



JENNIFER PONZINI

AT DOUGLAS ELLIMAN REAL ESTATE

TOWN OF SOUTHAMPTON

Clearing land now requires a permit

The Southampton Town Board has adopted a new Land Disturbance Law (Town Code Chapter 330, Article XIII A) governing the removal of trees and vegetation and changes to a property's grade. If you own land, are buying, or plan to build, here is what you need to know.

A building permit will not be issued until the Land Disturbance Permit is approved. Both can be filed at the same time.

WHERE THE LAW APPLIES

Properties both inside and outside the Aquifer Protection Overlay District. The law also reaches grade changes that exceed two-foot contours.

Residential	More than 2,000 sq. ft. disturbed on lots of 20,000 sq. ft. or larger
--------------------	---

Commercial	More than 2,000 sq. ft. disturbed on lots of 20,000 sq. ft. or larger
-------------------	---

Vacant land	Any clearing or disturbance, on a lot of any size
--------------------	---

DO I NEED A PERMIT?

If the answer to any of these questions is yes, a permit is required.

- 1 Is the property undeveloped or vacant?
- 2 Will more than 2,000 sq. ft. be disturbed?
- 3 Will you clear land; grade, excavate, trench or fill; change natural topography or drainage; or remove previously undisturbed trees or vegetation?

No to all three? File a Land Disturbance Exemption Affidavit instead.

HOW TO APPLY

Clearing under 50%

Administrative review. Submit an Administrative Land Disturbance Permit Application to the Building Department with photographs and aerial images. Land Management issues a decision within 30 days. If denied, you may apply to the Planning Board.

Clearing over 50%

Planning Board approval required. Submit a Letter of Request to the Planning Division with a stamped landscape plan, photographs and aerial images.

WHAT IS EXEMPT

An exemption affidavit is still required for each of the following.

- Home gardens or other minor clearing under 2,000 sq. ft.
- Removal of hazardous, dead or dying trees, or clearing after a catastrophic event
- Customary agricultural maintenance of already-cleared areas
- Prescribed clearing, thinning or pruning for forestry management
- Public utility or government agency work
- Septic tanks, lines, and drainage or leaching fields
- Wildfire separation clearing of agricultural reserves per covenants and restrictions
- Installation of a water quality monitoring well

This is a Town of Southampton law. Incorporated villages — including Southampton Village, Sag Harbor, Quogue and Westhampton Beach — maintain their own codes and may handle clearing and grading differently. Confirm with the relevant village before any work begins.

QUESTIONS FOR THE TOWN

Planning Division	631-287-5735
Building Division	631-287-5700
Email	Land-Disturbance-Permit-Info@southamptontownny.gov

Jennifer Ponzini

Licensed Associate Real Estate Broker at Douglas Elliman Real Estate
631-207-5820 · jennifer.ponzini@elliman.com · jenniferponzini.com

This summary is provided for general information only and is not legal advice. Please consult the Town of Southampton or the full text of Town Code Chapter 330, Article XIII A for complete details. Jennifer Ponzini is a Licensed Associate Real Estate Broker affiliated with Douglas Elliman Real Estate, New York License 10301215027. These are the personal materials of Jennifer Ponzini and are not the official materials of Douglas Elliman Real Estate or its affiliated companies, and neither Douglas Elliman Real Estate nor its affiliated companies in any way warrant the accuracy of any information contained herein. Equal Housing Opportunity. © 2026 Jennifer Ponzini. All rights reserved.