

The 2007 Village of Sagaponack Comprehensive Plan

Introduction

Whereas land use in Sagaponack has been guided for the past 50 years by zoning provisions and comprehensive plan documents of the Town of Southampton, this is the first Comprehensive Plan for the Village of Sagaponack, incorporated in September 2005. The Village of Sagaponack Zoning Commission, with guidance from their Planning Consultant, based this Plan largely on a distillation of the extensive planning and zoning studies already prepared by Southampton Town as they apply to Sagaponack. Minor modifications have been made reflecting the needs and desires of Sagaponack residents expressed throughout the development of this Plan and previously made by the Sagaponack Citizens Advisory Committee during the development of Southampton's 1999 Comprehensive Plan and updates.

This Plan will provide a guide for land use development in the Village of Sagaponack for future years. Planning is a continuous process and all planning documents are subject to periodic review and revisions. Accordingly, it is anticipated that this Village of Sagaponack Comprehensive Plan will be amended as needed over the next 10 to 15 years after which time a complete review will be considered.

1. Overview

Though the Village of Sagaponack was not incorporated until September, 2005, the hamlet of Sagaponack was one of the earliest colonial settlements in America and has a 350-year history as a quiet rural community, characterized by its rich agricultural soils, the beauty of its landscapes and ocean beaches, and its quaint Main Street.

From its establishment as a separate territorial entity in 1654 until its incorporation as a village in 2005, Sagaponack, whose name derives from the Algonkian Indian description for "the place where the big ground nuts grow," was the easternmost hamlet of Southampton Town. Sagaponack's first houses and farms date from 1656 and, perhaps more than any other hamlet in Southampton town, agriculture has traditionally been its defining characteristic.

Many of Sagaponack's regular inhabitants have names echoing the settler families of the Seventeenth Century. Most of its 16 miles of roads were laid out and named before 1695. And, despite the changes wrought in the past 30 years by its emergence as a highly desirable residential community, Sagaponack has been

able to maintain much of its historic agricultural character and most of its rural architectural heritage.

Unlike other settlements in Southampton Town, Sagaponack never developed into a commercial center or hub. Sag Harbor, originally called the Port of Sagg was Sagaponack's commercial link to the rest of colonial America and England and, in the Nineteenth Century, developed into the area's most prosperous business center. Southampton Town served as the seat of government for Sagaponack. Bridgehampton, named for the bridge that linked Mecox to Sagaponack, became its closest local business, cultural and religious center.

In 2006, of the 942 separate parcels that comprise Sagaponack only 9 were used for non-agricultural commercial purposes. Of these, all but one were dispersed along Montauk Highway, the original east-west path through Sagaponack. The lone exception was the Sagaponack General Store/Post Office building on Sagg Main Street, in the heart of the Sagaponack Historic District, a mile south of Montauk Highway. If there is a Village center in Sagaponack, it is this building, which dates from 1880, flanked by a 1670 burial ground a half-mile to the South on Sagg Main Street and the Sagaponack "One-Room School House," actually two rooms, a quarter-mile to the North.

Aside from its gradual evolution from an economy based on multi-crop farming, fishing and whaling to one dominated by larger-scale potato and cauliflower farming, Sagaponack changed little in its first 250 years and experienced only modest population growth. The opening of railroad service from New York City to the South Fork of Long Island in 1870 was the stimulus for a significant increase in summer visitors to all of the beachfront communities of Eastern Long Island. So-called "Estate Sections" for summer second-home owners were created in the Villages of Southampton and East Hampton, and to a lesser extent in the hamlets of Bridgehampton and Water Mill. Sagaponack's first high-profile seasonal second homes were built in 1898 and 1899. Unlike other Hamptons communities, however, Sagaponack remained only minimally impacted by second-home residential development until the mid-1970s and its magnificent agricultural landscape with rows of potatoes stretching a mile or more to the ocean, remained largely intact.

It was not until the 1980s that a wave of second-home residential development began to wash over Sagaponack, particularly its eastern portion, with a significant loss of farmland south of Montauk Highway. Changes in Southampton Town zoning, particularly an "upzoning" in 1984 and a more strict policy of clustering residential lots to preserve open space, helped check the subdivision sprawl. But the pace of second-home construction, as well as estate taxes that forced farm families to sell off their increasingly valuable farmland has

been steadily eroding the character of Sagaponack. In the entire Village today, there are only 16 parcels of more than 10 acres that can still be subdivided for residential development. Most are key farm tracts with vistas vital to maintaining what is left of the village's agricultural and rural character.

Fortunately, in the past decade, the growth in the number of second-homes has been accompanied by a substantial increase in preserved open space and land restricted to agricultural use. Some of this open space has resulted from zoning code changes requiring clustering building lots in new subdivisions to preserve farmland. Most, however, is the result of intervention from public and private sources. Real estate transfer taxes and other earmarked revenues have enabled Southampton Town and Suffolk County to purchase development rights from landowners and to acquire property for parks, recreational uses and open space. The Peconic Land Trust has preserved a number of key farm and scenic tracts through donations of development rights and acquisitions. Today, more than 575 acres in Sagaponack, comprising about 20 percent of the Village, has been permanently removed from possible residential development.

Nevertheless, if all currently vacant lots and agricultural parcels in Sagaponack were developed to the maximum permitted under existing zoning, the number of houses in Sagaponack could increase by more than 350, resulting in a 50 percent increase over the current number of 695 dwelling units in the Village.

Many Sagaponack residents express concern about the impact of "build out" in the Village, seeing it as an irreversible suburbanization that will destroy the remaining charm and character that has made Sagaponack so special to its long-time residents and attracted most of its newer ones.

As in other historic communities on the East End, Sagaponack residents are disturbed not only by the number of houses being built but by the trend toward larger houses that are out of scale with and dominate neighboring residences. For most of its history, Sagaponack was characterized by small houses on large lots. This was particularly true in Sagaponack's historic district, which has been recognized in the National Register of Historic Places. (Map 1 depicts boundary and Appendix 1 contains an inventory and description of the houses in the Sagaponack Historic District as listed on the State and National Register of Historic Places)

Despite all the new residential construction that has occurred in Sagaponack since the 1970s, most of its historically significant buildings have been spared. In neighboring communities, however, more and more of these smaller, older houses are being razed and replaced with massive houses of 10,000 square feet. If this were to occur in Sagaponack's historic residential areas,

particularly along Sagg Main Street, it would dramatically change the overall appeal and character of the Village.

Off Sagg Main Street, on the back roads and even along Montauk Highway, the remaining unprotected farms create scenic corridors with extensive vistas that are a vital part of the village's agricultural heritage. When these parcels are subdivided, the placement of the permitted building lots and the location of the required agricultural/open space also will have a major impact on whether or not Sagaponack can retain its unique character.

Another major concern of Sagaponack residents is traffic, particularly in the summer, as the Village's east-west country roads are used to bypass congestion on Montauk Highway. In addition to having to accommodate South Fork inter-village traffic, Sagaponack's back roads are being regularly used by commercial traffic from outside the area that services communities further east and by speeders shuttling to and from East Hampton Town.

Owners of the 53 privately-owned oceanfront properties in Sagaponack have special concerns. They blame long-standing groins in East Hampton east of the village for contributing to the persistent erosion of the beach and dunes in front of their houses and have sued Suffolk County to remove the groins. In the meantime, they have been in favor of beach replenishment, allowing installation of protective devices along the shoreline and relief from setback requirements if they have to move structures away from the encroaching ocean.

