - Temporary modification.

WHEREAS, the Board of Trustees have deemed limitations necessary for the protection and taking of shellfish in Town Waters; and Pursuant to A340 section 16(B), Special Authority, the Trustees hereby impose conditions relating to use of equipment, imposition of limits, and imposition of a time frame for shellfish harvest as follows:

Be it RESOLVED, that the Board of Trustees may end and/or modify the shellfish harvest restrictions when necessary to protect the shellfish population pursuant to A340 section 16(B). Restrictions herein shall be effective March 18, 2021 to April 20, 2021 or by action of the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton; and be it further

RESOLVED, Seasonal Razor Clam harvest for areas west of Ponquogue bridge A340 section 14(7)a(1), and east of Ponquogue bridge A340 section 14(7)a(2), shall reopen on December 1st 2021. Closing dates for harvest shall remain in place; and be it further

RESOLVED, the commercial shell fishing limit shall be two-thousand (2,000) hard clams per boat or licensee per day pursuant to A340 section 14(B)(1).

Section 3. - Authority.

The Board of 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 and subsequent Acts of the New York Legislature including, Chapter 255 of the Laws of 1818, Chapter 283 of the Laws of 1831.

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 March 18, 2021 passing by a majority vote of the Trustees;

AND BE IT RESOLVED, that the Trustee's Chief of Staff is hereby authorized to publish the following Notice of Public Hearing:

**NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held by Board of Trustees of the Freeholders and Commonalty of the Town of Southampton on **April 19, 2021, at 1:00 p.m., via videoconference** to hear any and all persons either for or against "Temporary modification on Seasonal Razor clam and Commercial shellfish harvest restrictions to prevent harm to shellfish population."

**PLEASE TAKE FURTHER NOTICE**, that due to public health and safety concerns related to COVID-19, Board of Trustees of the Freeholders and Commonalty of the Town of Southampton will not be meeting in-person. In accordance with the Governor's Executive Order No. 202.1 and its related extensions, the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton meeting will be held via videoconferencing, and a transcript will be provided at a later date. The public will have an opportunity to see and hear the meeting live, and to provide comments.

The public can watch the live meeting online from the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton website, via YouTube, or through the Zoom App. If any interested members of the public would like to provide comments on the public hearing, comments can be called in during the meeting via telephone or the Zoom App. Comments can also be emailed up until one hour before the start of the meeting to the Trustees Chief of Staff ldunlap@southamptontownny.gov. In addition, the record will remain open after the public hearing for the submission of written comments.

Please continue to check the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton website and Meeting Portal as the hearing date approaches for further instructions on how to access the virtual meeting, and for any updated information.

BY ORDER OF THE BOARD OF TRUSTEES OF  
THE FREEHOLDERS AND COMMONALTY OF  
THE TOWN OF SOUTHAMPTON  
ERIC SHULTZ, PRESIDENT

<b>RESULT:</b>	<b>ADOPTED AS AMENDED [4 TO 0]</b>
<b>AYES:</b>	Eric Shultz, Scott M. Horowitz, William Pell IV, Ann Welker
<b>ABSTAIN:</b>	Edward J. Warner Jr.

**Financial Impact**