

## LOCAL LAW NO. 6 OF 2025

A LOCAL LAW changing the zoning classification of property of Renwick Realty Advisors LLC (Jessups Landing South LLC, Contract Vendee) at 26 Montauk Highway and designated as SCTM #0902-007.00-02.00-050.012 from Business, B-2 to a Planned Retirement Community District on a site with less than 160,000 sq. ft. of lot area.

BE IT ENACTED by the Board of Trustees of the Village of Quogue as follows:

**SECTION 1. Legislative Intent.** Pursuant to §196-15.2 as amended, the Board of Trustees may consider the establishment of a Planned Retirement Community District (“PRCD”) on a site that has a lot area less than 160,000 sq. ft. and modify applicable dimensional regulations, provided that no significant adverse environmental impact to the surrounding properties will occur and the goals and objectives of the PRCD are achieved. The Board of Trustees received a petition from Jessups Landing South LLC as Contract Vendee of a parcel of land at 26 Montauk Highway and designated as SCTM #0902-007.00-02.00-050.012 seeking to change the zoning classification from Business, B-2 to a Planned Retirement Community District. The premises are shown as Lot 9 on the Subdivision Map of Pen Craig, filed in the office of the Suffolk County Clerk on October 26, 2001 as Map File No. 10703. The property contains 40,603 sq. ft, and is a vacant lot located on the southerly side of Montauk Highway opposite the existing 31-unit PRCD known as Jessup Landing. The establishment of a PRCD on the subject premises will permit the construction of four detached dwellings, which will be limited to persons who are 55 years of age or older. The allocation of one dwelling per 10,000 sq. ft. is consistent with the surrounding development, which aside from the existing PRCD to the north, is comprised of business uses in the Business zone, including automobile sales, storage and repair facilities, and single-family dwellings on lots ranging in size from one-half to one-acre. The premises are encumbered with conditions of the subdivision approval that require 25’ wide vegetated buffers be planted and maintained along the west and southerly property lines that abut lots with single-family dwellings. The Board of Trustees finds that there is a need for additional housing for active senior adults aged 55 years or older in the Village and that the subject premises is suitable for the development of such housing. The addition of four such dwellings on the subject premises as described in the preliminary development concept plan submitted with the petition will not result in a significant environmental impact upon the surrounding properties and the goals and objectives of the PRCD. Accordingly, it is the intent of this local law to waive the minimum lot size and modify the applicable dimensional requirements to permit the zoning classification of the subject premises to be changed from Business, B-2 to a Planned Retirement Community District subject to such conditions and modifications as may be described herein.

**SECTION 2. Waiver.** Pursuant to §196-15.2E(2), upon review of the preliminary development concept plan, the Board of Trustees hereby waives the Minimum Site Size of 160,000 square feet required for the establishment of a PRCD on the subject premises to 40,000 sq.ft.

**SECTION 3. Modification of Dimensional Regulations.** Pursuant to §196-15.2H, upon review of the preliminary development concept plan, the Board of Trustees hereby modifies the dimensional regulations of the subject premises as follows:

<u>Dimension</u>	<u>Regulation</u>
Lot area (sq.ft.)	
Minimum	<b>160,000 to 40,000</b>
Minimum per dwelling unit	10,000
Lot coverage maximum by main and	
Accessory buildings and structures (percentage)	25
Lot width: minimum (feet)	125
Street frontage: minimum (feet)	125
Height: maxim (feet)	32
Yards, principal building: minimum (feet)	
Front	<b>50 to 40</b>
Side, minimum for one	<b>30 to 25</b>
Side, abutting side street on corner lot	50
Rear	<b>30 to 25</b>
Yards, accessory building and structures	
Minimum distance from street (feet)	40
Minimum distance from side and rear lot lines (feet)	25
Living quarter space: Minimum (sq. ft. of floor area)	925

**SECTION 4. Amendment.** Pursuant to the provisions of §196-76 and §196-15.2F, the zoning classification of the property located at 26 Montauk Highway also known as Lot 9 on the Subdivision Map of Pen Craig filed in the office of the Suffolk County Clerk on October 26, 2001 as Map File No. 10703 and designated as SCTM #0902-007.00-02.00-050.012, be and hereby is changed from Business, B-2 to Planned Retirement Community District (“PRCD”) and the Village Clerk is directed to amend the Zoning Map in accordance with this local law.

**SECTION 5. Conditions.** Pursuant to the provisions of §196-15.2F, the following conditions are hereby imposed as a condition of the development of the PRCD on the subject premises:

1. The premises shall be developed with no more than four (4) dwelling units each with no more than five (5) bedrooms and an attached garage in accordance with the preliminary development concept plan.
2. Pursuant to the provisions of §196-15.2G, the development of the premises shall be subject to site plan review and approval by the Planning Board and such conditions and

modifications to the preliminary development concept plan as the Planning Board may impose.

3. Prior to the issuance of a certificate of occupancy for the first unit, the landowner shall file covenants and restrictions to ensure the dwellings constructed on the premises shall be limited to persons who are 55 years of age or older consistent with the provisions of §196-15.2I (with no exceptions under §196-15.2J).

4. The development of the site shall be subject to such permits and approvals from other agencies having jurisdiction including but not limited to the SCDPW (highway access), NYSDEC (SPDES/SWPPP) and SCDHS (water supply and sewage disposal).

5. Pursuant to the provisions of §196-15.2F(5), the approval of the PRCD for the subject premises shall expire if the landowner has not received site plan approval from the Planning Board within two (2) years of the effective date of this local law or any extension granted by the Board of Trustees.

6. In consideration of the change in zoning from Business, B-2, the Board of Trustees hereby finds that this residential project will contribute to the need for park and recreational facilities in the Village, that this project presents a proper case for requiring a provision in furtherance of such need, that a suitable park cannot be properly located on the site plan for this project, and thus that a park fee (in lieu of a park dedication on the subject property) should be required for this project. Therefore, a park fee shall be paid to the Village (to be used by the Village exclusively for park, playground or other recreational purposes) prior to issuance of a building permit for construction on the subject property. The amount of such park fee shall be \$2,500.00 per dwelling unit for a total of \$10,000.00 for four dwelling units.

**SECTION 6. AUTHORITY.** The proposed local law is enacted pursuant to Village Law §7-712, as well as Municipal Home Rule Law §§10(1)(i), 10(1)(ii)(a)(11), 10(1)(ii)(a)(12), and 10(2).

**SECTION 7. SEVERABILITY.** If any section or subsection, paragraph, clause, phrase, or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole, or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

**SECTION 8. EFFECTIVE DATE.** This local law shall take effect upon filing with the Secretary of State pursuant to Municipal Home Rule Law.