

Local Law Filing

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41 State Street, Albany, NY 12231

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Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED

JUN 05 2009

Town of Brookhaven

Local Law No. 13 of the year 2009

MISCELLANEOUS
& STATE RECORDS

A local Law amending Chapter 57 "Shellfish" by amending §57-34 entitled "Management Areas", "Exhibit A" to include "A-2.1 Great South Bay Shellfish Management Area 3 (The Nature Conservancy Underwater Lands)"

Be enacted by the Town Board of the Town of Brookhaven as follows:

Section 1. Legislative Intent. In order to conserve and enhance the shellfish populations in the Great South Bay, which includes the Town-owned underwater lands or privately owned underwater lands, it is the intent of the proposed local law to prohibit the taking of shellfish within the Great South Bay on underwater lands owned by the Nature Conservancy, as described in new Management Area "A-2.1. Great South Bay Shellfish Management Area 3 (The Nature Conservancy Underwater Lands)". The proposed local law supersedes New York State Town Law Section 130.18, to the extent necessary, to authorize the Town upon the request of a property owner to prohibit the taking of any shellfish on privately owned underwater lands by designating such underwater lands as a Management Area. The proposed local law further includes a new Severability provision. The proposed local law further serves to streamline administration by eliminating annual notification.

Section 2. Text Amendment. Chapter 57 of the Code of the Town of Brookhaven entitled, "Shellfish", Section 57-34, entitled, "Management Areas" is hereby amended as follows:

§57-34. Management Areas.

- A. Management Areas and the boundaries of such Management Areas shall be designated and established by local law adopted by the Town Board of the Town of Brookhaven.
 - (1) All Management Areas and boundaries of such Management Areas are as set forth and described in Exhibit A.
- B. Implementation of Management Areas. After adoption of such local law designating a Management Area, the Director of the Division of Environmental Protection shall:
 - (1) Prepare a written description of all designated Management Areas together with a map delineating such areas. The written description and map shall be posted

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(1)

in the office of the Division of Environmental Protection, the Office of the Town Clerk and the Office of the Department of Public Safety.

- (2) Publish the written description of any designated Management Areas in at least one (1) local newspaper immediately after the adoption of a local law designating any Management Area.
- (3) A written description and map of each designated Management Area shall be forwarded to:
 - (a) The Town Clerk of the Town of Islip;
 - (b) The Suffolk County Police Department Marine Bureau;
 - (c) The New York State Department of Environmental Conservation, Region I.

Section 3. Text Amendment. Chapter 57 of the Code of the Town of Brookhaven entitled, "Shellfishing", is hereby amended to add new Section 57-34.1, entitled, "Supersession of Town Law" is hereby amended as follows:

§57-34.1. Supersession of Town Law.

In order to conserve and enhance the abundance of shellfish populations in the Great South Bay, the Town Board finds it is necessary, upon the request of a private property owner, to prohibit the taking of shellfish and designate such underwater lands within the Great South Bay a "Management Area". It is, therefore, the Town Board's express intent and purpose to supersede, by this section, pursuant to Municipal Home Rule Law § 10.1(i) and §10.1(ii)d.(3) and Statute of Local Governments §10.1 of the State of New York, to the extent necessary, the provisions of Town Law §130.18.

Section 4. Text Amendment: Chapter 57 of the code of the Town of Brookhaven entitled "Shellfishing", Section 57-35 entitled "Winter grounds", is hereby amended as follows:

§57-35. Winter grounds.

- A. Winter grounds and the boundaries of such winter grounds shall be designated and established by local law adopted by the Town Board of the Town of Brookhaven.
 - (1) All winter grounds and boundaries of such winter grounds are as set forth and described in Exhibit B.
- B. Any designated winter grounds area shall be closed to all manner of shellfishing commencing at sunset on March 31 to sunrise on the first Monday in December of each year.
- C. Implementation of winter grounds areas. After adoption of such local law designating a winter grounds, the Director of the Division of Environmental Protection shall:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

- (1) Prepare a written description of all designated winter grounds areas together with a map delineating such areas. The written description and map shall be posted in the office of the Division of Environmental Protection, the office of the Town Clerk and the office of the Department of Public Safety.
- (2) Publish the written description of any designated winter grounds in at least one local newspaper immediately after the adoption of a local law designating a winter grounds.
- (3) A written description and map of each designated winter grounds area shall be forwarded to:
 - (a) The Town Clerk of the Town of Islip;
 - (b) The Suffolk County Police Department Marine Bureau;
 - (c) The New York State Department of Environmental Conservation, Region I.

