

# TOWN OF SOUTHAMPTON

Department of Land Management  
Zoning Board of Appeals  
116 HAMPTON ROAD  
SOUTHAMPTON, NY 11968



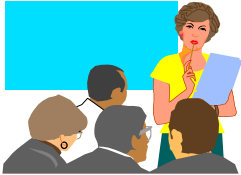
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JAY SCHNEIDERMAN  
TOWN SUPERVISOR

## TOWN OF SOUTHAMPTON ZONING BOARD OF APPEALS



**APPLICATIONS WILL NOT BE ACCEPTED FOR FILING WITHOUT A VALID TAX MAP NUMBER, A HOUSE NUMBER, AN UP-TO-DATE SURVEY, PROPERTY DEED, AND A CERTIFICATE OF OCCUPANCY. ALL INCOMPLETE APPLICATIONS WILL BE RETURNED.**

1. Original and ten (10) copies of application. (pages 1-5)
2. Original and ten (10) copies certificate form notarized for applicant and one (1) for owner (if owner is other than applicant). If a corporation or company appears on the certification form, list names of officers, original and ten (10) copies of Owners Endorsement Form (if applicable) and Open Government disclosure affidavit. (see pages 6-10) **(All notarized documents must have original signatures and original notary stamps)**
3. Eleven (11) copies of the deed, lease or contract, and/or other information.
4. Eleven (11) copies of a certified abstract of single and separate ownerships for variances regarding undersized lots. Undersized lots must also submit information required by Southampton Town Code §330-167(H) and (I), where applicable.
5. Eleven (11) copies of a New York State Department of Environmental Conservation permit or letter of non-jurisdiction if property is within 300 feet of tidal waters.
6. Two (2) original, and Nine (9) photocopies of up-to-date surveys (dated within 6 months – 1 year) showing all buildings and structures that currently exist on the property, wetlands, percentage of existing lot coverage, and percentage of proposed lot coverage. **The lot coverage must be calculated by your surveyor and must appear on the current survey. Survey must also show all proposed structures and additions.**
7. If you are seeking a variance for height/pyramid relief please include two (2) original vertical cross-section sketches of the structure showing areas exceeding the Pyramid Law requirements. (See illustration – pg. 19). **Please have a licensed architect calculate the amount of square footage penetrating the pyramid, as well as a volume (cubic feet) calculation. Plans (sketches) must be sealed, signed and dated by the licensed architect.**
8. If property has any improvements, Eleven (11) copies of the Certificate of Occupancy, Certificate of Compliance and copies of any open Building Permits for all on site structures will be required.

## DIRECTIONS

Answer all questions on the enclosed application form excluding date of hearing and application number.

1. Applications must be **typewritten or neatly printed in blue or black ink**, and submitted with one **(1) set of original documents** and **ten (10) copies** (total of 11) of the same in packet form to include the following in each packet:
  - I. Application and certificate or owners endorsement form.
  - II. Surveys, showing all details in connection with this application and prepared by a licensed surveyor.
  - III. Property deed.
  - IV. Certificate of Occupancy for the original dwelling/building and certificates of compliance for all accessory structures.
  - V. All other required documentation as applies (see cover page).

**(If the property is located within 500 feet of water, or listed on the Town wetlands inventory, you must submit thirteen (13 copies.) (If the property is commercial or you are requesting to subdivide a parcel, submit twelve (12) copies.)**

**If the application is for relief from the Coastal Erosion Hazard Area, please submit the original application and sixteen (16) copies. The application will be referred to the Town Board, the Town Planning Development Administrator, Town Chief Environmental Analyst, Deputy Town Attorney, Suffolk County Planning Commission, Town Trustees and the NYS Department of Environmental Conservation.**

