June 1, 2021 Work Session Agenda

EXECUTIVE SESSION
IV-1 Labor-Matters Involving Collective Bargaining-Advice from Labor Counsel
9:00 Richard Zuckerman

OPEN SESSION
IV-2 10:00 Denis Noncarrow and Michael Collins re: Update on Projects and Grants
IV-3 10:15 John Sepenoski re: (1) Approve New Trails at Arshamomaque Preserve, 2) Adopt Hummels Pond Stewardship Management Plan and (3) Potential LWRP Grant Application for Bay to Sound Project
IV-4 Justice Evans re: Proposed Code Amendment to Ban Overnight Parking at Fishers Island Dock Beach Parking Lot
IV-5 Proposed Code Amendment to Adopt Regulations for Use of Elizabeth Field Airport
IV-6 Supervisor Russell re: Proposal for RFP for Town Wide Cell Coverage Initiative
IV-7 Request for No Parking In and Around Pequash Beach
IV-8 Response from Planning Board re: Change of Zone Summary for SCTM\#1000-38-7-7.1
IV-9 Town Attorney: re: Proposed Code Amendment to Ch. 280-Conversion of Existing Space to Affordable Residential Housing

EXECUTIVE SESSION
IV-10 Labor-Employment Contract with a Particular Corporation
12:00 -John Sepenoski
IV-11 Labor-Matters Involving the Employment of a Particular Persons(s)
12:15 -Tim Abrams, DPW
12:30 -Janet Douglass
12:45 -Chief Martin Flatley, Janet Douglass and Denis Noncarrow
1:00 -Chief Martin Flatley
1:15 -Kristie Hansen-Hightower
-Committee Vacancies/Resumes (Follow up from 5/18)
IV-12 Litigation
-Town Attorney re: Brinkmann v. Town of Southold
Bay to Sound Trail System
Arshamomaque Preserve Connections
to Arshamomaque County Park and
Sound View Greenport Property

Trails
- Existing
- Proposed
- PreserveOutlines

Tax Map
- Tax Map

First section approximately 190 feet. Exact route finalized after Sound View finalizes their trail.

Third section approximately 170 feet. Route shown within three feet of actual route.

Arshamomaque County Park

Second section approximately 265 feet. Route shown within five feet of actual route.
Town of Southold
Stewardship Management Plan for Hummels Pond

Adopted by the Town Board on June 1st, 2021 by resolution 2021-X.

Properties included in plan:

<table>
<thead>
<tr>
<th>SCTM#</th>
<th>Location</th>
<th>Project</th>
<th>Funding</th>
<th>Acquisition Pursuant To</th>
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<tr>
<td>1000-50.-6-4</td>
<td>15160 Soundview Ave</td>
<td>Hanauer &amp; Bagley</td>
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<td>Chapter 185</td>
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<td>Lighthouse Rd</td>
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Purposes of Property Acquisitions

Parcels 1000-50.-6-4 & 1000-50.-6-5.7 were purchased for open space purposes.

Parcel 1000.-50-6-6.11 was dedicated to the Town as part of a minor subdivision for the following purposes:

1. The premises shall be kept as open space, in its natural state, with no above ground structures or facilities, and shall be solely used to accommodate drainage and overflow from Hummels Pond. In the event, however, that the Town of Southold determines that it is necessary to construct a sump or open catch basin or a fence enclosing such sump or catch basin, then the Town of Southold shall landscape such areas with evergreens of suitable type and size, so as to conceal said sump or catch basin or fence from view.

Note: Although this language applies to parcel 1000-50.-6-11, the existing recharge area created by the Town is on parcel 1000-50.-6-5.7.

Prohibited Activities

All activities not related to the purposes of the property acquisition are prohibited.

Use of motorized vehicles and equipment is prohibited with the exceptions of: vehicles and equipment necessary for approved stewardship work; emergency/public safety vehicles; and motorized wheelchairs/scooters for the handicapped; and registered vehicles used by visitors to access the designated parking area on the properties for parking purposes only.

The creation of new trails except as outlined in the Town Approval of Activities section below.

Trapping of wildlife with the exception of Town approved trapping of diseased wildlife and feral cats.

Fireworks.

Weddings, parties, reunions, flea markets, swap meets, antique shows, car shows.

Camping, fires, bonfires.

Sports whether organized or “pick up” in nature.