Section 5. Text Amendment: Chapter 57 of the code of the Town of Brookhaven entitled "Shellfishing", is amended to add new Section 57-36 entitled "Severability" is hereby amended as follows:

§57-36. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this article or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this article, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 6. Text Amendment: Chapter 57 of the code of the Town of Brookhaven entitled "Shellfishing", "Management Areas - Exhibit A", is amended to include new "Management Areas §A-2.1., Great South Bay Management Area 3 (The Nature Conservancy Underwater Lands)" is hereby amended as follows:

EXHIBIT A MANAGEMENT AREAS

A-1. Great South Bay Shellfish Management Area 1

BEGINNING at a point located at 40° 44.55'N latitude and 73°01.71'W longitude and thence preceding easterly from that point to a point located at 40°44.55'N latitude and 73°1.57'W longitude and thence preceding southerly from that point to a point located at 40°44.44'N latitude and 73°01.57'W longitude and thence preceding westerly from that point to a point located at 40°44.44'N latitude and 73°01.71'W longitude and thence preceding northerly from that point to the point of origin located at 40°44.55'N latitude and 73°01.71'W longitude.

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(3)

A-2. Great South Bay Shellfish Management Area 2

BEGINNING at a point located at 40°42.22'N latitude and 73°02.86'W longitude and thence preceding easterly from that point to a point located at 40°42.22'N latitude and 73°02.72'W longitude and thence preceding southerly from that point to a point located at 40°42.11'N latitude and 73°02.72'W longitude and thence preceding westerly from that point to a point located at 40°42.11'N latitude and 73°02.86'W longitude and thence preceding northerly from that point to the point of origin located at 40°42.22'N latitude and 73°02.86'W longitude.

A-2.1. Great South Bay Shellfish Management Area 3
(The Nature Conservancy Underwater Lands)

Descriptions of lands under water in The Great South Bay in the Town of Brookhaven, County of Suffolk and State of New York conveyed to The Nature Conservancy.

For the purpose of these descriptions NAD 83 coordinates refer to the New York Long Island projection of the 1983 North American Datum. "Shore line" refers to tie lines along the shore lines and bulkhead lines shown on 2004 orthoimagery available on the internet at the NYS Geographic Information Systems Clearing Warehouse.

PARCEL "A"

Beginning at a point on the division line between the Town of Brookhaven and the Town of Islip. Said point being at the intersection of the town line with the southerly line of land now or formerly of the People of the State of New York and at NAD 83 coordinates North: 196401.0365 East: 1220665.0853

Running thence along land now or formerly of the People of the State of New York the following nine (9) courses and distances.

1 S 76-20-39 E	1002.24
2 N 13-39-21 E	376.78
3 N 11-38-51 E	1664.64
4 N 05-08-21 E	130.21
5 N 11-30-1 IE	241.08
6 N 15-25-31 E	342.52
7 N 15-25-31 E	24.94
8 N 74-34-29 W	900.00
9 N 15-25-31E	42.62

Thence along land now or formerly of William H. Robbins the following twenty (20) courses and distances

1 N 24-00-41 E	367.13
2 N 29-51-41 E	238.88
3 N 39-17-41 E	437.55

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4 N50-09-2IE	280.03
5 N 56-13-21 E	309.03
6 N41-54-3IE	246.64
7 N 50-48-2 IE	130.60
8 N 29-30-41 E	406.75
9 N 58-17-01 E	642.97
10 N44-06-3IE	454.46
11 N 79-03-1 IE	441.50
12 N 57-52-41 E	283.75
13 N41-08-11 E	171.14
14 N 59-38-11 E	213.06
15 N 51-40-41 E	194.43
16 N 30-26-01 E	298.05
17 N 48-47-41 E	188.43
18 N 30-32-1 IE	330.43
19 N 01-03-31 E	381.18
20 N 37-26-59 W	209.56

Thence across Connetquot River N 54-35-31 E 183 6.44

Thence along land now or formerly of Frederick G. Bourne the following eight (8) courses and distances

1 S 50-50-59 E	410.00
2 N 39-09-01 E	296.02
3 N 21-53-01 E	232.32
4 S 63-56-19 E	2256.80
5 S 44-56-42 E	1819.11
6 S 62-05-14 E	1460.20
7 N 85-56-41 E	1154.80
8 N 59-04-1 IE	2516.80

Thence along land now or formerly of the Town of Islip the following two (2) courses and distances

1 S 08-04-01 W	265.06
2 S 89-23-49 E	299.96

Thence along land now or formerly of Fred W. Tuck S 04-13-09 E 412.80 Thence along lands now or formerly of Fred W. Tuck & the Town of Islip S 76-12-29 E 690.92