2. Two sets of building plans. **Plans must be sealed, signed and dated.**
3. Filing Fee of \$750.00 must be presented with the application, payable to the Town of Southampton. If applying for relief from the Coastal Erosion Hazard Area a fee of \$1,000.00 is required.
4. If the Zoning Board of Appeals application is sought for improvements already constructed or installed without the prior required permits or approvals, the fee shall be increased to \$1,500.00.
5. **Filing fees are NON-REFUNDABLE.**
6. Financial Disclosure forms must be completed. (see attached)

**NOTE: Upon notification of a hearing date, you will be required to mail all abutting neighbors a copy of your application and survey. Please retain a copy of each.**

**APPLICATIONS ALONG WITH RELATED DOCUMENTS MUST BE  
COLLATED INTO PACKETS**

**VARIANCES**

One of the basic powers given by law to a Zoning Board of Appeals is called the “Variance” power. The Board has the authority to “vary” or modify the strict letter of a zoning ordinance or local law in cases where the benefit to the applicant outweighs the benefit to the neighborhood.

Appeals Boards are frequently confronted with requests for variances. There are two types of requests that come before the Board and the standards by which they are judged differ. A use variance is a request to utilize property for a use or activity which is not permitted by the zoning ordinance and the applicant must demonstrate “unnecessary hardship”. An area variance is a request for relief from dimensional standards contained in the zoning ordinance and takes into consideration the benefit to the applicant weighed against the detriment to the health, safety, and welfare of the neighborhood.

**USE VARIANCE**

An individual who wants to utilize property for a use that is not permitted by the zoning ordinance must apply for a use variance. An application for a use variance must demonstrate unnecessary hardship by satisfying each of the following four tests:

1. Uniqueness - The applicant must prove that there are certain features or conditions of the land that are not generally applicable throughout the zone **and** that these features make it impossible to earn a reasonable return without some adjustment. If the features or conditions are generally applicable throughout the district a variance should not be granted. In those situations where the difficulty is shared by others, the relief should be accomplished by an amendment to the zoning ordinance, not a variance.
2. Reasonable Return – The applicant must demonstrate an inability to realize a reasonable return under any of the uses permitted by the zoning ordinance. There must be a “dollar and cents” proof of the applicant’s inability to realize reasonable return; speculation of qualitative assessment is inadequate. Failure to realize the highest return is not considered a hardship.
3. Character – The applicant must prove that the requested modification will not change the character or quality of the neighborhood. In addition, the “spirit” of the ordinance or local law should be preserved.
4. Self-Created Hardship – The applicant must prove that the alleged hardship is not self-created.

The applicant for a use variance must meet all four tests before the Appeals Board may grant relief. A use variance should not be granted if the “unnecessary hardship” was created by the applicant. If the Appeals Board grants a use variance to an applicant who has failed to meet each of the tests, it runs the risk of assuming the function of the legislative body and making a decision contrary to the legislative intent of the zoning ordinance.

### **AREA VARIANCE**

The Zoning Board of Appeals shall have the power, upon an appeal from a decision of the administrative official charged with the enforcement of such ordinance or local law, to grant area variances as defined herein.

In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety, welfare of the neighborhood or community by such grant. In making such determination the Board shall also consider:

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.
2. Whether the benefit sought by the applicant can be achieved by some other method, feasible for the applicant to pursue, other than an area variance.
3. Whether the requested area variance is substantial.
4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not preclude the granting of the area variance.

The Appeals Board should grant the minimum relief necessary to allow reasonable use of the land in question. An applicant is not automatically entitled to receive relief.

### **SUMMARY**

The major difference between a use variance and an area variance involves the use of the property. An area variance results in a modification of physical restrictions so that an allowable use may be established on the property. By contrast, a use variance permits the establishment of a use which is prohibited by the zoning ordinance and the zoning map. It is for this reason that the standards established for an area variance.

