

LOCAL LAW NO. 3 OF 2025

A LOCAL LAW amending Footnote #3 to the Table of Dimensional Regulations (196 Attachment 1) to confirm the setback relief for lots on the east side of Beach Lane is measured from the east line of Beach Lane, which relief is applicable only to the eight parcels that are located on the east side of Beach Lane or having frontage on Beach Lane.

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

SECTION 1. Legislative Intent. A recent Court decision found that the language in Footnote #3 may be ambiguous as to its application to a property on the corner of Ogden Lane and Quaquanantuck Lane, which is located east of Beach Lane, but is not on the east side of Beach Lane. The Village Zoning Code since the 1940s provided street setback relief from 60 feet to 40 feet for improvements on the eight parcels that are on the east side of Beach Lane between the Quogue Canal and Quaquanantuck Lane with such relief being measured from the east side of Beach Lane. The 1984 amendments carried over this relief in the form of Footnote #3 to the Table of Dimensional Regulations but the language in the Footnote apparently did not completely express that the relief is measured from the east side of Beach Lane, which the Court found to create some ambiguity. It is the intent of this Local Law to eliminate any possible ambiguity that the street setback relief of Footnote #3 is not applicable to other conforming lots east of Beach Lane and that the relief is applicable only to the eight parcels that are on the east side of Beach Lane or having frontage on Beach Lane with such setback relief measured from the east line of Beach Lane.

SECTION 2. Amendment. Footnote #3 to the Table of Dimensional Regulations (196 Attachment 1) is amended to delete strikethrough words and add underlined words as follows:

3 East side of Beach Lane between the Quogue Canal and Quaquanantuck Lane; 40 feet measured from the east side of Beach Lane. This relief is applicable only to lots having frontage on Beach Lane.

SECTION 3. 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 4. 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 5. EFFECTIVE DATE. This local law shall take effect upon filing with the Secretary of State pursuant to Municipal Home Rule Law.