

TOWN OF SOUTHAMPTON COMMUNITY PRESERVATION PROJECT PLAN

Part III. SUMMARY AND EVALUATION OF LAND USE ALTERNATIVES TO PROTECT COMMUNITY CHARACTER

A. INTRODUCTION

The following identification and evaluation of land use alternatives to protect community character focuses on eighteen individual alternatives and several classes of public and private alternatives currently available to the Town of Southampton. The identification and evaluation is structured to assess the application of each individual or class of land use alternative in relation to the eight target areas defined by Part II of the Plan. Each land use alternative is assigned one of three priorities in terms of potential application to each target area or specific categories of parcels and projects.

A complete listing of the eighteen existing land use alternatives is provided by Table 2. The table defines each land use alternative by the corresponding Chapter or Section of the Town Code where applicable. Each land use alternative is also assigned an identification number to assist with the construction of a matrix that assigns the appropriate priority and application of land use alternatives to the target areas. (See Table 3) The matrix system uses a numerical index (a “1” or “2”) to indicate which land-use alternatives are to be employed as primary 1 or secondary 2 land protection strategies to preserve each category and parcel of land. Categories of land and land-use alternative ranks are further defined in the body and appendix of this Project Plan. It should be noted however, that each eventual application of the land use alternatives, particularly those involving voluntary fee simple acquisition or the purchase of development rights, will be negotiated or structured on a case by case basis and various alternative combinations of land use alternatives identified may vary by parcel or project.

The land use alternatives evaluation matrix, which appears as Table 3, summarizes the results of the analysis conducted for each alternative and the various target areas and categories of parcels and projects which assist in assigning priorities. The potential application of a land use alternative is indicated by the assignment of a ranking number in terms of the potential for individual or combined applications. The absence of any ranking indicates that the land use alternative has limited or no value to a specific target area, parcel or project. Again, however it should be noted that, on a case by case basis, individual circumstances or property conditions that may exist and are beyond the scope of this evaluation could further alter the level of priority or potential for application of a land use alternative. A summary of the evaluation results for each target area or category of parcel or project is also provided.

B. IDENTIFICATION AND SUMMARY OF LAND USE ALTERNATIVES

A total of sixteen individuals or classes of applicable land use alternatives have been enacted as part of the Town Code of the Town of Southampton. Two additional classes of land use alternatives involve fee simple acquisition and private conservation strategies. Table 2

provides a comprehensive outline of the eighteen public and private land use alternatives that can be utilized to preserve community character either individually or strategically together to maximize both public and private benefits.

Table 2

**OUTLINE OF EXISTING LAND USE ALTERNATIVES
TO PROTECT COMMUNITY CHARACTER**

<u>ID No.</u>	<u>Town Code Ref.</u>	<u>Description</u>
1.	Chap. 157-10 B. (4)	Critical Areas
2.	Chap. 298-10 thru 12 Chap. 247-16 thru 19	Conservation Easement
3.	Chap. 298-19 thru 20 Chap. 247-23 thru 25	Agricultural Use Agreement
4.	Chap. 298-26 thru 27 Chap. 247-29 thru 31 Chap. 295-1 thru 5	Trails, Trail Preservation Agreement
5.	Chap. 308-1 thru 6	Protection of Vegetation
6.	Chap. 231-1 thru 11	Nature Preserve
7.	Chap. 232-1 thru 9	Park Preserve
8.	Chap. 243-1 thru 12 Chap. 330-52 thru 56 Chap. 330-62	Subdivision, Old Filed Maps
9.	Chap 247-1 thru 12 Chap 292-11	Subdivision of Land, Planned Residential Development
10.	Chap. 325-1 thru 15 Chap. 157-10 B. (3) Chap. 138-1 thru 32	Wetlands Critical Areas Coastal Erosion Hazard Areas
11.	Chap. 330-7	Zoning, Transfer of Development Rights

Table 2 Cont.

**OUTLINE OF EXISTING LAND USE ALTERNATIVES
TO PROTECT COMMUNITY CHARACTER**

<u>ID No.</u>	<u>Town Code Ref.</u>	<u>Description</u>
12.	Chap. 330-47 thru 51	Zoning, Agriculture, Purchase of Development Rights <ul style="list-style-type: none">- Town Community Preservation Fund- Town Bond Financing- Town Dedicated Capital Reserve Fund- NYS Bond Act/EPF- Suffolk County Partnership- U.S. Dept. of Agriculture
13.	Chap. 330-63 thru 69.3 Chap. 157-10 B. (1)	Zoning, Aquifer Protection Critical Areas
14.	Chap. 330-182 thru 184	Zoning, Site Plan
15.	Chap. 330-215 thru 234 Chap. 157-10 B. (2)	Zoning, Central Pine Barrens Critical Areas
16.	Chap. 330-240 thru 247	Zoning, Planned Development District
17.		Fee Simple Acquisition <ul style="list-style-type: none">- Town Community Preservation Fund- Town Environmental Savings Fund- Town Bond Financing- Town Dedicated Capital Reserve Fund- NYS Bond Act/EPF- Suffolk County Partnership- U.S. Dept. of Agriculture- Intergovernmental Transfers- Special Assessment Districts- Public/Private Partnerships
18.		Private Conservation Strategies <ul style="list-style-type: none">- Conservation Easement- Tax Exempt Installment Sale- Bargain Sale/ Land Donation- Like Kind Exchange- Limited Development- Family Limited Partnership- Charitable Remainder Trust