**BOARD OF APPEALS APPLICATION**  
**Town of Southampton, New York**

C.O. Number \_\_\_\_\_ Application Number \_\_\_\_\_

Flood Zone \_\_\_\_\_ Subdivision Name \_\_\_\_\_

Lot No. \_\_\_\_\_ Parcel Size \_\_\_\_\_

SCTM# 473689-\_\_\_\_\_.\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_.\_\_\_\_\_

Parcel Location:

House Number \_\_\_\_\_ Street \_\_\_\_\_ Hamlet \_\_\_\_\_

1. \_\_\_\_\_  
Applicant

Address \_\_\_\_\_ Telephone Number \_\_\_\_\_

**NOTE: If applicant is not the owner, state whether applicant is owners' attorney, agent, architect, builder, consultant, general contractor etc.**

2. \_\_\_\_\_  
Owner

Address \_\_\_\_\_ Telephone Number \_\_\_\_\_

3. \_\_\_\_\_  
Attorney (If Applicable)

Address \_\_\_\_\_ Telephone Number \_\_\_\_\_

4. \_\_\_\_\_  
Surveyor

Address \_\_\_\_\_ Telephone Number \_\_\_\_\_

Please specify whom you wish correspondence to be mailed to from the above names listed.

Applicant     Owner     Attorney     Surveyor

5. An Application is hereby made for:

- An appeal from the Building Inspectors determination (330-165 A & B)
- An area variance
- A use variance
- Other \_\_\_\_\_

6. The applicable provisions of the Zoning Ordinance from which relief is sought are:

- Article § 330 - \_\_\_\_\_
- Article § 330 - \_\_\_\_\_
- Article § 330 - \_\_\_\_\_

7. Have any previous Variance applications or appeals been made with the respect to this property? If so, give date and name of each application.

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8. Is the property in separate ownership from all adjoining properties?

- Yes If yes, since what date? \_\_\_\_\_
- No If no, which adjoining property is held by the same owner?  
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9. Pursuant to the State Environmental Quality Review Act ("SEQRA"), 6 NYCRR 617 et seq., is the proposed action a Type I, Type II, or unlisted? (See SEQRA classifications attached – pgs. 16-22)

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**Note: Part I of an Environmental Assessment Long Form must be submitted for all Type I and Unlisted Actions.**

10. Is the property located within the Suffolk County Pine Barrens Zone or within one mile of a nuclear power plant? \_\_\_\_\_

11. Is the property located within the area studied by the Town's Hampton Bays Corridor Strategic Plan and the Accompanying Generic Environmental Impact Statement and Cumulative Impact to Build-Out Study (see attached)? \_\_\_\_\_

12. Is the property located within five hundred feet (500) of:

- The boundary of any village or town \_\_\_\_\_
- The boundary of any existing or proposed County, State or Federal park or other recreation area \_\_\_\_\_
- The right-of-way of any existing or proposed County or State parkway, thruway, expressway, road or highway \_\_\_\_\_
- The existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel lines  
\_\_\_\_\_
- The existing or proposed boundary of any other County, State or Federally owned land held or to be held for governmental use \_\_\_\_\_
- The Atlantic Ocean, Long Island Sound, any bay in Suffolk County or estuary of any of the foregoing bodies of water \_\_\_\_\_
- The boundary of a farm operation located in an agricultural district, as defined by Article 25-AA of the New York State Agricultural and Markets Law  
\_\_\_\_\_

**AREA VARIANCE**

13. This application is a request for an area variance from the provisions of Section(s) 330-\_\_\_\_\_ of the Town Code. This variance is for: (state in factual terms each variance requested, exact amount of each variance in feet or square feet, and whether variance is for existing or proposed structures).

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14. Will the grant of the variance(s) cause an undesirable change in the character of the neighborhood or will it create a detriment to nearby properties? If not, please explain.

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15. Can the benefits sought be feasibly achieved by some method other than an area variance? Please explain.

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16. Will the variance(s) sought be substantial and if not, why not?

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17. Will the grant of the variance(s) have an adverse effect or impact on the physical or environmental conditions in the neighborhood or in the affected area of the Town? Please explain.

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18. What reasons lead you to the request of this variance rather than to comply with the Town Code?

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19. Was this structure built without the benefit of a building permit?

