

**ELIZABETH A. NEVILLE
TOWN CLERK**

REGISTRAR OF VITAL STATISTICS
MARRIAGE OFFICER
RECORDS MANAGEMENT OFFICER
FREEDOM OF INFORMATION OFFICER



Town Hall, 53095 Main Road
PO Box 1179
Southold, NY 11971
Fax (631) 765-6145
Telephone: (631) 765 - 1800
southoldtown.northfork.net

**OFFICE OF THE TOWN CLERK
SOUTHOLD TOWN BOARD**

**SOUTHOLD TOWN BOARD
REGULAR MEETING**

December 5, 2017
7:30 PM

A Regular Meeting of the Southold Town Board was held Tuesday, December 5, 2017 at the Meeting Hall, Southold, NY.

Call to Order

7:30 PM Meeting called to order on December 5, 2017 at Meeting Hall, 53095 Route 25, Southold, NY.

Attendee Name	Organization	Title	Status	Arrived
James Dinizio Jr	Town of Southold	Councilman	Present	
William P. Ruland	Town of Southold	Councilman	Present	
Jill Doherty	Town of Southold	Councilwoman	Present	
Robert Ghosio	Town of Southold	Councilman	Present	
Louisa P. Evans	Town of Southold	Justice	Absent	
Scott A. Russell	Town of Southold	Supervisor	Present	
Elizabeth A. Neville	Town of Southold	Town Clerk	Present	
William M Duffy	Town of Southold	Town Attorney	Present	

I. Reports

- 1. North Fork Animal Welfare Reports**
- 2. Town Clerk Monthly Report**
- 3. Solid Waste District Reports**

II. Public Notices

III. Communications

IV. Discussion

1. **9:00 Am - Jeff Standish**
2. **9:15 Am - Councilman Dinizio, Chief Flatley, John Slattery**
3. **9:30 Am - Michael Collins, Denis Noncarrow**
4. **9:45 Am - Councilwoman Doherty, John Bredemeyer**
5. **10:00 Am - Leslie Weisman**
6. **10:15 Am - Chris Baiz**
7. **Councilman Ruland**
8. **Code Amendment to Section 280-111- Prohibited Uses in All Districts-Aircraft (Follow Up from 11/21 Work Session)**
9. **Discussion on Resolution for Parking Permit Fees**
10. **EXECUTIVE SESSION - Potential Property Acquisition(S), Publicity of Which Would Substantially Affect the Value Thereof**
1. **EXECUTIVE SESSION - Labor- Matters Involving the Employment of a Particular Person(S)**

V. Special Presentation

Special Presentation for Years of Service to the North Fork Promotion Council

VI. Resolutions

2017-983

CATEGORY: Audit
DEPARTMENT: Town Clerk

Approve Audit

RESOLVED that the Town Board of the Town of Southold hereby **approves the audit dated December 5, 2017.**

December 5, 2017
 Southold Town Board Board Meeting

✓ Vote Record - Resolution RES-2017-983						
<input checked="" type="checkbox"/> Adopted						
<input type="checkbox"/> Adopted as Amended						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Tabled						
<input type="checkbox"/> Withdrawn						
<input type="checkbox"/> Supervisor's Appt						
<input type="checkbox"/> Tax Receiver's Appt						
<input type="checkbox"/> Rescinded						
<input type="checkbox"/> Town Clerk's Appt						
<input type="checkbox"/> Supt Hgwys Appt						
<input type="checkbox"/> No Action						
<input type="checkbox"/> Lost						
			Yes/Aye	No/Nay	Abstain	Absent
	James Dinizio Jr	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William P. Ruland	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Jill Doherty	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Robert Ghosio	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Louisa P. Evans	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Scott A. Russell	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2017-984

CATEGORY: Set Meeting
DEPARTMENT: Town Clerk

Next Town Board Meeting

RESOLVED that the next Regular Town Board Meeting of the Southold Town Board be **held, Tuesday, December 19, 2017 at Southold Town Hall, 53095 Main Road, Southold, New York at 4:30 P. M..**

✓ Vote Record - Resolution RES-2017-984						
<input checked="" type="checkbox"/> Adopted						
<input type="checkbox"/> Adopted as Amended						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Tabled						
<input type="checkbox"/> Withdrawn						
<input type="checkbox"/> Supervisor's Appt						
<input type="checkbox"/> Tax Receiver's Appt						
<input type="checkbox"/> Rescinded						
<input type="checkbox"/> Town Clerk's Appt						
<input type="checkbox"/> Supt Hgwys Appt						
<input type="checkbox"/> No Action						
<input type="checkbox"/> Lost						
			Yes/Aye	No/Nay	Abstain	Absent
	James Dinizio Jr	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William P. Ruland	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Jill Doherty	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Robert Ghosio	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Louisa P. Evans	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Scott A. Russell	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2017-985

CATEGORY: Refund
DEPARTMENT: Town Clerk

Various Clean Up Deposits

WHEREAS the following groups have supplied the Town of Southold with a refundable Clean-up Deposit fee, for their events and

WHEREAS the Southold Town Police Chief, Martin Flatley, has informed the Town Clerk's office that this fee may be refunded, now therefor be it

RESOLVED that Town Board of the Town of Southold hereby authorizes a refund be issued in the amount of the deposit made to the following

Name	Date Received	Amount of Deposit
Tracey Breese 1343 Central Avenue Greenport, NY 11944	11/14/17	250.00
Mattituck Cutchogue Teachers Association c/o Ilana Finnegan 775 Farmveu Road Mattituck NY 11952	10/3/17	1500.00
Michael McCaffery PO Box 245 Cutchogue, NY 11935	9/19/17	1500.00
Southold Athletic Association c/o Peter Salerno 420 Oaklawn Avenue Southold, NY 11971	9/19/17	1500.00

✓ Vote Record - Resolution RES-2017-985						
<input checked="" type="checkbox"/> Adopted						
<input type="checkbox"/> Adopted as Amended						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Tabled						
<input type="checkbox"/> Withdrawn						
<input type="checkbox"/> Supervisor's Appt						
<input type="checkbox"/> Tax Receiver's Appt						
<input type="checkbox"/> Rescinded						
<input type="checkbox"/> Town Clerk's Appt						
<input type="checkbox"/> Supt Hgwys Appt						
<input type="checkbox"/> No Action						
<input type="checkbox"/> Lost						
			Yes/Aye	No/Nay	Abstain	Absent
James Dinizio Jr	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William P. Ruland	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jill Doherty	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robert Ghosio	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Louisa P. Evans	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Scott A. Russell	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Appropriations:
 H.1620.2.300.700 Capital Outlay,
 Town Hall Improvements \$24,000

 Total \$24,000

✓ Vote Record - Resolution RES-2017-991						
<input checked="" type="checkbox"/> Adopted						
<input type="checkbox"/> Adopted as Amended						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Tabled						
<input type="checkbox"/> Withdrawn						
<input type="checkbox"/> Supervisor's Appt						
<input type="checkbox"/> Tax Receiver's Appt						
<input type="checkbox"/> Rescinded						
<input type="checkbox"/> Town Clerk's Appt						
<input type="checkbox"/> Supt Hgwys Appt						
<input type="checkbox"/> No Action						
<input type="checkbox"/> Lost						
			Yes/Aye	No/Nay	Abstain	Absent
	James Dinizio Jr	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William P. Ruland	Second	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Jill Doherty	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Robert Ghosio	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Louisa P. Evans	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Scott A. Russell	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2017-992

CATEGORY: Budget Modification
DEPARTMENT: Fishers Island Ferry District

2017 Budget Modification - FIFD
Financial Impact:
Munnatawket Engine Replacement

RESOLVED that the Town Board of the Town of Southold hereby ratifies and approves the resolution of the Fishers Island Ferry District Board of Commissioners dated November 27, 2017, which amended the 2017 Fishers Island Ferry District budget in the amount of \$300,000.00.