Despite residents' widely-shared concerns about over-development and threats to Sagaponack's agricultural and historic heritage, the successful two-year campaign to incorporate Sagaponack as a village was motivated not by a desire for change but by a desire to maintain the status quo whenever possible. Oceanfront property owners in Sagaponack, Bridgehampton and Water Mill were attempting to establish a new village that would have severed the shorefront from these communities. To keep Sagaponack's traditional territory intact, its residents mounted a successful legal challenge to this threat and preempted any future secession effort by incorporating the Village within boundaries that closely corresponded to the Sagaponack School District.

During the campaign for incorporation, proponents made clear at public meetings and in their village-wide door-to-door canvass for signers of the incorporation petition that they wanted to retain the Town's land use strategies and policies. The first elected Village Mayor and members of the Board of Trustees ran on a platform of cooperating with Southampton Town to maintain as much of the existing regulations and conditions as possible.

New York State law mandates that the new Village adopt its own zoning code by September 27, 2007.

2. The Evolution of the Town of Southampton's Zoning Code

Southampton Town adopted its first zoning code for all the unincorporated areas of the town, including Sagaponack, in 1957. The code was patterned on zoning codes adopted elsewhere on Long Island in an effort to create standard lot sizes in specific zoning districts and to regulate uses within each district. Its primary intent was to rationalize development in the faster growing areas of the Town.

In the late 1960s, however, as suburban growth swallowed up formerly rural areas in Nassau and western Suffolk Counties, Southampton Town residents began to pressure town officials to adopt a zoning code that would do more to control development and preserve the Town's agricultural areas and historic resources. Part of the impetus for this pressure was the increasing importance to the East End's economy of second home development and the accompanying seasonal resort business. It was felt that overdevelopment, suburbanization, and the resulting adverse impact on the fragile East End environment would adversely affect the area's character and attractions.

The Southampton Town Master Plan of 1970 and the zoning ordinance that followed in 1974 were based on extensive hydrological studies that concluded that the fragile fresh groundwater reservoir beneath Southampton Town could only support a population of 91,500. The zoning districts established in the 1974 ordinance were designed to implement that finding, lowering the potential density throughout the Town by upzoning land in the moraine woodlands that fed the Town's underground water supply and in still largely-undeveloped agricultural areas like Sagaponack. In an effort to preserve agricultural lands, the ordinance also introduced the concept of "clustering" the allowable number of building lots in a subdivision in a portion of the property, leaving the remainder as protected open space.

Though the 1974 upzoning reduced the potential residential density of Southampton Town, it did nothing to diminish the pace of development. In Sagaponack during that period, large tracts of farmland were transformed into typical suburban subdivisions surrounding new cul-de-sac streets with names intended to evoke the farms and vistas they replaced. More houses, mostly second homes, were erected in these subdivisions than the total built in the previous 300 years.

In 1983, ten years after the final data had been collected for the 1974 zoning ordinance, Southampton Town commissioned new studies to evaluate the impact of the increasingly rapid growth on the environment and the quality of life. The studies showed that despite the 1974 attempt to reduce density, the past decade of growth and new projections based on the then current zoning could generate a population well in excess of the 91,500 limit recommended in 1970. The result was an update to the 1970 Master Plan and another town-wide rezoning aimed specifically at “establishing an optimum balance between population and water supply.” The studies projected that Southampton Town was heading for a “saturation population” of 113,000, with the number of dwelling units more than doubling and exceeding by 5,300 the maximum allowable on the basis of fresh water resources. All the zoning districts in Sagaponack at the time were identified as those that could best be used to achieve the desired reduction in density. An additional rationale for the rezoning, according to the planning consultant who recommended the measures, was “to realize that the future of the Town, and the whole East End, for that matter, depends on its ability to maintain a rural, open and low density character,” which he called “far more important than the derivation of a maximum number of dwellings by a mathematical formula” to limit population.

The resulting zoning amendments and dimensional residential districts adopted in 1984 still exist in Sagaponack today. Most of Sagaponack south of Montauk Highway was upzoned for new subdivisions from a minimum lot size of one-and-a-half acres to three-acres. Along with the reduction in density, the hope was that by increasing the size of potential lots in “clustered” subdivisions developers would find that option more attractive. In those areas of Sagaponack where higher density continued to be permitted, the two-acre zone southwest of the highway and the one-acre zone in Sagaponack’s northwest corner, the determination was that existing development had already shaped the character of each area.

In 1996, Southampton Town began a project to update the 1970 Master Plan with a new Comprehensive Plan called “Southampton Tomorrow.” The goal was to enhance the 1970 plan in the areas of natural resources, historic resources, scenic resources, greenways and open space, affordable housing, community facilities, economic sectors, agriculture, fisheries, hamlet business areas and transportation. The project began with an assessment of how residents of the various hamlets, including Sagaponack, viewed current land use policies and where they thought the existing zoning and planning policies and regulations could be improved in the light of current trends and developments. It included questionnaires, focus groups, regular meetings with the Citizens Advisory Committees in each of the Town’s 13 hamlets, and input from environmental protection advocates, farmers, business organizations, and other community

groups. The Sagaponack community was represented by its Citizens Advisory Committee, as well as individual residents involved in the other participating groups and organizations.

The three-year process culminated in March, 1999 with the adoption of a 472-page Southampton Town Comprehensive Plan and Implementation Strategies. It is a remarkable document in its scope and identification of key land use issues confronting Southampton Town residents, as well as its analysis of trends impacting the Town's future. For the new Village of Sagaponack, the sections on agriculture, greenways and open space, scenic resources and historic resources are especially relevant. Although many of the recommendations in those sections have not been fully implemented, they accurately reflect the vision that most Sagaponack residents have for their community and represent agenda items that Village officials should consider for future action.

3. The Village of Sagaponack Today

(1) The Land

Sagaponack is bounded on the north by the Long Island Railroad tracks, on the east by Town Line Road, which is the demarcation between the Town of Southampton and the Town of East Hampton, on the south by the Atlantic Ocean and on the west by a line running through the center of Sagaponack Pond north through the Sagg Swamp Nature Preserve to Poxabogue and Little Poxabogue Ponds. The village comprises a total of 4.56 square miles or 2,977.08 acres.

a) Natural Characteristics

The 1999 Southampton Tomorrow Comprehensive Plan includes an extensive description, as well as maps and appendices, of the land, soil types, topography, geology, hydrology, flora and fauna and scenic and historic resources of what is now the Village of Sagaponack. Since 1999, Southampton Town has completed other studies resulting in new zoning regulations and subdivision procedures affecting Sagaponack, including Agricultural Planned Development Districts (AgPDDs) and Conservation Opportunities Subdivisions. The 1999 Southampton Town Comprehensive Plan and update studies prepared through the year 2006 are integral components of the overall package of material comprising the Village of Sagaponack's Comprehensive Plan.

A brief summary of the natural characteristics of Sagaponack follows. Sagaponack is part of the South Fork of Long Island, which was largely shaped by the advance and retreat of the Wisconsin glacier, approximately 15,000 to 60,000 years ago. Located south of the Ronkonkoma Terminal Moraine, the terminus of

the glacier, Sagaponack consists of generally flat land comprised of well-sorted materials derived from the glacial out wash plain. There are a few areas of steep slopes, generally corresponding to the dunelands adjacent to the ocean beaches. The dunes and beaches formed from oceanic wind and wave action date from a more recent geologic time period than the rest of Sagaponack.

