

PUBLIC NOTICE

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Sagaponack on the 20th day of April, 2022 adopted the following Local Law:

LOCAL LAW NO. 2 OF 2022

**A LOCAL LAW AMENDING VILLAGE CODE
SECTION 189-3**

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF SAGAPONACK AS FOLLOWS:

SECTION 1. PURPOSE.

The purpose of this local law is to clarify the process for filing of a permit for any excavation in any Village street or construct any sidewalk or curb or make any curb cut or locate or relocate a driveway in the Village.

SECTION 2. ENACTMENT.

Village Code Section 189-3 is amended as follows:

~~Permit required for excavation and construction~~

"Permit required for excavation/ construction, of streets, sidewalks, curb cuts and driveways."

No person, firm or corporation, including public service and utility companies and municipal districts, shall make any excavation in any Village street or construct any sidewalk or curb or make any curb cut along any such street or highway or locate or relocate a driveway in the Village for any purpose without

first obtaining a permit therefor from [the Board of Trustees of]the Village. Any such application shall be made to the Village Clerk who shall refer the application to the Village Engineer and Village Building Inspector. Prior to issuing any permit, the Village Clerk shall review any report from the Village Engineer and Village Building Inspector addressing best engineering practices, pedestrian and vehicular safety, protection of adjacent property and compliance with any applicable construction standards. No person shall maintain or allow maintenance of more than one driveway to a residential lot except upon first obtaining a permit therefor from the Board of Trustees of the Village upon a demonstration that the second driveway [serves a use separate from the residence] is exclusively a service driveway, the second driveway does not enable a risk of traffic or pedestrian safety, the second driveway is separated from any contiguous parcel by a distance of not less than 30 feet and the second driveway is separated from any other driveway on the applicant's parcel and/or any contiguous parcel by a distance of not less than 100 feet. Any fee for the services of the Village Engineer incident to a review of a second driveway shall be paid by the applicant as a condition of any issuance of a permit. Placement of a driveway on a parcel separate from and different from the residential parcel served by the driveway is prohibited. No part of this subsection shall apply to a parcel in agricultural use.

SECTION 3. SEQRA.

This is a Type II action under 6 NYCRR § 617.5(C)(26).

SECTION 4. SEVERABILITY.

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

SECTION 5. EFFECTIVE DATE.

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

Dated: April 20, 2022

BY ORDER OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF SAGAPONACK
Rosemarie Cary Winchell, CMC
Village Clerk