✓ Vote Record - Resolution RES-2017-992						
<input checked="" type="checkbox"/> Adopted						
<input type="checkbox"/> Adopted as Amended						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Tabled						
<input type="checkbox"/> Withdrawn						
<input type="checkbox"/> Supervisor's Appt						
<input type="checkbox"/> Tax Receiver's Appt						
<input type="checkbox"/> Rescinded						
<input type="checkbox"/> Town Clerk's Appt						
<input type="checkbox"/> Supt Hgwys Appt						
<input type="checkbox"/> No Action						
<input type="checkbox"/> Lost						
			Yes/Aye	No/Nay	Abstain	Absent
	James Dinizio Jr	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William P. Ruland	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Jill Doherty	Second	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Robert Ghosio	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Louisa P. Evans	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Scott A. Russell	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2017-993

CATEGORY: Budget Modification
DEPARTMENT: Fishers Island Ferry District

2017 Budget Modification - FIFD
Financial Impact:
to cover over expenditure

RESOLVED that the Town Board of the Town of Southold hereby ratifies and approves the resolution of the Fishers Island Ferry District Board of Commissioners dated November 27, 2017, which amended the 2017 Fishers Island Ferry District budget in the amount of \$333.70.

✓ Vote Record - Resolution RES-2017-993						
<input checked="" type="checkbox"/> Adopted						
<input type="checkbox"/> Adopted as Amended						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Tabled						
<input type="checkbox"/> Withdrawn						
<input type="checkbox"/> Supervisor's Appt						
<input type="checkbox"/> Tax Receiver's Appt						
<input type="checkbox"/> Rescinded						
<input type="checkbox"/> Town Clerk's Appt						
<input type="checkbox"/> Supt Hgwys Appt						
<input type="checkbox"/> No Action						
<input type="checkbox"/> Lost						
			Yes/Aye	No/Nay	Abstain	Absent
	James Dinizio Jr	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William P. Ruland	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Jill Doherty	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Robert Ghosio	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Louisa P. Evans	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Scott A. Russell	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2017-994

CATEGORY: Budget Modification
DEPARTMENT: Engineering

Engineering Budget Modification for Deans Parking Lot Survey
Financial Impact:
Transfer between General Fund Whole Town budget lines for the Engineering Department for Deans Parking Lot Survey. No financial impact.

RESOLVED that the Town Board of the Town of Southold hereby modifies the 2017 General Fund Whole Town budget as follows:

From:		
A.1440.1.300.100	Seasonal Employees, Regular Earnings	\$ 3,600.00
	Total	\$ 3,600.00

To:
 A.1440.4.500.100 Engineering Surveys \$ 3,600.00
 Total \$ 3,600.00

✓ Vote Record - Resolution RES-2017-994						
<input checked="" type="checkbox"/> Adopted						
<input type="checkbox"/> Adopted as Amended						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Tabled						
<input type="checkbox"/> Withdrawn						
<input type="checkbox"/> Supervisor's Appt						
<input type="checkbox"/> Tax Receiver's Appt						
<input type="checkbox"/> Rescinded						
<input type="checkbox"/> Town Clerk's Appt						
<input type="checkbox"/> Supt Hgwys Appt						
<input type="checkbox"/> No Action						
<input type="checkbox"/> Lost						
			Yes/Aye	No/Nay	Abstain	Absent
	James Dinizio Jr	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William P. Ruland	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Jill Doherty	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Robert Ghosio	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Louisa P. Evans	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Scott A. Russell	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2017-995

CATEGORY: Budget Modification
DEPARTMENT: Police Dept

Police Department-Budget Modification

Financial Impact:

Reallocation of budgetary funds to cover overexpended PSD overtime earnings as well as anticipated upcoming equipment installation in vehicles

RESOLVED that the Town Board of the Town of Southold hereby **modifies the 2017 General Fund Whole Town budget** as follows:

From:

A.3020.1.100.500 Public Safety Comm/PS/Holiday Earnings \$5,000
 A.3120.2.500.800 Police/Other Equip/Light Bars \$9,406
Total \$14,406

To:

A.3020.1.100.200 Public Safety Comm/PS/Overtime Earnings \$5,000
 A.3120.2.500.775 Police/Other Equip.In Car Video/Computer \$9,406
Total \$14,406

✓ Vote Record - Resolution RES-2017-995						
<input checked="" type="checkbox"/> Adopted						
<input type="checkbox"/> Adopted as Amended						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Tabled						
<input type="checkbox"/> Withdrawn						
			Yes/Aye	No/Nay	Abstain	Absent
	James Dinizio Jr	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William P. Ruland	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Jill Doherty	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

December 5, 2017
 Southold Town Board Board Meeting

<input type="checkbox"/> Supervisor's Appt	Robert Ghosio	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tax Receiver's Appt	Louisa P. Evans	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Rescinded	Scott A. Russell	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Town Clerk's Appt						
<input type="checkbox"/> Supt Hgwys Appt						
<input type="checkbox"/> No Action						
<input type="checkbox"/> Lost						

2017-996

CATEGORY: Budget Modification
DEPARTMENT: Supervisor

Budget Modification- Supervisor
Financial Impact:
To appropriate money for needed supplies

RESOLVED that the Town Board of the Town of Southold hereby modifies the 2017 General Fund Whole Town budget as follows:

From:

A.1220.4.600.200 Supervisor, Meetings & Seminars **\$1,000**
 Total **\$1,000**

To:

A.1010.4.100.100 Town Board, Office Supplies **\$1,000**
 Total **\$1,000**

✓ Vote Record - Resolution RES-2017-996						
<input checked="" type="checkbox"/> Adopted						
<input type="checkbox"/> Adopted as Amended						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Tabled						
<input type="checkbox"/> Withdrawn						
<input type="checkbox"/> Supervisor's Appt						
<input type="checkbox"/> Tax Receiver's Appt						
<input type="checkbox"/> Rescinded						
<input type="checkbox"/> Town Clerk's Appt						
<input type="checkbox"/> Supt Hgwys Appt						
<input type="checkbox"/> No Action						
<input type="checkbox"/> Lost						
	James Dinizio Jr	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William P. Ruland	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Jill Doherty	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Robert Ghosio	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Louisa P. Evans	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Scott A. Russell	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

December 5, 2017
 Southold Town Board Board Meeting

✓ Vote Record - Resolution RES-2017-998						
<input checked="" type="checkbox"/> Adopted						
<input type="checkbox"/> Adopted as Amended						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Tabled						
<input type="checkbox"/> Withdrawn						
<input type="checkbox"/> Supervisor's Appt						
<input type="checkbox"/> Tax Receiver's Appt						
<input type="checkbox"/> Rescinded						
<input type="checkbox"/> Town Clerk's Appt						
<input type="checkbox"/> Supt Hgwys Appt						
<input type="checkbox"/> No Action						
<input type="checkbox"/> Lost						
			Yes/Aye	No/Nay	Abstain	Absent
James Dinizio Jr	Voter		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William P. Ruland	Mover		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jill Doherty	Voter		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robert Ghosio	Secunder		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Louisa P. Evans	Voter		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Scott A. Russell	Voter		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2017-999

CATEGORY: Budget Modification
DEPARTMENT: Accounting

2017 Budget Modification

Financial Impact:

Transfer budget and appropriate additional revenue to cover contractual expenditures to 12/31/2017.