Thence along land now or formerly the Town of Islip N 10-35-59 W 922.72 Thence along land now or formerly of Blue Points Company N 86-49-14 E 371.47 Thence along land now or formerly of John P. G. Bates the following four (4) courses and distances

1 S 10-40-09 E	780.22
2 N 79-19-51 E	308.94
3 S 72-40-59 E	31.71
4'N 01-17-19 W	628.15

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Thence along land now or formerly of Frank S. Jones the following three (3) courses and distances

1 N 71-29-21 E 760.89

2 S 88-36-19 E 623.94

3 N 01-23-41 E 354.69 Thence along the shore line the following two (2)

courses and distances

1 S 52-15-50 E 59.15

2 S 78-30-34 E 18.64

Thence along land now or formerly of George A. Morrison the following two (2) courses and distances

1 S 01-23-41 W 316.37

2 S 88-36-19 E 317.38

Thence along lands now or formerly of Martha E. Hayward & Frank E. Hayward N 84-00-21 E
709.32

Thence along lands now or formerly of Frank E. Hayward & Sayville Golf Club Inc. N 65-51-21 E
351.64

Thence along land now or formerly of Sayville Golf Club Inc. N 12-00-39 W 385.20 Thence along the
shore line the following two (2) course and distances

1 S 86-42-46 E 39.43

2 N 76-02-50 E 24.50

Thence along land now or formerly of Lila G. Robinson S 24-07-39 E 354.09 Thence along lands
now or formerly of Lila G. Robinson, Rudolf E. Kraft & Charles E. Keator N 65-51-21 E
577.69

Thence along land now or formerly of Lucille C. Bonert the following four (4) courses and distances

1 S 19-29-09 E 601.99 . 2 N

65-51-21 E 54.95

3 S 88-38-49 E 32.33

4 N 06-44-19 W 606.03

Thence along land now or formerly of Paul Groh, William J. Basin and William W. Basin the following
two (2) courses and distances

1 S 88-38-49 E 209.27

2 N 01-18-51 E 369.27 Thence along the shore line the following two (2)

courses and distances

1 N 68-36-53 E 48.16

2 N 79-12-2 IE 29.59

Thence along land now or formerly of Isaac F. Skinner, Andrew F. Skinner and Harry
Skinner S 14-49-09 E 306.99

Thence along lands now or formerly of Isaac F. Skinner, Andrew F. Skinner and Harry C. Skinner &
Charles L. Alexander S 80-53-19 E 339.94

Thence along land now or formerly of Charles L. Alexander N 09-23-19 W 74.29 Thence along the
shore line N 84-07-26 E 33.86

Thence along land now or formerly of John L. Glennon and Dorothy A. Glennon S 09-23-19 E
952.43

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(6)

Thence along lands now or formerly of John L. Glennon and Dorothy A. Glennon & Fraiik Rogers N 83-20-21 E 156.45

Thence along land now or formerly of Frank Rogers the following two (2) courses and distances

1 N 79-32-1 IE 108.72

2 N 09-35-49 W 990.96

Thence along the shore line the following three (3) courses and distances

1 N 61-34-53 E 64.43

2 N 84-05-11 E 42.04

3 S 84-08-26 E 191.95

Thence along land now or formerly of Northam Warren the following three (3) courses and distances

1 S 15-04-19 E 607.65

2 S 50-35-59 E 460.96

3 N 1-30-09 W 679.28

Thence across Browns River N 55-22-05 E 259.76

Thence along land now or formerly of Northam Warren the following three (3) courses and distances

1 S 14-33-39 E 437.12

2 N 54-35-41 E 644.95

3 N 50-59-09 W 517.21 Thence along the shore line the following three (3) courses and distances

1 N 57-02-45 E 49.27

2 N 72-30-48 E 22.63

3 N 58-51-29 E 59.60

Thence along land now or formerly of Louis C. Dotzler and Mary B. Dotzler the following three (3) courses and distances

1 S 52-08-29 E 1084.93

2 N 32-35-1 IE 17.78

3 N 40-45-29 W 1068.43 Thence along the shore line the following three (3) courses and distances

1 N 21-16-27 E 15.91

2 N 28-51-51 E 18.93

3 N 42-03-36 E 20.17

Thence along land now or formerly of Frank Rogers the following three (3) courses and distances

