

1.1 NEW YORK STATE COASTAL AREA BOUNDARY

The boundary of the Coastal Management Area, as designated by the New York State Department of State, originally entered the Village of Sag Harbor from the east on Hampton Street/East Hampton Turnpike. Proceeding in a northeasterly direction along this roadway to Union Street, it then turned westward along Union Street to the intersection with Main Street, where it turned southward to intersect with Oakland Avenue. At Oakland Avenue the boundary ran in a southeasterly direction to intersect with Jermain Avenue. At this intersection it then proceeded in a southwesterly direction along Jermain Avenue and then Brick Kiln Road to the Village boundary at Ligonee Brook.

1.2 THE VILLAGE OF SAG HARBOR'S EXISTING LOCAL WATERFRONT AREA BOUNDARY

During the course of preparing the original Local Waterfront Revitalization Program (LWRP), adopted in 1986, the Village of Sag Harbor determined that it would be particularly desirable to include the following three local historic sites within the State designated area: the John Jermain Library, the Whaler's Presbyterian Church, and the Old Burial Ground. To accomplish this, it was recommended that the local waterfront area boundary be moved southward at the Village-owned corner property opposite the Episcopal Church, at the intersection of Hampton Street/East Hampton Turnpike and Division Street, and then proceed westward along Latham and Jefferson Streets to Main Street.

Also, after consulting with those preparing the Town of Southampton's LWRP at the time, a second modification was considered and adopted as a recommendation to the New York State Department of State (NYS DOS). The Town of Southampton had included the Long Pond Greenbelt area in its proposed waterfront area, and, as a result, the Southampton Town local waterfront boundary intersected the Village of Sag Harbor's southern municipal boundary at Madison Street. The Village found that it would be desirable to include the upper reaches of the Ligonee Brook drainage area which extends into the Long Pond Greenbelt, then making it possible to incorporate Round Pond, Mashashimuet Park, more of Ligonee Brook and several small freshwater wetlands. Therefore, it was further recommended that the proposed local waterfront area boundary from the Town of Southampton enter the Village on its southern boundary at Madison Street, then proceed northward to Grand Street and turn southwestward along a line in extension of the Grand Street alignment which follows a lot line, then crosses Oakland Cemetery and along another lot line to Joel's Lane. The boundary would then turn northwestward on Joel's Lane to Jermain Avenue where it would turn southwestward to join the NYS DOS boundary at the Oakland Avenue intersection.

Therefore, the Village of Sag Harbor recommended that its local waterfront area boundary be revised in the two described situations. Both would serve to better satisfy the policies and goals and objectives of the local waterfront program (see [Figure 1](#)).

1.3 THE CORPORATE BOUNDARY FOR THE VILLAGE OF SAG HARBOR AND EXTRATERRITORIAL JURISDICTION OVER ADJACENT WATER BODIES

The Village of Sag Harbor's corporate boundary, as filed with the New York State Department of State, follows along the mean high water line on the foreshore. However, the Village had long recognized the importance of activities that take place on the waters surrounding it. As a result, a Waterways Local Law was adopted in 1983 which sought extraterritorial jurisdiction over all waters and waterways within 1,500 feet of its shore. It seemed indisputable that the goals of the Coastal Management Program focused on the integration of land and water uses along the coast so that the full potential of these resources would be realized. It was clear that the Village of Sag Harbor's LWRP would be crippled, and the Coastal Management Program goals would be frustrated, if the Village's seaward boundary of the local waterfront area stopped at the mean high water line. Therefore, it was recommended that the waterside boundary for the local waterfront area be considered to have the same extraterritorial jurisdiction as was granted to the Village for regulating waters under the New York State Navigational Law. The 1,500 feet distance has since become a standard under the 1992 amendment to Article 42 of the Executive Law; local governments are authorized to develop and implement comprehensive harbor management plans, and to regulate structures over the water and the use of surface waters and underwater lands to a distance of 1,500 feet from the shore.

