

use (e.g., not peddling “odd” items). Visitors and residents alike often find such roadside stands enjoyable and part of the country experience of Eastern Long Island. However, §330-79.1 of the Town Code provides strict standards for the Building Division’s administration of temporary permits for accessory farmstands, likely enacted to address competing farmstand issues that arose in eastern portions of Southampton Town. For Example, the Town Code had special standards for such farmland permits specifically requiring a farmer-applicant to be one who farms at least 10 acres of lands within the Town of Southampton. The definition of farm products and crops include field crops, fruits, vegetables, and cut flowers. Additionally, although agriculture, horse farms, and plant nurseries are permitted in R-40, R-20, and OSC zones, “Temporary roadside stands for sale of farm products grown on the premises” are presently prohibited in R-20 and OSC zones.<sup>5</sup>



*Agricultural resources in the Study Area comprise some 350 acres, or four percent of the total land area. Agricultural uses played a significant role in the history of Eastern Long Island. The community has indicated support for agricultural resource protection strategies as such land use contributes to the rural ambiance of the area and provides an added economic element that attracts the seasonal population. Town Officials say that one of the key aspects of farmland preservation is to ensure property owners maintain equity and reasonable economic return on the value of the property.*

<sup>5</sup>The same zoning restriction holds true for the accessory use entitled “Temporary roadside stands for sale of fish and shellfish taken by the vendor from local waters.”

## ACTION ITEMS

- Encourage the preservation of existing agricultural land, utilizing recommended techniques, including: purchase of conservation easements; transfer of development rights; expansion of the Agricultural Overlay District.
- Consider the designation of properties in the Study Area over 10 acres in size (or which aggregate with adjoining parcels to a 10-acre or greater assemblage) and in agricultural use for inclusion in the Agricultural Overlay District.
- Consider an incentive to encourage the continuation of farmstands and flower stands as bucolic features in the Study Area, perhaps as special allowances within the context of a Scenic Overlay District, such as that proposed for Old Country Road, or a Special Character Overlay District as described in later sections of this report.

## SCENIC RESOURCE PROTECTION STRATEGIES

### Area Gateways

There are a number of important gateways associated with the Study Area as a whole and for the individual hamlet areas. The identification and enhancement of gateways is important for several reasons: (1) It indicates to the traveler that they have arrived at a special place. This indication can be accomplished through the use of distinctive signage, coupled with landscaping and possibly decorative lighting. (2) The viewsheds related to area gateways provide the initial impression of the subject community.

Potential area gateway locations, including those that are interior to the Study Area, are identified on Exhibit VI-1 and listed below:

- Old Country Road (Westhampton/Speonk/Eastport)
- Main Street (Eastport)
- Montauk Highway/Main Street (Eastport/Speonk-Remsenburg)
- Montauk Highway/Mill Road (Westhampton/Speonk-Remsenburg)
- South Country Road (Remsenburg)
- Mill Road (Westhampton)
- Montauk Highway (Westhampton)
- South Road (Westhampton)

### ***Scenic Roadway Designations***

A significant number of comments made during the planning process were concerned with the appearance and aesthetic impact of Old Country Road (Eastport, Speonk, Westhampton) and South Country Road (Main Street, Remsenburg) on the community. Significant portions of these roadways exhibit a rural aesthetic that residents consider to be an important part of the community character. The type, scale and appearance of future development are all critical elements with respect to design considerations for these roadways.

The Town's 1999 Comprehensive Plan Update outlined suggested Scenic Roadway Designations for portions of South Country Road and Old Country Road. This designation represents the desire to preserve the existing visual character of the roadways.

The "Issues and Opportunities" map shows a recommended expansion of this designation along Old Country Road beyond that suggested by the 1999 Comprehensive Plan.

The Update recommends that the Town employ innovative land use strategies to protect its wealth of scenic resources through designation of:

- Scenic Road Corridors
- Scenic Resource Areas
- Scenic Resource Protection Overlay Zones

Based upon the Map included in the Comprehensive Plan and community input, "Scenic Road Corridors" should be established for both Old Country Road and South Country Road to guide conservation efforts, capital investment, and future development. Southampton is fortunate to have an extensive network of scenic roads and highway corridors that are spread through the diverse landscapes of the Town. Although these road corridors are a tremendous asset from both a scenic and cultural standpoint, they are not technically designated as scenic corridors, nor is there an integrated strategy in place to protect their integrity. For this reason, steps must be taken that will ensure that the scenic resources are maintained or enhanced within the Study Area.

A specific legislative recommendation is suggested to designate "Scenic Resource Areas" and "Scenic Resource Protection Overlay Zones" in order to protect the important scenic resources of the Town. As part of an overlay zoning district, specific development standards and design guidelines would be applicable to protect scenic resources. Many of these scenic resources areas are connected to historic resources and proposed Hamlet Heritage Areas identified in the Comprehensive Plan Update. Scenic Resource Areas can take any of the following four forms: (1) Scenic View, (2) Scenic Landscape, (3) Scenic Hamlet Area, and (4) Gateway.