The soil types generally reflect the geology with the glacial alluvial evolution giving rise to the Bridgehampton Haven Association. Generally characterized as deep, well-drained soils having a good moisture capacity, this association is classified as Class 1 and Class 2 Prime Agricultural Soils by the USDA Soil Conservation Service, the best agricultural land in New York State, and has historically been used for farming. The soils overlying the narrow strip of land adjacent to the ocean is part of the Dune land-Tidal marsh-Beaches Soils Association and are generally comprised of wind and wave deposited sand.

All of Long Island is a sole source aquifer, a federal designation which signifies that the drinking water is derived from subsurface water bearing strata or aquifers. There are three major freshwater aquifers on Long Island configured in layers overlying the bedrock. On the South Fork and Sagaponack only the Upper Glacial Aquifer and parts of the Magothy contain fresh water.

The Long Island 208 Plan and the Suffolk County Department of Health Services (SCDHS) have designated Hydrogeologic Zones corresponding to land areas which contribute to either deep water or shallow flow aquifer recharge. Deep water recharge areas transmit water in a vertical (downward) direction and recharge both the Magothy and the Upper Glacial Aquifers whereas the shallow flow aquifer areas have a large horizontal component with the water discharging to marine and surface waters. SCDHS have promulgated more stringent land use regulations for deepwater recharge areas compared to shallow flow aquifer areas. Sagaponack is divided into two hydrogeologic zones: Zone V, a deep water recharge area generally corresponding to the northern half of the Village and Zone IV, a shallow water recharge area generally corresponding to the southern half extending to the ocean. While there is no Special Groundwater Protection Areas (SGPA) within Sagaponack, the South Fork SGPA lies just to the north of the northern boundary. Depth to the groundwater table ranges from 55 feet to 0 where the water table is exposed.

The largest concentrations of threatened plant and animal life on Long Island have been found within coastal plain ponds, including within the Long Pond Greenbelt System. Comprised of an interlinking system of ponds and wetlands, the portion of the Long Pond Greenbelt system within the Village of Sagaponack is approximately 3.3 miles long and 270 acres in size. From north to

south, this system includes Little Poxabogue Pond, Poxabogue Pond, Sagg Swamp and Sagaponack Pond.

The Long Pond Greenbelt and the approximately 25 acre area known as Sagaponack Inlet, located at the southern end of Sagaponack Pond have been designated as New York state Significant Fish and Wildlife Habitat Areas.

There are 2.6 linear miles of ocean beaches flanked by a discontinuous row of dunes forming the southern border of the Village of Sagaponack. Sagaponack Pond has been designated and mapped as an undeveloped beach unit pursuant to the Coastal Barrier Resources Act.

b) The Built Environment: Land Use, Zoning and Land Use Programs and Buildout

Residential land use comprises 45% and agriculture 32 % of the total area within the Village. Appendix 2 contains tables from the Southampton Town General Information Services (GIS) database regarding all aspects of Sagaponack land use as of November, 2006 and a land use map is provided as Map 2. The number of parcels, acreage and percentage of total land area of each land use is summarized in Figure 1 (Note: 7 parcels totaling 11.87 acres are listed as commercial use, however, field work conducted in 2006 reveals there are actually 9 parcels totaling 15 acres in commercial use as described in Appendix 3).

Figure 1: The Village of Sagaponack Land Use (Source: Southampton GIS)

| Land Use Category | # of Parcels | Acres | % of Total |
|---------------------------|---------------------|-----------------|-------------------|
| Agriculture | 138 | 926.78 | 32.75 |
| Commercial | 7 | 11.87 | 0.53 |
| Residential | 641 | 1,278.54 | 45.25 |
| Institutional | 1 | 1.00 | 0.04 |
| Recreation and Open Space | 16 | 125.71 | 4.45 |
| Surface Waters | 6 | 168.50 | 5.97 |
| Transportation | 19 | 16.32 | 0.58 |
| Vacant | 114 | 294.61 | 10.43 |
| Total | 942 | 2,823.33 | 100.00 |

As described in the Overview, Sagaponack’s farmland has been under intense residential development pressure, especially since the 1980s. The economic, social and aesthetic benefits realized by preserving this farmland, well documented in numerous Town and County studies, have inspired a variety of governmental and private programs. Southampton Town and Suffolk County have acted to protect agricultural land in the Village through their Purchase of

Development Rights Programs. Southampton Town subdivision regulations require a set aside percentage of agricultural land in all residential subdivisions of farmland. Private donations and acquisitions by land trusts have also protected farmland within the Village.

These techniques have added a significant amount of permanently protected land to the amount of open space in the Village. While Figure 1 lists 125 acres of land classified as recreation and open space, 81 parcels totaling approximately 575 acres have been permanently preserved including farmland. The breakdown of these 575 preserved acres, representing 20 percent of the village’s land area, is shown in Figure 2 and depicted in Map 3:

Figure 2: Preserved Agricultural Lands and Open Space

| Type of Preservation or Preserved Land | # of Parcels | Acres |
|--|---------------------|--------------|
| Town & County Purchase of Development Rights Land | 15 | 134.6 |
| Agricultural Reserve Areas (from clustered subdivisions) | 17 | 230.3 |
| Peconic Land Trust (fee title or easement) | 11 | 54.7 |
| The Nature Conservancy (fee title) | 5 | 53.6 |
| Town & County Recreation and Open Space (fee title) | 12 | 43.5 |
| South Fork Land Foundation (fee title) | 19 | 28.4 |
| Cemeteries | 2 | 2.3 |
| Total | 81 | 547.4 |

There are 73 parcels of land comprising 670.1 acres of land enrolled in the New York State Agricultural District #5 within Sagaponack, depicted on Map 4.¹ Some, but not all of this acreage have been permanently preserved and almost all of this land is contained within the Southampton Town Agricultural Overlay District. Enrollment in the NYS Agricultural District is neither a local zoning district nor a permanent land preservation technique. Land enrolled within a NYS Agricultural District is afforded numerous benefits, primarily local property tax reduction. By enrolling in a NYS Agricultural District, farmland owners can obtain reduced property taxes for an eight year period of time, in exchange for pledging not to develop the land for the same time period.

Current zoning in Sagaponack is exclusively for comparatively large-lot residential use. There are four residential districts based on minimum lot size: R-120 (120,000 square-foot lots), R-80 and CR-80 (80,000 square-foot lots), and CR-40 (40,000 square-foot lots). Two parcels, parkland owned by Suffolk County

¹The number of parcels, acreage and map of NYS Agricultural District #5 provided herein represents the best information available from the Suffolk County Planning Department and the Southampton Town GIS Department. Errors discovered in the data base used to depict this information render this information inaccurate on a parcel specific basis but useful for general planning purposes.

and a Southampton Town-owned beach parking lot, are zoned Open Space Conservation (OSC). In addition, there are two parcels designated as Agricultural Planned Development Districts, a floating zone that permits the sale of development rights on active farm tracts to Southampton Town during an initial 10-year period. The Southampton Town Zoning Map for The Village of Sagaponack is attached as Map 3 and Appendix 2 (B) provides a breakdown of the number of parcels and acreage in each zoning district.

The clearing, coverage and animal husbandry use requirements originally distinguishing the “CR” residential districts located on the north side of Montauk Highway from the “R” residential districts located south of Montauk Highway have diminished over time. Figure 3 depicts the number of parcels and acreage within each zoning district after consolidating into one zone the “CR” and “R” residential districts having the same minimum lot area requirements.

