

Filed March 19, 2024

## NOTICE OF ENACTMENT

PLEASE TAKE NOTICE that after a public hearing held pursuant to the requirements of law on February 15 , 2024 and at a meeting held by the Town board of the Town of East Hampton, New York on March 5, 2024, the following Local Law was adopted:

LOCAL LAW NO. 5 OF 2024

INTRODUCTORY NO. 1 OF 2024

### SECTION I. - FINDINGS AND OBJECTIVES:

This local law adopts a revised "Community Preservation Project Plan" pursuant to Section § 64-e of the New York Town Law. The revised plan supplants the Community Preservation Project Plan which was first adopted by the Town Board on August 4, 1998 and adopted as revised on September 2, 2021 and which continues to list all properties whose preservation is necessary to the preservation of the community character of the Town of East Hampton.

**The Town Board would like to amend the plan as most recently adopted on September 2, 2021 to add approximately .155 acres of land reputedly owned by William & Maryann Bailey, located on 71 Navy Rd., Montauk and identified on the Suffolk County Tax Map as 300-27-2-7.1 for the following reasons:**

**This parcel is part of the Coastal Assessment Resilience Plan (CARP), while the parcel is at low risk for coastal erosion, it is at high risk of flooding. The property is within a Coastal fish and wildlife habitat boundary, and has a low depth to groundwater. This developed property has a Natural Resources Special Permit and variances for rebuilding, however, as this is a flood prone area, the inability for sanitary systems to meet minimum separations to groundwater is an issue.**

**For these reasons, the parcel meets the criteria set forth in Town Law 64-e (4) that establishes and helps define what the preservation of community character involves.**

### SECTION II. - COMMUNITY PRESERVATION PROJECT PLAN ADOPTED:

For the reasons set forth in Section I hereof, the Town Board hereby approves and adopts the addition of **approximately .155 acres of land reputedly owned by William & Maryann Bailey, located on 71 Navy Rd., Montauk and identified on the Suffolk County Tax Map as 300-27-2-7.1** to the list of Open Space Recommendations in the "Community Preservation Project Plan" prepared by the Town Planning Department and dated September 2, 2021, said plan being intended to constitute, in its revised form, the community preservation project plan which is required by Section § 64-e of the New York Town Law and Article I ("Community Preservation Fund") of the East Hampton Town Code.

### SECTION III. - SEVERABILITY:

Should any part or provision of this Local Law be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole nor any part thereof other than the part so decided to be unconstitutional or invalid.

SECTION IV. - EFFECTIVE DATE:

This Local Law shall take effect immediately upon filing with the Secretary of State as provided by law.