1 S 51-01-09 E 377.55

2 N 27-39-11 E 354.05

3 N 51-01-09 W 407.95 Thence along the shore line the following twenty seven (27) courses and distances

1 N 00-32-06 E 32.68

2 N 10-05-48 W 30.55

3 N 34-06-38 E 98.61

4 N 53-17-24 E 241.04

5 N 61-58-49 E 73.37

6 N 78-00-35 E 68.79

7 N 53-37-55 E 60.30

8 N 76-05-14 E 19.45

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9 S 80-22-05 E 15.82
 10 N 55-28-43 E 37.90
 11 N 67-32-34 E 32.70
 12 N 88-33-14 E 34.32
 13 N 59-40-1 IE 34.08_
 14 N 69-15-52 E 82.38
 15 S 88-15-55 E 27.09
 16 S 19-04-56 E 14.58
 17 N 68-15-36 E 107.17
 18 N 20-53-14 W 34.90
 19 N 84-42-55 E 7.22
 20 N 53-33-01 E 40.88
 21 N 83-31-56 E 12.15
 22 S 63-26-39 E 11.21
 23 N 84-16-39 E 3.01
 24 N 1-27-26 W 19.98
 25 N 70-49-53 E 13.56
 26 N 45-00-19 E 19.34
 27 N 76-12-5 IE 66.04

Thence along land now or formerly of Saverio J. Fill the following nine (9) courses and distances

1 S 12-35-46 W 42.79
 2 N 58-38-46 E 9.95
 3 N 36-43-06 E 26.17
 4 S 27-40-04 E 15.28
 5 N 62-31-16 E 6.11
 6 N 21-18-14 W 35.00
 7 S 61-39-56 W 3.77
 8 N 06-01-06 E 36.91
 9 N 72-29-06 E 75.52 Thence along the shore line the following eight (8)

courses and distances

1 N 75-39-47 E 145.49
 2 N 41-17-32 E 4.30
 3 N 88-40-07 E 222.19
 4 S 82-33-00 E 56.30
 5 N 61-12-09 E 11.91
 6 S 85-31-04 E 169.49
 7 S 84-14-26 E 65.58
 8 S 69-02-33 E 45.70

Thence along land now or formerly of Abbie W. Purdy the following two (2) courses and distances

1 S 11-34-21 W 395.00
 2 N 88-03-21 E 559.83

Thence along land now or formerly of Regis H. Post the following two (2) courses and distances

1 S 78-16-59 E 185.66

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2 N 11-43-01 E 415.19 Thence along the shore line the following twenty two (22) courses and distances

1 S 73-13-37 E 34.33
2 S 06-54-17 E 7.91
3 S 71-10-08 E 10.98
4 N 47-14-11 E 13.12
5 S 81-02-53 E 55.98
6 N 53-04-12 E 23.38
7 S 67-29-38 E 48.94
8 SI 1-08-04 W 29.61
9 S 77-33-21 E 2.43
10 N 12-15-19 E 146.23
11 N 88-40-27 E 58.97
12 N 85-03-25 E 141.32
13 N 85-10-10 E 81.90
14 N 89-09-27 E 115.90
15 N 06-57-29 E 18.41
16 N 27-55-17 E 25.23
17 N 03-28-12 E 25.30
18 S 81-52-29 E 165.36
19 S 79-42-05 E 41.27
20 S 68-08-32 E 133.36
21 S 79-35-54 E 48.80
22 S 64-24-29 E 58.76

Thence along land now or formerly of Mary Lawrence the following three (3) courses and distances

1 S 17-18-21 W 462.88
2 S 76-08-49 E 280.51
3 N 17-18-21 E 607.44

Thence along the division line between lot # 1 & lot # 1A
as shown on

N 58-37-41 E 355.23

Thence along land under water now or formerly of The Trustees of the Freeholders and Commonality of the Town of Brookhaven S 00-28-50 E 21579.70 Thence along the shore line the following eighteen (18) courses and distances

1 S 68-35-41 W 601.27
2 S 79-39-09 W 207.71
3 S 73-07-58 W 182.72
4 S 62-50-54 W 167.81
5 S 68-28-12 W 80.26
6 N 70-34-12 W 59.15
7 N 33-52-54 W 84.59
8 S 78-02-12 W 441.89
9 S 79-06-04 W 342.94
10 S 83-12-53 W 196.06
11 S 80-30-43 W 191.93
12 N 17-22-33 W 3.83

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13 S 78-45-35 W 224.14
14 N 80-17-26 W 20.54
15 S 77-55-50 W 306.19
16 S 75-59-35 W 275.21
17 S 67-09-11 W 68.46
18 S 74-14-29 W 35.39

Thence along land now or formerly of Richard H. Vanbrunt the following three (3) courses and distances