RESOLVED that the Town Board of the Town of Southold hereby modifies the 2017 Solid Waste budget as follows:

Increase:

SR.2130.10	MSW Tip Fees-Commercial	\$30,000
SR.2130.20	MSW Tip Fees-Residential	<u>12,000</u>
	Total	\$42,000

Increase:

SR.8160.4.400.805	MSW Removal	\$30,000
SR.8160.4.400.810	C&D Disposal	10,000
SR.8160.4.400.817	MSW Trucking	<u>2,000</u>
	Total	\$42,000

From:

SR9010.8.000.000	NYS Retirement	\$20,000
SR9050.8.000.000	Unemployment Insurance	<u>2,000</u>
	Total	\$22,000

To:

SR.8160.4.400.805	MSW Removal	<u>\$22,000</u>
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December 5, 2017
 Southold Town Board Board Meeting

Total

\$22,000

✓ Vote Record - Resolution RES-2017-999						
<input checked="" type="checkbox"/> Adopted						
<input type="checkbox"/> Adopted as Amended						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Tabled						
<input type="checkbox"/> Withdrawn						
<input type="checkbox"/> Supervisor's Appt						
<input type="checkbox"/> Tax Receiver's Appt						
<input type="checkbox"/> Rescinded						
<input type="checkbox"/> Town Clerk's Appt						
<input type="checkbox"/> Supt Hgwys Appt						
<input type="checkbox"/> No Action						
<input type="checkbox"/> Lost						
			Yes/Aye	No/Nay	Abstain	Absent
	James Dinizio Jr	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William P. Ruland	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Jill Doherty	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Robert Ghosio	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Louisa P. Evans	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Scott A. Russell	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2017-1000

CATEGORY: Legal
DEPARTMENT: Town Attorney

Connor Claim

RESOLVED that the Town Board of the Town of Southold hereby authorizes and directs the payment of the sum of \$750.00 to Lawrence Connor for property damage stemming from an incident on August 31, 2017, subject to the approval of the Town Attorney.

✓ Vote Record - Resolution RES-2017-1000						
<input checked="" type="checkbox"/> Adopted						
<input type="checkbox"/> Adopted as Amended						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Tabled						
<input type="checkbox"/> Withdrawn						
<input type="checkbox"/> Supervisor's Appt						
<input type="checkbox"/> Tax Receiver's Appt						
<input type="checkbox"/> Rescinded						
<input type="checkbox"/> Town Clerk's Appt						
<input type="checkbox"/> Supt Hgwys Appt						
<input type="checkbox"/> No Action						
<input type="checkbox"/> Lost						
			Yes/Aye	No/Nay	Abstain	Absent
	James Dinizio Jr	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William P. Ruland	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Jill Doherty	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Robert Ghosio	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Louisa P. Evans	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Scott A. Russell	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2017-1001

CATEGORY: Budget Modification
DEPARTMENT: Police Dept

Police Department-Budget Modification

Financial Impact:

Reallocation of budgetary funds for the purchase of one additional PD SUV

RESOLVED that the Town Board of the Town of Southold hereby **modifies the 2017 General Fund Whole Town budget** as follows:

From:

A.3120.2.500.700	Police/Other Equip/Soft Body Armor	\$6,500
	Total	\$6,500

To:

A.3120.2.300.100	Police/Motor Vehicles/Automobiles	\$6,500
	Total	\$6,500

✓ Vote Record - Resolution RES-2017-1001						
<input checked="" type="checkbox"/> Adopted						
<input type="checkbox"/> Adopted as Amended						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Tabled						
<input type="checkbox"/> Withdrawn						
<input type="checkbox"/> Supervisor's Appt						
<input type="checkbox"/> Tax Receiver's Appt						
<input type="checkbox"/> Rescinded						
<input type="checkbox"/> Town Clerk's Appt						
<input type="checkbox"/> Supt Hgwys Appt						
<input type="checkbox"/> No Action						
<input type="checkbox"/> Lost						
			Yes/Aye	No/Nay	Abstain	Absent
	James Dinizio Jr	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William P. Ruland	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Jill Doherty	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Robert Ghosio	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Louisa P. Evans	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Scott A. Russell	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2017-1002

CATEGORY: Employment - Town

DEPARTMENT: Accounting

Appoint Gregory Koehler Custodial Worker I

RESOLVED that the Town Board of the Town of Southold hereby **appoints Gregory Koehler to the position of Custodial Worker I** for the Department of Public Works, effective December 7, 2017 at a rate of \$41,482.84 per year.

✓ Vote Record - Resolution RES-2017-1002						
<input checked="" type="checkbox"/> Adopted						
<input type="checkbox"/> Adopted as Amended						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Tabled						
<input type="checkbox"/> Withdrawn						
<input type="checkbox"/> Supervisor's Appt						
			Yes/Aye	No/Nay	Abstain	Absent
	James Dinizio Jr	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William P. Ruland	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Jill Doherty	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Robert Ghosio	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLVED that the Town Board of the Town of Southold hereby approves the Memorandum of Agreement between the Town of Southold and the CSEA, concerning the settlement of PERB Case Nos U-36006.

✓ Vote Record - Resolution RES-2017-1004						
<input checked="" type="checkbox"/> Adopted						
<input type="checkbox"/> Adopted as Amended						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Tabled						
<input type="checkbox"/> Withdrawn						
<input type="checkbox"/> Supervisor's Appt						
<input type="checkbox"/> Tax Receiver's Appt						
<input type="checkbox"/> Rescinded						
<input type="checkbox"/> Town Clerk's Appt						
<input type="checkbox"/> Supt Hgwys Appt						
<input type="checkbox"/> No Action						
<input type="checkbox"/> Lost						
			Yes/Aye	No/Nay	Abstain	Absent
	James Dinizio Jr	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William P. Ruland	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Jill Doherty	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Robert Ghosio	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Louisa P. Evans	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Scott A. Russell	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2017-1005

CATEGORY: Local Law Public Hearing
DEPARTMENT: Town Attorney

Set PH 1/16/17 7:31 Pm - Chapter 280 Special Exception Uses

WHEREAS, there has been presented to the Town Board of the Town of Southold, Suffolk County, New York, on the 26th day of September, 2017, a Local Law entitled **“A Local Law in relation to Amendments to Chapter 280, Zoning, in connection with Special Exception Uses”** now, therefore, be it

RESOLVED that the Town Board of the Town of Southold will hold a public hearing on the aforesaid Local Law at the Southold Town Hall, 53095 Main Road, Southold, New York, on the **16th day of January 2018 at 7:31 p.m.** at which time all interested persons will be given an opportunity to be heard.

The proposed Local Law entitled, **“A Local Law in relation to Amendments to Chapter 280, Zoning, in connection with Special Exception Uses”** reads as follows:

LOCAL LAW NO. 2018

A Local Law entitled, **“A Local Law in relation to Amendments to Chapter 280, Zoning, in connection with Special Exception Uses”**.

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

I. Purpose. To clarify certain provisions of the Town Code and to give the Zoning Board of

Appeals flexibility in granting of Special Exception Permits to allow applicants to receive other approvals prior to expiration of the permit.

II. Chapter 280 of the Code of the Town of Southold is hereby amended as follows:

Chapter 280. Zoning

Article XXV. Special Exception Uses

§ 280-141. Application; hearing; approval; violations of conditions.

