



**Peconic Estuary  
Partnership**

PROTECTING AND RESTORING LONG ISLAND'S PECONIC BAYS

IV-1  
4-20-21

March 2, 2021

TO: Southold Town Board

From: Joyce Novak, PhD – Director, Peconic Estuary Partnership

**RE: REQUEST FOR COMMUNITY PRESERVATION FUND CONTRIBUTION TO THE PECONIC ESTUARY PARTNERSHIP IN ACCORDANCE WITH TOWN LAW, SECTION 64-e (3)(e)**

Town Law, Section 64-e (3)(e) permits up to 20% of the CPF annual revenues to be utilized for water quality improvement projects. CPF water quality improvement funds can be utilized for the Peconic Estuary Program to match federal, state, county, and private dollars on a dollar for dollar basis, not to exceed 10% of the CPF water quality funds. This means that up to 2% of the total CPF annual revenue could be used for the Peconic Estuary Partnership.

The CPF funds can be used to match all contributions to PEP including Federal and State. Currently the Federal contribution is \$700,000. This request is for matching the Federal contribution and is based on a proposed three year 'phase-in' to fully match the federal amount over three years as follows:

- 50% in year 1, 75% in year 2, and 100% of the Federal contribution in year three.
- After the third year, a review of contribution will look at State, County, and private contribution to PEP to assess whether increasing the CPF contribution is appropriate.

In 2020, the proportional share of each Town for contribution to the PEP based on revenue collected is as follows:

- a. Southampton 59.1
- b. East Hampton- 28.3%
- c. Southold- 7.0%
- d. Riverhead- 3.9%
- e. Shelter Island- 1.7%

East End Town	2021	2022	2023
East Hampton	\$99,050.00	\$148,575.00	\$198,100.00
Riverhead	\$13,650.00	\$20,475.00	\$27,300.00
Shelter Island	\$5,950.00	\$8,925.00	\$11,900.00
Southampton	\$206,850.00	\$310,275.00	\$413,700.00
<b>Town of Southold</b>	<b>\$24,500.00</b>	<b>\$36,750.00</b>	<b>\$49,000.00</b>
<b>Total</b>	<b>\$350,000.00</b>	<b>\$525,000.00</b>	<b>\$700,000.00</b>

**At this time, PEP is requesting Town of Southold make the initial contribution of \$24,500.**

To: [e.neville@town.southold.ny.us](mailto:e.neville@town.southold.ny.us)  
Date: February 4, 2021 at 4:50 PM  
Subject: Attention Transportation Committee

IV-6  
4/20/21

To: Southold Town Clerk's Office

Attention: Transportation Committee

Re: No Parking Signs

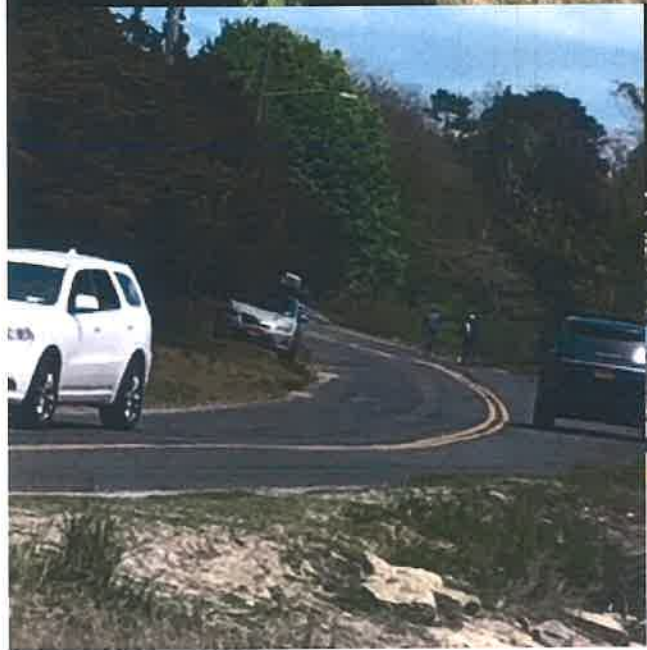
From: Kim Jobes and Diane McGunnigle

We are writing this letter in regards to a request for No Parking Signs on New Suffolk Avenue immediately west of West Creek on the North and South sides of the road. Currently there is a no parking sign a few feet from the bridge with arrow stating no parking from that point to the bridge. There is a bank of road just west of this sign right before a S turn in the road (across from Kimogenor Point). People flood to this bank to park their cars and proceed to cross the street and trespass on our family's (beach) property at 13650 New Suffolk Avenue. They also park just east of our property, where there is now snow fence. Please see attached photos.

Due to Southold Towns beach permit situation (ending daily passes to fix overcrowded beaches) and the current New Suffolk Traffic Study; problems and unsafe road conditions will increase at this location.