Paintball and other similar war games.
Town Approval of Activities

No activities related to the purposes of the property acquisition are allowed on the property without the explicit approval of the Town Board except for the activities listed in the Allowed Activities section below.

Allowed Activities

Section I Public Uses

Due to the importance of the Hummels Pond properties to the Town’s Deer Management Program and the layout of the deer hunting zones which does not provide a safe buffer between the hunting zones and the trail this property will only be open to the general public from April 1st through September 30th each year. For the rest of the year it will be considered closed to the general public and only open for participants in the Town’s Deer Management Program. However, during the period of the year where it is considered closed to the general public, the Department of Public Works may grant special permission for the general public to access the property for purposes allowed by this management plan upon request. Should such permission be granted the Department of Public Works shall close the property for the Deer Management Program. In addition, the Department of Public Works may open the property to the general public beyond the period noted above should they decide to shorten the Deer Management Program season.

Access shall be from dawn to dusk unless posted otherwise or approved per the Town Approval of Activities section above.

Nature walks/surveys, bird watching, citizen science surveys.

Hiking, jogging, walking.

Star gazing.

Pets are allowed per Appendix 3.

Deer hunting per the Town’s Deer Management Program

Participation in the General Activities outlined below.

Section II General Activities

Inventories of the properties including flora, fauna, trails, trash, archaeological features, structures and any other aspects provided that conducting such inventories does not alter or damage the properties.

Invasive species control and removal provided an invasive species plan using Best Management Practices is approved and followed. The invasive species plan will be updated, expanded and amended as needed based on monitoring of the property for the extent of invasive species present. See Appendix 4.

Clean up of man-made trash provided such clean up does not damage the property.

Clean up and removal of the abandoned foundation on the property as depicted in Appendix 1, as well as restoration of the area, including spreading of the top soil excavated from the foundation area which is still on site, provided that damage to the surrounding areas is kept to the minimum necessary to safely
remove the foundation and restore the area and that a specific plan for this work is developed and approved by the Town Board.

Section III Infrastructure

Signage – the following signage is allowed: Preserve name sign, entrance signs, trail head kiosks, Town open space signs, posted/no hunting signs, safety signs, rules/regulations signs, directional trail signs and Deer Management program signs.

Parking will be limited to the road side parking areas depicted in Appendix 1.

The trails as depicted in Appendix 1 shall be maintained as the official trail system. The trails shall be maintained so they are approximately 4 to 8 feet wide and passable with vegetation not to exceed six inches in height. As needed the trails may be mowed and trimmed, fallen branches/trees that block or partially block the trails may be removed, sections of the trails that have been damaged by erosion or ATVs may be restored and leveled using soil or wood chips, areas of the trails subject to becoming wet and muddy may be covered with a layer of wood chips. Wood chips may also be used to reduce or eliminate the need for regular mowing of the trails. Trail maintenance will be kept to the minimum necessary to maintain the trails in a condition that allows the public to use the trails safely. See Appendix 4 for additional trail maintenance standards related to invasive species that encroach on the trails.

When the foundation area has been restored another trail segment in this area may be created to get to the corner of Light House Rd and Soundview Ave in order to allow a loop trail in conjunction with the Soundview Ave roadside, provided the standards noted above are followed and no additional accesses to the pond are created along this trail segment.

Culvert – There is a culvert at the south end of the pond as depicted in Appendix 1, designed to control the level of the pond and prevent flooding of Soundview Ave. This pipe was originally installed based on an Engineering design and functioned normally for several years, only allowing water to flow out of the pond when the water level approached the level where Soundview Ave would flood. However, the pipe was then modified by cutting a section of the pipe off which lowered the maximum level of the pond and flooded adjacent private property. This lowering of the maximum level of the pond is likely responsible for the degraded condition of the pond based on historic conditions prior to the installation of the pipe and prior to the modification of the pipe after it was installed. This pipe will be modified or replaced to restore the pond to the conditions that existed prior to the pipe being cut and/or the original installation of the pipe.

The preserve or any section thereof may be closed to the public should any unsafe conditions exist; or for the purposes of protecting native flora and fauna. Signage denoting such closures is allowed.