The following is a summary of each individual or class of land use alternative identified by Table 2 that will be available to implement the Town's plan.

1. Historic Landmarks

Chapter 330 of the Town Code defines the purpose, definitions and responsibilities of the Town Landmarks and Historic Districts Board in designating individual landmarks and districts throughout the Town. To date three individual structures have been designated as local Landmarks.

In addition to the potential for State and National Register designations, which only provide possible tax incentives for historic preservation, the Town's local Landmark regulations are the primary means of preserving historic and cultural resources. Additional survey efforts will be necessary to identify potential landmarks for future consideration for designation by the Town Board.

Section 157-10. (4) Critical Areas of the Town Code also define areas of social, cultural, historic, archaeological or educational importance.
2. Conservation Easements

Chapters 247, Open Space, and 298, Taxation, define the Town's authority to establish and assess conservation easements. Basic procedures and provisions for conservation easements are established.
3. Agricultural Use Agreement

Section 298-19, Agricultural Use Agreements, establishes the basis for assessing agricultural lands as well as a tax incentive to preserve land for agricultural purposes.
4. Trails

Chapters 247 and 298 establish the basis for trail preservation agreements within the Town and the corresponding assessments and incentives. Chapter 29 establishes the importance of providing for the planning and maintenance of a comprehensive trails system and program in the Town through the efforts of the Town Board and Trails Advisory Committee.
5. Protection of Vegetation

Chapter 308 protects trees and other forms of vegetation on both private and public property from destruction without proper authorization.

6. Nature Preserve

Chapter 231 enables the Town Board to designate certain Town owned properties as Nature Preserves to protect the heritage, environmental quality, habitat, geologic features, wetlands, recreation opportunities, buffer areas and watersheds associated with these nominated public lands that meet certain criteria. The Town's Environmental Advisory Committee is charged with preparing an inventory, maintaining a register of preserves and preparing management plans.

7. Park Preserve

Chapter 232 enables the Town Board to establish Town Park Preserves covering public lands suited for active and passive park or recreation purposes.

8. Subdivision, Old Filed Maps

Chapter 243, Old Filed Maps, enables the Town Planning Board, to utilize its powers under the Town's subdivision regulations, to address the adverse impacts of plats filed prior to May 13, 1931, and to provide for orderly growth and development and the protection of natural resources particularly within the Old Filed Map Overlay District established by Section 330-52 through 62 of the Town Code. The transfer of development rights is also enabled to facilitate the subdivision of land and the protection of natural resources under the Old Filed Map provisions of the Town Code.

9. Subdivision, Planned Residential Development

Chapter 247, Open Space, Article I, Sections 247-1 through 12, enables the Town Planning Board, in conjunction with Section 292-11 of the Town's Subdivision regulations, to facilitate the flexibility of design and development of land in certain residential zoning districts and the preservation of the natural and scenic qualities of open lands essential to preserving rural character.

With the discretion of the Town Planning Board, between 35% and 65% of prime open space and farmland (Agricultural Reserves) may be preserved on a site through the reduction of dimensional regulations and the clustering of residential lots and units. A voluntary reduction in overall permitted residential density is also enabled to assist with open space and farmland preservation.

10. Wetlands Chapter 325, Wetlands, enables the Town’s Conservation Board to review applications for development on lands containing freshwater, brackish and tidal wetlands. Minimum standards are established or preserving these fragile natural resources also defined as Critical Areas by Chapter 157 of the Town Code.
- Coastal Erosion Hazard Areas Chapter 138, Coastal Erosion Hazard Areas, enables the Town to implement and administer a coastal erosion management program that regulates new construction, establishes standards and procedures for the review of erosion protection structures, reduces coastal flooding and erosion and preserves the unique coastal ecosystem formed by the near shore areas, beaches, dunes, bluffs, vegetation and other coastal features.
11. Zoning, Transfer of Development Rights Chapter 330, Zoning, Section 330-7, Transfer of Permitted Residential Development Rights, enables the Transfer of Development Rights (TDR) and Pine Barrens Credits (PBC) to preserve open space, prime agricultural soils, wetlands, groundwater recharge, pine barrens, and greenbelts or parks and recreation systems. Standards and incentives are established, in conjunction with the Town’s zoning and Subdivision regulations, to facilitate the transfer of development rights or PBC’s from sending areas to designated or prescribed receiving areas.
12. Zoning, Agricultural Overlay District, Purchase of Development Rights The Town’s Zoning Code enabled the Agricultural Overlay District in 1972. Today, Article X of the Town’s Zoning Code, defines the District’s purpose, regulations, transfer of development rights and farmland preservation programs. The Town Board, through the advice and recommendations of the Farmland Committee and Permits Administrator, can authorize the purchase of development rights only from parcels situated within the Agricultural Overlay District. The Town Board, in conjunction with the Permits Administrator and the Farmland Committee, review applications for agricultural construction and uses on preserved farmland.

