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MAY 12 2025

Central Pine Barrens  
Joint Planning & Policy Commission

May 9, 2025

Tara Murphy  
Central Pine Barrens Joint Planning and Policy Commission  
624 Old Riverhead Road, Westhampton Beach, NY 11978  
[tara.murphy@scwa.com](mailto:tara.murphy@scwa.com)

Subject: Request the determination of the jurisdiction to construct a single-family home on 36 Pine Court, Riverhead, NY. (Tax Map No. 0900-164.00-3.00-51.001 / Tax lot 51.1

Dear Tara Murphy,

I am requesting the *determination of the jurisdiction to construct a small single-family home* that would be on already undeveloped / partially developed (with retaining walls and steps) land in the core preservation area. This is a residential road front property. There are other homes around and adjacent to this subject property that are also residential road front properties. Some properties in this neighborhood are indicated on Chapter 9, Volume 1 of the Central Pine Barrens Comprehensive Land Use Plan Core Road front Residential Parcel Exemption List.

We wish to pursue a development activity (new home) and apply for and seek hardship waiver approval (if required) from the Central Pine Barrens Joint Planning and Policy Commission to construct a single-family home on this subject property. Refer to the attached survey showing the home location, setbacks & sewer system.

We agree to maintain the protection and preservation and management with the property as follows:

1. The property will more than comply with the town code lot clearance (330-67. Protection of Natural vegetation shows 60%). Refer to attached Lot Clearance sheet. The home will be placed in an area that is already cleared and minimize any disruption of the trees and vegetation. To ensure the maximum water recharges and minimizes the potential for fertilized vegetation, natural resources located on the lot we would only clear 40% but more than 20% is already cleared. Refer to the attached photos.
2. The home will meet all of the R10 zoning requirements and will not request any variances to build the home. The design meets all setbacks, heights, area, sky planes, etc. Refer to the attached sheet showing the R10 requirements.
3. There will be no significant impact to the ground water on the property. The homes sanitary system will be located between the road and the front of the home and be an innovative / alternative on-site wastewater treatment system (I/A OWTS and will comply with the Suffolk County Water Authority requirements. Also comply with any DEC requirements and approvals.)
4. We will comply with the location of the curb cut / driveway entrance as per the highway department request.
5. These circumstances will not affect any other property in the immediate vicinity, and they arise out the characteristics of the property.
6. We will not be materially detrimental or injurious to other property or improvements in the area in which the subject property in the area in which the subject property is located, will not endanger public safety nor result in substantial impairment of the resources of the core preservation area.

Please accept this request towards an approval to build this home that are adjacent to other homes tat are built.

Best regards,

Glen Crandall Architect

MAY 12 2025

DATE SURVEYED: 11/05/2024 JOB No. S24-3943

## LOT CLEARANCE

Note: 1 ACRE equals 43,560sq ft  
1/2 ACRE equals 21,780sq ft  
1/3 ACRE equals 14,520sq ft  
1/4 ACRE equals 10,890sq ft  
Distance from Wetlands:  
Structure 100ft  
Septic 150ft

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### § 330-67. Protection of natural vegetation.

[Amended 5-13-1986 by L.L. No. 7-1986; 12-27-1988 by L.L. No. 26-1988; 11-14-1989 by L.L. No. 23-1989; 9-26-1995 by L.L. No. 46-1995; 8-23-2005 by L.L. No. 43-2005]

A. To ensure maximum water recharge and to minimize the potential for fertilized vegetation, natural vegetation located on a tract or lot shall be preserved to the maximum extent possible, consistent with the following parameters:

#### (4) Residential lots and tracts.

- (a) For residential lots, the amount of disturbance of natural vegetation shall not exceed the following percentages, except on flagpole lots, where the area of the pole shall be exempt from the total lot area and the total amount of clearing permitted:

Lot Size (square feet)	Percentage of Site
1 to 15,000	75%
15,001 to 30,000	60%
30,001 to 60,000	50%
60,001 to 90,000	35%
90,001 to 140,000	25%
140,001 to 200,000	20%
200,001 or greater	15%

- (b) For the development of a residential tract with one single-family dwelling and its accessory structures, the amount of disturbance of natural vegetation shall not exceed the maximum percentage allowed as provided in Subsection A(4)(a) above for the minimum required lot area of the zoning district in which the tract lies (e.g., a tract upon which a dwelling is proposed in the CR-40 Zone would not be allowed to be disturbed in excess of 50% of 40,000 square feet). The Planning Board may modify the provisions of this subsection where the applicant has agreed to restrict the remainder of the site or portions thereof so that the burden of meeting the maximum disturbance limitation is not borne by any future lots resulting from the subdivision of the tract.

