



## VILLAGE OF SAGAPONACK

PO Box 600  
3175 Montauk Highway  
Sagaponack, NY 11962  
[www.sagaponackvillag.org](http://www.sagaponackvillag.org)  
631-537-0017 631-537-0612 (FAX)

---

### **SPECIAL EXCEPTION REVIEW APPLICATION INSTRUCTIONS**

To assist the Board of Trustees in reviewing and processing this application, it is necessary that certain information be provided. This information is found to be the minimum information necessary to deem the application complete and allow the application to be reviewed. The Board of Trustees reserves the right to request additional information as may be needed to make an informed decision. The following are the minimum submission requirements for the purpose of this application.

#### **All Applications:**

1. Fee for Special Exception Application is \$2000.00
2. One (1) original and eight (8) copies of this application form.
3. One (1) original and eight (8) copies of a cover letter explaining the nature of the application.
4. Nine (9) copies of any supplemental documents or exhibits.
5. Nine (9) copies of original recorded deed, if applicable.
6. All submittals should be collated into nine (9) complete, separate packages.
7. Electronic file of completed application including all site plans/surveys submitted to [clerk@sagaponackvillageny.gov](mailto:clerk@sagaponackvillageny.gov)
8. Any cost incurred by the Village of Sagaponack for hiring of an outside professional including but not limited to a consultant, engineer or planner in the review of an application will be billed to the applicant. A separate deposit for consultant fees would be required in the amount of \$2500.00 if a consultant is used.

The applicant is instructed to review Article VII, Special Exception Uses of the Village Code and become familiar with the requirements contained therein. Upon submittal of any application, it will be reviewed for completeness. If all the necessary information is provided, the application will be placed on the agenda for a preliminary review. If additional information is required, you will be so notified. The Board of Trustees meets the third Wednesday of each month at 3:00pm to review all Planning Issues. All applications must be submitted to the Clerk thirty (30) days prior to the meeting date. The applicant or his/her representative must be present at the regular meeting or the case will not be heard.

**VILLAGE OF SAGAPONACK**  
**PROTOCOL FOR SUBMISSION OF PLANNING BOARD DOCUMENTS**

1. New Applications. A complete application must be delivered to the Village Clerk at least THIRTY (30) DAYS prior to a Planning Board meeting.
2. Pending Application. Any documents submitted on a pending application are subject to the following:
  - A. Deadline For All Submissions: No later than Friday at Noon not less than two (2) full weeks prior to any meeting date;
  - B. Applicant Submissions: No later than Friday at Noon not less than two (2) full weeks prior to any meeting date;
  - C. Objectant Submissions: No later than Friday at Noon not less than one (1) full week prior to any meeting date;
3. Notice to Other Party. Any submission by either an applicant or objectant shall be served upon the other party and an affidavit of compliance shall accompany any submission.
4. Consultants. Any submission shall be previously delivered in paper form by Federal Express (or equivalent) but not by personal delivery to the Village Engineer, L.K. McLean Associates, P.C. Attn: Kevin Peterman, 437 South Country Road, Brookhaven, New York 11719 and Village Planning Consultant, Richard E. Warren AICP, at Inter-Science Research Associates, 36 Nugent Street, Southampton, NY 11968.
5. Extension of Time. The Board and as circumstances require the Board's consultants may extend the review time periods afforded the Board and/or the consultants.

Adopted: January 12, 2015

# ZONING

## 245 Attachment 1

### Village of Sagaponack

#### Residence and OSC Districts

#### Table of Use Regulations [Amended 10-15-2007 by L.L. No. 29-2007]

##### KEY:

P = Permitted use

SE = Special exception use

X = Prohibited use

SP = Special permit

All unlisted uses are prohibited in all districts

| Use Classification  | R-40<br>Residence | R-80<br>Residence | R-120<br>Residence | OSC |
|---|-------------------|-------------------|--------------------|-----|
| <b>Residence Uses</b>   |                   |                   |                    |     |
| Single-family detached dwelling, new  | P                 | P                 | P                  | X   |
| Dwelling lawfully existing prior to adoption of this chapter  | P                 | P                 | P                  | X   |
| Planned residential development   | SE                | SE                | SE                 | X   |
| <b>Residential Community Facilities</b>   |                   |                   |                    |     |
| Park, playground or recreational area when authorized or operated by the Village  | SE                | SE                | SE                 | SE  |
| Fire station, municipal office or any governmental building   | SE                | SE                | SE                 | X   |
| <b>General Community Facilities</b>   |                   |                   |                    |     |
| Bus passenger shelter   | SE                | SE                | SE                 | X   |
| Public utility right-of-way or water supply facility necessary to serve the Village, except wireless communications towers and antennas | SE                | SE                | SE                 | SE  |
| <b>Business Uses</b>  |                   |                   |                    |     |
| Agriculture, excluding animal husbandry   | P                 | P                 | P                  | P   |
| Animal husbandry  | SE                | SE                | SE                 | X   |
| Greenhouse, agricultural  | SE                | SE                | SE                 | X   |
| Horse farm and/or horse stabling and/or riding facility   | SE                | SE                | SE                 | SE  |
| Plant nursery   | P                 | P                 | P                  | X   |
| Vineyard  | SE                | SE                | SE                 | X   |