1 N 03-48-49 W 503.55
2 S 80-30-43 W 125.81
3 S 03-48-49 E 499.98

Thence along the shore line the following twenty six (26) courses and distances

1 S 76-25-59 W 154.49
2 N 13-24-46 W 2.07
3 S 76-26-31 W 404.64
4 S 15-37-08 E 25.53
5 S 68-54-30 W 105.89
6 N 15-57-12 W 13.83
7 S 72-22-51 W 54.73
8 N 1-09-19 W 18.95
9 S 75-41-47 W 70.27
10 S 12-38-23 E 2.83
11 S 72-48-15 W 58.60
12 S 15-01-33 E 4.40
13 S 73-41-23 W 91.45
14 N 13-13-03 W 20.30
15 S 78-34-37 W 77.54
16 S 03-16-03 E 2.72
17 S 78-37-07 W 95.19
18 S 74-10-20 W 26.70
19 S 02-40-34 E 1.14
20 S 73-15-11 W 83.28
21 S 71-34-29 W 35.22
22 S 75-53-27 W 64.76
23 N 19-40-08 W 1.34
24 S 75-30-23 W 10.94
25 S 11-19-20 E 1.97
26 S 77-07-53 W 20.55

Thence along land now or formerly of Home Guardian Company of New York N 03-48-49 W 1031.64

Thence along land now or formerly Home Guardian Company of New York & Fire Island Pines Property Owners Association S 75-43-21 W 351.11 Thence along land now or formerly of Fire Island Pines Property Owners Association & Home Guardian Company of New York S 82-30-11 W 232.25 Thence along land now or formerly of Home Guardian Company of New York the following two (2) courses and distances

(If additional space is needed, attach pages the same size as this sheet, and number each.)

1 N 87-51-29 W 23.08

2 S 03-48-49 E 967.41

Thence along the shore line S 79-17-52 W 322.05

Thence along land now or formerly of Edward A. Asfazadour the following four (4) courses and distances

1 N 08-33-09 W 1052.05

2 N 87-51-29 W 28.66

3 S 79-35-01 W 271.98

4 S 08-33-09 E 1011.48 Thence along the shore line the following thirty three (33) courses and distances

1 S 72-36-31 W 133.94

2 S 14-55-48 E 2.85

3 S 59-32-46 W 53.88

4 S 57-56-48 W 61.34

5 S 23-24-34 E 5.07

6 S 57-44-02 W 109.51

7 S 58-46-11 W 129.72

8 S 56-34-38 W 90.82

9 S 69-34-38 W 78.28

10 N 21-48-44 W 10.32

11 S 63-11-03 W 316.62

12 S 56-07-06 W 153.81

13 S 63-26-50 W 74.95

14 S 58-50-48 W 142.86

15 S 57-15-55 W 247.11

16 S 21-16-05 E 19.23

17 S 52-45-39 W 182.57

18 S 57-29-42 W 332.47

19 S 65-33-08 W 167.49

20 S 53-33-15 W 315.99

21 S 84-21-53 W 41.73

22 S 62-11-21 W 38.74

23 S 52-04-57 W 146.93

24 S 83-57-33 W 25.14

25 S 43-21-39 W 42.98

26 S 67-17-36 W 181.87

27 S 55-38-58 W 159.24

28 S 69-33-38 W 92.57

29 S 89-35-06 W 67.63

30 N 22-31-54 W 65.22

31 N 73-25-17 W 16.94

32 N 23-25-25 W 26.43

33 S 68-55-14 W 427.47

Thence along land now or formerly of Lucille S. Conklin the following three (3) courses and distances

1 N 21-38-19 W 2.32

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2 S 63-20-16 W 100.39

3 S 21-38-19 E 5.48

Thence along the shore line the following thirteen (13) courses and distances

1 S 61-10-10 W 36.39

2 S 53-19-21 W 27.40

3 S 46-19-03 W 32.98

4 S 70-25-17 W 163.73

5 S 15-30-09 E 2.35

6 S 71-01-08 W 99.66

7 N 75-39-31 W 3.69

8 S 71-17-16 W 48.34

9 S 16-01-26 E 2.26

10 S 71-01-08 W 65.72

11 S 65-08-16 W 104.51

12 S 54-46-01 W 17.30

13 S 62-57-55 W 85.53

Thence along land now or formerly of Kahn Grove Realty Co., Inc. N 21-38-19 W
988.37

Thence along land now or formerly of Cherry Grove Ferry Corporation the following
two (2) courses and distances

1 N 00-42-29 W 90.11

2 S 62-13-31 W 88.56

Thence along lands now or formerly of Cherry Grove Ferry Corporation, Cherry Grove Public Dock
District of the Town of Brookhaven, John Hawkins, Ruth Hawkins and Fred Vitoch & John Hawkins S
48-19-41 W 225.95

