

**PUBLIC NOTICE**

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Sagaponack will hold a public hearing on the 8th day of February, 2023, at 3:00 P.M., at the Village Hall, 3175 Montauk Highway, Sagaponack, New York, to consider the adoption of a local law as follows:

**LOCAL LAW NO. 1 OF 2023**

**A LOCAL LAW AMENDING SECTIONS 245-42 (B)  
REGARDING THE PERMISSIBLE HEIGHT OF STRUCTURES.**

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 application of pyramid restrictions to structures located in Federal Emergency Management Agency (FEMA) flood zones.

SECTION 2. AMENDMENT/ENACTMENT.

Village Code Sections 245-42 (B) is amended and enacted as follows:

§ 245-42 HEIGHT.

B. Pyramid law. For the purpose of this chapter, when determining the pyramid of a building or other structure it shall be measured as follows:

- (1) All buildings or other structures on any lot in any district must be set back from all property lines so

\*new language is underlined.

that the height of any point of the building or other structure is not greater than the horizontal distance of the point from the nearest property line at grade to the building or other structure at that location.

- (2) All buildings or other structures on any lot in any AE or VE Zone as shown on the applicable Flood Insurance Rate Map (FIRM) prepared by the Federal Emergency Management Agency for the Village of Sagaponack, the elevation for the application of the pyramid law will be existing grade plus 2 feet at the property line.

Notwithstanding any language in this subsection, the maximum height limitation for a building or other structure in the Table of Dimensional Regulations at the end of this chapter shall not be exceeded at any point unless the structure is one exempted under Subsection A hereof. An illustration depicting a typical elevation view showing the control of height of buildings and structures under this subsection is included at the end of this chapter.

### 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.

Attendance at this meeting may be in person or by zoom or telephone. Contact details are available from the Village Clerk's Office.

All persons in interest will be heard by the Board of Trustees at the public hearing to be held as aforesaid and may appear in person or by representative. The Village Hall is accessible to handicapped persons.

Dated: January 12, 2023

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