

RESOLUTION: 2005-884
CATEGORY: Local Laws
SPONSORED BY: Supervisor Patrick Heaney
DEPARTMENT: Planning

Notice of Adoption to Amend Zoning Map (Chapter 330 Zoning) and to Change the Zoning Classification of Certain Parcels From Office Business District (OD) to Hamlet Office/ Residential (HO), From Village Business (VB) to HO and From (OD) to CR-80 In Water Mill and to Rescind Resolution No. 809 Due to Clerical Error

RESOLVED, that due to a clerical error in the Notice of Adoption, Resolution No. 809 adopted June 14, 2005 is hereby rescinded; and be it further

RESOLVED, that the Town Clerk is hereby authorized to publish the following Notice of Adoption:

NOTICE OF ADOPTION

TAKE NOTICE, that after public hearings were held by the Town Board of the Town of Southampton on November 9, 2004, December 14, 2004, and January 11, 2005, at the Town Hall, 116 Hampton Road, Southampton, New York, to hear any and all persons either for or against and closed January 11, 2005 with a ten (10) day written comment period, the Town Board at their meeting on June 28, 2005 shall consider for adoption LOCAL LAW NO.22 OF 2005 as follows:

“A LOCAL LAW to amend §330, Zoning, of the Town Code of the Town of Southampton in order to re-classify zoning districts from Office Business District (OD) to Hamlet Office Residential (HO), from Village Business (VB) to (HO) and from Office Business District (OD) to CR-80 located in the Hamlet of Water Mill pursuant to Section 330-185 of the Town Code.”

Copies of the proposed law, sponsored by Supervisor Patrick A. Heaney, are on file in the Town Clerk’s Office, Monday through Friday, from 8:30 a.m. to 4:00 p.m.

BY ORDER OF THE TOWN BOARD
TOWN OF SOUTHAMPTON, NEW YORK
MARIETTA M. SEAMAN, TOWN CLERK

LOCAL LAW NO. 22 OF 2005

LOCAL LAW amending Chapters 330 of the Code of the Town of Southampton.

BE IT ENACTED by the Town Board of the Town of Southampton as follows:

SECTION 1. Legislative Intent

The Water Mill Hamlet Center is the local shopping area and institutional center for the Water Mill hamlet and surrounding residential areas. The 1999 Comprehensive Plan Update recommends maintaining Water Mill as a modestly-scaled, pedestrian-related center appropriate to the surrounding community. The Plan defines business uses north of Montauk Highway, concentrating Village Business (VB) zoning from Water Mill Square to midway between Station Road and Newedonah Avenue, ringing the VB district with (from west to east) residential, open-space and Hamlet Office/Residential (HO) zones. The Water Mill Hamlet Strategy Study (January 2003) refined and updated these recommendations with respect to community input, more recent conditions and opportunities.

To accomplish the objectives of both the Comprehensive Plan Update and the Strategy Study, the Hamlet office/Residential (HO) zoning would replace the current Office District (OD) zoning to refine the underlying zoning for the hamlet center of Water Mill. These areas should maintain their current residential scale as a transition to adjacent commercial (retail/office), open space or residential development. HO would generally allow offices, housing, and low-traffic generating retail and service uses such as those now allowed in office districts, i.e. antique stores, galleries, restaurants but without liquor licenses). High traffic/impact uses would not be allowed, i.e. video stores, liquor stores, fast food establishments, laundromats, dry cleaners, and gas stations. In addition, HO zoning would entail performance standards, requiring that buildings appear to be residential (no front parking, ear or side parking), use residential style setbacks, reduced lot coverage, i.e. 20% - 25%, small building footprints, i.e. up - to 3,000 square feet, residential style windows and entries, pitched roofs, and discrete signage.

One of the intentions of the Comprehensive Plan is to keep commercial development along major arterial roads (i.e. Montauk Hwy, CR 39, etc.). Therefore, the specific commercial to residential change (i.e. OD to CR-80) are related to those properties that cannot be accessed directly from main thoroughfares (have frontage on local streets/minor arterials) and would render development that is incompatible with the predominant land use occurring in these areas.

SECTION 2. Amend the Zoning Map of the Town Code as follows:

The subject parcels being re-zoned are as follows: Office District (OD) to HO, Village Business (VB) to HO, and OD to CR-80 as shown on the maps entitled "Proposed Hamlet Office/Residential (HO) and Hamlet Commercial/ Residential (HC) Zoning Districts- Water Mill", prepared by the Town of Southampton, Department of Land Management - Planning Division, dated July 8, 2004 and last revised June 8, 2005 and specifically indicated on the table below:

TAX MAP #	ACREAGE	EXISTING ZONING	PROPOSED ZONING
900 - 101 - 3 - 38.3	1.8	HB	HO
900 - 101 - 3 - 39.1	6.9	OD	HO
900 - 101 - 3 - 40	0.5	OD	HO
900 - 101 - 3 - 42	0.4	OD	HO

900 - 101 - 3 - 43.1	1.2	OD	HO
900 - 101 - 3 - 44	1.0	OD	HO
900 - 114 - 1 - 46	5.5	VB	HO
900 - 114 - 1 - 48.1	0.7	VB	HO
900 - 114 - 1 - 49	0.2	VB	HO
900 - 114 - 1 - 50	0.1	VB	HO
900 - 114 - 1 - 51	0.3	VB	HO
900 - 114 - 1 - 52*	2.1*	VB	HO
900 - 114 - 3 - 10.1	0.2	OD	HO
900 - 114 - 3 - 10.2	0.1	OD	HO
900 - 114 - 3 - 11	0.5	OD	HO
900 - 114 - 3 - 17	0.9	OD	HO
900 - 114 - 3 - 18.1*	22.6*	OD	HO
900 - 114 - 3 - 25	0.8	OD	HO
900 - 114 - 3 - 3	0.3	R40	HO
900 - 114 - 3 - 8	1.1	OD	HO
900 - 114 - 3 - 9	0.8	OD	HO
900 - 115 - 1 - 1*	21.6*	OD	CR-80
900 - 115 - 2 - 2.1	1.2	OD	HO
900 - 115 - 2 - 3	0.5	OD	CR-80

* Portion of property to be rezoned (as illustrated on map prepared by the Department of Land Management dated July 8, 2004 and last revised June 8, 2005).

SECTION 3. Severability.

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

SECTION 4. Effective Date

This Local Law shall take effect upon the filing of this Local Law with the Secretary of State pursuant to the Municipal Home Rule Law.

✓ Vote Record - Resolution 2005-884					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Patrick Heaney	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Nancy Graboski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Dennis Suskind	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Steven Kenny	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Linda Kabot	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>