| Use Classification  | R-40<br>Residence | R-80<br>Residence | R-120<br>Residence | OSC |
|---|-------------------|-------------------|--------------------|-----|
| <b>Accessory Uses</b>   |                   |                   |                    |     |
| Customary accessory structure except those prohibited by this chapter | P                 | P                 | P                  | SE  |
| Home occupation other than home professional office                   | P                 | P                 | P                  | X   |
| Home professional office  | P                 | P                 | P                  | X   |
| Agricultural labor housing  | X                 | SE                | SE                 | X   |
| Private garage or private off-street parking area                     | P                 | P                 | P                  | X   |
| Private swimming pool   | P                 | P                 | P                  | X   |
| Signs   | P                 | P                 | P                  | P   |
| Farm stand for retail   | SP                | SP                | SP                 | X   |
| Wind energy conversion systems  | SE                | SE                | SE                 | X   |
| Greenhouse, private   | P                 | P                 | P                  | X   |
| Bed-and-breakfast   | SE                | SE                | SE                 | X   |
| Private horse facilities  | P                 | P                 | P                  | X   |

:2

12 - 15 - 2007



## VILLAGE OF SAGAPONACK

PO Box 600  
3175 Montauk Highway  
Sagaponack, NY 11962  
www.sagaponackvillage.org  
631-537-0017 631-537-0612 (FAX)

Application # \_\_\_\_\_

Date Received: \_\_\_\_\_

### APPLICATION FOR SPECIAL EXCEPTION REVIEW

Date: \_\_\_\_\_

Description of project for which a Special Exception Permit is seeking:

- ☐ Residence Uses  
☐ Residential Community Facilities  
☐ General Communications Facilities  
☐ Business Uses  
☐ Accessory Uses

**1. Name of Owner of Premises:** \_\_\_\_\_

Owner's Address: \_\_\_\_\_

Owner's Telephone Number: \_\_\_\_\_ Owner's Email Address: \_\_\_\_\_

**Note: If this application is being made by someone other than the owner, the owner must sign the Owner's Authorization at the end of this form.**

**2. Name of Agent (if applicable):** \_\_\_\_\_

Agent's Address: \_\_\_\_\_

Agent's Email Address: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

**3. Name of Attorney for applicant:** \_\_\_\_\_

Attorney's Address: \_\_\_\_\_

Attorney's Email Address: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

**4. Name of Surveyor or Engineer:** \_\_\_\_\_

Surveyor/Engineer's Address: \_\_\_\_\_

Surveyor/Engineer's Email Address: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

**5. Existing Site Information: Answer all that apply**

A. Project Title: \_\_\_\_\_

B. Project Address: \_\_\_\_\_

C. Suffolk County Tax Map # District 0908 Section \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

D. Property Size: \_\_\_\_\_ E. Zoning District: \_\_\_\_\_

F. Present Use of Property: \_\_\_\_\_

G. Size of Present Structures: \_\_\_\_\_

H. Existing Number of Parking: \_\_\_\_\_

**6. Proposed Project Information**

A. Description of project for which this Special Exemption Application is being made: \_\_\_\_\_

---

---

---

---

**7. Special Exception Review – Please indicate which Special Exception Permit this application is for:**

- ☐ Bed and Breakfast – please refer to 245-59 for further details on submittal.
- ☐ Agricultural Housing – please refer to 245-60 for further details of submittal.
- ☐ Horse farms, horse stabling facilities and riding facilities please refer to 245-62 for further details on submittal.
- ☐ Wind Energy Conversion Systems – please refer to 245-63 for further details on submittal.
- ☐ Wireless Telecommunications Facilities – please refer to Chapter 233 for further details on submittal.

\_\_\_\_\_  
**Signature of Owner**

\_\_\_\_\_  
**Signature of Owner**

\_\_\_\_\_  
**Print Name of Owner**

\_\_\_\_\_  
**Print Name of Owner**

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
**Notary Public**

\_\_\_\_\_  
**Notary Public**

If owner is a Corporation, indicate name of corporation and officer's title

Name of Corporation

\_\_\_\_\_  
Title of Officer



## VILLAGE OF SAGAPONACK

PO Box 600  
3175 Montauk Highway  
Sagaponack, NY 11962  
www.sagaponackvillage.org  
631-537-0017 631-537-0612 (FAX)

---

### CERTIFICATION

\_\_\_\_\_ states as follows:

(insert name)

- (1) I am interested in an application for a permit now pending before the Village of Sagaponack Board of Trustees.
- (2) I reside at: \_\_\_\_\_
- (3) The nature of my interest in the aforesaid application is as follows:  
\_\_\_\_\_
- (4) If applicant or owner is a corporation, list officers:  
President: \_\_\_\_\_  
Vice President: \_\_\_\_\_  
Secretary: \_\_\_\_\_  
Treasurer: \_\_\_\_\_
- (5) Do any of the following individuals have an interest, as defined below, in the owner or applicant:
  - (A) Any New York State officer, or
  - (B) Any officer or employee of the Village of Sagaponack, Southampton Town or Suffolk County.