The Purchase of Development Rights program, in addition to the possible enactment of a Community Preservation Fund through a 2% real estate transfer tax, has been funded through the individual and leveraged application of Town, County, State and Federal financial programs defined by Table 2.

- 13. Zoning,
Aquifer Protection
Overlay District

Article XIII, Aquifer Protection Overlay District, of Chapter 330, Zoning, facilitates the health, safety and welfare of the Town by protecting aquifer recharge areas that serve as the sole source for drinking water. Standards are established for both residential and non-residential uses to protect natural vegetation and minimize the introduction of fertilized vegetation. Chapter 157 of the Town also recognizes the Town's sole source aquifers as Critical Areas for environmental protection.

- 14. Zoning,
Site Plan

Section 330-181 through 184 establishes the purpose, objectives and procedures that enable the Town Planning Board to review applications for site plans for commercial, industrial, office and multi-family residential development. Site Plan review objectives and procedures enable the Town Planning Board to consider natural, cultural and design features that are intended to provide for orderly and coordinated development that will enhance and preserve community character.

- 15. Zoning,
Central Pine Barrens

Article XXIV, Central Pine Barrens Overlay District, was adopted in 1995 to implement the adopted Central Pine Barrens Plan. The Article is intended to prevent pine barrens destruction, forest fragmentation, loss of biodiversity, disruption of ecological functions, ground water contamination, diminishment of open space and scenery, depletion of recreational opportunities and other adverse environmental effects.

The Overlay District recognizes the Core and Compatible Growth Areas defined by the Plan. No further development is permitted within the Core Area without a hardship exemption. Development within the Compatible Growth Area is guided by eighteen specific standards. The Overlay District enables the Transfer of Development Rights or Pine Barrens Credits based on

yield calculations. Receiving areas are specifically defined as well as other density incentive provisions to facilitate the transfer of PBC's.

The Central Pine Barrens Plan also recognizes ten Critical Resource Areas within or adjacent to the Overlay District that require further protection and development review.

Chapter 157 of the Town Code also recognizes the Central Pine Barrens as a Critical Area.

In addition to the Town's regulatory code that governs preservation and development within the Central Pine Barrens, the Central Pine Barrens Commission has established a PBC bank or Clearinghouse to facilitate the acquisition and transfer of PBC's.

The Nature Conservancy also plays a critical role in facilitating the assembly and acquisition of lands within the Core Area.

16. Zoning,
Planned
Development
District

Article XXVI. Planned Development District, (PDD) was also established in 1995 by the Town Board to provide a vehicle to assist with both the implementation of the Central Pine Barrens Plan and Overlay District and the preservation of farmland, open space and other natural resources by facilitating flexibility and creativity in use and dimensional standards, based on a plan, in order to facilitate the transfer of development rights or PBC's. The Article establishes the basic PDD classifications, procedures and standards.

17. Fee Simple
Acquisition

Fee Simple Acquisition, through the application of individual and joint funding sources outlined in Table 2, will remain one of the primary alternatives for protecting critical open space resources defined by various plans and strategies. In conjunction with the potential for the establishment of a Community Preservation Fund through a 2% real estate transfer tax, efforts should continue to be pursued to link the various available public sources of funding for fee simple acquisition with private strategies designed to establish financial incentives to encourage land preservation.

18. Private Conservation Strategies

A significant number of alternative private land use conservation strategies are available to assist land owners with various tax, estate and related financial planning needs. Several of these key strategies are identified by Table 2 and will be described in detail as part of a Guide to Land Owners to be produced as part of the Town's Farm and Farmland Preservation Strategy report. Every effort should be made to couple these private land conservation strategies with public land use alternatives to maximize public investment and expand conservation efforts.

C. EVALUATION AND APPLICATION OF LAND USE ALTERNATIVES

The evaluation of available land use alternatives to preserve community character is a critical part of the Town's Community Preservation Project Plan. The potential application and prioritization of the eighteen land use alternatives previously identified and described to the eight target areas and individual categories of parcel and projects will assist in maximizing the potential of the future Community Preservation Fund to accomplish the Town's farmland and open space preservation goals.