Figure 3: Parcels and Acreage by Zoning District (consolidating the CR and R Residence Districts)

| Zoning District Description | No. of Parcels | Total Acres |
|---|---------------------------|------------------------|
| Residence 40,000 minimum (R-40) | 58 | 118.18 |
| Residence 80,000 minimum (R-80) | 172 | 543.20 |
| Residence 120,000 minimum (R-120) | 701 | 1905.70 |
| One Potato Agricultural Planned Development District (OPAgPDD) | 1 | 33.90 |
| Two Potato Agricultural Planned Development District (TPAg PDD) | 1 | 16.10 |
| Open Space Conservation (OSC) | 2 | 42.55 |
| All Districts | 935* | 2659.63* |

*7 of the 942 parcels of land within the Village of Sagaponack are underwater lands or LIRR tracks comprising 163.70 acres, not included on this zoning chart summary.

The Southampton Town Zoning Ordinance also has two floating affordable housing zones for Sagaponack, which allow housing at higher density. Neither of these options has been used in Sagaponack, however, because the high land values in the Village do not make them economically viable for a developer. The town-wide zoning update in 1984, which was designed to achieve the twin goals of more affordable housing and reduced overall density, specifically identified rural Sagaponack as a reduced density area compared to more intensively developed

hamlets, where higher density affordable housing would be more appropriate and feasible.

As already mentioned, in an effort to preserve as much additional farmland or open space as possible, Southampton Town's subdivision regulations provide for clustering of residential development in all of Sagaponack's zoning districts, recommending 35 percent preserved land in the one-acre district, 50 percent in the two-acre districts, and 65 percent in the three-acre districts. In addition, approximately 90% of the Village is included in the Southampton Town Agricultural Overlay District, where current Town zoning regulations encourage subdivision of parcels of 10 acres or more to be clustered to achieve 80% preservation of farmland and/or open space and to reduce density.

Currently in Sagaponack, of the 942 total parcels of land only 28 could realistically be considered capable of subdivision under existing zoning regulations. Of these parcels, 15 are in the Agricultural Overlay District, representing a total of 474 acres. The remaining 13 total 96 acres.

Under the existing clustering provisions, depending on whether or not the 80 percent preservation option is employed, between 350 acres and 408 acres of additional land reserved for agriculture or open space could be obtained if Sagaponack is developed to its maximum potential. Added to the current total of 575 preserved acres, this would raise the amount of protected farmland/open space in Sagaponack to between 925 and 983 acres, more than 30 percent of the total Village land area. At a Village Board meeting on May 8, 2006, The Group for The South Fork, an environmental advocacy organization, presented a report recommending that the Village commit to 80 percent preservation in future subdivisions of large farm tracts in the village.

Of the 15 parcels of 10 acres or more in the Village Agricultural Overlay District that would be affected, two are in Southampton Town's Agriculture Planned Development Districts (Ag PDDs), two are in the subdivision process and one, a 64 acre tract on the southwest corner of Daniels Lane and Peters Pond Lane, has been extensively developed in single-family residential use.

Appendix 4 is a table of the 28 remaining parcels capable of subdivision, and their acreage, in each of the four existing residential zoning districts, with estimates of the number of lots and the amount of protected farmland/open space that could be obtained under existing zoning regulations.

The table shows that 169 additional home sites could be subdivided from these 28 parcels, increasing the total of developable parcels in the Village of Sagaponack from 185 to 354. With the current GIS inventory of 695 residential

structures in the Village, this would mean that full development under existing zoning, or “build out,” would result in a total of 1,049 dwelling units, an increase of about 50 percent. Appendix 5 shows the projections of maximum developable parcels and dwelling units under “build out.”

Included in the total acreage of the Village are 168.5 acres of surface waters on 6 parcels, including Sagaponack Pond, Poxabogue Pond, Little Poxabogue Pond, and Fairfield Pond. Several smaller ponds and some protected wetland areas exist on privately owned properties. Conservation policies for and regulations governing the use of ponds and wetlands in Sagaponack have been formulated and administered by the New York State Department of Environmental Conservation and the Southampton Town Trustees, and land use on private property adjacent to or incorporating wetlands has been under the jurisdiction of the Southampton Town Conservation Board. It is the intention of the Village of Sagaponack to maintain and adhere to the policies and Town code provisions regulating wetlands in the Village and to continue to utilize the administrative services of the Town’s Conservation Board.

Of the Village’s 56 Atlantic oceanfront parcels spanning 2.6 linear miles, 53 are privately owned. Southampton Town owns two and the Peconic Land Trust owns one. The Southampton Town Trustees have an easement from the crest of the dunes to the mean high water mark and, together with the New York State Department of Environmental Conservation, have jurisdiction to regulate any encroachment on or alteration of this beachfront area. Legislation and provisions to administer the New York State Coastal Erosion Hazard Area Act are currently administered by Southampton Town. The Village of Sagaponack will either pursue an inter-municipal agreement with Southampton for continued administration of this law or make other arrangements to assure continued compliance with the New York State Coastal Erosion Hazard Act. After the incorporation of the Village of Sagaponack, oceanfront property owners rejected the option of remaining in a special Coastal Erosion Tax District created by and administered by Southampton Town to fund a beach nourishment and replenishment program.

(2) The People

As in many of the East End hamlets and villages, with their high percentage of second homes and seasonal vacation homes, population numbers in the Village of Sagaponack are difficult to derive. The 2000 Census reported 349 year-round people living within the Sagaponack School District, an area which comprises all but 44 properties within the eastern portion of the subsequently incorporated Village. This population was based on a finding of 156 occupied houses, with an average household size of 2.24 and a total number of 572 housing units. The

Long Island Power Authority, the other primary source for population data, reported a year-round population figure of 398 for the Village of Sagaponack in 2006, derived by increasing the 2000 Census figures to reflect the growth in the number of electrical meters and usage. However, differentiating between year round and seasonal population based on electrical usage in a second-home community like Sagaponack is not always accurate...

The 572 housing units reported by the Census and used for the later LIPA estimates are lower than the Southampton Town tax assessment records for the number of residential structures. The total also is lower than the number of dwellings recorded in the door-to-door canvas conducted in 2005 prior to the incorporation of Sagaponack. That canvas determined that Sagaponack comprised 548 “regular inhabitants” occupying 301 residences, including 99 children under the age of 18. A regular inhabitant was defined as an adult who declared the residence as his/her domicile, was registered to vote there or not registered to vote anywhere, and the children of that adult. All of these “regular inhabitants” were assumed to spend at least part of the week in those residences most of the year. In some cases, the spouse of the “regular inhabitant” was registered to vote elsewhere and was not included in that category.

The number of “regular inhabitants” divided by the number of their residences gives an occupancy factor of 1.82, which is lower than the 2.2 factor used by Southampton Town in its 1999 Comprehensive Plan and the 2000 Census figure. This may be explained by (a) spouses registered to vote elsewhere who were not counted and (b) a larger population of one person household retirees among the Village’s “regular inhabitants” than counted by the census.

An analysis of 2006 Village data in the Southampton Town General Information System shows a total of 695 residential structures a figure significantly larger than the 572 reported in the 2000 Census, even as projected to increase over the 5 year time period. Only seven of the 695 residences were classified as seasonal. When the total of 301 residences occupied by “regular inhabitants” is deducted from this total, it would mean that 394 residences are second homes, of which 387 can be occupied year round. Many of these residences are very large, with 80 classified by the Town Assessor’s office as “Exceptional” due to their size. If it is assumed that these secondary homes, when occupied on weekends, would average at least two people per household, the additional population of 774 when added to the 548 “regular inhabitants” would amount to an estimated total Village population of 1,322 for at least part of each week during much of the year.

