§ 57-0203. Definitions.

1. "Study area" shall mean those lands within the Long Island Pine Barrens maritime reserve designated by a town for study in order to protect groundwater and surface watersheds within the Peconic estuary watershed.

2. "Protection area" shall mean those lands identified by a town for preservation and protection in perpetuity after completion of a comprehensive plan amendment and generic environmental impact statement in order to protect groundwater and surface watersheds.

3. "Town" shall mean the towns of East Hampton, Riverhead, Shelter Island, Southampton, and Southold in the county of Suffolk.

4. "Development" shall mean the performance of any building activity or mining operation, the making of any material change in the use or intensity of use of any structure or land and the creation or termination of rights of access or riparian rights. Without limitation, the following activities or uses shall be taken for the purposes of this title to involve development as defined in this subdivision:

(a) a change in type of use of a structure or land or, if a zoning ordinance divides uses into classes, a change from one class of use designated in a zoning ordinance to a use in another class so designated;

(b) a material increase in the intensity of use of land or environmental impacts as a result thereof;

(c) commencement of mining, excavation, or material alteration of grade or vegetation on a parcel of land excluding environmental restoration activities;

(d) material alteration of a shore, bank, or flood plain of a river, stream, lake, pond, or artificial body of water;

(e) re-establishment of a use which has been abandoned for one year; and

(f) departure from the normal use for which development permission has been granted, or material failure to comply with the conditions of an ordinance, rule or order granting the development permission under which

the development was commenced or is continued.

The following operations or uses do not constitute development for the purposes of this title:

(i) public improvements undertaken for the health, safety, or welfare of the public. Such public improvements shall be consistent with the goals and objectives of this title, and shall include, but not be limited to, maintenance of an existing road or railroad track;

(ii) work by any utility not involving substantial engineering redesign for the purpose of inspection, maintenance or renewal on established utility rights-of-way or the likes, and any work pertaining to water supply for the residents of Suffolk county;

(iii) work for the maintenance, renewal, replacement, reconstruction, improvement, or alteration of any existing structure or additions to an existing residence or residential property owned by an association formed for the common interest in real property;

(iv) the use of any structure or land devoted to dwelling uses for any purposes customarily incidental and otherwise lawful;

(v) the use of land for the purpose of agriculture or horticulture;

(vi) work by a utility performed for the purpose of public health, safety, or welfare and consistent with the goals and objectives of this title;

(vii) existing or expanded recreational use consistent with the purposes of this title including scouting activities, the maintenance or expansion of facilities associated with or necessary for such scouting activities including, but not limited to, the addition, modification, expansion, or replacement of structures necessary for such activities and such clearing as may be reasonably required for the maintenance or expansion of scouting activities; and

(viii) a change in use of land or structure from a use within a class specified in a zoning ordinance to another use in the same class.

Development as designated in an ordinance, rule, or development permit includes all other development customarily associated with it unless otherwise specified.

5. "Plan" shall mean a comprehensive management plan prepared by a

town to protect groundwater and surface watersheds.

6. "Peconic estuary watershed" shall mean the area located on the eastern end of Long Island, New York, and bordered by Long Island's north and south forks. The major river discharging freshwater into the estuary is the Peconic River. The eastern end of the Peconic estuary watershed is an imaginary line through Block Island Sound between Plum Island and Montauk Point, beyond which lies the open sea. The western boundary is at the headwaters of the Peconic River, just west of the William Floyd Parkway. The Peconic estuary watershed also includes those land areas that contribute groundwater and stormwater runoff to the river and estuary.