Appendices
1. Hummels Pond Trail plan
2. Hummels Pond Bird Species Listing
3. Pets
4. Invasive Species Plan
Appendix 1
Hummels Pond Trail Plan

Stewardship Management Plan for Hummels Pond
Page 4 of 10
### Appendix 2
Hummels Pond Bird Species Listing as of May 2020 based on eBird observations beginning in 1990

<table>
<thead>
<tr>
<th>Seq</th>
<th>Species</th>
<th>DEC Status</th>
<th>Audubon Watch List</th>
<th>NY SGCN Status</th>
<th>Breeding Status</th>
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Current Status Notes:

**NYS DEC**
- **Special Concern**: Any native species for which a welfare concern or risk of endangerment has been documented in New York State. (New York State DEC, 2001).

- **Threatened**: Those designated by the DEC as likely to become endangered within the foreseeable future throughout all or a significant portion of their range.

- **Endangered**: Those designated by the DEC as seriously threatened with extinction.

**Audubon Watch List**
- **Yellow**: This category includes those species that are declining but at a slower rate than those in the red category. These typically are species of national conservation concern.
• Red: Species in this category are declining rapidly, have very small populations or limited ranges, and face major conservation threats. These typically are species of global conservation concern.

New York Species of Greatest Conservation Need (SGCN)

• High Priority SGCN: The status of these species is known and conservation action is urgent in the next ten years. These species are declining and must receive timely management intervention or they are likely to reach critical population levels in New York.

• SGCN: The status of these species is known and conservation action is essential. These species are expected to experience significant declines over the next ten years and will need management intervention to secure their populations.

• Non-SGCN Species of Potential Conservation Need: The trends in abundance and distribution of these species are poorly known, but there is an identified threat to the species, or the species has a high level of intrinsic vulnerability. Further research and surveys are needed to determine their actual population status. Although not classified as SGCN, actions for their conservation will be identified and they will be included in the State Wildlife Action Plan.
Appendix 3
Pets

- Unless posted otherwise, pets are allowed provided that they are leashed and under control at all times while on the property.

- The Town may permanently or temporarily restrict pets from the property or designated areas of the property for reasons including, but not limited to, wildlife and nesting habitat protection and public safety. Such restrictions will be approved by the Town Board and will be posted at the property.

- All pet waste must be picked up and properly disposed of as required by Southold Town Code.

- Failure to follow pet rules may result in all pets being prohibited from using the property.
Appendix 4
Invasive Species Plan for Hummels Pond

Invasive species such as Autumn Olive, Russian Olive and Oriental Bittersweet may be present along the trail. In addition these invasives may also occur in off trail areas of the preserve where they hinder the growth of native species. Trimming of these invasive species has proven ineffective in keeping the trails open as the trimming serves as pruning which causes faster growth and more seed to be produced. Since these are invasive species that are preventing the normal growth of native species and creating trail maintenance issues the following maintenance standards will be followed for these species:

- Should any specimens of these species be found on the preserve whether along the trails or in off trail areas, the entire specimen will be cut down as close as possible to the ground and either removed from the preserve or cut up/chipped so that it does not encroach on the trail.
- If necessary, herbicide may be applied to the stumps to prevent new growth. Use of herbicide will be per the Town’s Policy for the Use of Pesticides & Fertilizers.
- Specimens treated will be monitored for new growth. Should any new growth be detected the specimen will be cut and treated with herbicide as above.
- Where Oriental Bittersweet has been cut off at ground level and it is not practical to pull the rest of the plant down from where it has climbed the plant will also be cut as high above ground as practical to prevent the cut portion of the plant from becoming an easy vector for new growth to climb up again.

Mile-a-minute Weed is another invasive species likely to be found on the properties. The following shall apply for the control of this invasive throughout the preserve:

- Where practical it may be mowed or weed wacked to prevent it from covering other species and producing seed.
- It may be removed by hand pulling. If it is removed prior to having viable seeds it may be left off trail. If the seeds are viable the pulled plants will be placed in plastic bags and allowed to bake in the sun long enough to kill the seeds.
- Any plants or portions of plants that have grown over other desirable plants shall be pulled off to allow the other plants to grow normally.