- A. An application for a special exception approval shall be on the form for the same provided by the Zoning Board of Appeals and shall be submitted in triplicate to the Zoning Board of Appeals, which shall review the application for completeness and conformity with this chapter. The Zoning Board of Appeals shall reject the application if it is not complete or not in conformance with the Zoning Code and shall notify the applicant as to the reason for such rejection. Upon a determination by the Zoning Board of Appeals that the application is complete ~~If the application is satisfactory, the applicant and the Zoning Board of Appeals shall set~~ the application shall be scheduled ~~down~~ for a public hearing. The fee for a special exception shall be \$400, as set forth in § 280-149.
- B. ~~Prior to taking action on any special exception use, the Zoning Board of Appeals shall schedule a public hearing within 45 days after determination that the application is complete.~~ Within 60 days following the close of the public hearing, the Board shall render a decision on the application.
- C. Effect of approval. A special exception approval issued in accordance with the provisions of this article shall authorize only the special exception use for which the approval is granted, provided however:
- (1) No use which is not a special exception use hereunder shall be authorized by any such approval;
 - (2) The approval may include reasonable conditions which the Zoning Board of Appeals determines to be necessary or appropriate to ensure that the applicable general and specific standards and safeguards set forth in this chapter for the use can and will be met and/or adhered to;
 - (3) The Zoning Board of Appeals may condition the permit by requiring that the applicant actually complete construction and begin the approved special exception use in compliance with the conditions imposed by the Zoning Board of Appeals within a time period of from six months to three years;
 - (4) If the Zoning Board of Appeals fails to specify a period to complete construction and begin the approved special exception use, the time period to complete construction and begin the approved special exception use shall be one year;
 - (5) An application may be made and the Zoning Board of appeals may grant, after holding a public hearing in accordance with § 280-150, an extension of the approval of up to one year;
 - (6) ~~A special exception approval shall be valid for a period of six months but may be extended for one additional six month period by the Zoning Board of Appeals within the requirement of new public notice of hearing.~~ A continuing or permanent land use authorized by a special exception approval, which use is undertaken or begun ~~during the period in accordance with the Zoning Board of Appeals approval of validity of such approval,~~ shall thereafter be deemed a lawful use as if the same were permitted

- by this chapter without need for a special exception permit; provided, however, that:
- a. All conditions imposed by the special exception approval shall continue to apply unless they, by their express terms, are of limited duration.
 - b. All conditions imposed on special exception approval uses generally or specifically by this chapter shall continue to apply, regardless of whether any such conditions were expressly incorporated into the special exception approval.
 - c. The Zoning Board of Appeals shall retain continuing jurisdiction over the same;
 - d. The duration of a special exception use may be limited to a specified time period as set forth in the approval of the Zoning Board of Appeals, if the approval is silent as to the duration of the special exception use, then said use shall be in perpetuity;
 - e. A special exception use which has been discontinued for a period of one year or more shall be deemed abandoned

- D. Violations of conditions. A violation of any limitation or condition of a special exception approval or of any provision of this chapter applicable to a special exception use shall constitute a violation of this chapter. The Zoning Board of Appeals shall retain jurisdiction and shall have the right, after a public hearing, to modify, suspend or revoke such approval or any term or condition thereof or to impose thereon one or more new conditions, all on the following grounds: [Amended 6-15-1993 by L.L. No. 10-1993]
- (1) False statements or mistake of material fact: materially false or inaccurate statements in the application, supporting papers or supporting testimony or ignorance or misunderstanding of a material fact by the Board, which fact, had it been known to the Board at the time of its review, would have resulted in a denial of the approval sought.
 - (2) Noncompliance with the terms and conditions of such approval: failure of the applicant-permittee to comply with any conditions or terms of the approval.
 - (3) Activity beyond such approval: exceeding the scope of the activity, use or project as the same was described in the application.

III. SEVERABILITY

If any clause, sentence, paragraph, section, or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, the judgment shall not affect the validity of this law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

IV. EFFECTIVE DATE

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

✓ Vote Record - Resolution RES-2017-1005						
<input checked="" type="checkbox"/> Adopted			Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adopted as Amended	James Dinizio Jr	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	William P. Ruland	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Jill Doherty	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Robert Ghosio	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Supervisor's Appt	Louisa P. Evans	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Tax Receiver's Appt	Scott A. Russell	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

December 5, 2017
 Southold Town Board Board Meeting

<input type="checkbox"/> Rescinded	
<input type="checkbox"/> Town Clerk's Appt	
<input type="checkbox"/> Supt Hgwys Appt	
<input type="checkbox"/> No Action	
<input type="checkbox"/> Lost	

2017-1006

CATEGORY: Legislation
DEPARTMENT: Town Attorney

Authorize and Direct the Town Clerk to Forward the Proposed Local Law

RESOLVED that the Town Board of the Town of Southold hereby authorizes and directs the Town Clerk to forward the proposed Local Law entitled, "**A Local Law in relation to Amendments to Chapter 280, Zoning, in connection with Special Exception Uses.**" to the Southold Town Planning Board and the Suffolk County Planning Commission for comments and recommendations.

✓ Vote Record - Resolution RES-2017-1006						
<input checked="" type="checkbox"/> Adopted						
<input type="checkbox"/> Adopted as Amended						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Tabled						
<input type="checkbox"/> Withdrawn						
<input type="checkbox"/> Supervisor's Appt						
<input type="checkbox"/> Tax Receiver's Appt						
<input type="checkbox"/> Rescinded						
<input type="checkbox"/> Town Clerk's Appt						
<input type="checkbox"/> Supt Hgwys Appt						
<input type="checkbox"/> No Action						
<input type="checkbox"/> Lost						
	James Dinizio Jr	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William P. Ruland	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Jill Doherty	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Robert Ghosio	Second	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Louisa P. Evans	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Scott A. Russell	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2017-1007

CATEGORY: Budget Modification
DEPARTMENT: Highway Department

*2017 Budget Modification - Highway
 Financial Impact:
 budget modification*

RESOLVED that the Town Board of the Town of Southold hereby modifies the 2017 Highway Fund Part Town budget as follows:

December 5, 2017
Southold Town Board Board Meeting

From:

DB.5110.1.100.100	Full Time Regular Earnings	6,747.00
DB.5140.4.400.100	Cleanup Week Debris	4,375.00
DB.5142.4.100.920	Sand	9,246.00
	Total:	\$20,368.00

To:

DB.5110.1.100.200	Regular Overtime Earnings	485.00
DB.5110.4.100.100	Misc. Supplies	1,800.00
DB.5110.4.100.915	Cement	610.00
DB.5130.4.100.550	Tires	2,629.00
DB.5140.1.100.100	Brush/Weed Reg Earnings	6,747.00
DB.5140.1.100.200	Brush/Weed Overtime Earnings	261.00
DB.5140.4.100.125	Misc. Supplies	1,500.00
DB.5140.4.600.700	Licenses	300.00
DB.5110.4.100.905	Asphalt Patch	500.00
DB.5140.4.400.600	Office Equip/Maintenance Repair	336.00
DB.5110.4.400.600	Other Contracted Services	2,000.00
DB.5130.2.500.300	Other Equipment	3,200.00
	Total:	\$20,368.00

✓ Vote Record - Resolution RES-2017-1007						
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn <input type="checkbox"/> Supervisor's Appt <input type="checkbox"/> Tax Receiver's Appt <input type="checkbox"/> Rescinded <input type="checkbox"/> Town Clerk's Appt <input type="checkbox"/> Supt Hgwys Appt <input type="checkbox"/> No Action <input type="checkbox"/> Lost						
			Yes/Aye	No/Nay	Abstain	Absent
James Dinizio Jr	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William P. Ruland	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jill Doherty	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robert Ghosio	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Louisa P. Evans	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Scott A. Russell	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2017-1008

CATEGORY: Contracts, Lease & Agreements

DEPARTMENT: Town Attorney

Letter of Intent Sale of Property

RESOLVED that the Town Board of the Town of Southold hereby authorizes and directs Supervisor Scott A. Russell to a execute a Letter of Intent to negotiate the terms of sale for an approximate 10.4 acre parcel of land in the hamlet of Peconic, all in accordance with the approval of the Town Attorney.