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20. Are there any filed Covenants & Restrictions on the property? \_\_\_\_\_  
(If so, please provide a copy)





**CERTIFICATION**

Town of Southampton Zoning Board of Appeals

**STATE OF NEW YORK)  
COUNTY OF SUFFOLK) ss:**

\_\_\_\_\_, being by me duly sworn, deposes and says:

1. I am interested in an application for a variance or special exception now pending before the Southampton Zoning Board of Appeals.

2. I \_\_\_\_\_ reside at \_\_\_\_\_  
\_\_\_\_\_

3. The nature of my interest in the aforesaid application is as follows:  
\_\_\_\_\_  
\_\_\_\_\_

If applicant or owner is a corporation , list officers:

President \_\_\_\_\_ Secretary \_\_\_\_\_

Vice Pres. \_\_\_\_\_ Treasurer \_\_\_\_\_

Do any of the following individuals have an interest as defined below in the owner or applicant:

- A. Any New York State officer, or
- B. Any officer or employee of Southampton Town or Suffolk County.

For the purpose of this disclosure an officer or employee shall be deemed to have an interest in the owner or applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them:

- a. Is the applicant or owner, or
- b. Is 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 such an applicant or owner, express or implied, whereby he may receive any payment or other benefit, whether or not for services rendered dependent or contingent upon the favorable approval of such application.

A person who knowingly and intentionally fails to make such disclosure shall be guilty of a misdemeanor as provided in General Municipal Law, Section 809.

Yes     No    If yes, state the residence and nature and extent of the interest of such individual.

Name \_\_\_\_\_ Residence \_\_\_\_\_

Sworn before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ Signature of Applicant \_\_\_\_\_





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 answer 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>
_____	_____	_____
_____	_____	_____
_____	_____	_____

**READ AND CHECK BOX**

**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):** \_\_\_\_\_

## **SEQRA CLASSIFICATIONS**

### **§617.4 Type I actions**

(a) The purpose of the list of Type I actions in this section is to identify, for agencies, project sponsors and the public, those actions and projects that are more likely to require the preparation of an EIS than Unlisted actions. All agencies are subject to this Type I list.

(1) This Type I list is not exhaustive of those actions that an agency determines may have a significant adverse impact on the environment and require the preparation of an EIS. However, the fact that an action or project has been listed as a Type I action carries with it the presumption that it is likely to have a significant adverse impact on the environment and may require an EIS. For all individual actions which are Type I or Unlisted, the determination of significance must be made by comparing the impacts which may be reasonably expected to result from the proposed action with the criteria listed in subdivision 617.7(c) of this Part.

(2) Agencies may adopt their own lists of additional Type I actions, may adjust the thresholds to make them more inclusive, and may continue to use previously adopted lists of Type I actions to complement those contained in this section. Designation of a Type I action by one involved agency requires coordinated review by all involved agencies. An agency may not designate as Type I any action identified as Type II in section 617.5 of this Part.

(b) The following actions are Type I if they are to be directly undertaken, funded or approved by an agency:

(1) the adoption of a municipality's land use plan, the adoption by any agency of a comprehensive resource management plan or the initial adoption of a municipality's comprehensive zoning regulations;

(2) the adoption of changes in the allowable uses within any zoning district, affecting 25 or more acres of the district;

(3) the granting of a zoning change, at the request of an applicant, for an action that meets or exceeds one or more of the thresholds given elsewhere in this list;

(4) the acquisition, sale, lease, annexation or other transfer of 100 or more contiguous acres of land by a state or local agency;

(5) construction of new residential units that meet or exceed the following thresholds:

(i) 10 units in municipalities that have not adopted zoning or subdivision regulations;

(ii) 50 units not to be connected (at the commencement of habitation) to existing community or public water and sewerage systems including sewage treatment works;

(iii) in a city, town or village having a population of less than 150,000, 250 units to be connected (at the commencement of habitation) to existing community or public water and sewerage systems including sewage treatment works;