Chinese Bush Clover may also be present. The following shall apply for the control and removal of this invasive:

- Integrated management: A combination of complementary control methods will be used for more rapid and effective control of Chinese Bush Clover Sericea lespedeza. Integrated management includes not only killing the target plant, but establishing desirable species and discouraging non-native, invasive species over the long term.
- Plants should be mowed when they reach a height of 12-18 inches, and should be cut as close to the ground as possible.
- Mow again when plants are producing flower buds, because root carbon reserves are then at their lowest levels.
- It is crucial to inspect and mow any remaining plants before seed is set.
- A final cutting in late fall just prior to senescence may weaken plants by reducing carbon storage.
• Cutting treatments will need to be repeated for several seasons. Mowing in the flower bud stage for 2 to 3 consecutive years will reduce stand vigor and control further spread.
• Hand digging can be effective for controlling small, scattered populations. Digging or pulling activities that remove the root crown, but not necessarily the entire root system, would be sufficient to kill the plant.
• Establishing desirable native species: In year four following three consecutive years completing the prescribed mowing schedule evaluate the affected area. If Bush clover population appears to be under control plant desirable native species such as Switch grass, Pennisetum virgatum 18 inches on center in the affected area.
• Note: New planting must be undertaken without mechanical site preparation. Disking well established or "run down" Sericea lespedeza stands may result in stand enhancement, rather than degradation, presumably due to enhanced seedling establishment combined with root crown sprouting.

There is a significant Parrot Feather infestation throughout much of the pond which has resulted in degradation of the quality of the pond. Dense mats have formed in shallow areas of the pond, likely due in part to the changing of the historic water levels of the pond, see Infrastructure section of this plan for information on the outfall pipe.

The following shall apply for the control and removal of this invasive:

• Hand pulling, raking and seining of the plants can be effective in reducing them, especially when the area is a small, self-contained pond, like Hummels. However, any plant fragments left will re-establish so care should be taken to minimize fragments. Plants removed should be disposed of at a dry site well away from the water or wet areas. Regular pulling, raking and seining will likely be necessary to control re-establishment from fragments remaining from earlier removals. Long term monitoring will be necessary to avoid future infestations.
• Herbicide control can also be effective and would be subject to NYS DEC permits. The NYS DEC permit process will determine methods and chemicals used.
• A combination of physical removal and herbicide control will likely be the best way to control this invasive in the long run.

The extent of any invasive infestations will be monitored each year and documented with photos to record the status of the infestations.
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Zoning Analysis (DRAFT)
Tax Map #1000-38.-7-7.1

Outline

A. Parcel Description
   Location: East side of Shipyard Lane _____ feet south of State Route 25 in
   East Marion
   Bordered on the south side by Shelter Island Sound. To the west are
   condominiums, and to the north and east are single family homes on lots
   averaging ¼ to 1/3 of an acre.

   Size:
   Total 18.37 acres
   Wetlands: 1.6 acres
   Other unbuildable lands: 0.6 acres. Beach, maybe some more underwater now.
   Area behind old bulkhead now looks like a beach.
   Buildable lands: 16.8 acres

B. Current Zoning & Permitted Uses
   Marine II (see attached table for permitted uses)

   The purpose of the Marine II (MII) District is to provide a waterfront location for
   a wide range of water-dependent and water-related uses, which are those uses
   which require or benefit from direct access to or location in marine or tidal waters
   and which, in general, are located on major waterways, open bayfronts or the
   Long Island Sound.

   Lot coverage: 20% = 3.3 acres

C. Surrounding Zoning:
   R-40: on three sides (north, east and a small portion to the west)
   RR: to the west on one side

Rezone - potential zoning districts:

Hamlet Density

   The purpose of the Hamlet Density (HD) Residential District is to permit a mix of
   housing types and level of residential density appropriate to the areas in and around the
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major hamlet centers, particularly Mattituck, Cutchogue, Southold, Orient and the Village of Greenport.

Resort Residential

The purpose of the Resort Residential (RR) District is to provide opportunity for resort development in waterfront areas or other appropriate areas where, because of the availability of water and/or sewers, more intense development may occur consistent with the density and character of surrounding lands.

R-40

The purpose of the Low-Density Residential R-40 District is to provide areas for residential development where existing neighborhood characteristics, water supply and environmental conditions permit full development densities of approximately one dwelling per acre and where open space and agricultural preservation are not predominate objectives.

MI

The purpose of the Marine I (MI) District is to provide a waterfront location for a limited range of water-dependent and water-related uses, which are those uses which require or benefit from direct access to or location in marine or tidal waters but which are located within the Town's tidal creeks or natural coves.

(see table of uses attached).

Rezoning Options:

Hamlet Density Zoning

requires an amendment to Chapter 280 to allow Hamlet Density zoning in more places)

**HD = 73 +/- units** (if entire parcel rezoned – see below for split-zone ideas)

- year-round living allowed
- no size limitations.
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RR & R-40
Rezone about 11.5 acres to R-40 – the rationale being that this neighborhood has become very residential since the days when this parcel was a commercial oyster factory.