Thence along land now or formerly of John Hawkins the following two (2) courses and distances

1 S 59-48-11 W 34.23

2 S 67-27-21 W 40.99

Thence along lands now or formerly of John Hawkins, Frank J. Beckert and Joseph R.
Pokony & Virginia Lockitt S 64-49-11 W 140.88

Thence along land now or formerly of Virginia Lockitt the following five (5) courses and distances

1 S 70-04-41 W 51.91

2 S 76-03-01 W 124.42

3 S 78-55-51 W 166.75

4 S 80-10-21 W 101.56

5 S 21-38-19 E 1028.44 Thence along the shore line the following two (2) courses

and distances

1 N 80-57-53 W 24.54

2 N 69-19-34 W 85.99

Thence along land now or formerly of Onni Saari N 21-38-19 W 975.75 Thence along land now or

formerly of Onni Saari, Joel Key Rice and William Livingston S 80-10-21 W 129.30

Thence along land now or formerly of Joel Key Rice and William Livingston & Natalia Murray S 68-
21-41 W 103.44

Thence along land now or formerly of Natalia Murray S 21-38-19 E 990.73 Thence along
the shore line the following three (3) courses and distances

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(12)

1 S 68-41-55 W 84.98
2 S 87-57-21 W 43.15
3 S 73-55-47 W 53.39

Thence along land now or formerly of Harriette C. Cannon the following four (4) courses and distances

1 N 21-38-19 W 1011.86
2 S 83-06-21 W 32.73
3 S 75-34-11 W 93.68

4 S 21-38-19 E 1024.97 Thence along the shore line the following thirty three (33) courses and distances

1 S 74-14-52 W 80.27
2 S 37-38-34 W 16.61
3 S 58-20-36 W 104.04
4 S 87-08-22 W 15.72
5 S 61-02-45 W 50.24
6 S 82-52-43 W 25.32
7 S 72-13-32 W 43.70
8 S 43-10-04 W 17.21
9 S 59-09-13 W 74.98
10 N 84-17-34 W 15.78
11 S 63-07-13 W 155.33
12 S 67-31-56 W 147.83
13 S 63-36-34 W 248.90
14 S 66-16-01 W 142.77
15 S 74-32-49 W 114.85
16 S 68-07-44 W 103.21
17 S 68-34-31 W 112.74
18 S 78-53-35 W 89.61
19 S 73-32-57 W 36.02
20 N 87-40-48 W 58.14
21 N 36-02-35 W 10.67
22 S 70-06-25 W 48.42
23 S 59-41-26 W 48.20
24 N 87-08-22 W 15.72
25 S 81-41-02 W 97.41
26 S 78-51-47 W 65.39
27 S 20-51-53 W 21.84
28 S 85-02-01 W 22.44
29 N 72-09-33 W 30.13
30 S 79-55-30 W 88.86
31 S 62-29-29 W 271.69
32 S 70-38-26 W 65.95
33 S 65-41-07 W 106.42

Thence along land now or formerly of F.I. Inc. the following five (5) courses and distances

1 N 20-29-29 W 1166.61

(If additional space is needed, attach pages the same size as this sheet, and number each.)

2 S 74-44-41 W 188.23
3 S 78-06-51 W 240.91
4 S 72-51-01 W 349.62
5 S 77-31-41 W 132.10

Thence along land now or formerly of F. I. Inc. & Shops Corporation S 89-21-11 W
146.93

Thence along land now or formerly of Shops Corporation & Beach Plum Beach Corporation S 79-
48-31 W 239.79

Thence along land now or formerly of Beach Plum Beach Corporation the following two (2) courses
and distances

1 N 86-54-59 W 90.90
2 S 20-29-29 E 1145.17

Thence along the shore line the following one hundred twenty (120) courses and distances

1 N 79-24-52 W 75.33
2 S 76-29-59 W 136.07
3 S 89-26-13 W 233.32
4 N 83-46-09 W 176.96
5 N 86-27-26 W 83.68
6 S 86-40-46 W 255.19
7 N 62-30-52 W 60.82
8 S 79-03-07 W 46.68
9 S 34-18-09 W 19.67
10 S 82-41-54 W 58.12
11 S 76-18-32 W 64.78
12 S 50-32-24 W 32.95
13 S 70-47-14 W 65.79
14 S 69-38-05 W 22.35
15 S 73-58-58 W 29.27
16 N 83-17-39 W 10.25
17 N 32-45-00 W 14.94
18 S 73-30-16 W 16.86
19 S 87-38-06 W 36.25
20 N 76-29-08 W 67.54
21 S 84-00-59 W 30.46
22 S 66-59-49 W 36.75
23 S 86-21-55 W 70.78
24 N 87-55-34 W 41.33
25 S 82-11-31 W 34.68
26 N 82-40-5 IW 48.22
27 S 79-52-52 W 45.66
28 S 88-45-19 W 27.54
29 N 78-16-24 W 39.74
30 S 70-49-52 W 21.87
31 S 88-55-04 W 17.14
32 S 77-52-59 W 24.56

(If additional space is needed, attach pages the same size as this sheet, and number each.)