We have spoken to Southold Town Police Department (while making several police reports due to trespassers) and they have suggested No Parking Signs to be placed here to again decrease problems and unsafe road conditions.

Please contact us as to the next step we should take to fix this situation.





IV-8  
4-20-21

Town of Southold, NY  
Friday, April 16, 2021

## Chapter 180. Noise, Prevention of

[HISTORY: Adopted by the Town Board of the Town of Southold 7-19-2011 by L.L. No. 8-2011.<sup>[1]</sup>  
Amendments noted where applicable.]

[1] *Editor's Note: This local law was originally adopted as Ch. 200 but was renumbered to preserve the alphabetical organization of the Code.*

### § 180-1. Title.

This law shall be known as the "Prevention and Control of Noise Pollution Law of Southold Town."

### § 180-2. Purpose.

The gentle pace of life in the Town of Southold has traditionally provided a respite from the noise and turmoil which has become an integral part of life in the City and suburbs and which has even encroached into many resort areas on the East End. Crafting of regulations that are uniquely appropriate for the Town of Southold are aimed to protect this rural, almost nostalgic way of life while providing an atmosphere for businesses to flourish. The existence of unreasonably loud, unnecessarily disturbing or unusual noise within the Town has become an increasingly significant problem during recent years. Such noise pollution which is prolonged, unusual or unnatural in its time, place and use is harmful to the peace, welfare, comfort, safety, convenience, good order and prosperity of the inhabitants of the Town of Southold. It is the public policy and findings of the Town Board that every person is entitled to noise levels that are not detrimental to life, health and the enjoyment of his or her property. The provisions and prohibitions hereinafter enacted are in pursuance of this policy and these findings and for the purpose of protecting and promoting the public health, comfort, convenience, peace, safety, welfare and prosperity of the Town of Southold and its inhabitants.

### § 180-3. Statutory authorization.

This chapter is enacted pursuant to § 10 of the Municipal Home Rule Law to promote the public health, safety and general welfare of Town citizens through regulations intended to govern noise pollution within the entire Town.

### § 180-4. Definitions.

As used in this chapter, the following terms shall have their meanings indicated.

#### **AIRBORNE SOUND**

Sound that reached the point of interest by propagation through the air.

#### **AMPLIFIED SOUND**

Sound which has its volume increased by electronic means.

#### **CHARITABLE EVENT**

An event whose sole purpose is to raise money for a specific charity or nonprofit organization.

#### **COMMERCIAL SERVICE EQUIPMENT**

the use of amplifiers, speaker or other machines or devices capable of reproducing amplified or airborne sound from the premises, dwelling or building within the Town shall be considered noise pollution and shall be prohibited at all times.

## § 180-6. Standards.

No person shall create or cause to be emitted any noise pollution which when measured on a sound-level meter from the property line of a complaining property owner exceeds the following standards:

A. Sunday through Thursday:

- (1) From 7:00 a.m. to 7:00 p.m., airborne or amplified sound in excess of 65 dBA; and
- (2) From 7:00 p.m. to 7:00 a.m., airborne or amplified sound in excess of 50 dBA.

B. Friday and Saturday:

- (1) From 7:00 a.m. to 11:00 p.m., airborne or amplified sound in excess of 65 dBA; and
- (2) From 11:00 p.m. to 7:00 a.m., airborne or amplified sound in excess of 50 dBA.

## § 180-7. Exceptions.

A. The provisions of §§ **180-5** and **180-6** shall not apply to the following:

- (1) The intermittent or occasional use between 7:00 a.m. through 9:00 p.m. of homeowner's light residential outdoor equipment with mufflers or commercial service equipment, provided that such activities and such equipment and their use comply with the other provisions hereof.
- (2) Construction activities between 7:00 a.m. through 7:00 p.m. and the associated use of construction devices or the noise produced thereby, provided that such activities and such equipment and their use comply with the other provisions hereof.
- (3) Noise from agricultural equipment.
- (4) Noise from church bells or chimes used.
- (5) Noise from snowblowers, snowthrowers and snowplows when operated with a muffler for the purpose of snow removal.
- (6) Nonamplified noise generated from lawful athletic or recreational activities, events, or facilities.
- (7) Nonamplified noise from organized activities sponsored by any school district, private school or fire district or department within the Town of Southold.
- (8) Noise from municipally sponsored celebrations or events.
- (9) Noise from lawful fireworks displays, parades, and other charitable and special events held in accordance with all pertinent provisions of the Southold Town Code.
- (10) Noncommercial public speaking or public assembly activities conducted on any public space or public right-of-way.
- (11) Emergency construction or repair work.
- (12) Noise from the activities of any fire department, ambulance squad or similar emergency or rescue organization in carrying out their official duties.

All engine-powered or motor-powered equipment intended for infrequent service work in inhabited areas, typically requiring commercial or skilled operators. Examples of commercial service equipment are chain saws, log chippers, paving rollers, etc.