R-40 = 11 lots
Mandatory cluster – keep away from low-lying areas. Open space would include a private beach. Potential for separate access to Cleaves Pt Road. Having two accesses would support two different zoning districts.

RR = 54 units
Rezone a portion of the property (6.6 acres) to the minimum size of RR that would allow a small hotel/motel resort (like Cliffside)

Five acre minimum (of land above high water).
5 acres x 43,560 = 217,800 sq.ft.
217,800 sq.ft. / 4,000 sq.ft. per unit = 54 units (assuming on-site sewage treatment)
Max. size 600 sq.ft.
Year-round occupancy not allowed (“transient” in definition)

Re-zone R-40 & leave a portion MII.

MII = 32 units (hotel)
4.6 acres total including the boat basin.
3-acre minimum of land above high water for hotel.
3 acres x 43,560 sq.ft/acre = 130,680 sq. ft.
130,680 sq.ft. / 4,000 sq.ft. per unit = 32 units
MII has more options than RR for commercial development (boat sales and repair, commercial boat docking, charter boat docking.)
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R-40 = 13 or 14 lots
Rezone 13.8 acres to R-40.
Similar to above option, just a few more lots.

ALL R-40:
R-40 = 16+/- lots
They would be clustered and have their own private boat dock/marina. This could be marketed at a very high dollar value - very unique with its own marina and surrounding park.

Rationale for re-zoning.
Uses permitted in Marine II zoning district no longer compatible with neighborhood. Legacy zoning (based on a former use no longer viable.)
(statistics to support this rationale will be provided)

Issues:
How to keep out a restaurant, a marina or a yacht club that ends up hosting weddings (Like Peconic Bay Yacht Club in Southold). Seems to be allowed in both MII and RR.

Notes for Discussion:
After researching, I found that Cleaves Point was approved in 1981 when it was zoned Multiple Residence (44 units at 611 sq.ft. each).

It seems people live there year-round, which wouldn’t be allowed in an RR zoned property today because multiple dwelling units are not allowed. Only hotel/motel, and the definition of hotel/motel includes the word “transient”.

Cliffside, the only new development since the RR zone was established (at least I think it is the only one), is required to be closed down in January and February so that no one can live there as their year-round residence.

RR is just about as intense potentially as MII, minus the boat retail and repair and boat storage and fish markets.
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Should an MI option be considered?

Maybe HD and MI combo?

Or R-40 and MI?
Memorandum

To: Town Board
From: William M. Duffy, Town Attorney
Cc:
Date: 5/18/2021
Re: Proposed Amendments to Conversion of Existing Space to Affordable Housing

As you may recall, the Board requested proposed amendments to Code sections regarding “Conversion of Existing Space to Affordable Housing.” The request was made in response to a ZBA decision that the code did not allow the enlargement of an existing building to allow for the creation of affordable units.

I met with the Heather Lanza, Leslie Weismann and Mike Verity to draft the proposed code revisions. Once we looked at the code, we felt that there were additional changes that could be made to the code which resulted in the attached document. The first part of the document contains a “clean” version of the proposed revised code. The second part of the document provides additional issues we thought the Board could consider. The third part document provides a breakdown of the different zoning district in which conversion of existing space to affordable apartments is an allowed use. Finally, a “redlined” version of the code is provided.
Proposed Amendments to Conversion of Existing Space
Draft Ver. 1 (5/12/2021)

§280-13(B)(17) - Conversion of an existing building to an Apartment House, subject to the following conditions:

(a) The apartment house shall be limited to a maximum of six apartments.

(b) The existing building to be converted must be located on a parcel within a designated Hamlet Locus (HALO) Zone;

(c) The apartments to be created shall meet the following requirements:

   (1) be offered for rent;

   (2) the eligible applicants for tenancy must be registered in the Town of Southold Housing Registry, administered by the Government Liaison Officer prior to the commencement of any tenancy;

   (3) the maximum rent charged may not exceed the maximum rent set forth in section 280-30(D), in perpetuity;

   (4) tenants must work or reside in the Town of Southold at the time they take possession;

   (5) as a condition of the granting of a special exception by the Zoning Board of Appeals, property owners must convert the existing building to the use of the apartment house use within six months of site plan approval, and;

   (6) the use, once approved, may not be changed to another use for a minimum period of eight (8) years.