(iv) in a city, town or village having a population of greater than 150,000 but less than 1,000,000, 1,000 units to be connected (at the commencement of habitation) to existing community or public water and sewerage systems including sewage treatment works; or

(v) in a city or town having a population of greater than 1,000,000, 2,500 units to be connected (at the commencement of habitation) to existing community or public water and sewerage systems including sewage treatment works;

(6) activities, other than the construction of residential facilities, that meet or exceed any of the following thresholds; or the expansion of existing nonresidential facilities by more than 50 percent of any of the following thresholds:

(i) a project or action that involves the physical alteration of 10 acres;

(ii) a project or action that would use ground or surface water in excess of 2,000,000 gallons per day;

(iii) parking for 1,000 vehicles;

(iv) in a city, town or village having a population of 150,000 persons or less, a facility with more than 100,000 square feet of gross floor area;

(v) in a city, town or village having a population of more than 150,000 persons, a facility with more than 240,000 square feet of gross floor area;

(7) any structure exceeding 100 feet above original ground level in a locality without any zoning regulation pertaining to height;

(8) any Unlisted action that includes a nonagricultural use occurring wholly or partially within an agricultural district (certified pursuant to Agriculture and Markets

Law, article 25-AA, sections 303 and 304) and exceeds 25 percent of any threshold established in this section;

(9) any Unlisted action (unless the action is designed for the preservation of the facility or site) occurring wholly or partially within, or substantially contiguous to, any historic building, structure, facility, site or district or prehistoric site that is listed on the National Register of Historic Places, or that has been proposed by the New York State Board on Historic Preservation for a recommendation to the State Historic Preservation Officer for nomination for inclusion in the National Register, or that is listed on the State Register of Historic Places (The National Register of Historic Places is established by 36 Code of Federal Regulation (CFR) Parts 60 and 63, 1994 (see section 617.17 of this Part));

(10) any Unlisted action, that exceeds 25 percent of any threshold in this section, occurring wholly or partially within or substantially contiguous to any publicly owned or operated parkland, recreation area or designated open space, including any site on the Register of National Natural Landmarks pursuant to 36 CFR Part 62, 1994 (see section 617.17 of this Part); or

(11) any Unlisted action that exceeds a Type I threshold established by an involved agency pursuant to section 617.14 of this Part.

### **§617.5 Type II actions**

(a) Actions or classes of actions identified in subdivision (c) of this section are not subject to review under this Part. These actions have been determined not to have a significant impact on the environment or are otherwise precluded from environmental review under Environmental Conservation Law, article 8. The actions identified in subdivision (c) of this section apply to all agencies.

(b) Each agency may adopt its own list of Type II actions to supplement the actions in subdivision (c) of this section. No agency is bound by an action on another agency's Type II list. An agency that identifies an action as not requiring any determination or procedure under this Part is not an involved agency. Each of the actions on an agency Type II list must:

(1) in no case, have a significant adverse impact on the environment based on the criteria contained in subdivision 617.7(c) of this Part; and

(2) not be a Type I action as defined in section 617.4 of this Part.

(c) The following actions are not subject to review under this Part:



- (1) maintenance or repair involving no substantial changes in an existing structure or facility;
- (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part;
- (3) agricultural farm management practices, including construction, maintenance and repair of farm buildings and structures, and land use changes consistent with generally accepted principles of farming;
- (4) repaving of existing highways not involving the addition of new travel lanes;
- (5) street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities;
- (6) maintenance of existing landscaping or natural growth;
- (7) construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities;
- (8) routine activities of educational institutions, including expansion of existing facilities by less than 10,000 square feet of gross floor area and school closings, but not changes in use related to such closings;
- (9) construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (11) and the installation, maintenance and/or upgrade of a drinking water well and a septic system;
- (10) construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density;
- (11) extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list;
- (12) granting of individual setback and lot line variances;