### **CONSTRUCTION DEVICE**

Any powered device or equipment designed and intended for use in construction. Examples of construction devices are air compressors, bulldozers, backhoes, trucks, shovels, derricks and cranes.

### **dB(A)**

The A-weighted sound level in decibels, as measured by a general-purpose sound-level meter complying with the provisions of the American National Standards Institute specifications for sound-level meters, properly calibrated and operated on the A-weighting network.

### **DECIBEL ("dB")**

The unit for measuring the volume of a sound based upon the pressure level of a sound. For the purpose of this chapter, the standard reference pressure stated herein will be used to assure a consistent and standard reference for measuring sound.

### **HOMEOWNER'S LIGHT RESIDENTIAL OUTDOOR EQUIPMENT**

All engine-powered or motor-powered garden or maintenance tools intended for repetitive use in residential areas, typically capable of being used by a homeowner. Examples of homeowner's light residential outdoor equipment are lawn mowers, garden tools, riding tractors, snowblowers, snowplows, etc.

### **NOISE POLLUTION**

Airborne or amplified sound which:

- A. Causes temporary or permanent hearing loss in persons exposed; or
- B. Is otherwise injurious, or tends to be, on the basis of current information injurious to the public health or welfare; or
- C. Disturbs a reasonable person of normal sensitivities;
- D. Exceeds standards or restrictions established herein; or
- E. Interferes with the comfortable enjoyment of life and property or the conduct of business. The following are deemed to interfere with the comfortable enjoyment of life and property or the conduct of business:
  - (1) Yelling or shouting that disturbs the quiet, comfort or repose of person or persons residing or occupying an adjacent or neighboring property.
  - (2) The using of, operating of or permitting to be played, used or operated, any radio, receiving set, musical instrument, phonograph, television set or other machine or device for the producing or reproducing of airborne or amplified sound in such a manner as to disturb the peace, quiet and comfort of the person or persons residing or occupying an adjacent or neighboring property.

### **PERSON**

An individual, association, firm, syndicate, company, trust, corporation, department, bureau or agency or any other entity recognized by law as the subject of rights and duties.

### **SOUND-LEVEL METER**

An instrument for the measurement of noise and sound levels including a microphone, amplifier, an output meter and frequency weighting networks which comply with standards established by the American National Standards Institute (ANSI) specifications for sound-level meters.

## **§ 180-5. General prohibition.**

No person or persons owning leasing or controlling the operation of any source of noise on any lot or structure within the Town shall permit the establishment of a condition of noise pollution. Except as provided in § 180-6,

(13) Noncommercial amplified sound that does not exceed the noise standard established in § 180-6 of this chapter.

(14) Emergency stationary and mobile signal devices.

(15) Audible exterior burglar alarms in operation for 15 minutes or less.

## § 180-8. Enforcement.

The provisions of this chapter shall be administered and enforced by the Southold Town Police Department and the Southold Town Office of Code Enforcement.

## § 180-9. Penalties for offenses.

- A. Any person who shall violate any provisions of this chapter shall be guilty of a violation punishable by a fine not exceeding \$500; and upon conviction of a subsequent offense, punishable by a fine not exceeding \$2,500. If the violation is of a continuing nature, each one-hour period of violation of any provision of this chapter shall constitute an additional, separate and distinct offense.
- B. In addition to any other remedy provided by law, the Town may bring an injunction proceeding to enforce this chapter.



IV-9  
4-20-21

A1248A (ACTIVE) - SUMMARY

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Enacts the "marihuana regulation and taxation act"; establishes the cannabis law; defines terms; establishes the New York state cannabis control board and the office of cannabis management; outlines powers and duties thereof; authorizes the lawful use of medical cannabis; authorizes research programs related thereto; establishes a cannabis research license to permit a licensee to produce, process, purchase and/or possess cannabis for certain limited research purposes; relates to adult-use cannabis; authorizes a person to apply for a license to cultivate, process, distribute, deliver or dispense cannabis for sale in this state; relates to the description of cannabis, and the growing of and use of cannabis by persons twenty-one years of age or older; makes technical changes regarding the definition of cannabis; relates to removing certain references to marijuana relating to forfeiture actions; relates to the qualification of certain offenses involving cannabis; exempts certain persons from prosecution for the use, consumption, display, production or distribution of cannabis; relates to the definition of smoking; provides for the licensure of persons authorized to produce, process and sell marihuana; relates to the criminal sale of cannabis; relates to drug paraphernalia; adds a new article on cannabis to the penal law; authorizes a motion for resentencing for persons convicted of certain marihuana offenses; levies an excise tax on certain sales of cannabis; creates the New York state cannabis revenue fund, the New York state drug treatment and public education fund and the New York state community grants reinvestment fund.