An officer or employee shall be deemed to have an interest in the owner or applicant when a relative is either a spouse, brother, sister, parents, children, grandchildren or the spouse of any of them:

- (1) Is the applicant or owner, or
- (2) Is an officer, director, partner or employee of the applicant or owner, or
- (3) Legally or beneficially owns or controls stock of a corporate applicant or owner, or
- (4) Is a party to an agreement with such and applicant or owner, express or implied, whereby he (she) may receive any payment or other benefit, whether or not for services rendered dependent or contingent upon the favorable approval of such application.

If the answer to any of the questions in Section 5 above is yes, then state the name, address, and nature and extent of the interest of such individual.

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Extent of Interest)

**A person who knowingly and intentionally fails to make such disclosure shall be guilty of a misdemeanor as provided for in General Municipal Law, Section 809**



## VILLAGE OF SAGAPONACK

PO Box 600  
3175 Montauk Highway  
Sagaponack, NY 11962  
www.sagaponackvillage.org  
631-537-0017 631-537-0612 (FAX)

### AUTHORIZATION AND CONSENT PLANNING REVIEW

STATE OF NEW YORK     )  
  ) ss.:  
COUNTY OF                     )

\_\_\_\_\_ Being duly sworn depose and say:

1.     The undersigned are the sole owner(s) of premises  
          at \_\_\_\_\_
2.     The undersigned are the applicant(s) for an application before the Board of Trustees for Planning Review.
3.     The undersigned consent to entry and inspection of the above premises as needed by the Village  
          Engineer, Village Planner, Building Inspector and the Board of Trustees.
4.     The undersigned authorize \_\_\_\_\_ whose contact  
          information is \_\_\_\_\_  
          \_\_\_\_\_ to appear on our behalf before the officials and  
          agencies of the Village of Sagaponack.

Sworn to before this  
\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Signature

Sworn to before this  
\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Signature





## VILLAGE OF SAGAPONACK

PO Box 600  
3175 Montauk Highway  
Sagaponack, NY 11962  
www.sagaponackvillage.org  
631-537-0017 631-537-0612 (FAX)

### **VILLAGE OF SAGAPONACK**

### **PLANNING BOARD**

In the Matter of the Site Plan Application of:

\_\_\_\_\_  
\_\_\_\_\_

### **AFFIDAVIT OF POSTING**

For a Site Plan/Subdivision Public Hearing as per  
the Village of Sagaponack Zoning Code

Property Location: \_\_\_\_\_

SCTM#: \_\_\_\_\_

Public Hearing Date: \_\_\_\_\_

STATE OF NEW YORK )

)ss:

COUNTY OF SUFFOLK )

I, \_\_\_\_\_, being duly sworn, deposes and says:

1. I reside at \_\_\_\_\_

2. I am the agent for the applicant.

3. Pursuant to the provisions of Section 190-10 A (2) of the Village of Sagaponack Subdivision of Land Code, deponent did so cause to be posted a sign which complies with the requirements of the applicable section of the aforesaid Zoning Code which was supplied to me by the Village of Sagaponack to be prominently displayed on the subject property in the required manner, giving notice to the public of the pending application, the date, time and place of the public hearing. The said sign has been continuously displayed on the property for a period of ten (10) days immediately preceding the public hearing date.

4. I make this affidavit knowing that it shall be relied upon by the appropriate officials as proof of compliance with the requirements of the Village of Sagaponack Subdivision of Land Code.

\_\_\_\_\_  
Signature of Deponent

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public



## VILLAGE OF SAGAPONACK

PO Box 600  
3175 Montauk Highway  
Sagaponack, NY 11962  
www.sagaponackvillage.org  
631-537-0017 631-537-0612 (FAX)

### VILLAGE OF SAGAPONACK

#### PLANNING BOARD

In the Matter of the Site Plan Application of:

\_\_\_\_\_  
\_\_\_\_\_

#### AFFIDAVIT OF MAILING

For a Site Plan/Subdivision Public Hearing as per  
the Village of Sagaponack Zoning Code

Property Location: \_\_\_\_\_

SCTM#: \_\_\_\_\_

Public Hearing Date: \_\_\_\_\_

STATE OF NEW YORK )

)ss:

COUNTY OF SUFFOLK )

I, \_\_\_\_\_, being duly sworn, deposes and says:

1. I reside at \_\_\_\_\_

2. Pursuant to the Planning Board of the Village of Sagaponack, deponent notified neighbors adjacent to  
subject property located at \_\_\_\_\_ by certified mail, return receipt  
requested, addressed as set forth on the annexed original postmark receipts.

\_\_\_\_\_  
Signature of Deponent

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public