A matrix has been constructed to assist with the evaluation and ranking of available land use alternatives. The matrix, which appears as Table 3, assigns a column for each individual or class of land use alternative with the identification number from Table 2 listed at the head of the column. The matrix assigns a specific row to each target area and underlying categories of parcels and projects described and mapped by Part II and listed in the Appendices of the plan. Land use alternatives that present the highest priority pertaining to a specific target area or underlying category of parcel or project are assigned a number one. Land use alternatives that may have a lower potential for application are assigned a number two and alternatives with limited or no application are not assigned a ranking. A complete description of the methodology for identifying target areas and categories of parcels and projects is contained in Part II of the Plan.

Table 3
Town of Southampton Community Preservation Plan
Evaluation of Available Land Use Alternatives to Protect Community Character

Target Areas

Land Use Alternatives (Refer to Table 2)

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Agricultural Lands																		
A1		1	1									1						1
A2		1	1						1		1	1				2		1
A3		1	1						1		1	1				2		1
A4		1	1						1		1	2				1		1
A5		1	1						2		1	2						1
A6		1	1						2		1	2						1
A7			1								1							1
A8			1								1							1
Open Space/Greenbelts																		
Aspatuck Creek Headwaters																		
OSG1		2		2	1	1	1	2	2	2	1		2	2		2	1	1
OSG2		1		1	1	2	2	1	1	1	1		2	2		1	2	1
Bull Head Bay																		
OSG1		2		2	1	1	1	2	2	2	1		2	2		2	1	1
OSG2		1		1	1	2	2	1	1	1	1		2	2		1	2	1
Cow Neck																		
OSG1		2		2	1	1	1	2	2	2	1		2	2		2	1	1
OSG2		1		1	1	2	2	1	1	1	1		2	2		1	2	1
Eastern GEIS																		
OSG1		2		2	1	1	1	2	2	2	1		2	2		2	1	1
OSG2		1		1	1	2	2	1	1	1	1		2	2		1	2	1
Eastern GEIS/Great Swamp																		
OSG1		2		2	1	1	1	2	2	2	1		2	2		2	1	1
OSG2		1		1	1	2	2	1	1	1	1		2	2		1	2	1
Great Hill																		
OSG1		2		2	1	1	1	2	2	2	1		2	2		2	1	1
OSG2		1		1	1	2	2	1	1	1	1		2	2		1	2	1

Table 3
Town of Southampton Community Preservation Plan
Evaluation of Available Land Use Alternatives to Protect Community Character

Target Areas

Land Use Alternatives (Refer to Table 2)

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Little Sebonac Creek																		
OSG1		2		2	1	1	1	2	2	2	1		2	2		2	1	1
OSG2		1		1	1	2	2	1	1	1	1		2	2		1	2	1
Long Pond Greenbelt																		
OSG1		2		2	1	1	1	2	2	2	1		2	2		2	1	1
OSG2		1		1	1	2	2	1	1	1	1		2	2		1	2	1
North Sea Atlantic White Cedar Swamp																		
OSG1		2		2	1	1	1	2	2	2	1		2	2		2	1	1
OSG2		1		1	1	2	2	1	1	1	1		2	2		1	2	1
Peconic River																		
OSG1		2		2	1	1	1	2	2	2	1		2	2		2	1	1
OSG2		1		1	1	2	2	1	1	1	1		2	2		1	2	1
Red Creek Pond																		
OSG1		2		2	1	1	1	2	2	2	1		2	2		2	1	1
OSG2		1		1	1	2	2	1	1	1	1		2	2		1	2	1
Sagaponack Woods																		
OSG1		2		2	1	1	1	2	2	2	1		2	2		2	1	1
OSG2		1		1	1	2	2	1	1	1	1		2	2		1	2	1
Sebonac Neck																		
OSG1		2		2	1	1	1	2	2	2	1		2	2		2	1	1
OSG2		1		1	1	2	2	1	1	1	1		2	2		1	2	1
Shinnecock Hills Grasslands/Heathlands																		
OSG1		2		2	1	1	1	2	2	2	1		2	2		2	1	1
OSG2		1		1	1	2	2	1	1	1	1		2	2		1	2	1
Shinnecock Hills Greenway																		
OSG1		2		2	1	1	1	2	2	2	1		2	2		2	1	1
OSG2		1		1	1	2	2	1	1	1	1		2	2		1	2	1
Shinnecock Bay (Tiana Area)																		
OSG1		2		2	1	1	1	2	2	2	1		2	2		2	1	1

Table 3
Town of Southampton Community Preservation Plan
Evaluation of Available Land Use Alternatives to Protect Community Character

Target Areas

Land Use Alternatives (Refer to Table 2)