December 5, 2017
 Southold Town Board Board Meeting

✓ Vote Record - Resolution RES-2017-1008						
<input checked="" type="checkbox"/> Adopted						
<input type="checkbox"/> Adopted as Amended						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Tabled						
<input type="checkbox"/> Withdrawn						
<input type="checkbox"/> Supervisor's Appt						
<input type="checkbox"/> Tax Receiver's Appt						
<input type="checkbox"/> Rescinded						
<input type="checkbox"/> Town Clerk's Appt						
<input type="checkbox"/> Supt Hgwys Appt						
<input type="checkbox"/> No Action						
<input type="checkbox"/> Lost						
			Yes/Aye	No/Nay	Abstain	Absent
	James Dinizio Jr	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William P. Ruland	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Jill Doherty	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Robert Ghosio	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Louisa P. Evans	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Scott A. Russell	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2017-1009

CATEGORY: Contracts, Lease & Agreements
DEPARTMENT: Town Attorney

U.S. Census Bureau's Local Update of Census Addresses Operation

RESOLVED that the Town Board of the Town of Southold hereby authorizes and directs Supervisor Scott A. Russell to execute any and all agreements, registration forms, and other documents, relating to the Town of Southold's participation in the U.S. Census Bureau's Local Update of Census Addresses Operation.

✓ Vote Record - Resolution RES-2017-1009						
<input checked="" type="checkbox"/> Adopted						
<input type="checkbox"/> Adopted as Amended						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Tabled						
<input type="checkbox"/> Withdrawn						
<input type="checkbox"/> Supervisor's Appt						
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<input type="checkbox"/> Rescinded						
<input type="checkbox"/> Town Clerk's Appt						
<input type="checkbox"/> Supt Hgwys Appt						
<input type="checkbox"/> No Action						
<input type="checkbox"/> Lost						
			Yes/Aye	No/Nay	Abstain	Absent
	James Dinizio Jr	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William P. Ruland	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Jill Doherty	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Robert Ghosio	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Louisa P. Evans	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Scott A. Russell	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2017-1010

CATEGORY: Legislation
DEPARTMENT: Town Clerk

Permit Fees for 2018

RESOLVED the Town Board of the Town of Southold hereby sets the follow permit fees to be effective for the following 2018 Beach Parking Permits:

Resident Beach Parking Permit Two (2) year	\$20.00
Resident Trailer Launch/Haul Permit Two (2) year	\$20.00
Daily Non-Resident Beach Parking Fee	\$40.00
Guest Non-Resident Beach Parking Fee	\$40.00
Lessee Non-Resident Beach Parking Fee	\$100.00
Motel Non-Resident Beach Parking Fee	\$100.00
Seasonal Non-Resident Beach Parking Fee	\$300.00
Commercial Launch/Haul Permit	\$300.00

✓ Vote Record - Resolution RES-2017-1010						
<input checked="" type="checkbox"/> Adopted						
<input type="checkbox"/> Adopted as Amended						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Tabled			Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Withdrawn	James Dinizio Jr	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Supervisor's Appt	William P. Ruland	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tax Receiver's Appt	Jill Doherty	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Rescinded	Robert Ghosio	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Town Clerk's Appt	Louisa P. Evans	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Supt Hgwys Appt	Scott A. Russell	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> No Action						
<input type="checkbox"/> Lost						

2017-1011

CATEGORY: Enact Local Law

DEPARTMENT: Town Clerk

Enact - Chapter 280 Regarding Affordable Housing

WHEREAS, there has been presented to the Town Board of the Town of Southold, Suffolk County, New York, on the 8th day of November, 2017, a Local Law entitled **“A Local Law in relation to Amendments to Chapter 280 of the Town Code entitled ‘Zoning’”** and

WHEREAS the Town Board of the Town of Southold held a public hearing on the aforesaid Local Law at which time all interested persons were given an opportunity to be heard, now therefor be it

RESOLVED that the Town Board of the Town of Southold hereby ENACTS the proposed Local Law entitled, **“A Local Law in relation to Amendments to Chapter 280 of the Town Code entitled ‘Zoning’”** reads as follows:

LOCAL LAW NO. 2017

A Local Law entitled, **“A Local Law in relation to Amendments to Chapter Chapter 280 Zoning, in connection with the Affordable Housing”**.

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

I. Purpose.

To amend Chapter 280 to increase options for affordable housing within the Town of Southold and to increase regulatory compliance and grant funding availability for the same.

II. Chapter 280 of the Code of the Town of Southold is hereby amended by adding the underlined words and removing the struck items as follows:

§ 280-13 Use regulations.

[Amended 3-14-1989 by L.L. No. 3-1989]

In A-C, R-80, R-120, R-200 and R-400 Districts, no building or premises shall be used and no building or part of a building shall be erected or altered which is arranged, intended or designed to be used, in whole or in part, for any uses except the following:

- B.** Uses permitted by special exception by the Board of Appeals. The following uses are permitted as special exception by the Board of Appeals, as hereinafter provided, and, except for the uses set forth in Subsections **B(1)**, **(13)** and **(14)** hereof, are subject to site plan approval by the Planning Board:
- (17) Conversion of existing space to affordable residential housing.
- a. Tenants shall be reserved to moderate-income individuals and families who do not have any ownership interest in any other residence or vacant lot. Tenants must work or reside in the Town of Southold at the time they take possession. The eligible applicants must be registered in the Town of Southold Housing Registry, administered by the Government Liaison Officer prior to the commencement of any tenancy.
 - b. Converted space shall be limited to a maximum of six (6) moderate income residential rental units.
 - c. As a condition of the granting of a special exception by the Zoning Board of Appeals, property owners must convert said applied for space to residential use within six (6) months, rent the units at a rate at or below the maximum allowable monthly rent for affordable housing units, and maintain the excepted residential units as affordable residential housing for a minimum period of eight (8) years from the date of granting
 - d. All converted affordable residential housing shall be subject to all Town and County building code and septic specifications.
 - e. All converted affordable residential housing must have at least one parking space per unit.

f. The premises must be located within a designated hamlet locus (HALO) zone

D. Rental permit for accessory apartments. Notwithstanding any prior course of conduct or permission granted, no owner of property shall cause, permit, or allow the occupancy or use of an accessory apartment created pursuant to § 280-13A(6) or § 280-13B(13) without a valid rental permit issued upon application to the Chief Building Inspector.[Added 6-15-2010 by L.L. No. 2-2010]

(3) The owner of an accessory apartment in an accessory structure lawfully existing pursuant to § 280-13B(13) shall, in addition to the information required in § 280-13D(1)(a) through (f), provide a certification that:

(a) The existing single-family dwelling or the accessory apartment in the accessory structure is occupied by the owner as the owner's principal residence.