Peak population during the so called “summer season” from May to October is significantly higher. Statistical evidence from household surveys in the

gathering of data for Village incorporation indicated that during the summer season a population factor of 2.7 should be applied to the homes of regular inhabitants, an increase of .9, and a factor of 4 applied to second homes, an increase of 2, reflecting the presence of visiting family members and other guests. Thus the number of people living in the homes of regular inhabitants would increase to 813 and in secondary homes to 1576. Over holiday weekends in the summer, the total population of Sagaponack could approach 3000. The following table (Figure 4) illustrates the population estimates:

Figure 4: Year Round & Seasonal Population & Residences

YEAR ROUND POPULATION

| | | |
|---------------------|----------------------------|-------|
| Regular Inhabitants | Secondary Home Inhabitants | Total |
| 548 | 774 | 1322 |

NO. of RESIDENTIAL UNITS and PEOPLE PER UNIT- year round

| | | |
|----------------------------------|-----|----------------------|
| Year-round residences | 301 | x 1.82 per household |
| Second Homes occupied year-round | 387 | x 2.0 per household |

PEAK SEASON POPULATION

| | | |
|---------------------|----------------------------|-------|
| Regular Inhabitants | Secondary Home Inhabitants | Total |
| 813 | 1576 | 2389 |

NO. of RESIDENTIAL UNITS and PEOPLE PER UNIT – peak season

| | | |
|------------------------|-----|---------------------|
| Year-round residences | 301 | x 2.7 per household |
| Second Home residences | 394 | x 4.0 per household |

These seasonal population increases are in line with those in a 1994 study cited in the Town’s 1999 Comprehensive Plan.

The vast majority of Sagaponack residences are owner occupied. There are only a handful of year-round rental properties available at any given time. (The 2000 Census listed 21 renter occupied year round housing units). More common are seasonal rentals for a month or more. Except for one motel in the village, there are no accommodations for transients.

As in most of the East End communities, there is a continuing trend toward a smaller year-round, locally-employed population and a growing second-home population. This trend is especially evident in the number of students in the Sagaponack School District. The school population swelled in the 1970s and 1980s when many younger families moved to the area. The trend began to reverse in the 1990s, and the decline in recent years has been significant.

The decline in the year-round population, particularly of families with younger children, is hardly surprising given the cost of a house or building lot in Sagaponack, where the median home sale price was \$3.2 million in 2005, according to the New York Times (11/26/2006). Virtually all new housing in the Village has been designed for affluent second-home owners. As a result, it is safe to say that most of the newer second-home owners are among the wealthiest Americans.

During the past 20 years, two other demographic trends have emerged. More second homes are being used as retirement homes by their owners. And more second-home owners are spending more time working out of those homes and telecommuting electronically. Many of these homeowners are included in the count of “regular inhabitants.”

Residents of the Village are very well educated. According to the 2000 Census, only 3% of the adult population had not graduated from high school, 40% had graduated from college and almost half of the college graduates had gone on to obtain a graduate or professional degree.

(3) The Economy

The 1999 Southampton Tomorrow Comprehensive Plan states that Southampton Town’s status as one of the premier second-home destinations in the region is its “primary economic development engine.” It notes that second-home residents are the largest component of the South Fork’s seasonal population and “the most significant force in the local economy.” This is especially true in Sagaponack, where the percentage of second-homes, almost 60 percent, exceeds that of the Town as a whole by 10 percent, according to a 1994 study cited in the Town Comprehensive Plan. As a result, maintaining the Village of Sagaponack as an attractive, desirable magnet for second-owners is vital to the economic health of the Town and the Village’s neighboring hamlets and commercial centers, as well as its own. Most of the local businesses and service establishments in both Southampton and East Hampton Towns are dependent on the demand provided by second homeowners and their guests. Much of the employment of year-round Sagaponack residents is generated by the second home sector in real estate related services or catering to second homeowners needs.

Agriculture, once the primary economic driver in Sagaponack, remains vital to the Village’s economy. A majority of the agricultural land in the village is still devoted to highly mechanized potato farming. However, vegetable farming for local sale and consumption, a vineyard, two major horse farms and a plant nursery

also contribute significantly to the agricultural economy, help maintain the rural character of the Village and add to its allure as a second-home destination.

A combined vineyard and winery along with an extensive equestrian facility on protected agricultural land is located off Narrow Lane in the northern portion of the village. The other equestrian center is off Sagg Main Street and Daniels Lane. Three farm stands and the plant nursery are on Sagg Main Street.

Because of the small population of the Village and the nature of the economy, it is difficult to characterize the labor force and its projected needs. According to the 2000 Census, 35.2% of the population 16 and over did not work. This could be expected in part because 18.2% of the residents were 65 and older and assumed retired. The small number and age distribution of the population, however, has not placed a great demand on local service systems or the labor force needed to support schools, libraries and law enforcement. The Southampton Tomorrow Plan reported an increase in the number of persons employed between 1980 and 1990 in the farming, fishing and forestry classification. Because the amount of land devoted to agricultural production did not increase, the Plan attributed this change to a shift from low labor field crop agriculture to more intensive labor industries such as horse farms, vineyards and nurseries. Another explanation is that this census category (farming, fishing and forestry) includes the landscaping industry, which continues to expand on the South Fork. This trend in Southampton Town may not reflect a change to the labor force in Sagaponack, where, despite the continued prevalence of productive agriculture, both the acreage devoted to farming and the number of farm operations has gradually diminished in recent years.

(4) Facilities and Services

a) Transportation.

The Village of Sagaponack has 16 miles of Village roads, not including approximately two miles of Montauk Highway, which is a state road. Roads and rights of way account for about 150 acres of the village. In addition, there are several named private roads maintained by private property owners. The Village has one traffic light, at the intersection of Montauk Highway and Sagg Main Street.

Traffic on Village roads and streets has become an increasing concern. Due to the congestion of Montauk Highway, the only significant east-west artery for eastern Southampton Town and East Hampton Town, more and more traffic is using residential back roads in Sagaponack as a Montauk Highway bypass, with volumes and speeds that pose serious safety hazards. This problem is particularly acute on Sagaponack Road, Parsonage Lane and Hedges Lane. In the summer,

there is also heavy traffic on Sagg Main Street, the primary access to the Village's ocean beaches.

According to the Director of the Southampton Town Transportation Department, recent studies show an average annual daily volume of 22,000 vehicles on the portion of Montauk Highway in the Village of Sagaponack. He said there are no firm estimates of traffic volume at peak times of the day or on peak days in the summer season. The 1999 Comprehensive Plan maps traffic impingement arteries in Sagaponack. Subsequent town traffic studies include the Southampton Town Intermodal Transportation Study (2003) and the Update to the Southampton Town Comprehensive Plan Transportation Element, adopted in November, 2004.

The only public transportation in Sagaponack is a county bus service from East Hampton to Bridgehampton along Montauk Highway, which runs every ninety minutes and feeds other county bus lines from those locations. In the summer, Southampton Town has been operating a beach shuttle service from the Bridgehampton School parking lot to the Town beach at the end of Sagg Main Street.