(d) The parcel must have at least one parking space per apartment.

(e) Nothing herein shall prevent alterations or additions to the existing building as part of the conversion of the existing building to an Apartment House.

Additional Items for Consideration

1. Consider requiring property be required to be in HALO in all zoning districts and eliminating the use in districts where the there is no property with that zoning in the HALO.
2. In addition to properties in the HALO, include properties in the Hamlet Center as Hamlet Centers are generally surrounded by the HALO.

3. Eliminate need for Special Exception:
   a. Can add additional criteria which would eliminate the need to go to ZBA for special exception first and then to Planning Board for site plan;
   b. Alternatively, consider creating 2 different uses:
      i. Where building does not have to enlarged or expanded would not require special exception;
      ii. Where building does have to be expanded would be subject to special exception

4. Grant Planning Board ability to grant variances (similar to AHD) in order to expedite the process.

5. Consider amending language regarding “conversion of an existing building” to “conversion of an existing building, or a portion thereof”
   a. Issue – would this constitute an additional use?
      i. if we were allow the conversion of a portion of a building, would or should that be considered a separate use with regard to bulk schedule;
      ii. How do recent ZBA decisions regarding uses affect this analysis?

**Zoning Districts Affected**

As a reminder, the “Conversion of Existing Space” use is currently found in the following zoning districts:

- Agricultural-Conservation (A-C) District and Low Density Residential r-80, R-120, R-200, and R-400 - See §280-13(B)(17)
- Low Density Residential R-40 - See § 280-17 (B)(3)
- Residential Office (RO) District – See §280-38 (B)(6) *Currently does not require it to be in the HALO*
• Limited Business (LB) District - §280-41 (B)(5) *Currently does not require it to be in the HALO

• Hamlet Business (HB) District - §280-45 (B)(11) *Currently does not require it to be in the HALO

• General Business (B) District - §280-48 (B)(18) *Currently does not require it to be in the HALO

• Light Industrial Park/Planned Office Park (LIO) District - §280-58 (B)(11)

• Light Industrial (LI) District - §280-62 (B)(11) *Currently does not require it to be in the HALO

**Re-lined Version of Changes**

§ 280-13 Use regulations.
[Amended 3-14-1989 by L.L. No. 3-1989]

B. Uses permitted by special exception by the Board of Appeals. The following uses are permitted as special exception by the Board of Appeals, as hereinafter provided, and, except for the uses set forth in Subsections B(1), (13) and (14) hereof, are subject to site plan approval by the Planning Board:

(17) Conversion of existing space-building to affordable residential housing

(a) Tenants shall be reserved to moderate-income individuals and families who do not have any ownership interest in any other residence or vacant lot. Tenants must work or reside in the Town of Southold at the time they take possession. The eligible applicants must be registered in the Town of Southold Housing Registry, administered by the Government Liaison Officer prior to the commencement of any tenancy. The apartment house shall be limited to a maximum of six apartments.

(b) Converted space shall be limited to a maximum of six moderate-income residential rental units. The existing building to be converted must be located on a parcel within a designated Hamlet Locus (HALO) zone.

(c) As a condition of the granting of a special exception by the Zoning Board of Appeals, property owners must convert said property for residential use within six months, rent the units at a rate at or below the maximum allowable monthly rent for affordable housing units, and maintain the excepted residential units as affordable residential housing for a minimum period of eight years from the date of granting. The apartments created shall
meet the following requirements:

(1) be offered for rent;

(2) the eligible applicants for tenancy must be registered in the Town of Southold Housing Registry, administered by the Government Liaison officer, prior to the commencement of any tenancy;

(3) the maximum rent charged may not exceed the maximum rent set forth in section 280-30(D), in perpetuity;

(4) tenants must work or reside in the Town of Southold at the time they take possession;

(5) As a condition of the granting of a special exception by the Zoning Board of Appeals, property owners must convert the existing building to the apartment house use within six months of site plan approval, and;

(6) the use, once approved, may not be changed to another use for a minimum period of eight years.

(d) All converted affordable residential housing shall be subject to all Town and county building code and septic specifications.

(ed) All converted affordable residential housing The parcel must have at least one parking space per unit.

(fc) The premises must be located within a designated hamlet locus (HALO) zone Nothing herein shall prevent alterations or additions to the existing building as part of conversion of the existing building to an apartment house.