(b) The other dwelling unit on the subject property is to be occupied by either a family member or a resident **an individual** who is currently on the Southold Town Affordable Housing Registry and eligible for placement.

(c) Rents charged to a tenant from the Affordable Housing Registry shall not exceed the rent established by the Town Board annually pursuant to § 280-30F of this Code.

(d) The dwelling unit is in compliance with all of the provisions of the Code of the Town of Southold, the laws and sanitary and housing regulations of the County of Suffolk and the laws of the State of New York.

§ 280-17 Use regulations.

In an R-40 District, no building or premises shall be used and no building or part of a building shall be erected or altered which is arranged, intended or designed to be used, in whole or in part, for any uses except the following:

B. Uses permitted by special exception of the Board of Appeals. The following uses are permitted as a special exception by the Board of Appeals, as hereinafter provided, and subject to site plan approval by the Planning Board:

(3) Conversion of existing space to affordable residential housing.

a. Tenants shall be reserved to moderate-income individuals and families who do not have any ownership interest in any other residence or vacant lot. Tenants must work or reside in the Town of Southold at the time they take possession. The eligible applicants must be registered in the Town of Southold Housing Registry, administered by the Government Liaison Officer prior to the commencement of any tenancy.

b. Converted space shall be limited to a maximum of six (6) moderate income residential rental units.

c. As a condition of the granting of a special exception by the Zoning Board of Appeals, property owners must convert said applied for space to residential use within six (6) months, rent the units at a rate at or below the maximum allowable monthly rent for affordable housing units, and

maintain the excepted residential units as affordable residential housing for a minimum period of eight (8) years from the date of granting

d. All converted affordable residential housing shall be subject to all Town and County building code and septic specifications.

e. All converted affordable residential housing must have at least one parking space per unit.

f. The premises must be located within a designated hamlet locus (HALO) zone

C. Accessory uses, limited to the following:

(1) Same as § 280-13C of the Agricultural-Conservation District.

(2) Same as §280-13D of the A-C, R-80, R-120, R-200 and R-400 Districts.

§ 280-30 General regulations and requirements.

A. The Town Board shall require the recording of covenants and restrictions that shall apply to all real property within the AHD District. The covenants and restrictions shall contain terms and conditions as the Town Board and Planning Board deem necessary to insure the property is used for purposes consistent with the purposes for which the AHD zoning classification was created, and they shall be subject to the approval of the Town Attorney. The covenants and restrictions shall include the following: [Amended 5-3-2016 by L.L. No. 4-2016]

C. Eligibility (non-age-restricted). In each AHD, the sale or lease of dwelling units and unimproved lots shall be reserved for moderate-income families who do not have any ownership interest in any other residence or vacant lot. The net worth of an applicant (individual or family) shall not exceed 25% of the purchase price of a home sold pursuant to this section. The eligible applicants ~~shall must be grouped on a priority basis, and a lottery system will be~~ registered in the Town of Southold Housing Registry, administered by the Government Liaison Officer within each group in a formula acceptable to the Town Board. The priority groups are as follows: [Amended 7-29-2008 by L.L. No. 8-2008; 5-3-2016 by L.L. No. 4-2016]

~~(1) Income eligible individuals or families who have lived in the Town of Southold in the same school district as the dwelling unit or lot for a period of at least three years prior to the submission of their application.~~

~~(2) Income eligible individuals or families who have lived in the Town of Southold for a period of at least three years prior to the submission of their application.~~

~~(3) Income eligible individuals/families who have been employed in the Town of Southold for a period of at least three years prior to the submission of their application.~~

~~(4) Income eligible individuals/families who have previously lived for a minimum of three years in the Town of Southold and wish to return.~~

~~(5) To all other eligible applicants.~~

D. Age-restricted (age 55 and over) dwelling units or unimproved lots. The sale or lease of dwelling units and unimproved lots in an age-restricted community shall be reserved for age eligible moderate-income families registered in the Town of

Southold Housing Registry, as administered by the Government Liaison Officer in the following order of priority:[Amended 7-29-2008 by L.L. No. 8-2008]

~~(1) Income-eligible individuals or families where the head of household is age 55 or over, who have had a primary residence in the Town of Southold for a period of at least five years prior to the submission of the application, and do not own real estate. Household annual income may not exceed 80% of the HUD median income for Suffolk County, and net worth may not exceed twice the price of the unit to be purchased.~~

~~(2) Income-eligible individuals or families where the head of household is age 55 or over, who have had a primary residence in the Town of Southold for a period of at least five years prior to the submission of the application, and do not own real estate. Household annual income may not exceed 100% of the HUD median income for Suffolk County, and net worth may not exceed twice the price of the unit to be purchased.~~

~~(3) Income-eligible individuals or families where the head of household is age 55 or over, who have had a primary residence in the Town of Southold for a period of at least five years prior to the submission of the application, and who will be divested of all real estate holdings within 90 days of the contract execution with the project sponsor (such ninety-day period may be extended by resolution of the Town Board). Household annual income may not exceed 80% of the HUD median income for Suffolk County, and net worth may not exceed twice the price of the unit to be purchased.~~

~~(4) Income-eligible individuals or families where the head of household is age 55 or over, who have had a primary residence in the Town of Southold for a period of at least five years prior to the submission of the application, and who will be divested of all real estate holdings within 90 days of the contract execution with the project sponsor (such ninety-day period may be extended by resolution of the Town Board). Household annual income may not exceed 100% of the HUD median income for Suffolk County, and net worth may not exceed twice the price of the unit to be purchased.~~

~~(5) Income-eligible individuals or families where the head of household is age 55 or over, who have had a residence in the Town of Southold for a period of at least five years prior to the submission of the application, and who will be divested of all real estate holdings within 90 days of the contract execution with the project sponsor. Household annual income may not exceed 100% of the HUD median income for Suffolk County, and net worth may not exceed twice the price of the unit to be purchased.~~

~~(6) Other income-eligible applicants age 55 or over whose household annual income may not exceed 100% of the HUD median income for Suffolk County, and net worth may not exceed twice the price of the unit to be purchased.~~

§ 280-38 Use regulations.

In the Residential Office (RO) District, no building or premises shall be used and no building or part of a building shall be erected or altered which is arranged, intended or designed to be used, in whole or in part, for any uses except the following:

- B.** Uses permitted by special exception by the Board of Appeals. The following uses are permitted as a special exception by the Board of Appeals as hereinafter provided and subject to site plan approval by the Planning Board, provided that not more than one use shall be allowed for each 40,000 square feet of lot area:
- (6) Conversion of existing space to affordable residential housing.
- a. Tenants shall be reserved to moderate-income individuals and families who do not have any ownership interest in any other residence or vacant lot.. Tenants must work or reside in the Town of Southold at the time they take possession. The eligible applicants must be registered in the Town of Southold Housing Registry, administered by the Government Liaison Officer prior to the commencement of any tenancy.
 - b. Converted space shall be limited to a maximum of six (6) moderate income residential rental units.
 - c. As a condition of the granting of a special exception by the Zoning Board of Appeals, property owners must convert said applied for space to residential use within six (6) months, rent the units at a rate at or below the maximum allowable monthly rent for affordable housing units, and maintain the excepted residential units as affordable residential housing for a minimum period of eight (8) years from the date of granting
 - d. All converted affordable residential housing shall be subject to all Town and County building code and septic specifications.
 - e. All converted affordable residential housing must have at least one parking space per unit.

§ 280-41 Use regulations.