East Hampton Airport, a general aviation facility operated by East Hampton Town, is located near the northeast corner of Sagaponack. There is a Long Island Railroad station in Bridgehampton, with service to Montauk and New York City. Two private bus companies operate commuter service from Bridgehampton to Manhattan.

b) Parks and Recreation

Sagaponack's ocean beaches are the primary source of recreation in the Village. There is only one municipal beach, owned and operated by Southampton Town. In 2005, according to the Town Recreation Department, the 16.5-acre facility drew an estimated 41,000 visitors during its 82 days of official operation. It has toilet facilities and is manned by lifeguards and parking attendants. The Town Recreation Department estimates that on peak days there may be 1,000 visitors. The parking lot holds 210 cars, another 50 permit-only parking spaces are available on Sagg Main Street, and the Town runs a shuttle bus service to the beach from the Bridgehampton School. There are three other beach areas with public access: one at the end of Town Line Road, where there is no parking permitted on the Village side of the road for Southampton Town residents, including Sagaponack residents; another at the end of Peter's Pond Lane; and the third at the end of Gibson Lane. At the latter two beaches there is limited parking available for town permit holders.

Southampton Town and East Hampton Town jointly own and operate the 9-hole, 40-acre Poxabogue Golf Course on Montauk Highway at the eastern end of the Village. The facility includes a restaurant that is open for breakfast and lunch.

Suffolk County owns 30 acres of parkland at the northwestern corner of the village, at the northern edge of Poxabogue Pond. It is a passive park, with a loop walking trail for the public. There is also a loop walking trail in the Sagg Swamp Nature Preserve owned by the Nature Conservancy, in the area between Sagaponack Pond and Montauk Highway, with access from Sagaponack Road.

Southampton Town, working with the Southampton Town Trails Preservation Society, also has established several walking trails in the Village. The Southampton Town Trails Advisory Board has been working with the Southampton Town Planning Board to implement its recommendation for a north-south walking trail from Sag Harbor Village to Peter's Pond Beach on the ocean in Sagaponack. Easements exist for parts of the trail in Sagaponack and it is hoped that the gaps can be filled in with additional easements along the proposed route.

In addition, Southampton Town, with the participation of Sagaponack residents, laid out a system of bicycle routes that is included in the Town's 1999 Comprehensive Plan. These bike routes were designed to link population centers to schools, parks, post offices and railroad stations in an effort to encourage and facilitate non-motorized transportation within the Town. The proposed bicycle routes include portions of several roads that are now within the Village of Sagaponack. The Village hopes to maintain the continuity of these bike routes by enhancing pavement, pavement markings and signs where appropriate as funds become available.

c) Other Facilities and Services.

Police service is provided to the Village by the Southampton Town Police, which maintains a satellite office in Bridgehampton. The Village has no plans to establish its own police force.

Sagaponack is part of the Bridgehampton Fire District and fire protection is provided by the Bridgehampton Fire Department from its headquarters 3/4 of a mile west of the Village.

Only a portion of the Village is served by the Suffolk County Water Authority (SCWA). Maps provided by the SCWA show public water mains in much of the southern third of the village, but only along the western portion of Montauk Highway in the other areas of Sagaponack. As of November 16, 2006, when the Village of Sagaponack contained 641 parcels classified as residential, the

SCWA reported it served 72 properties, with 19 applications pending. The remaining 550 rely on private wells for water.

There is no facility for waste disposal in Sagaponack. Residents may take their trash and garbage to Southampton Town transfer stations between Bridgehampton and Sag Harbor and in North Sea or they can hire private carters. There is no sewer system or sewage treatment facility in the village.

Southampton Hospital in Southampton Village is the only hospital serving the South Fork of Long Island. Suffolk County maintains health care clinics in Southampton and East Hampton, there are medical office centers in Southampton Village and East Hampton, and there are individual doctors' offices in Bridgehampton, Water Mill, Sag Harbor and Wainscott.

Sagaponack has two cemeteries totaling 2.3 acres, one on the southeast corner of Montauk Highway and Sagg Main Street and the other on Sagg Main Street at the eastern end of Bridge Lane. Both are owned and operated by private cemetery associations.

(5) Cultural/Education Resources

The Village of Sagaponack encompasses all of the Sagaponack School District. The district educates children in Grades 1 to 4 in a two-room school house on a 1-acre parcel in the center of the Village. Kindergarten students and students in Grades 5 to 12 are enrolled by the district on a per student tuition basis in the East Hampton School District.

The Sagaponack school district is included in the area served by the Hampton Library in Bridgehampton and the Bridgehampton Historical Society.

Located within the Village, on a private road off Sagg Main Street, are the nationally recognized Madoo Gardens, which are operated by a non-for-profit conservancy and open to the public on visiting days from spring through fall.

The Sagaponack Main Street Historic District, listed on the State Register on April 8, 2000 and on the National Register on June 2, 2000, encompasses approximately 307 acres in the Village of Sagaponack. The district is centered on Sagg Main Street, and extends along portions of Hedges Lane, Parsonage Lane, Gibson Lane and Daniels Lane to the east, and Sagaponack Road and Bridge Lane to the west. The District is significant under National Register Criterion A for its association with the social, cultural and economic development of the Town of Southampton and the Village of Sagaponack; and under Criterion C for its

significance as a representative collection of 17th through 20th century residential, agricultural and educational architecture.

4. Zoning and the Future

As was noted in the Overview (Part 1), Sagaponack was incorporated as a Village not to change things but to maintain and preserve its territorial integrity and unique character as a hamlet, when its land use policies were under the jurisdiction of Southampton Town.

Current zoning was shaped by Southampton Town to meet what it perceived as the overall needs of the entire township. Thus certain portions of the Town were designated as commercial or hamlet centers. Others, like Sagaponack, were designated as rural areas with a mix of agricultural and low-density residential uses. Some, in the moraine area that stretches along the northern area of eastern Southampton Town, were zoned to protect the Town's single source aquifer water supply. This differentiation within the Town's unincorporated areas was particularly evident in the 1984 revision to the 1970 Master Plan, which served the dual purpose of enhancing the potential for creating affordable housing in some areas of the Town while upzoning and lowering potential density in others, like Sagaponack. The current zoning districts in Sagaponack were designed to achieve those objectives. The Town's 1999 Comprehensive Plan also reinforces those planning strategies.

Sagaponack residents have made clear their intention to Town officials to maintain Sagaponack's historic links to the Town, including its overall land use strategies, and to shape its future on the basis of past planning and zoning. Members of the Sagaponack Citizens Advisory Committee, appointed by the Southampton Town Board to serve as the community's liaison with Town government, were active participants in the development of the Town's 1999 Comprehensive Plan, and many of that Plan's recommendations reflect those concerns. As mentioned in the Overview section above, those concerns focus on efforts to maintain as much as possible of the Village's agricultural and architectural character.

Based on 35 years of extensive studies of the environment, development trends, the economy and the social fabric of the area, the Southampton Town Zoning Code, stripped of all the material that has no application to Sagaponack, stands as a document that meets, with minor modifications, most of the needs and desires of Village residents at this point in the Village's short history. The existing zoning districts in the new Village also reflect the needs and desires of Sagaponack residents.

As the data on current land use show, there are only 28 parcels in the Village that can still be subdivided and developed residentially. Most of these tracts, however, are large and extremely important in terms of their location and how their development will impact on the overall character of the Village. If and when subdivision does occur, where the residential lots are sited and what portions of the parcels are protected will be critical to preserving scenic corridors and vistas, as well as viable agricultural parcels. The Village of Sagaponack's zoning policies and subdivision procedures must address this challenge.

Along with this focus on new development, however, equal importance must be given to planning for the redevelopment that will occur on existing residential and other properties, particularly in those areas designated as historic or as scenic corridors or viewsheds. Southampton Town's 1999 Comprehensive Plan specifically addresses these issues but many of its action recommendations were watered down, ignored or slow in their implementation.

