

RESOLUTION ADOPTING A LOCAL LAW AMENDING VILLAGE CODE §300-13.3(A), REVIEW PROCEDURES TO ADD A CONSTRUCTION PROTOCOL TO APPLICATION REQUIREMENTS

WHEREAS, the Village Board of the Village of Sag Harbor seeks to enact a local law amending Village Code §300-13.3(A) to require a construction protocol for those applications seeking to reconstruct or renovate a contributing historic structure within the Historic District to ensure that the existing historic materials on the structure, are preserved; and

WHEREAS, in furtherance of this goal, the Board of Trustees is considering enacting a local law amending Village Code §300-13.3(A) to require a construction protocol for certain BHPAR applications; and

WHEREAS, a public hearing was held on December 9, 2025 where all persons for or against the Local Law to amend Village Code §300-13.3(A) to require a construction protocol for certain BHPAR applications were heard; and

WHEREAS, the Village of Sag Harbor and the Village of Sag Harbor Planning Consultant, Inter-Science Research Associates Inc. determined that the proposed action is Type II Action requiring no further environmental review; and

WHEREAS, this Board is in receipt of a letter from the Suffolk County Planning Commission dated November 19, 2022 stating that the proposed local law is a matter for local determination; and now therefore be it

RESOLVED, that the following local law is hereby adopted:

LOCAL LAW NO. 13 OF 2025

Be it enacted by the Village Board of Trustees of the Village of Sag Harbor as follows:

A LOCAL LAW amending Village Code §300-13.3(A) to require a construction protocol for certain BHPAR applications.

SECTION 1. Legislative Intent.

The Village of Sag Harbor Historic District has approximately 698 contributing historic, primary structures listed on the National Register of Historic Places. The Historic District was created and listed on the State and National Historic Register in 1974 to “ensure that the distinctive and historical character of the Historic District of the village...shall not be injuriously affected, that the value to the village of these structures having architectural and historical worth shall not be impaired and that said Historic District shall be maintained and preserved...” See Planning Strategies for the Inc. Village of Sag Harbor 2008, prepared by Inter Science Research Associates Inc., Chapter 3, Page 11 quoting former Village code §55-1.3. The Village is constantly

experiencing growth and applications seeking to renovate or reconstruct historic structures require BHPAR review and the issuance of a Certificate of Appropriateness prior to the issuance of a Building Permit. Although the Village Code already relies upon and specifically references the Secretary of Interior Standards in sections 300-13.2(L) and 300-13.5(J) the Village Board of Trustees seeks to ensure the Board and applicants alike are instructed to rely upon such standards when renovating or reconstructing historic structures located in the historic district. To that end, the Board seeks to amend Village Code §§300-13.3 to require, when necessary, a construction protocol, outlining the proposed details of the historic renovation and/or reconstruction and its reliance on the Secretary of Interior Standards for the Treatment of Historic Properties as outlined herein.

SECTION 2. Amendment. Please see the following and amend Village Code §300-13.3(A), by deleting those words that are stricken and adding those words that are underlined as follows:

§ 300-13.3 Review procedures.

[Amended 4-21-2016 by L.L. No. 5-2016]

A.

Prior to the commencement of any exterior activity requiring a certificate of appropriateness, the owner shall file an application with the Board of Historic Preservation and Architectural Review. Prior to the filing of an application, all applicants, together with design or other consultants and contractors, are encouraged to meet informally with the Board to discuss the process, the regulatory requirements and any means to enhance the efficient disposition of any application, it being understood, however, that any such informal meeting is not binding and is intended merely to assist an applicant to avoid delay, expense and to provide a detailed understanding of the provisions of this article. A complete application shall contain:

(1)

The name, address and telephone number of the owner.

(2)

The location, Tax Map designation, and photographs of the property and all adjacent properties, clearly indicating all public views and including any trees which the applicant intends to remove or relocate or to prune in a manner other than ordinary trimming or ordinary maintenance, as well as a site drawing showing, in an historic district, the location of any proposed tree installations, including the species and caliper for each.

(3)

Elevation drawings showing existing conditions and proposed changes, including relationship to adjacent properties and, if necessary in the Board's view, axonometric drawings.

(4)

Perspective drawings, including relationship to adjacent properties, if necessary in the Board's view.

(5)

Sample of color and materials to be used.

(6) A Construction Protocol and Preservation Plan outlining with specificity the detailed preservation, rehabilitation, restoration, and/or reconstruction plan. The Construction Protocol shall outline how the proposed work complies with the Secretary of the Interior Standards for the

Treatment of Historic Properties Guidelines for all contributing historic structures listed on the National Register of Historic Places. The Construction Protocol must include plans for the identification, retention and preservation of historic building materials and features of the historic building. The protection, maintenance and repair of historic building materials shall be prioritized while replacement shall be minimized.

~~(6)~~(7)

The Board may also require, when appropriate, printed 3-D renderings, 3-D models, a visual study of elevations in relation to adjacent neighbors, a visual study of elevations and volume in relation to existing structures.

~~(7)~~(8)

Where the proposal includes signs or lettering, a scale drawing showing the type of lettering to be used, all dimensions and colors, a description of materials to be used, method of illumination, method of attachment to buildings and a plan showing the sign's location on the property.

~~(8)~~(9)

Any other information which the Board may deem necessary in order to determine the appropriateness of the proposed changes, including, by way of illustration and not limitation, the location of any temporary toilets to be maintained during any construction, awnings and any landscape design features, that is, sidewalks, aprons, driveways, terraces, regulated under this chapter, retaining walls, curbing and similar features.

SECTION 3. Severability.

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, the judgment shall not affect, impair or invalidate the remainder of this local law but shall be confined in its operation to the clause, sentence, paragraph, section or part of this local law that shall be directly involved in the controversy in which such judgment shall be rendered.

SECTION 4. Effective Date.

This chapter shall take effect immediately upon filing in the office of the Secretary of State pursuant to the Municipal Home Rule Law.