33 N 00-00-00 E	2.96
34 N 90-00-00 W	13.04
35 S 00-00-00 W	5.47
36 S 82-33-21 W	72.80
37 N 68-49-05 W	175.87
38 N 88-30-38 W	89.31
39 S 76-40-20 W	35.93
40 S 85-31-57 W	91.62
41 N 73-33-14 W	36.76
42 N 88-30-47 W	45.83
43 N 51-35-53 W	22.02
44 S 89-31-12 W	40.79
45 S 70-13-44 W	20.85
46 S 53-20-00 W	26.57
47 S 65-28-54 W	40.38
48 S 75-57-11 W	55.13
49 S 66-14-48 W	112.32
50 S 44-06-25 W	17.91
51 S 61-04-19 W	14.86
52 N 89-22-21 W	47.01
53 S 54-35-13 W	56.88
54 S 84-33-46 W	29.04
55 N 82-02-49 W	32.32
56 S 61-07-38 W	11.40
57 S 17-27-24 W	12.62
58 S 70-33-13 W	118.11
59 S 57-43-19 W	50.89
60 S 81-59-15 W	24.68
61 S 27-13-45 W	13.54
62 S 75-36-28 W	26.29
63 S 59-54-02 W	19.89
64 S 84-48-30 W	11.40
65 S 43-30-32 W	18.50
66 S 61-48-52 W	30.25
67 N 88-41-20 W	45.10
68 S 68-38-03 W	49.38
69 S 85-22-01 W	57.74
70 S 65-09-41 W	162.84
71 S 76-20-11 W	177.70
72 N 67-45-46 W	36.97
73 S 75-30-28 W	93.19
74 S 59-32-56 W	184.05
75 S 74-00-28 W	220.07
76 S 60-01-00 W	69.31
77 S 73-49-10 W	50.21

(If additional space is needed, attach pages the same size as this sheet, and number each.)

78 N 85-36-13 W	40.56
79 S 68-49-03 W	81.75
80 N 70-12-44 W	41.33
81 S 53-45-43 W	86.79
82 S 66-33-11 W	89.86
83 S 79-13-19 W	66.51
84 S 64-48-42 W	58.45
85 N 85-45-57 W	42.11
86 N 72-33-45 W	105.41
87 S 46-34-52 W	41.44
88 S 66-32-05 W	167.88
89 N 83-59-39 W	29.72
90 S 66-35-00 W	101.71
91 S 81-35-27 W	46.48
92 S 63-51-06 W	98.78
93 S 51-30-57 W	87.44
94 S 67-23-30 W	60.66
95 N 59-32-57 W	30.68
96 S 64-07-18 W	51.22
97 N 76-31-45 W	85.47
98 S 49-39-02 W	36.05
99 S 76-52-25 W	21.16
100 N 37-42-39 W	19.09
101 N 82-59-13 W	44.99
102 S 65-52-45 W	73.55
103 N 66-54-37 W	50.37
104 S 85-46-56 W	32.98
105 N 70-47-59 W	35.17
106 N 26-48-39 W	17.51
107 N 00-30-51 W	24.40
108 S 64-00-02 W	34.03
109 N 87-07-46 W	116.16
110 S 78-09-06 W	32.70
111 S 62-12-43 W	6.43
112 S 29-07-5 IE	32.91
113 S 65-21-55 W	113.83
114 N 43-16-50 W	35.73
115 N 74-37-25 W	100.13
116 N 63-20-46 W	30.25
117 N 28-36-38 W	114.76
118 S 66-54-15 W	1423.31
119 N 42-12-01 W	17.51
120 S 88-42-19 W	73.23

Thence along land now or formerly of Point O'Woods Association the following three
(3) courses and distances

(If additional space is needed, attach pages the same size as this sheet, and number each.)

