

LOCAL LAW NO. 36 OF 2025

A LOCAL LAW amending Town Code Chapter 330-163 (Organization and general procedure of the Zoning Board of Appeals) and Chapter 330-181 (Organization of Planning Board) to reduce the term of Zoning Board of Appeals and Planning Board members from seven years to four years.

BE IT ENACTED by the Town Board of the Town of Southampton as follows:

Section 1. Legislative Intent.

The Town Board of the Town of Southampton seeks to reduce the term of Zoning Board and Planning Board appointments from seven years to four years and thus, appoint each member to four-year terms. By way of this amendment, and to the extent necessary, the Town Board intends to supersede Town Law §§267 and 271, pursuant to Municipal Home Rule Law §§10(1)(ii)(a)(1) and 10(1)(ii)(d)(3), to establish terms of office which are inconsistent therewith.

Section 2. Amendment.

Section 163 (Organization and general procedure) of Article XVIII (Board of Appeals) of Chapter 330 (Zoning) of the Southampton Town Code is hereby amended at subsection F by deleting the stricken words and adding the underlined words as follows:

§330-163. Organization and general procedure.

- F. Any person appointed as a member of the Zoning Board shall serve for a term of four years, at such compensation as may from time to time be fixed by the Town Board. After the expiration of the terms of the members serving on the Zoning Board, any member reappointed, or any successor in office, shall serve for a term of four years. If a vacancy shall occur other than by expiration of term, it shall be filled by the Town Board by appointment for the unexpired term. However, no such appointment shall exceed four years. Any new appointment, reappointment, or appointment to a vacancy shall not exceed four years.

In order to facilitate the staggering of appointments and expiration of terms, Zoning Board of Appeals members shall be appointed as follows:

(1) For the positions expiring in December of 2022, in January of 2023:

- (a) One individual shall be appointed for a term of one year, with said term expiring at the end of said calendar year, that is, December of 2023. Thereafter, said member, or replacement member, shall be appointed for a term of seven years.
- (b) One individual shall be appointed for a term of two years, with said term expiring at the end of the second calendar year, that is, December of 2024. Thereafter, said member, or replacement member, shall be appointed for a term of four years.

(2) For the position expiring in December of 2023, in January of 2024, an individual shall be appointed for a term of two years, with said term expiring at the end of the second calendar year, that is, December of 2025. Thereafter, the member, or

replacement member, shall be appointed for a term of four years.

- (3) For the position expiring in December of 2024, in January of 2025, an individual shall be appointed for a term of two years, with said term expiring at the end of the second calendar year, that is, December of 2026. Thereafter, the member, or replacement member, shall be appointed for a term of four years.
- (4) For the remaining positions expiring in December of 2025, in January of 2026:
 - (a) One individual shall be appointed for a term of two years, with said term expiring at the end of the second calendar year, that is, December of 2027;
 - (b) One individual shall be appointed for a term of three years, with said term expiring at the end of the third calendar year, that is, December of 2028;
 - (c) One individual shall be appointed for a term of four years, with said term expiring at the end of the fourth calendar year, that is, December of 2029; and
 - (d) Thereafter, each member, or replacement member, shall be appointed for a term of four years.

Section 3. Amendment.

Section 181 (Organization of Planning Board) of Article XX (Administration and Enforcement) of Chapter 330 (Zoning) of the Southampton Town Code is hereby amended at subsection H by deleting the stricken words and adding the underlined words as follows:

§330-181. Applicability of site plan procedure and standards; organization of Planning Board.

- H. Any person appointed as a member of the Planning Board shall serve for a term of four years, at such compensation as may from time to time be fixed by the Town Board. After the expiration of the terms of the members serving on the Planning Board, any member reappointed, or any successor in office, shall serve for a term of four years. If a vacancy shall occur other than by expiration of term, it shall be filled by the Town Board by appointment for the unexpired term. However, no such appointment shall exceed four years. Any new appointment, reappointment, or appointment to a vacancy shall not exceed four years.

In order to facilitate the staggering of appointments and expiration of terms, Planning Board members shall be appointed as follows:

- (1) For the position expiring in December of 2022, in January of 2023, an individual shall be appointed for a term of one year, with said term expiring at the end of the calendar year, that is, December of 2023. Thereafter, the member, or replacement member, shall be appointed for a term of four years.
- (2) For the position expiring in December of 2023, in January of 2024, an individual shall be appointed for a term of one year, with said term expiring at the end of said calendar year, that is, December of 2024. Thereafter, the member, or

replacement member, shall be appointed for a term of four years.

(3) For the position expiring in December of 2024, in January of 2025, an individual shall be appointed for a term of one year, with said term expiring at the end of said calendar year, that is, December of 2025. Thereafter, the member, or replacement member, shall be appointed for a term of four years.

(4) For the remaining positions expiring in December of 2025, in January of 2026:

(a) One individual shall be appointed for a term of one year, with said term expiring at the end of said calendar year, that is, December of 2026;

(b) One individual shall be appointed for a term of two years, with said term expiring at the end of the second calendar year, that is, December of 2027;

(c) One individual shall be appointed for a term of three years, with said term expiring at the end of the third calendar year, that is, December of 2028; and

(d) One individual shall be appointed for a term of four years, with said term expiring at the end of the fourth calendar year, that is, December of 2029.

(e) Thereafter, each member, or replacement member, shall be appointed for a term of four years.

Section 4. Authority.

By way of this local law, and to the extent necessary, the Town Board intends to supersede Town Law §§267 and 271, pursuant to Municipal Home Rule Law §§10(1)(ii)(a)(1) and 10(1)(ii)(d)(3), to establish terms of office which are inconsistent therewith.

Section 5. Severability.

If any clause, sentence, paragraph, or part of this local law, or the application thereof to any person, firm, or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law, or in its application to the person, individual, firm, or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 6. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State pursuant to Municipal Home Rule Law.