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	
OSG2		1		1	1	2	2	1	1	1	1		2	2		1	2	1	
Squires Pond																			
OSG1		2		2	1	1	1	2	2	2	1		2	2		2	1	1	
OSG2		1		1	1	2	2	1	1	1	1		2	2		1	2	1	
Stokes Poges Marsh																			
OSG1		2		2	1	1	1	2	2	2	1		2	2		2	1	1	
OSG2		1		1	1	2	2	1	1	1	1		2	2		1	2	1	
Towd Point																			
OSG1		2		2	1	1	1	2	2	2	1		2	2		2	1	1	
OSG2		1		1	1	2	2	1	1	1	1		2	2		1	2	1	
Tuckahoe Woods																			
OSG1		2		2	1	1	1	2	2	2	1		2	2		2	1	1	
OSG2		1		1	1	2	2	1	1	1	1		2	2		1	2	1	
Weesuck Creek																			
OSG1		2		2	1	1	1	2	2	2	1		2	2		2	1	1	
OSG2		1		1	1	2	2	1	1	1	1		2	2		1	2	1	
Central Pine Barrens																			
CORE											1				1		1	1	
CRA		1			1	1	1	1	1		1		1	1	1		2	1	
Wetlands																			
										1	1					1	1	1	
Trails																			
TR1		2		1		2	1	2	2					2	1	2	1	1	
TR2		2		1		2	1	2	2					2	1	2	1	1	
TR3		2		1		2	1	2	2					2	1	2	1	1	
TR4		2		1		2	1	2	2					2	1	2	1	1	
Aquifer Recharge Areas																			
		1		1	2	1	1			1	1	2	1			1	1	1	
Village/Hamlet Green/Parks and Recreation																			
									2		1			2		1	1	1	
Historic Sites																			
	1	1															2	2	

The following narrative summarizes the actual evaluation of land use alternatives by target area as portrayed by the Table 3 matrix.

Target Area 1 - Agricultural Lands

Eight categories have been established for the remaining unpreserved farmland within the Agricultural Overlay District. Each category has been established based on eleven criteria drawn from the Suffolk County Agricultural and Farmland Protection Plan, draft Comprehensive Plan Update and the inventory phase of the Town's Farm and Farmland Preservation Strategy undertaken by the Peconic Land Trust. The current and potential application of each land use alternative has been evaluated for each category of remaining agricultural land. The land use alternatives that will have the greatest potential application to preserving farmland are as follows: purchase of development rights; conservation easements; agricultural use agreements; planned residential development; transfer of residential development rights; and potential private financial strategies.

The following is a summary of the land use alternatives evaluation by agricultural land categories:

Agricultural Land Category 1

These parcels, as identified by Part II of the Plan and Appendix A, are currently the subjects of negotiations between the Town and landowners to purchase development rights. It is anticipated that these negotiations will be completed during 2002.

The primary land use alternatives involve the purchase of development rights and the establishment of a conservation easement. In one case an installment purchase sale has been negotiated in conjunction with the purchase of development rights. In addition, three of the pending transactions will involve a subdivision of land to establish the parcel that will be subject to the conservation easement. In all cases the private landowners will also be assessing the potential application of the full range of private conservation strategies outlined by Table 2.

Agricultural Land Categories 2 and 3

The highest priority for farmland conservation is concentrated in agricultural land categories two and three. The same land use alternatives applied to category one will also be applied to these categories. However, in addition, based on the Town's existing transfer of development rights (TDR) regulations and the ability to apply future Community Preservation Fund revenues towards the establishment of a TDR bank, the Town will have the potential to employ both the purchase of development rights (PDR) program and a new TDR program together for the first time.

To fully realize the potential of a TDR program, several existing and new zoning tools must be applied or enacted. The potential application of Planned Development Districts and site plan regulations, as envisioned by the draft Comprehensive Plan Update and the Town Code,

will be enhanced through the ability of the Town to better facilitate the transfer of development rights from prime farmland to future PDD and related site plan locations that can accept increased density or intensity. Several zoning code amendments, currently proposed by the draft Comprehensive Plan Update, will also need to be enacted to expand the potential of TDR.

The application of private conservation strategies, in addition to PDR and TDR, will also be essential to farmland preservation efforts within these categories. A Guidebook for Land Owners is being completed for distribution to all landowners within these two categories to facilitate land preservation transactions. Landowners will also have the opportunity to continue to apply for both Town and state agricultural assessments.

The application of the Town's subdivision regulations, particularly the Planning Board's ability to consider Planned Residential Developments or cluster subdivisions, will also continue to be an important land use alternative to insure the capacity for flexibility and creative subdivision design.

Agricultural Land Category 4

This category includes parcels that are subject to active subdivision applications. The application of Planned Residential Development regulations will be of prime importance with these parcels to insure that, where appropriate, Agriculture Reserves can be established by the Planning Board ranging from 35% to 65% of the total lot area. Conservation easements will be established as part of future Agriculture Reserve. Efforts should also be pursued to either maintain or establish agricultural assessments on these parcels.