1 N 20-32-09 W 949.99
2 S 66-47-31 W 600.01
3 S 20-32-09 E 672.94

Thence along land now or formerly of South Bay Holding Corporation S 61-49-38 W
100.89

Thence along land now or formerly of Fire Island Holding Corp. the following three (3) courses and
distances

1 N 20-32-09 W 596.25
2 S 61-49-38 W 121.07
3 S 20-32-09 E 596.25

Thence along land now or formerly of South Bay Holding Corporation the following six (6) courses
and distances

1 S 61-49-38 W 218.96
2 S 54-10-34 W 388.12
3 S 65-13-41 W 317.94
4 S 64-05-57 W 375.07
5 S 71-33-51 W 622.04
6 S 83-06-11 W 837.45

Thence along the division line between the Town of Islip and the Town of Brookhaven. N 00-42-29 W
19101.44 to the point and place of beginning.

Excepting there from the following parcel of under water land now or formerly of the
County of Suffolk.

Beginning at the Southwesterly corner of said land being at NAD 83 coordinates

North: 179273.3267 East: 1225100.0724

Running thence the following four (4) courses and distances

1 N 10-18-17 W 250.00
2 N 79-41-42 E 1000.00
3 S 10-18-18 E 250.00
4 S 79-41-42 W 1000.00 to the point and place of beginning.

Containing within said bounds 584,714,952 sq. ft. or 13,423.208 acres

Parcel "B"

Beginning at the Southwesterly corner of said land being at NAD 83 coordinates NORTH:
181263.0366 EAST: 1236890.9663

Running thence along land now or formerly of Irene Peet Gerrodette N 21-38-19 W 139.13

Thence along land now or formerly of Cherry Grove Ferry Corporation N 00-42-29 W 139.96

Thence along land now or formerly of Valeric Depass S 21-38-19 E 271.65 Thence along the shore
line S 70-24-23 W 50.03 to the point and place of beginning

Containing within said bounds 10269.52 sq. ft. or 0.236 acres

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(17)

PARCEL "C"

Beginning at the Southwesterly corner of said land being at NAD 83 coordinates North:
181297.5001 East: 1236984.7037

Running thence along land now or formerly of Valerie Depass N 21-38-19 W 402.70

Thence along land now or formerly of Cherry Grove Ferry Corporation N 00-42-29 W
26.79

Thence along land now or formerly of Frederick O. Swanson S 21-38-19 E 428.21

Thence along the shore line S 71-17-54 W 9.58 to the point and place of beginning

Containing within said bounds 3976 sq. ft. or 0.091 acres

PARCEL "D"

Beginning at the Southwesterly corner of said land being at NAD 83 coordinates North:
181334.4946 East: 1237087.9047

Thence along land now or formerly of Frederick O. Swanson N 21-38-19 W 692.85

Thence along land now or formerly of Cherry Grove Ferry Corporation N 00-42-29 W
137.16

Thence along land now or formerly of Kahn Grove Realty Co., Inc. S 21-38-19 E
829.83

Thence along the shore line the following two (2) courses and distances

1 S 89-26-38 W 24.39

2 S 68-33-45 W 26.24 to the point and place of beginning

Containing within said bounds 37191 sq. ft. or 0.854 acres

§ Section 7. Authority. The Town Board is vested with the authority to make these amendments by Local Law pursuant to Municipal Home Rule Law §10 and in conformance with Municipal Home Rule Law §20.

Section 8. Effective date. This local law shall become effective immediately upon filing with the Secretary of State of the State of New York.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 13 of 2009 of the Town of Brookhaven was duly passed by the Town Board on May 28, 2009, in accordance with the applicable provisions of law.

~~2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the Town of Brookhaven was duly passed by the Town Board on _____, 20 _____, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____, 20 _____, in accordance with the applicable provisions of law.~~

3. (Final adoption by referendum.)

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the Town of Brookhaven was duly passed by the Town Board on _____, 20 _____. It was (approved)(not approved)(repassed after disapproval) by the _____ on _____, 20 _____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____, 20 _____, in accordance with the applicable provisions of law.~~

~~4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the Town of Brookhaven was duly passed by the Town Board on _____, 20 _____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____, 20 _____. Such local law was subject to permissive referendum with the applicable provisions of law.~~

(If additional space is needed, attach pages the same size as this sheet, and number each.)

5. ~~(City local law concerning Charter revision proposed by petition)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____, 20____.~~

6. ~~(County local law concerning adoption of Charter.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____, 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.~~

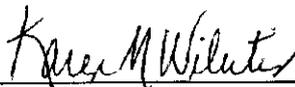
I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.


Pamela J. Bethell, Town Clerk

Dated: May 28, 2009

STATE OF NEW YORK
COUNTY OF SUFFOLK

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Karen M. Wilutis, Town Attorney
Town of Brookhaven

Dated: May 28, 2009

(If additional space is needed, attach pages the same size as this sheet, and number each.)

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