- (13) granting of an area variance(s) for a single-family, two-family or three-family residence;
- (14) public or private best forest management (silvicultural) practices on less than 10 acres of land, but not including waste disposal, land clearing not directly related to forest management, clear-cutting or the application of herbicides or pesticides;
- (15) minor temporary uses of land having negligible or no permanent impact on the environment;
- (16) installation of traffic control devices on existing streets, roads and highways;
- (17) mapping of existing roads, streets, highways, natural resources, land uses and ownership patterns;
- (18) information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action;
- (19) official acts of a ministerial nature involving no exercise of discretion, including building permits and historic preservation permits where issuance is predicated solely on the applicant's compliance or noncompliance with the relevant local building or preservation code(s);
- (20) routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment;
- (21) conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action;
- (22) collective bargaining activities;
- (23) investments by or on behalf of agencies or pension or retirement systems, or refinancing existing debt;
- (24) inspections and licensing activities relating to the qualifications of individuals or businesses to engage in their business or profession;

- (25) purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials;
- (26) license, lease and permit renewals, or transfers of ownership thereof, where there will be no material change in permit conditions or the scope of permitted activities;
- (27) adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list;
- (28) engaging in review of any part of an application to determine compliance with technical requirements, provided that no such determination entitles or permits the project sponsor to commence the action unless and until all requirements of this Part have been fulfilled;
- (29) civil or criminal enforcement proceedings, whether administrative or judicial, including a particular course of action specifically required to be undertaken pursuant to a judgment or order, or the exercise of prosecutorial discretion;
- (30) adoption of a moratorium on land development or construction;
- (31) interpreting an existing code, rule or regulation;
- (32) designation of local landmarks or their inclusion within historic districts;
- (33) emergency actions that are immediately necessary on a limited and temporary basis for the protection or preservation of life, health, property or natural resources, provided that such actions are directly related to the emergency and are performed to cause the least change or disturbance, practicable under the circumstances, to the environment. Any decision to fund, approve or directly undertake other activities after the emergency has expired is fully subject to the review procedures of this Part;
- (34) actions undertaken, funded or approved prior to the effective dates set forth in SEQR (see chapters 228 of the Laws of 1976, 253 of the Laws of 1977 and 460 of the Laws of 1978), except in the case of an action where it is still practicable either to modify the action in such a way as to mitigate potentially adverse environmental impacts, or to choose a feasible or less environmentally damaging alternative, the commissioner may, at the request of any person, or on his own motion, require the preparation of an environmental impact statement; or, in the case of an action where the responsible agency proposed a modification of the action and the modification

may result in a significant adverse impact on the environment, an environmental impact statement must be prepared with respect to such modification;

(35) actions requiring a certificate of environmental compatibility and public need under articles VII, VIII or X of the Public Service Law and the consideration of, granting or denial of any such certificate;

(36) actions subject to the class A or class B regional project jurisdiction of the Adirondack Park Agency or a local government pursuant to section 807, 808 and 809 of the Executive Law, except class B regional projects subject to review by local government pursuant to section 807 of the Executive Law located within the Lake George Park as defined by subdivision one of section 43-0103 of the Environmental Conservation Law; and

(37) actions of the Legislature and the Governor of the State of New York or of any court, but not actions of local legislative bodies except those local legislative decisions such as rezoning where the local legislative body determines the action will not be entertained.

## IMPORTANT MESSAGE REGARDING HOUSE NUMBERS

As of March 31, 1994, Chapter 286 of the Southampton Town Code will require that all Town residents display house numbers so that they are clearly visible from the street. The law requires that you use only the number assigned by the Town. **NO OTHER NUMBER SHOULD BE DISPLAYED AND NO INSPECTIONS WILL BE DONE BY THE BUILDING DEPARTMENT AT PROPERTIES WITHOUT A HOUSE NUMBER.** If you have a different number for postal delivery, please file a change of address with your post office immediately. If your tax bill does not list a street number, or if you have a question regarding the law or the number assigned to you, please telephone Pat Raymond of the Assessors Office at 283-6000 extension 274.

