



Trustees of the Freeholders

116 Hampton Road
Southampton, NY 11968

Meeting: 06/17/24 01:00 PM
Department: Trustees of the Freeholders
Category: Local Laws - Trustees
Prepared By: Jessica Feldman

ADOPTED

TRUSTEES 2024-174

DOC ID: 46685

Notice of Adoption of Amendment of “Blue Book” (A340) Amending the Management and Products of the Waters of the Town of Southampton, Article VII Dredging, Docks, Bulkheading and Channels

WHEREAS, the Trustees of the Freeholders and Commonalty of the Town of Southampton considered a change in the Rules and Regulations for Management of Products of Town Waters; and

WHEREAS, the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton held a public hearing on **Monday, June 3, 2024 at 1:00 p.m.**, to hear any and all persons either for or against were heard; now, therefore, be it

RESOLVED, that Article VII, Chapter 47 of the Rules and Regulations for Management and Products of Town Waters (a/k/a “Blue Book”) is hereby amended as follows:

SECTION 1. - Legislative Intent.

The Board of Trustees for the Town of Southampton desires to update the Rules and Regulations for Management and Products of Town Waters (a/k/a “Blue Book”) Article VII Dredging, Docks and Channels.

SECTION 2. - Amendment.

Article VII §47 F (1)(b) of the Rules and Regulations for the Management and Products of the Waters of the Town of Southampton is hereby amended by adding the following underlined language:

- (b) An inspection/application fee, established by resolution duly adopted by the Board of Trustees, shall be charged on applications for permits, nonrefundable, with additional fees on docks, ramps, catwalks, tie-off poles, bulkheading, rip-rap, rock revetments, retaining walls, sand fencing, groins, and dredging; applicable permit fees will be calculated as of the date of the passage of the Trustee resolution granting the permit.

Article VII §47 of the Rules and Regulations for the Management and Products Town Waters is hereby amended by adding a new section denoted as “K” and adding the following underlined language:

- K. Applications for, or the acceptance of and payment for a permit by an applicant shall be deemed to have been abandoned by the applicant if no response or activity has taken place by them for one year from the last communication sent to them by the Trustees’ staff regarding the application.

Section 3. - Authority.

The Trustees are authorized to establish and promulgate rules and regulations for the management and products of the waters of the Town of Southampton pursuant to the Dongan Patent of 1686 and subsequent Acts of the New York Legislature including, Chapter 255 of the Laws of 1818, Chapter 283 of the Laws of 1831.

Section 4. - Severability.

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

Section 5. - Effective Date.

This change shall take effect immediately upon the adoption of the Amendment by the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton.

NOTICE OF ADOPTION

TAKE NOTICE, that a public hearing was held by the Trustees of the Freeholders and Commonalty of the Town of Southampton on **Monday, June 3, 2024 at 1:00 p.m.**, in the meeting room of Town Hall of the Town of Southampton, 116 Hampton Road, Southampton, New York to hear any and all persons either for or against proposed amendment of Blue Book A340 Article VII Dredging, Docks and Channels.

Summary of the Proposed Rule

The proposed amendment to the Blue Book codifies the policy of calculating general permit fees based on the date the permit resolution is passed, as well as setting a one year date for general permit applications to be deemed abandoned if no action or communication from the applicant is undertaken or received.

Copies of the amendment to the Blue Book, sponsored by Trustee Scott M. Horowitz, is available in the Trustees' Office, Monday through Friday, from 8:30am to 4:00pm.

BY ORDER OF THE BOARD OF TRUSTEES
OF THE FREEHOLDERS AND COMMONALTY
OF THE TOWN OF SOUTHAMPTON, NEW YORK
SCOTT M. HOROWITZ, PRESIDENT

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Scott M. Horowitz, President
SECONDER:	Joseph R. McLoughlin, Trustee
AYES:	Horowitz, Warner Jr., Maran Jr., McLoughlin, Parsons

Financial Impact