

From: Richard Connelly richjconnelly@gmail.com
Subject: 98 Old Country Rd, Westhampton - 25% Clearing Limitation
Date: June 13, 2025 at 7:39 PM
To: Elizabeth Porter elizabeth.porter@elliman.com



Richard,

As discussed, below and attached is information from our land use attorney, which confirms that the clearing limitation for the property in Westhampton is 25%.

Attached is Table 5-1 from the most recent version of the Pine Barrens Comprehensive Land Use Plan that became effective in July 2024.

The Southampton Town Code regulates developments in the Compatible Growth Area by reference to the Central Pine Barrens Comprehensive Land Use Plan. Town Code 330-2020(12) states that "development projects in the Pine Barrens Compatible Growth Area must meet, at minimum, the percentages of open space specified in Standard 5.3.3.6.2 and Figure 5-1 of the Central Pine Barrens Comprehensive Land Use Plan."

Thanks,

Figure 5-1: Clearance and Open Space Standards This table shows total overall development project site clearance and requirement for open space including lots, roads, drainage and other improvements.		
Zoning lot size (see Notes at end of table)(*)	Maximum overall development project site clearance (**)	Minimum open space requirement (**)
10,000 square feet residential (1/4 acre)	90 %	10 %
15,000 square feet residential (1/3 acre)	70 %	30 %
20,000 square feet residential (1/2 acre)	60 %	40 %
30,000 square feet residential (2/3 acre)	58 %	42 %
40,000 square feet residential (1 acre)	53 %	47 %
60,000 square feet residential (1.5 acre)	46 %	54 %
80,000 square feet residential (2 acres)	35 %	65 %
120,000 square feet residential (3 acres)	30 %	70 %
160,000 through 200,000+ square feet residential (4 - 5+ acres) The total amount of disturbance of natural vegetation shall not exceed the clearance percentage, 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.	25 %	75 %
Other defined residential zoning lot size	Interpolate from entries above.	Interpolate from entries above.
All other zoning categories, including those categories without defined zoning lot sizes and parcels owned by the State or a public corporation	60 %	40 %
Notes: (*) These entries are the minimum lot sizes required by zoning as of June 28, 1995 or the date the parcel is added to the Central Pine Barrens if later or the current zoning, whichever is more protective of the environment by minimizing clearing or maximizing open space, not the size of the subject parcels. (**) In calculating the percentage of land cleared and the percentage of open space to be retained, the preserved areas in a development should preferably be existing native vegetation. These are maximum clearance and minimum open space standards, and more restrictive standards may be imposed during the review by the Commission, involved agency, or local municipality due to consideration of other standards, especially those addressing preservation of rare or endangered species, or unique flora or vegetation.		

5.3.3.6.2 Open space standard requirement, unfragmented open space and habitat

Development project sites must meet at a minimum the percentages of open space specified in Figure 5-1 regardless of existing physical site conditions. Applicants must prioritize first the use of existing cleared areas for development on a project site prior to clearing areas of natural vegetation. Site plans, surveys - and subdivision maps must delineate the open space boundary lines and include the calculation of open space areas to demonstrate conformance with this standard. Applicants must identify the receiving entity to which dedicated open space will be transferred as required by Standard 5.3.3.6.5.

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Richard & Susan Connelly
Douglas Elliman Real Estate
Licensed Real Estate Salespersons