The following is a description of the manner of display and the style and size of the required house numbers:

### A. Manner of Display.

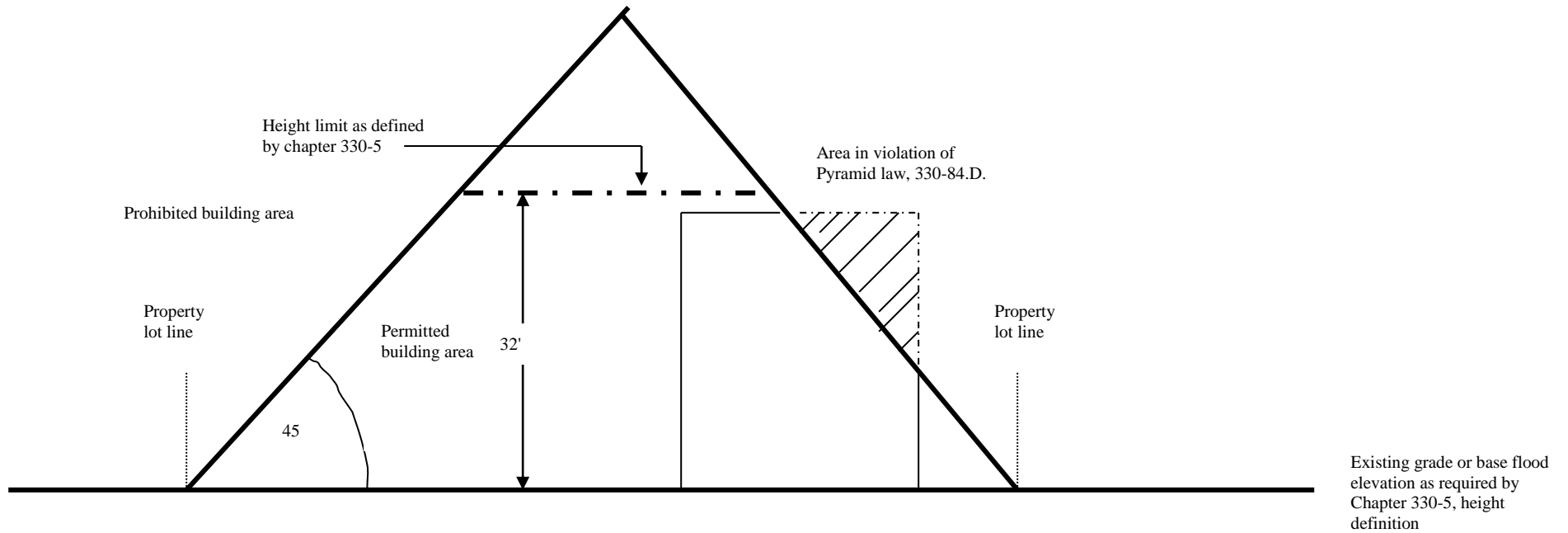
1. During construction period; the owner of a land parcel for which a building permit has been issued shall have the street address number displayed on a sign.
2. Existing and newly completed buildings. The owner of an existing building or newly completed building shall have the street address number displayed by permanently affixing or painting numerals, letters or script, stating the number, to the front of the building. Where the building is not close enough to the street, or is not readily visible from the street, the street address number shall be permanently affixed to a sign, post or mailbox located at the front of the parcel or lot where the building is situated.

### B. Style and Size of Numbers.

1. The numerals, letters or script used to display the street address number of the building shall be painted on a plaque or the front of the building, or made of metal or other durable material. The numerals, letters or script shall be at least three (3) inches in height. All street address numbers shall be displayed as to be easily seen from the street by both pedestrians and drivers of vehicles.

The proper posting of your house number will assist the Building Department during the inspection process and ensure prompt and timely inspections.

(Typical) Vertical Cross-section drawing for Height/Pyramid Relief



Pyramid law, Chapter 330- 84.D.