The trend toward larger and larger houses spanning most of the frontage of small lots was referred to above. Much of Sagg Main Street has so far been untouched by this trend, but the reprieve is unlikely to last. Just recently three of the more picturesque smaller homes along Main Street have gone on the market. The possibility that they will be demolished by their purchasers and replaced with larger homes is of grave and immediate concern to Village residents. A 1920s farmhouse on Hedges Lane, one of several of similar design in the Village, was demolished this fall. Along with the new mansions come walls, gates and towering hedges, which permanently alter a street's character from rural and communal to suburban and exclusive.

Neighboring communities, which have been more heavily impacted by these trends than Sagaponack, have responded with measures designed to insure that the size, scale and placement of new buildings and additions are commensurate with the size of the property, in character with their neighbors, and do not adversely impact the overall character of a community. Many Sagaponack residents believe that serious and immediate consideration should be given to the feasibility of putting similar measures in place in the Village.

The Southampton Town Zoning Code's tables of permitted and special exception uses in Sagaponack also have drawn criticism from residents who would like to consider stricter guidelines for permitting special exception uses and for possibly amortizing non-conforming uses.

All of these issues reflect residents' concerns repeatedly expressed at monthly meetings of the Sagaponack Citizens Advisory Committee (CAC) about perceived threats to the Village's agricultural character and rural architectural

heritage. Since 1992, the CAC has been the forum for residents to air their views on land use and other community issues and to articulate their vision for maintaining Sagaponack's unique identity in the future

The CAC served as the Town's agent in surveying the concerns and wishes of residents for the 1999 Comprehensive Plan, and its representatives participated in the drafting process. It also has served for the past 15 years as the coordinator for representation by Sagaponack residents on issues affecting the community at meetings of the Town Board, the Planning Board, the Zoning Board of Appeals and other Town agencies.

Open since its inception to any resident who wished to attend meetings or be appointed to the group, the CAC has included members representing all segments of the community -- descendants of the 17th Century settler families, recent arrivals, second home owners, farmers, professionals, small business owners, retirees, and parents of children in the district school. The Mayor and one of the four Village Trustees are former CAC chairpersons.

The CAC has maintained minutes of regular monthly meetings since 1992, including all its correspondence with town officials and agencies on issues and action recommendations. In those documents, the community's vision for Sagaponack is clear.

5. Vision Statement and Planning Goals, Objectives & Action Items

A Vision Statement articulates the overall image of what a community would like to be in the future. The Village of Sagaponack Zoning Commission, with guidance from the Planning Consultant, developed the following Vision Statement.

The Village of Sagaponack is and shall remain a unique community cherished for its extraordinary natural beauty, rich historic and architectural resources and rural sense of place. Sagaponack was one of the earliest colonial settlements in America and has a 350-year history as a quiet rural community. The farmland is rated the best in New York State. The ocean beaches are among the finest in the world. Future development should be harmonious with the existing character of the community and should not detract from these rural and natural characteristics. Consistent with the underlying rationale for incorporating, Sagaponack Village will continue to protect its character, heritage and quality of life.

The recommended actions for guiding future development and implementation of this Comprehensive Plan are based on the Vision Statement, an evaluation of the descriptions and analyses set forth in this Plan, the 1999

Southampton Tomorrow Comprehensive Plan and updated through the year 2006 and the existing Southampton Town planning and zoning regulations. The recommendations are expressed in terms of the following set of goals, objectives and action items.

Goal One: Maintain Sagaponack's rural character and quality of life.

Objectives:

- Retain the existing pattern of development generally consisting of a mix of agricultural, low density residential, and open space uses.
- Continue to limit residential build-out in the Village consistent with the comprehensive plans adopted by Southampton Town including the 1970 Master Plan, the 1983 Master Plan Update and the 1999 Comprehensive Plan Update.
- Retain strict limitations on commercial development within the village consistent with planning objectives in both Southampton Town and neighboring East Hampton Town that recommend concentrating commercial development into existing commercial centers, and preventing additional commercial sprawl on the already overburdened Montauk Highway.
- Limit the impacts of existing commercial uses on adjacent residential neighbors.
- Restrict the construction of very large "monster" homes that has begun to threaten the character of the community.

Goal One Action Item 1: Adopt a zoning map and code reflecting the same zoning districts, configuration, and area requirements as the Southampton Zoning Map and Zoning Code currently designates within the Village of Sagaponack.

Goal One Action Item 2: Define the permitted and special exception uses for each zoning district generally based on the Southampton Town Code and consider establishing stricter guidelines pertaining to special exception uses consistent with the goals and objectives set forth in this Plan.

Goal One Action Item 3: Adopt Subdivision Regulations at least as restrictive as the existing Southampton Town Subdivision Regulations to guide the division of land consistent with the goals and objectives set forth in this Plan.

Goal One Action Item 4: Adopt regulations requiring open space, cluster development subdivisions in order to protect and retain: scenic views, historic resources, environmentally sensitive areas, farmland, hedgerows and open space. Mandate minimum reserved area set asides requirements on a sliding scale relating minimum reserved area to lot size and zoning district.

Goal One Action Item 5: Allow the pre-existing commercial uses located within nine residentially zoned lots to remain, provided there is no extension or enlargement of the non-conforming use. Consider establishing stricter regulations compared to those in the Southampton Town Code pertaining to non-conforming uses, consistent with the goals and objectives set forth in this Plan. Monitor pre-existing nonconforming properties to assure they conform to the particular status under which they operate.

Goal One Action Item 6: Develop and enhance existing town, county, state and federal government and private land trust partnerships to pursue the acquisition and protection of environmentally sensitive, culturally important and high quality scenic land.

Note: Southampton Town will continue to collect the revenue generated from property sales in Sagaponack pursuant to the provisions of the Two Percent Transfer Tax, also known as the Community Preservation Fund Program. Sagaponack officials will coordinate with Southampton officials to ensure continued acquisitions are made within Sagaponack.

Goal One Action Item 7: Adopt dark sky lighting legislation to protect Sagaponack's high quality open space, rural character, and exceptional night sky.

Goal One Action Item 8: Adopt regulations for new residential development restricting the coverage of structures to a percentage of the lot size and requiring the siting and scale of the structures to be consistent with the character of the immediately surrounding neighborhood or area.

Goal One Action Item 9: Adopt maximum house size restrictions on a sliding scale relating maximum house size to size of property.

Goal Two: Protect and Support Sagaponack's Agricultural Land and Economy.

Objectives:

- Support farmers and farming practices through regulatory policies and programs.
- Implement and encourage participation in agricultural land preservation strategies.
- Support and encourage good stewardship practices for farmland.
- Implement measures to reasonably regulate the subdivision and development of farmland while honoring the legitimate interests of farmers and other farmland owners.

Goal Two Action Item 1: Encourage farmers and farmland owners to enroll in property tax reduction programs.

Explanation- Numerous studies including those prepared by the American Farmland Trust for the New York Counties of Dutchess and Schulyer have shown that farms pay more in property taxes than they require in services. Lowering taxes on farmland is therefore easy to justify. The State Agricultural District Law provides a mechanism for farmland owners to enroll in State Agricultural Districts or to enter into an Individual Commitment to obtain lower property taxes for a period of eight (8) years. In exchange for this lowered tax assessment land owners pledge to not develop their land for an eight (8) year period of time.