The creation of a TDR bank, through the future establishment of a Community Preservation Fund, could also facilitate land preservation efforts during the Planning Board's consideration of future subdivisions of land. The purchase of development rights may play a subordinate role with these parcels given current subdivision activity. However, the potential for further consideration of both public and private land conservation alternatives should be explored, particularly with those applications at the pre-application phase of the subdivision process. As in the prior two categories, the potential to expand the potential for PDD's and site plans to receive the transfer of development rights will also facilitate land preservation and reduce sprawl.

Agricultural Land Categories 5 through 8

These final categories of agricultural land are comprised of small lots less than ten acres that meet a limited number of the primary preservation criteria. These lots may be isolated from larger blocks of preserved or unpreserved farmland and present limited potential for short or long term agricultural continuity. Many of the lots have previously been subdivided or may be considered as possible future candidates for only minor subdivision applications.

Planned Residential Development will have only limited application with these parcels. Opportunities should be explored to link these parcels with private conservation efforts to

facilitate a wider range of land preservation options. The potential acquisition of development rights from these parcels in conjunction with future PDD's and site plan applications should also be considered. Maintaining agricultural assessments on these parcels should also be a priority. The TDR bank concept could also be targeted to suitable smaller lots as a means to expand the application of this important land use alternative.

Target Area 2 - Open Space/Greenbelts

Twenty-two open space target areas have been identified by Part II of the plan. Potential land preservation priorities have been divided into two categories. The Open Space and Greenbelt one (OSG1) category has been assigned the highest priority based primarily on prior open space plans and strategy recommendations also identified by Part II.

The following summarizes the evaluation and ranking of land use alternatives for each underlying Open Space and Greenbelt category appearing in the Table 3 matrix.

Open Space and Greenbelt Category One (OSG1)

Six of the eighteen land use alternatives will have a primary application to this category of parcels or projects. These include: fee simple acquisition; private conservation strategies; transfer of development rights; protection of vegetation; nature preserves; and park preserves. An additional eight strategies will have varying degrees of potential application depending on specific site and ownership characteristics. These include: conservation easements; trails preservation agreements; subdivision regulations involving planned residential development and old filed maps; wetlands regulations; Aquifer Protection Overlay District regulations; and possibly site plan regulations and Planned Development Districts.

Fee simple acquisition has and will remain the primary land use alternative for preserving critically important open space parcels recommended by adopted plans and strategies. Greater emphasis should also be placed on outreach to landowners to insure that private conservation strategies are also pursued either independently or in tandem with public acquisition efforts. Greater reliance on transfer of development rights, in addition to the Central Pine Barrens PBC program, should be initiated particularly through the future potential of the Community Preservation Fund. The establishment of nature preserve or park preserve designations should also be pursued the required preparation of management plans.

Open Space and Greenbelt Category Two (OSG2)

The focus of applicable land use alternatives in the second category of parcels will be primarily on regulatory strategies involving the Town's zoning, subdivision and companion regulations designed to preserve open space. The application of Planned Residential Development and Old Filed Map requirements will be essential. The establishment of conservation easements, either privately or through the subdivision process will also be an important alternative. Enforcement of vegetation protection regulations and Aquifer Protection Overlay standards on both private and public lands must be ongoing. The

potential for TDR should also be applied with these category two parcels in concert with future Planned Development Districts, site plan and subdivision applications. Private conservation approaches should also again be achieved through substantial landowner outreach.

Target Areas 3 and 4 – Central Pine Barrens, Core and Critical Resource Areas

Four primary strategies are defined by both the adopted Central Pine Barrens Plan and Chapter 330, Zoning, Article XXIV, Central Pine Barrens Overlay District, for the Core Area. Fee simple acquisition will remain the primary implementation strategy given the Plan's goal of 75% acquisition. The transfer of development rights or Pine Barrens Credits (PBC) will also remain a primary land use alternative. The Town, through Article XXIV and other supporting TDR sections of the Town Code, has established capacity to facilitate the transfer of PBC's through density incentives, designated residential receiving areas and Planned Development Districts. The Town will continue to further enhance the PBC program in conjunction with the Central Pine Barrens Commission by enacting additional innovative methods to transfer development rights.

The Community preservation Fund will also enable a TDR bank that could further facilitate the implementation of the Central Pine Barrens Plan. The Town should also continue to work closely with the Nature Conservancy's Pine Barrens program and other private conservation strategies to further implement preservation of the Central Pine Barrens Core Area.