1.4 1998 PROPOSED REVISION OF THE LOCAL WATERFRONT AREA BOUNDARY

During the process of reviewing and amending the Village's LWRP, it was recognized that both the topographic divide and the groundwater divide along the south fork of Long Island are oriented in roughly an east-west direction and, in the vicinity of Sag Harbor, both are located south of the southern boundary of the Village. Therefore, stormwater runoff, household liquid wastes and other materials that might be discharged on or into the ground migrate through or beneath the Village in a northerly direction, towards the bays and coves. Extending the local waterfront area covered by the LWRP to the Village's southern municipal boundary, so as to include the entire Village, would further enhance the policies and objectives of the LWRP.

Additionally, the boundaries of the local waterfront areas covered by each of the LWRPs currently being developed by the Towns of East Hampton and Southampton run from the waterfront along each respective common boundary with the Incorporated Village of Sag Harbor, to the common boundary of East Hampton and Southampton. Therefore, extending the Village of Sag Harbor's local waterfront area boundary, as noted above, would facilitate better coordination of the three local programs and thereby provide maximum practical protection for the surface waters and groundwater located therein.

Another advantage of extending the Village's local waterfront area boundary is that the expanded, Village-wide Sag Harbor National Historic District would be included in its entirety under the LWRP, making it easier to effectively implement the coastal policies which relate to historical,

architectural, archaeological and cultural resources, and also to stimulate the public's appreciation of those resources.

Finally, such an extension of Sag Harbor's coastal area boundary would permit uniform application of the LWRP policies, throughout the whole Village.

For all of the above reasons, the Village of Sag Harbor now recommends that its local waterfront boundary be further revised to include the entire Incorporated Village, as well as the extraterritorial jurisdiction noted in 1.3, above (see [Figure 1](#)).

1.5 VILLAGE OF SAG HARBOR LOCAL WATERFRONT AREA BOUNDARY

- *Inland Boundary*

The inland boundary for the Sag Harbor Village Local Waterfront Revitalization area, as shown on [Figure 1](#), begins at the mean high water mark at the head of Ligonee Brook and proceeds in a southeasterly direction, crossing over Brick Kiln Road and Main Street, following the Ligonee Brook stream corridor which also delineates the boundary line between the Village of Sag Harbor and the Town of Southampton. At a point located approximately 550 feet southwest of Round Pond, the boundary proceeds to the northeast, bisecting Round Pond and crossing over Madison Street and Division Street. The boundary continuing to the northeast for a distance of approximately 6,300 feet from Division Street until intersecting with Little Northwest Creek. At this point, the boundary proceeds to the northwest, through the center of the Little Northwest Creek stream corridor, which forms the boundary between the Village of Sag Harbor and the Town of East Hampton, to the mean high water line on the shoreline of Sag Harbor Bay.

- *Waterside Boundary*

The waterside boundary of the local waterfront area shall remain as initially established by the Waterways Law of 1983 (Chapter 53 of the Village Code), and further supported by the 1992 amendment to Article 42, as discussed in Section 1.3. This waterside study area, which constitutes the area that extends beyond the Village's corporate boundary (which runs along the mean high water line), is considered extraterritorial and is subject to Village jurisdiction under the State Navigation Law. The waterside boundary is described as follows:

The waterside boundary for the Village of Sag Harbor Cove/Bay Complex begins at the point of mean high water on the shoreline, where the boundaries for the Village of Sag Harbor and the Town of East Hampton converge, and then extends offshore in a northerly direction for a distance of 1,500 feet. The boundary then proceeds northwest, maintaining a constant 1,500-foot separation from the mean

high water line on the shore until reaching the municipal boundary line between the Village of Sag Harbor and the Village of North Haven. At this point, the waterside boundary proceeds to the south-southwest, and then generally to the west, following a line of equal-distance between the shorelines of the two incorporated villages through Outer Sag Harbor Cove; then continuing along a line of equal-distance between the shoreline of the Village of Sag Harbor and the Town of Southampton, through the western portion of Outer Sag Harbor Cove, the Big Narrows, Inner Sag Harbor Cove, and Ligonee Brook until reaching the mean high water mark at the head of Ligonee Brook, and the point of beginning for the upland boundary.

The line of equal distance was chosen as the waterside boundary throughout the harbor complex because much of this area is too narrow to permit each outlying municipality to extend its surface water (or extraterritorial) jurisdictional boundary a full 1,500 feet. In many places, the 1,500-foot jurisdictional boundaries overlap and/or extend upland.