

**PUBLIC NOTICE**

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Sagaponack will hold a public hearing on the 20<sup>th</sup> day of December, 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. 4 OF 2023**

**A LOCAL LAW AMENDING SECTION 245-41(A) REGARDING  
RETAINING WALLS.**

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 remove retaining walls from the list of accessory structures permissible within required front or rear yards.

SECTION 2. AMENDMENT/ENACTMENT.

Village Code Sections 245-41(A) is amended and enacted as follows:

§ 245-41 YARDS

A. The following accessory structures may be located in any required front or rear yard:

\*new language is underlined.

(1) An awning or movable canopy not exceeding 10 feet in height.

(2) Open arbor or trellis.

(3) ~~Retaining wall,~~ fence or masonry wall.

(4) Unroofed steps, deck, patio or terrace not higher than one foot above ground level.

### 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: November 15, 2023

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