A total of ten Critical Resource Areas (CRA) are also defined by the Central Pine Barrens Plan. Section 4.5.4 of the Central Pine Barrens Plan defines and describes the significant features that led to the CRA designations. These features will be considered in conjunction with the following alternative land use strategies: public or private conservation easements; protection of vegetation; nature preserve designation for public lands; park preserve designation for public lands; old file map regulations; planned residential development regulations; transfer of development rights; aquifer protection standards; site plan requirements; Central Pine Barrens Overlay District regulations; and other private means of land conservation. Fee simple acquisition may also be considered, however the highest priority should remain with the Core Area. The application of these individual or combined land use alternatives will again depend on the specific features of each CRA and eventual negotiations with private landowners.

Target Area 5 – Wetlands and Coastal Zone Management

Five primary land use alternatives will continue to be focused on the preservation and restoration of the Town's freshwater, brackish and tidal wetlands. Chapter 325, Wetlands, of the Town Code, will continue to be the primary land use alternative to insure that residential and commercial development will be appropriately designed and sited to preserve and enhance wetlands. Key wetland parcels and systems, particularly where they are located within either the Peconic or South Shore Estuaries should be the focus of voluntary fee

simple acquisitions and the transfers of development rights. The Community Preservation Fund should establish a TDR bank that could assemble development rights from targeted wetland parcels and projects for application as part of Planned Development Districts.

Every effort should also be made to continue to pursue an extensive outreach campaign as part of the Peconic and South Shore Estuary programs in order to educate landowners regarding the importance of wetland preservation. The Town has also utilized New York State Bond Act funding to assist with implementation of a comprehensive storm water abatement program and wetland restoration and enhancement projects in both estuaries. The joint application of local and state funding should continue to be applied to priority parcels designated for wetland protection, restoration and management.

In terms of coastal zone management, the Town's primary strategy or land use alternative will be the continued administration of Chapter 138, Coastal Erosion Hazard Areas. This chapter defines standards and procedures for: minimizing structural damage; regulating erosion protection structures; regulating new construction; managing public improvements; and most importantly protecting the coastal ecosystem formed by near shore conditions, beaches, dunes, bluffs and vegetation. The Town is currently preparing a Draft Generic Environmental Impact Statement for the Atlantic Ocean shoreline that will strengthen coastal zone management policies, strategies and regulations.

Target Area 6 – Trails

For this report, parcels are prioritized for acquisition on a scale of 1 to 5, with 1 being the highest priority. Specific rankings are based on the following criteria:

- "1a" - Preferred route; top acquisition priority; property is either not large enough to subdivide or property is landlocked.
- "1b" - Preferred route; top acquisition priority; property large enough to subdivide.
- "2" - Preferred route; secondary acquisition priority.
- "3a" - Alternative route; tertiary acquisition priority; property not large enough to subdivide.
- "3b" - Alternative route; tertiary acquisition priority; property large enough to subdivide.
- "4" - Preferred route; low acquisition priority; trail intended to be protected by means other than acquisition.
- "5" - Alternative route; low acquisition priority; trail intended to be protected by means other than acquisition.

Five separate categories of trails parcels or projects have been identified and described by Part II of the plan, two of which include an alternative priority category ("1" and "3"). The Trails Advisory Committee will continue to play a leading role in advising the Town Board regarding the acquisition, protection and management of trails throughout the Town. The draft Comprehensive Plan Update advances a comprehensive trails and greenways plan based in part on recommendations from the Trails Advisory Committee. The five categories of trails parcels and projects are based in part on these two sources as well as other open space plans and strategies described in greater detail by Part II of the Plan.

Categories 1 through 3 designated by the plan to assist with the establishment of a comprehensive trail and greenbelt system will involve the application of the following priority land use alternatives: fee simple acquisition; purchase of development rights; transfer of development rights; Central Pine Barrens Overlay District and Plan implementation; and private land conservation strategies. The above land use alternatives will be utilized in conjunction with other public and private strategies evaluated and prioritized in conjunction with supporting farmland, open space and greenbelt, Central Pine Barrens, wetlands and other hamlet and village based target areas. Varying individual and combined applications of these alternatives will be necessary based on the disposition of each parcel or project area.

Categories 4 and 5 will rely more heavily on zoning, subdivision and corresponding Town Code regulations to obtain voluntary dedications of land or easements to establish trail connections. The specific land use alternatives will include the following: conservation easements; trail preservation incentives and agreements; subdivision regulations involving both old filed maps and planned residential development; site plan review; execution of Core Area, Critical Resource Area and Compatible Growth Area regulations including Planned Development Districts; site plan review procedures; and outreach to private land owners.

Target Area 7 – Aquifer Recharge Area

The Town Board of the Town of Southampton is empowered by §263 of the Town Law of the State of New York to enact zoning regulations that, in accordance with the Town Master Plan, facilitate the adequate provision of water to the residents of the town and promote the health, safety, and welfare of the Town. The sole purpose of drinking water for the Town of Southampton is its underground aquifers. The federal government has given sole source aquifer designation to this area. The aquifers must be kept pure if a continued source of potable drinking water is to be available for future generations. It is the policy of the Town Board to protect the town's supply of drinking water in its pristine state and prevent the degradation of this valuable and essential resource.