In the LB District, no building or premises shall be used and no building or part of a building shall be erected or altered which is arranged, intended or designed to be used, in whole or in part, for any uses except the following:

- B.** Uses permitted by special exception by the Board of Appeals. The following uses are permitted as a special exception by the Board of Appeals as hereinafter provided and are subject to site plan approval by the Planning Board:
- (5) Conversion of existing space to affordable residential housing.
- a. Tenants shall be reserved to moderate-income individuals and families who do not have any ownership interest in any other residence or vacant lot.. Tenants must work or reside in the Town of Southold at the time they take possession. The eligible applicants must be registered in the Town of Southold Housing Registry, administered by the Government Liaison Officer prior to the commencement of any tenancy.
 - b. Converted space shall be limited to a maximum of six (6) moderate income residential rental units.
 - c. As a condition of the granting of a special exception by the Zoning Board of Appeals, property owners must convert said applied for space to residential use within six (6) months, rent the units at a rate at or below the maximum allowable monthly rent for affordable housing units, and

maintain the excepted residential units as affordable residential housing for a minimum period of eight (8) years from the date of granting
d. All converted affordable residential housing shall be subject to all Town and County building code and septic specifications.
e. All converted affordable residential housing must have at least one parking space per unit.

§ 280-44 **Purpose.**

The purpose of the Hamlet Business (HB) District is to provide for business development in the hamlet central business areas, including retail, office and service uses, public and semipublic uses, as well as hotel and motel and multifamily residential development that will support and enhance the retail development and provide a focus for the hamlet area.

§ 280-45 **Use regulations.**

[Amended 5-9-1989 by L.L. No. 6-1989; 12-12-1989 by L.L. No. 23-1989; 7-31-1990 by L.L. No. 16-1990; 5-16-1994 by L.L. No. 9-1994; 11-26-1994 by L.L. No. 26-1994; 2-7-1995 by L.L. No. 3-1995; 10-17-1995 by L.L. No. 21-1995; 5-6-2003 by L.L. No. 10-2003]

In the HB District, no building or premises shall be used and no building or part of a building shall be erected or altered which is arranged, intended or designed to be used, in whole or in part, for any uses except the following:

- A.** Permitted uses. The following are permitted uses and, except for those uses permitted under Subsection **A(1), (2), (3)** and **(20)** hereof, are subject to site plan approval by the Planning Board:[Amended 4-20-2004 by L.L. No. 11-2004]
(1) One-family detached dwelling, ~~not to exceed one dwelling on each lot. The dwelling must be occupied by the owner of the property.~~
(2) Two-family dwelling, ~~not to exceed one dwelling on each lot. The dwelling must be occupied by the owner of the property.~~

- B.** Uses permitted by special exception by the Board of Appeals. The following uses are permitted as a special exception by the Board of Appeals as hereinafter provided, except Subsection **B(10)**, which may be permitted as a special exception by the Planning Board, and all such special exception uses shall be subject to site plan approval by the Planning Board:

[Amended 6-20-2006 by L.L. No. 8-2006]

(11) Conversion of existing space to affordable residential housing.

- a. Tenants shall be reserved to moderate-income individuals and families who do not have any ownership interest in any other residence or vacant lot.. Tenants must work or reside in the Town of Southold at the time they take possession. The eligible applicants must be registered in the Town of Southold Housing Registry, administered by the Government Liaison Officer prior to the commencement of any tenancy.
b. Converted space shall be limited to a maximum of six (6) moderate income residential rental units.
c. As a condition of the granting of a special exception by the Zoning Board of Appeals, property owners must convert said applied for space to

residential use within six (6) months, rent the units at a rate at or below the maximum allowable monthly rent for affordable housing units, and maintain the excepted residential units as affordable residential housing for a minimum period of eight (8) years from the date of granting
d. All converted affordable residential housing shall be subject to all Town and County building code and septic specifications.
e. All converted affordable residential housing must have at least one parking space per unit.

C. Accessory uses. The following uses are permitted as accessory uses and, except for residential accessory uses and signs, which are subject to Article **XIX**, are subject to site plan review:

(1) Accessory uses as set forth in and regulated by § **280-13C(1)** through **(7)** of the Agricultural-Conservation District, and subject to the conditions set forth in § **280-15** thereof.

(2) Apartments are permitted ~~within the principal building only~~, subject to the following requirements:

(a) The Building Department issuing an accessory apartment permit.

(b) The habitable floor area of each apartment shall be at least 350 square feet.

~~**(c)** There shall be no more than three apartments created or maintained in any single structure.~~ The Apartment shall have all requisite Suffolk County Department of Health approvals.

(d) Each apartment shall have at least one off-street parking space.

(e) Construction and/or remodeling of an existing structure to create an accessory apartment shall not trigger the need for site plan approval set forth specifically in § **280-127** and Article **XXIV** in general unless such construction or remodeling results in an increase of the foundation size of the structure.

(f) The apartment(s) shall not comprise more than ~~50~~40% of the principal building.

(g) Each apartment on the subject property is to be occupied by either a property owner's immediate family member or an individual who is registered on the Southold Town Affordable Housing Registry and is eligible for placement prior to possession being taken.

§ 280-48 Use regulations.

B. Uses permitted by special exception by the Board of Appeals. The following uses are permitted as a special exception by the Board of Appeals as hereinafter provided, except Subsection **B(17)**, which may be permitted as a special exception by the Planning Board, and all such special exception uses shall be subject to site plan approval by the Planning Board.

(18) Conversion of existing space to affordable residential housing.

a. Tenants shall be reserved to moderate-income individuals and families who do not have any ownership interest in any other residence or vacant lot.. Tenants must work or reside in the Town of Southold at the time they

take possession. The eligible applicants must be registered in the Town of Southold Housing Registry, administered by the Government Liaison Officer prior to the commencement of any tenancy.

b. Converted space shall be limited to a maximum of six (6) moderate income residential rental units.

c. As a condition of the granting of a special exception by the Zoning Board of Appeals, property owners must convert said applied for space to residential use within six (6) months, rent the units at a rate at or below the maximum allowable monthly rent for affordable housing units, and maintain the excepted residential units as affordable residential housing

for a minimum period of eight (8) years from the date of granting

d. All converted affordable residential housing shall be subject to all Town and County building code and septic specifications.

e. All converted affordable residential housing must have at least one parking space per unit.

§ 280-58 Use regulations.

B. Uses permitted by special exception of the Board of Appeals. The following uses are permitted as a special exception by the Board of Appeals as hereinafter provided, except Subsection **B(10)**, which may be permitted as a special exception by the Planning Board, and all such special exception uses shall be subject to site plan approval by the Planning Board:

[Amended 5-23-1989 by L.L. No. 7-1989; 4-28-1997 by L.L. No. 6-1997; 11-12-1997 by L.L. No. 26-1997; 2-12-2013 by L.L. No. 2-2013; 6-17-2014 by L.L. No. 7-2014]

(11) Conversion of existing space to affordable residential housing.

a. Tenants shall be reserved to moderate-income individuals and families who do not have any ownership interest in any other residence or vacant lot. Tenants must work or reside in the Town of Southold at the time they take possession. The eligible applicants must be registered in the Town of Southold Housing Registry, administered by the Government Liaison Officer prior to the commencement of any tenancy.

b. Converted space shall be limited to a maximum of six (6) moderate income residential rental units.

c. As a condition of the granting of a special exception by the Zoning Board of Appeals, property owners must convert said applied for space to residential use within six (6) months, rent the units at a rate at or below the maximum allowable monthly rent for affordable housing units, and maintain the excepted residential units as affordable residential housing for a minimum period of eight (8) years from the date of granting

d. All converted affordable residential housing shall be subject to all Town and County building code and septic specifications.

e. All converted affordable residential housing must have at least one parking space per unit.

f. The premises must be located within a designated hamlet locus (HALO) zone

§ 280-62 Use regulations.