Goal Two Action Item 2: Work with and encourage private land trusts to continue to pursue farmland acquisitions, farmland estate planning and maintenance of protected farmland in Sagaponack.

Goal Two Action Item 3: Develop and enhance town, county, state and federal partnerships to pursue the purchase of agricultural development rights and land.

Goal Two Action Item 4: Enact an Agricultural Overlay District consistent with the boundaries designated in the Southampton Town Zoning Map.

Goal Two Action Item 5: Require clustered subdivisions preserving a minimum of 65% protected agricultural reserve or open areas for parcels of land containing 10 acres or more within the Agricultural Overlay District. Continue incentives to encourage applicants to provide an 80% minimum agricultural reserve/open space area.

Goal Two Action Item 6: Adopt regulations to assure that the type, placement and size of structures allowed within the agricultural overlay district do not contribute to the unnecessary loss of agricultural lands and practices and their aesthetic benefits. Require site plan approval for the construction of all agricultural buildings 300 square feet or greater and Architectural and Historic Review Board review for all other buildings and structures.

Goal Two Action Item 7: Adopt subdivision regulations requiring the Planning Board to consider the pattern of protected agricultural land during the development review process, with the goal of minimizing further fragmentation of agricultural lands.

Goal Two Action Item 8: Encourage farmers to develop management plans to reduce soil erosion, surface water runoff and pollution from fertilizers, pesticides and herbicides.

Goal Two Action Item 9: Adopt Right to Farm Legislation in the Village of Sagaponack.

Goal Three: Maintain Sagaponack’s historic and scenic resources.

Objectives:

- Devise strategies to maintain the historic character including landscapes and structures within the village.
- Devise strategies to protect the open spaces, vistas, farmlands and scenic areas that define the character of the village.

Goal Three Action Item 1: Developing guidelines and regulations pertaining to the Sagg Main Street National Register of Historic Places and other landmarks including but not limited to siting, scale and design.

Goal Three Action Item 2: Work with Southampton Town to provide a local tax abatement to encourage the protection of properties within the Sag Main Street National Register of Historic Places.

Goal Three Action Item 3: Develop partnerships with town, state and federal governments and not-for-profit organizations to provide incentives to protect historic resources to property owners.

Goal Three Action Item 4: Adopt guidelines and regulations to identify and protect scenic views, vistas and corridors. Regulate the installation of berms, walls, fences, rocks, screening and live plantings including privet hedges, which essentially block views of scenic landscapes from adjacent streets and public properties, unless the installation is an essential component of a working farm.

Goal Three Action Item 5: Consider developing regulations to include siting standards for new development in scenic viewsheds (see also Goal Two Action Item 6).

Goal Three Action Item 6: Develop architectural review guidelines and regulations for specific scenic areas.

Goal Three Action Item 7: Require all utility lines to be placed underground in new subdivisions as part of the Subdivision Regulations.

Goal Three Action Item 8: Coordinate and encourage local utilities to bury existing utility lines in scenic areas.

Goal Three Action Item 9: Regulate and limit the number, size, height and lighting of signs to ensure compatibility with the aesthetic character and scale of the Village.

Goal Three Action Item 10: Consider developing a Scenic Road ordinance providing a framework for the designation and protection of scenic views, vistas and road corridors. Consider designating the following as Scenic Roads in accordance with the recommendations of the 1999 Southampton Tomorrow Comprehensive Plan: Sagg Main Street south of Montauk Highway, Montauk Highway east of Sagg Main Street, Parsonage Lane, Hedges Lane, Gibson Lane, Daniels Lane between Gibson and Peter's Lane, Fairfield Pond Lane, Peter's Lane, Bridge Lane and Sagaponack Road.

Goal Four: Promote the protection of Sagaponack's natural resources.

Objectives:

- Protect and promote the restoration of the freshwater, tidal and brackish wetlands within the Village.
- Uphold the rights of the property owners and support the authority of governmental and other organizations having the jurisdiction to protect the dunes and beaches within the Village.
- Promote the protection of the Village's ground and drinking water resources.
- Support the protection and restoration of the rare and endangered plant and animal species and habitats within the Village.
- Coordinate with and actively participate in town and regional planning initiatives providing comprehensive protection to the natural resources within and adjacent to the village.
- Promote energy conservation, "green" technology in building and development and continue to be a leader in protecting the environment.

Goal Four Action Item 1: Regulate land use and development within the buffer zones of the wetlands within Sagaponack Village in accordance with the provisions of the Town Wetland Protection Program, Chapter 325 of the Southampton Town Code (either through an inter-municipal agreement with Southampton Town or by adopting comparable legislation for the Village).

Goal Four Action Item 2: Require all new construction and subdivisions to contain all stormwater runoff on-site. Solutions to drainage requirements should be integrated into the overall development design; shall not allow for discharge directly into surface waters or wetlands; and shall not create a visual detriment to surrounding properties or obstruction of scenic views.

Goal Four Action Item 3: Continue to participate in the Southampton Town stormwater drainage improvement projects focused on minimizing runoff into surface waters and ponds.

Goal Four Action Item 4: Forge partnerships with the town, state, conservation organizations and academic institutions to develop biological surveys and long term protection for wetlands, surface waters and water resources.

Goal Four Action Item 5: Retain the open space conservation and low density residential zoning classifications to help protect the natural resources including the aquifers and wells providing drinking water for Sagaponack.

Goal Four Action Items 6: Encourage the use of native plants in landscaping and prohibit the use of invasive non-native species.

Goal Four Action Item 7: Adopt subdivision road standards adhering to the existing rural, country and natural landscape as well as safety standards. Standards which minimize the required road widths and lengths and prohibit the installation of Belgium Block and other types of curbs are consistent with this policy. This will help to minimize barriers to wildlife, including turtles, while protecting the natural landscape.

Goal Four Action Item 8: Recommend the use of integrated pest management and other environmentally sensitive management practices for the Poxabogue Golf Course.

Goal Four Action Item 9: Require development and construction to comply with the requirements of the Coastal Erosion Hazard Area Act (CEHA).

Goal Ten Action Item 10: Encourage site planning, building design including selection of materials and systems, and land use planning in general to comply with and qualify for LEED certification within the US Green Building Council Rating System; encourage all applications for site plan approval and building permits include a completed LEED Score Card or comparable reporting mechanism which describes the LEED credits for which the project qualifies; and encourage applicants to employ the services of a LEED certified consultant. This would help the Village conserve energy, water and other resources; provide for healthy indoor air quality; and encourage sustainable, environmentally sound development.

Goal Five: Provide services and facilities to meet the needs of the Village's population.

Objectives:

- Allow the development of workforce housing consistent with the low density, rural quality of the Village and the needs of its workforce.
- Provide facilities and services that meet the needs of the Village's population.

Goal Five Action Item 1: Allow, as a special exception use, the development of agricultural labor housing in the R-80 and R-120 Residence Districts to meet the needs of the local agricultural economy. Evaluate changes in the local agricultural community to determine whether mechanization or other trends support the need for future development of agricultural labor housing.

Goal Five Action Item 2: Promote the development of workforce housing within and in close proximity to commercial centers, consistent with the Southampton Tomorrow Comprehensive Plan.

Goal Five Action Item 3: Join with other South Fork communities to explore additional and alternative ways to provide workforce housing consistent with the historic, architectural and natural qualities of the area.

Goal Five Action Item 4: Continue to collaborate with Southampton and the region to provide adequate police protection, fire and emergency services, solid waste disposal, transportation services, medical services, water supply, parks and recreational facilities, bike paths, schools and cultural resources.