# 330 Attachment 2

## Town of Southauspous

§ 330-11.1. Residence Districts Table of Dimensional Regulations<sup>1</sup>  
 (Amended 5-13-1994 by L.L. No. 7-1994; 10-24-1999 by L.L. No. 23-1999; 1-10-1995 by L.L. No. 3-1995; 5-13-2003 by L.L. No. 41-2003; 6-10-2003 by L.L. No. 47-2003;  
 10-26-2004 by L.L. No. 33-2004; 6-28-2005 by L.L. No. 28-2005; 4-22-2008 by L.L. No. 24-2008; 7-20-2009 by L.L. No. 33-2009; 5-25-2010 by L.L. No. 16-2010; 5-27-2014 by L.L. No. 17-2014)

Dimension	CR-200 Country Residence	CR-120 Country Residence	CR-80 Country Residence	CR-40 Country Residence	CR-40 Country Residence	R-120 Residence	R-80 Residence	R-40 Residence	R-20 Residence	R-15 Residence	R-10 Residence	MP-44 Medium Density Residence	MHS-40 Medium Subdivided Residence	SC-44 Senior Citizens Residence	MFRD	OSC <sup>1</sup>
Lot size <sup>2</sup>	200,000	120,000	80,000	60,000	40,000	120,000	80,000	60,000	20,000	15,000	10,000	44,000	40,000	44,000	220,000 <sup>3</sup>	-
Minimum (square feet)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	11,000 <sup>4</sup>	40,000	5,500	11,000 <sup>5</sup>	-
Maximum per dwelling unit (square feet)														75		-
Maximum number of dwelling units on any 1 parcel, except as provided in § 330-3																-
Lot coverage																-
Maximum lot coverage by main and accessory buildings (percent)	5	10	15	20	20	10	10	15	20	20	20	20	20	20	20	-
Lot width, minimum (feet)	200	200	175	150	150	200	175	150	120	100	75	200	150	200	-	-
Height, maximum <sup>6</sup>	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	-
Setback	32	32	32	32	32	32	32	32	32	32	32	32	32	32	32	-
Yards, principal building, minimum <sup>8</sup> (feet)	100	80	80	80	60	80	80	80	40	40	30	50	60	50	50	-
Front	50	30	30	25	20	30	30	25	20	15	10	50	20	50	50	-
Side, minimum for 1	125	75	75	65	60	75	75	65	45	35	25	100	60	100	100	-
Side, total for both on interior lot	100	80	80	80	60	80	80	60	40	40	30	50	60	50	50	-
Side, abutting side street on corner lot	100	80	80	80	60	80	80	60	40	40	30	50	60	50	50	-
Side, abutting side street on corner lot	100	80	80	80	60	80	80	60	40	40	30	50	60	50	50	-
Yards, accessory buildings <sup>10</sup> and structures, except fences and retaining walls, minimum (feet)	110	90	90	90	70	90	90	90	50	50	40	60	70	60	60	-
Distance from street <sup>11</sup>	50	30	30	30	20	30	30	30	10	10	8	20	20	50	50	-
Distance from side and rear lot lines																-
Distance between buildings															50 <sup>7</sup>	-

## NOTES:

- There are no dimensional regulations for OSC; however, all construction is subject to the plan approval by the Planning Board.
- Where public sewerage is not available, no lot shall be built upon which has insufficient space for a private sanitary waste disposal system, as determined by the town and the Suffolk County Health Department.
- Required 220,000 square feet for each development, but no minimum for each individual building lot within a development which is subdivided in accordance with a plan approved by the Planning Board pursuant to Art. IV.
- The floor of this section shall be prospective only, and no lands presently zoned MP-44 shall be affected hereby.
- Minimum is determined by dwelling unit type and may be modified by density incentive pursuant to § 330-25DQ(2).
- Maximum height in any AE or VE Zone as shown on the applicable Flood Insurance Rate Map prepared by the Federal Emergency Management Agency for the Town of Southauspous shall not exceed elevation +40 feet NAVD (83) plus required Residential Code of New York State R-1000 or the maximum height as shown on this table, whichever is less.
- Unless both opposing walls of the building back windows, in which case the distance may be reduced to 30 feet.
- Minimum yards may be modified pursuant to the provisions of § 330-45A or 330-43C.
- Chapter 134, Coastal Erosion Hazard Areas, of this Code affects two areas along the Atlantic Ocean shoreline of the Town, the coastal erosion hazard area and the coastal erosion hazard adjacent area. Certain dimensional regulations for these areas, governing, water also, yards, setbacks from these areas, native vegetation and clearing and site development, are set forth in Chapter 134 and supersede any conflicting requirements of this Chapter 330.
- Minimum yards for a residential single lot may be modified pursuant to the provisions of § 330-77E.
- Unexcused steps, decks, patios and terraces shall not be subject to distance from street regulations.
- All structures located on a serviced parcel shall be set back a minimum of 5 feet from the boundary of any easement established for the purposes of easement and egress.