The Update also recommends that the Town provide incentives for the protection of significant scenic resource areas and strengthen existing subdivision regulations to achieve scenic resource protection.

The provisions of Scenic Resource Protection are intended to:

- Protect Southampton's significant scenic resources as identified in the "Scenic Resources" and "Greenways" Chapters of the Town of Southampton Comprehensive Plan Update;

- Enhance the appearance of Southampton to make it a better place to live and work;
- Create attractive entranceways to Southampton and its hamlets and villages;
- Improve Southampton’s economic vitality by enhancing the Town’s attractiveness to its citizens and to visitors; and
- Implement the scenic resource policies and objectives of the Town Southampton Comprehensive Plan.

The purposes of a Scenic Resource Protection Overlay Zone are achieved by establishing certain development standards, including, but not limited to: increased front yard setbacks; limitations on the height of structures within view corridors to protect significant views; clearing standards; and, additional landscaping and screening standards. Although the Planning Board has its discretionary powers to utilize clustering options and planned residential development for subdivision proposals, in Scenic Resource Protection Overlay Zones, specific siting standards should be used to shield structures from view. The goal is not to prohibit the proposed structures, but to site them in areas where they will be least obstructive to the view.

See Exhibit VII-7, Potential Scenic Road Overlay Zone.

The Town should prepare an ordinance to adopt an overlay zone for the Old Country Road Corridor. The following types of controls could be included: greater setback requirements; landscaping design parameters, buffering and screening; clearing standards; tree/vegetation protection; signage controls; lighting controls; entryway guidelines; curb cut locations; access management strategies; etc. Another strategy is to broaden the scope of the special overlay for the Old Country Road Corridor to a Special Character Overlay District, to include provisions to encourage conservation of historic hamlet heritage features as well as agricultural resource protection measures.

In addition, the Old Country Road Scenic Road Overlay District, as a Special Character Overlay District, could also provide landowners with economic incentives to promote continued viability of small family farms, plant nurseries and other agricultural resources with the community benefit of conserving a bucolic countryside, as suggested in the prior sections.



*A large subdivision off of Old Country Road is accessed by a single entrance. The use of attractive signage and landscaping enhances the visual appeal of the entrance. However, some community members indicate a preference to require more discreet entrances to new subdivisions on Old Country Road in order to maintain a rural ambiance.*



*An example of a new residential building along Old Country Road that does not appear to have incorporated selective clearing and landscaping as a buffer element. Only the north of Old Country Road is subject to clearing limitations as part of the Aquifer Protection Overlay District zoning regulations. A Scenic Road Overlay Zone for Old Country Road could provide for buffering and screening requirements as well as vegetation protection measures to preserve scenic views.*

**Study Area Gateway**

Town of Brookhaven | Town of Southampton

OLD COUNTRY ROAD | SPEONK/BEAVERHEAD ROAD | NORTH HILL ROAD | WRR | MONTAUK HWY

**Potential Scenic Roadway Corridor Overlay District**

**Exhibit VII-7  
POTENTIAL SCENIC ROAD OVERLAY ZONE  
OLD COUNTRY ROAD**

**Eastport / Remsenburg / Spenk  
Westhampton Area Strategy Study**

Town of Southampton, New York

*Saccardi & Schiff, Inc. - Planning and Development Consultants*

**Image Captions:**

- A large subdivision off of Old Country Road is accessed by a single entrance, but its pronounced signage and landscaping may not be in keeping with more rural surroundings
- Significant portions of Old Country Rd still retain rural ambiance which needs to be preserved
- Opportunities exist through signage and other features to designate a shared roadway system with vehicles and bicyclists
- The use of fencing as an aesthetic treatment should be considered as part of a design overlay
- Town transfer station facility lacks adequate screening; use of certain fence materials may not be appropriate for scenic roadway
- Cook's Pond (Beaver Dam Lake) is an attractive gateway feature, although public access could be enhanced and damaged fencing replaced
- The use of a shared driveway reduces the need for multiple curbcuts
- A more contemporary use of mailboxes may not be in keeping with a scenic roadway designation however, the community did not want to regulate design to this level of detail
- Use of landscaping helps screen/buffer existing residential development
- Use of landscaping helps screen/buffer Westhampton Nursing Facility
- Access to the "water hole" site at left, a potential community-wide recreation resource
- The rural quality of Old Country Road should be maintained through the use of sensitive design controls, and by limiting the number of curb cuts
- Rehabilitation/reuse of older, deteriorated structures should be encouraged.
- New construction along Old Country Road does not appear to be adequately landscaped to buffer development. Setback requirements and clearing restrictions should be examined to off-set visual issues
- Several low-lying areas along Old Country Road present drainage issues during heavy storm events



*The nursing home facility on the north side of Old Country Road is buffered by earthen berms and landscaping. The rural quality of Old Country Road should be maintained through the use of sensitive design controls, and by limiting the number of curb cuts.*

During the course of the Area Study and its associated hearing process, community members have suggested that the Town also consider enacting a Tree Preservation Ordinance or Vegetation Preservation Ordinance. Community members assert that clearing restrictions ought not be only present in the Aquifer Protection Overlay District, but increasingly so for undeveloped lands in existing neighborhoods to preserve existing stands of vegetation as new construction takes place.