The Town Master Plan and subsequent studies and updates, including the "Critical Wildlands and Groundwater Protection Plan" have identified geographic areas in the town where water recharge into the aquifers is of utmost importance. Many of these areas also serve as key natural resources habitats.

Land use over these water recharge areas can affect the water quality for the entire town. Thus, the type of land use must be compatible with this purpose to ensure the goal of protecting the drinking water supply of the town. Studies shown indicate the importance of regulating certain land uses and activities for the purposes of preserving pure groundwater and surface waters. The Town Board has recognized that the density of population and intensity of land use are variables that affect both water quality and quantity. Land use actions to control population density and promote open space have already been implemented to benefit both water quality and water quantity. Land use and development regulations must be implemented to strictly regulate land uses that are incompatible with water recharge and the protection of the town's supply of pure drinking water.

To preserve and protect key critical wildlands, groundwater recharge, surface water watersheds, and scenic lands in the study area, the Town should take the following steps:

1. To the maximum extent possible, acquire in fee-simple lands in designated areas. Additional lands can be protected through the acquisition of development rights as well acquisition or donations to not-for-profit groups.
2. Supplement local acquisition funds with Federal, State and Suffolk County funds. The Town should make every effort to secure or matching funds from these sources to better leverage the Town's Community Preservation Project Fund monies.
3. Secure long-term land acquisition funds and low interest loans.
4. Initiate local tax incentive programs to encourage voluntary preservation and donation of ecologically sensitive lands and groundwater recharge areas.
5. Encourage stewardship through local not-for-profit entities.

Target Area 8 – Village/Hamlet Greens/Parks, Recreation and Open Space

The Community Preservation Fund enables the Town Board to work in partnership with each of the villages and hamlets to implement preservation priorities. These priorities range from establishing traditional hamlet greens for active and passive park and recreation activities in the Hamlets of Hampton Bays and East Quogue to the conservation of open space, farmland, wetland, coastal and estuary resources in each of the villages.

Each of the villages has identified priority parcels and projects as described by Part II of the plan. In addition to fee simple acquisition and the purchase of development rights alternatives, each of the villages are in a position to also pursue individual zoning and subdivision land use alternatives to maximize preservation options. As part of future and ongoing comprehensive planning efforts, each village should identify revisions to existing land use alternatives and new strategies to complement and expand the range of available alternatives. Particularly, the potential for planned residential development and TDR should be explored by each village in order to take advantage of the potential TDR bank that could be enabled by the Community Preservation Fund. Similar efforts employed by the Town to provide outreach to landowners should also be pursued by the villages to insure private conservation options are coupled with public investment.

Preservation efforts for the Town's hamlets have also been identified by Part II of the plan. These recommendations stem from various planning efforts underway or completed to date. The majority of the parcels identified focus on: the establishment of traditional hamlet greens; future indoor and outdoor park and recreation facilities; reclamation of disturbed land areas for recreational and open space reuse; open space conservation and greenbelt connections to hamlet centers; waterfront access; and wetland preservation and restoration.

Fee simple acquisition and transfer of development rights alternatives will be employed with private landowner based conservation strategies. The potential application of Planned Development Districts in concert with fee simple acquisition and TDR should be coupled with Community Preservation Fund resources and other sources of local, county, state and federal financing.

Target Area 9 – Historic Places and Properties

The state legislation enables the Community Preservation Project Plan to identify the “preservation of historic places and properties listed on the New York State Register of Historic Places and/or protected under a municipal historic preservation ordinance or law” as priorities for preserving community character. Part II of the plan provides a more detailed description of these opportunities within the Town. Appendix B provides a preliminary inventory of potential opportunities based on the draft Comprehensive Plan.

The primary local land use alternative for conserving historic places and properties will be Article 28, Landmarks and Historic Districts and Heritage Resource Areas, of the Town Code. The Town has revised this Chapter of the Town Code in order to improve the purpose, objectives, organization, coordination, procedures and administration responsibilities of both the Town Board and Landmarks Committee and has added the Hamlet Heritage Resource Area component to increase recognition of the special character of a neighborhood, hamlet or area. In addition to the local Landmarks legislation, the Town and property owners should jointly explore opportunities to employ various forms of conservation easements as alternative measures to preserve historic places and properties. Alternative forms of grants and local financing will be necessary to complete the important survey work that is necessary in order to recommend future Landmark designations. The Landmarks Committee will also need to pursue an important public educational and outreach campaign to build support for private historic preservation commitments. The Town may also investigate and implement various forms of tax incentives that are enabled by state law to support private historic preservation efforts.