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June 18, 2025

Glen Crandall  
8 Eagle Road  
Rhinebeck, NY 12572

**RE: Request for Determination of Jurisdiction  
36 Pine Court, Northampton, Town of Southampton  
SCTM Number 900-164-3-51.1  
Core Preservation Area of the Central Pine Barrens**

Dear Mr. Crandall :

On May 12, 2025, the Central Pine Barrens Commission received your request for determination of jurisdiction regarding the referenced property in the Central Pine Barrens Core Preservation Area.

Timothy C. Hubbard  
*Member*

#### **Existing Conditions and Project Description**

Maria Z. Moore  
*Member*

The 0.36 acre property is within the R-10 Zoning District and is located on the north side of Pine Court abutting Wildwood Lake in the Town of Southampton. The majority of the lot is wooded with natural pine barrens vegetation and is improved with a gravel driveway, wooden retaining walls and stairs.

Daniel J. Panico  
*Member*

Edward P. Romaine  
*Member*

The proposal is to clear 40% of the lot to construct a single-family residence with innovative/alternative on-site wastewater treatment systems (I/A OWTS) installed in the front of the residence before the road.

The survey that was submitted with the request indicates it was prepared by Scalise Land Surveying last dated December 17, 2024 and illustrates a proposed residence with an area to remain natural adjacent to a NYS regulated freshwater wetland boundary.

#### **Central Pine Barrens Status**

The proposal constitutes development activity pursuant to the Long Island Pine Barrens Protection Act (the "Act"), embodied in New York State Environmental Conservation Law (ECL) §57-0107(13).

Chapter 4, Section 4.5.1 of the Central Pine Barrens Comprehensive Land Use Plan (the Plan) states:

624 Old Riverhead Road  
Westhampton Beach, NY  
11978

*"The Act requires the prohibition or redirection of development in the Core Preservation Area and sets forth the jurisdiction of the Commission over, and certain requirements for processing, hardship exemptions. The Act authorizes the Commission, by majority vote, to waive strict compliance with this Plan upon finding that such waiver is necessary to alleviate hardship according to the conditions and finding of extraordinary hardship or compelling public need pursuant to subdivision 10 of Section 57-0121 of the Act."*

Phone (631) 288-1079  
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## Comments

- To explore the option of developing the proposed project, please proceed with the preparation and submission of a Core Preservation Area Hardship Waiver application to the Commission, subject to review and discretionary decision. Enclosed is a copy of the application for your use.
- To explore the option of transferring development rights via the Pine Barrens Credit Program ("PBC Program"), please contact [creditprogram@pb.state.ny.us](mailto:creditprogram@pb.state.ny.us).
- Please note, it has come to the Commission's attention that the site is the subject of one or more Southampton Town Code violations including failing to obtain a wetland permit prior to construction of a retaining wall. Application review will be suspended and no Pine Barrens Credits will be issued until the issue is resolved.

- ECL §57-0123(3)(c) states:

*"The aforesaid time period and the processing and review of an application shall be suspended by the commission with notice to the applicant where a proceeding pursuant to section 57-0136 of this title is pending against the applicant with respect to the property at issue or otherwise arising out of the ownership or use of such property."*

- Chapter 6, 6.7.6.8 of the Plan states:

*"No Pine Barrens Credits shall be issued for any property where land use conduct has occurred or is occurring that violates the Act, this Plan, any regulation promulgated by the Commission, or any order, determination or permit condition issued by the Commission for which a notice of violation has been issued and not resolved or a Commission enforcement action is pending until the violation is resolved to the satisfaction of the Commission."*

The proposal must conform to all other involved agency jurisdictions and permit requirements in effect on the project site. Thank you for your attention, and if you have any questions, please do not hesitate to contact me at (631) 563-0307.

Sincerely,

  
Tara Murphy  
Environmental Planner

cc: Judy Jakobsen, Executive Director, CPBJPPC  
Julie Hargrave, Policy and Planning Manager, CPBJPPC  
John C. Milazzo, Counsel, CPBJPPC  
Janice Scherer, Town Planning & Development Administrator, Southampton Town  
Martin Shea, Chief Environmental Analyst, Southampton Town