In the LI District, no building or premises shall be used and no building or part of a building shall be erected or altered which is arranged, intended or designed to be used, in whole or in part, for any purpose except the following:

B. Uses permitted by special exception of the Board of Appeals. The following uses are permitted as a special exception by the Board of Appeals as hereinafter provided, except Subsection **B(10)**, which may be permitted as a special exception by the Planning Board, and all such special exception uses shall be subject to site plan approval by the Planning Board:
 [Amended 4-28-1997 by L.L. No. 6-1997; 2-12-2013 by L.L. No. 2-2013; 6-17-2014 by L.L. No. 7-2014]

(18) Conversion of existing space to affordable residential housing.

- a. Tenants shall be reserved to moderate-income individuals and families who do not have any ownership interest in any other residence or vacant lot.. Tenants must work or reside in the Town of Southold at the time they take possession. The eligible applicants must be registered in the Town of Southold Housing Registry, administered by the Government Liaison Officer prior to the commencement of any tenancy.
- b. Converted space shall be limited to a maximum of six (6) moderate income residential rental units.
- c. As a condition of the granting of a special exception by the Zoning Board of Appeals, property owners must convert said applied for space to residential use within six (6) months, rent the units at a rate at or below the maximum allowable monthly rent for affordable housing units, and maintain the excepted residential units as affordable residential housing for a minimum period of eight (8) years from the date of granting
- d. All converted affordable residential housing shall be subject to all Town and County building code and septic specifications.
- e. All converted affordable residential housing must have at least one parking space per unit.

III. SEVERABILITY

If any clause, sentence, paragraph, section, or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, the judgment shall not affect the validity of this law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

IV. EFFECTIVE DATE

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

✓ Vote Record - Resolution RES-2017-1011						
<input checked="" type="checkbox"/> Adopted			Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adopted as Amended						

<input type="checkbox"/> Defeated	James Dinizio Jr	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	William P. Ruland	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Jill Doherty	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Supervisor's Appt	Robert Ghosio	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tax Receiver's Appt	Louisa P. Evans	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Rescinded	Scott A. Russell	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Town Clerk's Appt						
<input type="checkbox"/> Supt Hgwys Appt						
<input type="checkbox"/> No Action						
<input type="checkbox"/> Lost						

2017-1012

CATEGORY: Enact Local Law
DEPARTMENT: Town Clerk

Enact - Chapter 280 - Wineries

WHEREAS, there has been presented to the Town Board of the Town of Southold, Suffolk County, New York, on the 8th day of November, 2017, a Local Law entitled **“A Local Law in relation to Amendments to Chapter 280, Zoning, in connection with Use Regulations for Wineries in Residential Districts”** and

WHEREAS the Town Board of the Town of Southold held a public hearing on the aforesaid Local Law at which time all interested persons were given an opportunity to be heard, now therefor be it

RESOLVED that the Town Board of the Town of Southold hereby ENACTS proposed Local Law entitled, **“A Local Law in relation to Amendments to Chapter 280, Zoning, in connection with Use Regulations for Wineries in Residential Districts”** reads as follows:

LOCAL LAW NO. 2017

A Local Law entitled, **“A Local Law in relation to Amendments to Chapter 280, Zoning, in connection with Use Regulations for Wineries in Residential Districts”**.

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

- I. Purpose.
 To modify and clarify certain provision of the Town Code as it pertains to wineries in order to better protect the quality of life enjoyed by Southold Town residents while at the same time promoting wineries and other forms of Agritourism within the Town of Southold.

II. Chapter 280 of the Code of the Town of Southold is hereby amended as follows:

Chapter 280. Zoning Article III. Agricultural-Conservation (A-C) District and Low-Density Residential R-80, R-120, R-200 and R-400 Districts
§ 280-13. Use regulations.

In A-C, R-80, R-120, R-200 and R-400 Districts, no building or premises shall be used and no building or part of a building shall be erected or altered which is arranged, intended or designed to be used, in whole or in part, for any uses except the following:

A. Permitted uses.

(4) Wineries which meet the following standards:

- (a) The winery shall be a place or premises on which wine is produced, processed and sold. The wine shall be made from primarily Long Island grapes of which at least 80% are grown on the premises or other land owned by the winery owner;
- (b) The winery shall be on a parcel on which at least 10 acres are devoted to the growing of wine grapes vineyard or other agricultural purposes, and which is owned by the winery owner;
- (c) The aforementioned 10 acres devoted to growing of grapes shall be in addition to any land where structures are to be built and should not be included in calculations as to whether the lot size conforms to the bulk schedule for the proposed use or uses on the parcel.
- (d) The winery structures shall be set back a minimum of 100 feet from a major road; and
- (e) The winery shall obtain site plan approval.

C. Accessory uses, limited to the following uses and subject to the conditions listed in § **280-15** herein:

(10) Wineries may have the following accessory uses:

- (a) ~~A have an accessory~~ retail gift shop on the premises which may sell items accessory to wine, such as corkscrews, wine glasses, decanters, items for the storage and display of wine, books on winemaking and the region and nonspecific items bearing the insignia of the winery.
- (b) In addition to wine made on the parcel, 20% of the wine sold at a winery may be from other Long Island wineries.
- (c) Wineries may not have a commercial kitchen as an accessory use but may have a noncommercial kitchen facility for private use by the employees.

III. SEVERABILITY

If any clause, sentence, paragraph, section, or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, the judgment shall not affect the validity of this law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

IV. EFFECTIVE DATE

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

✓ Vote Record - Resolution RES-2017-1012							
<input type="checkbox"/> Adopted				Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adopted as Amended							

<input type="checkbox"/> Defeated	James Dinizio Jr	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	William P. Ruland	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Withdrawn	Jill Doherty	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Supervisor's Appt	Robert Ghosio	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tax Receiver's Appt	Louisa P. Evans	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Rescinded	Scott A. Russell	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Town Clerk's Appt						
<input type="checkbox"/> Supt Hgwys Appt						
<input type="checkbox"/> No Action						
<input type="checkbox"/> Lost						

VII. Public Hearings

1. Ph 12/5 7:30 Pm - Chapter 280 Regarding Affordable Housing

RESULT: CLOSED [UNANIMOUS]
MOVER: William P. Ruland, Councilman
SECONDER: Robert Ghosio, Councilman
AYES: Dinizio Jr, Ruland, Doherty, Ghosio, Russell
ABSENT: Louisa P. Evans

2. PH 12/5 7:31 PM - Chapter 280 - Wineries

RESULT: CLOSED [UNANIMOUS]
MOVER: Jill Doherty, Councilwoman
SECONDER: Robert Ghosio, Councilman
AYES: Dinizio Jr, Ruland, Doherty, Ghosio, Russell
ABSENT: Louisa P. Evans

3. Motion To: Adjourn Town Board Meeting

RESOLVED that this meeting of the Southold Town Board be and hereby is declared adjourned at 1:16 A.M., Wednesday, December 6, 2017

* * * * *

Elizabeth A. Neville
 Southold Town Clerk

RESULT: ADOPTED [UNANIMOUS]
MOVER: William P. Ruland, Councilman
SECONDER: James Dinizio Jr, Councilman
AYES: Dinizio Jr, Ruland, Doherty, Ghosio, Russell
ABSENT: Louisa P. Evans