The citizens of Southampton enjoy the many benefits that are directly attributable to our natural resources, therefore measures to ensure the preservation of existing trees and native vegetation serve a public purpose that protects the health, safety, general welfare and aesthetics of the Town of Southampton and all its citizens. Trees, shrubs and groundcover stabilize the soil, control water pollution by preventing soil erosion and flooding, provide oxygen, absorb air pollution, provide valuable habitat, provide scenic amenities to soften the visual impact of development, and overall can have a positive impact upon the economy.

Currently, vegetation protection is limited to areas within the Aquifer Protection Overlay District, which does not fully address the need to prevent clear-cutting and substantial removal of vegetation comprehensively throughout the Town. Initiatives are therefore underway to examine greenways and critical areas that are in need of preservation, as well as to establish criteria and guidelines that can be implemented to foster the objective to protect existing vegetation as it relates to land use and development.

The Town could also utilize the State Environmental Quality Review Act (SEQRA) to further its goals and objectives relative to scenic resource protection and to mitigate impacts to scenic resources when reviewing development project applications.

The SEQRA rules and regulations also permit local governments to designate a specific geographic area within its boundaries as a Critical Environment Area (CEA). To be designated a CEA, an area must have exceptional or unique character covering one or more of the following:

- a benefit or threat to human health;
- a natural setting (e.g., fish and wildlife habitat, forest or vegetation, open space, or areas of important aesthetic or scenic quality);
- social, cultural, historic, archaeological, recreational or educational value; or
- an inherent ecological, geological or hydrological sensitivity to change which may be adversely affected by change.

The Town has already designated areas as Critical Areas of Environmental Concern in Chapter 157 of the Town Code (Environmental Quality Review), including two specific “areas of particular concern with respect to location having

social, cultural, historic, archaeological or educational importance” (i.e., Shinnecock Indian Contact Period Village Fort and Sugar Loaf Hill Shinnecock Indian Burial Grounds Archaeological Resource Area).

The Town could also designate additional CEAs of “exceptional and unique scenic qualities,” such as the Old Country Road corridor proposed for scenic resource protection or the greenbelt areas identified as “important scenic features: in the 1970 Master Plan “especially for motorists traveling along Montauk Highway and Old Country Road” (i.e., Beaverdam Creek Greenbelt, Speonk Creek Greenbelt, East River Greenbelt, Seatuck Creek Greenbelt).

#### **ACTION ITEMS**

- Consider the designation of scenic resource protection overlay zones for areas that were evaluated as part of this Area-wide Study. The ability to make this happen would require the enactment of a local law, the effects of which would need to be evaluated.
- Designate Old Country Road and South Country Road for Scenic Resource Protection and adopt criteria to reduce visual impacts from new development/redevelopment.
- Consider enacting a Vegetation Preservation Ordinance, subject to further review on a Town-wide basis.

#### **HISTORIC RESOURCE PROTECTION STRATEGIES**

For economic development purposes, the 1999 Comprehensive Plan recommended that the Town of Southampton promote the concept of hamlet heritage areas, modeled on the National Heritage Corridor Program and “link historic and cultural resources in order to spur resident and visitor appreciation of the Town’s historic character.” In

other states, such as Massachusetts, heritage corridor/area designations and plans have induced significant reinvestment in the community.

The 1999 Comprehensive Plan also notes: “In Southampton Town, architecture, scenery, history, recreation and the arts are in fact key to the vitality of the Town as a resort. They provide the scenic backdrops that make Southampton attractive to visit and keep a second home in. They provide a venue for people to enjoy the area, other than a day on the beach, and they make Southampton inviting – other than only in the summer, helping to support other local business venues. They reinforce the prestigious image of Southampton ... The Town should continue to promote historic and scenic preservation and support, in general, the efforts of the Town’s many historical associations, societies, and museums, including establishing of new visitor designations ... It is necessary to explore strategies for preserving Southampton’s architectural, scenic, and historic resources and enhancing economic benefit of these resources.”<sup>6</sup>

Implementation of such recommendations and action plans can be spearheaded and accomplished by Town officials in partnership with local historical societies, chambers of commerce, beautification groups, and civic associations.

There are two historic sites listed on the National Register of Historic Places located within the Study Area:

- (1) The Brick Mill (a.k.a. Fordham’s Mill) is located at 175 Montauk Highway, at the head of the Speonk River. Built in the first half of the 19<sup>th</sup> century, the Brick Mill was primarily used as a steam powered saw mill (the site also housed a carriage shop and a printing

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<sup>6</sup>1999 Comprehensive Plan, “Economic Sectors”.