

# TOWN OF SOUTHAMPTON

CHAIRPERSON  
ADAM GROSSMAN

Department of Land Management  
Zoning Board of Appeals  
116 HAMPTON ROAD  
SOUTHAMPTON, NY 11968



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## ***PRELIMINARY AGENDA – NOT OFFICIAL***

SOUTHAMPTON TOWN ZONING BOARD OF APPEALS  
PUBLIC HEARING AGENDA  
April 15, 2021

The Zoning Board of Appeals meeting is being held via videoconference. Applications are scheduled to begin at 6:00 p.m., or shortly thereafter. Applications may not be heard in the order as they appear on this agenda. Current agendas may be viewed on the internet at the following address: [www.southamptontownny.gov](http://www.southamptontownny.gov)

- CALL TO ORDER
- PLEDGE OF ALLEGIANCE
- APPROVAL OF MINUTES

**Please note: Applications highlighted in GRAY have requested an adjournment or have requested to withdraw the application**

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### **MINOR VARIANCE REVIEW**

### **SCTM - HAMLET**

None scheduled for this meeting

### **NEW APPLICATIONS**

### **SCTM – HAMLET**

- Bernard & Carol Soumoff** Helene 900-43-2-23 North Sea  
101 Wooleys Drive

Applicant requests relief from the following provisions of the Town Code for a proposed swimming pool on a nonconforming lot: (i) §330-11 (residential districts table of dimensional regulations) for an accessory front yard setback of 22.6 feet where 50 feet is required and (ii) Town Code §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the proposed swimming pool to be located within the required front yard for the principal building and any other relief necessary.
- Liliana Danzo** Adam 900-339-1-47 & 902-4-3-19  
22 Lakewood Avenue East Quogue

Applicant requests relief from the following provisions of the Town Code: 1. For a proposed 1-story addition with a proposed covered deck and a proposed 2<sup>nd</sup> story addition to an existing dwelling: (i) §330-115C (continuance) for a principal front yard setback of 13.8 feet where 23.3 feet is existing; (ii) §330-11 (residential districts table of dimensional regulations) for a side yard setback of 19.6' where 20' is required; (iii) §330-11 for a front side yard relief of 16.3' where 60' is required; (iv) §330-84(D) (pyramid height) for a proposed encroachment in the amount 1,003 cubic feet (North side); 2. For a proposed screened porch addition to the existing dwelling: §330-11 for a principal front yard setback of 36.3 where 40 feet is required from the west property line (Lakeside Lane); and 3. To legalize a shed constructed without the benefit of a building permit: (i) §330-11 (residential districts table of dimensional regulations) for an

**NEW APPLICATIONS (continued)**

**SCTM – HAMLET**

**Lilana Danzo (continued)**

accessory side yard setback of 7.1 feet where 10 feet is required and an accessory distance from street setback (front yard) (west property line - Lakeside Lane) of 31.6' where 50' is required; and (ii) §330-76D (placement of accessory buildings, structures and uses in all districts); (iii) §330-83C (yards) to allow the metal shed to be located in the within the required front yard of the principal building; (iv) §330-76 (placement of accessory buildings, structures and uses in all districts) for an accessory building located 3.4' from the main building where 5' is required on a nonconforming lot and any other relief necessary.

3. **Julia & Andrew Hartmann** Keith 900-268-5-12 Hampton Bays  
45 Palo Alto Drive

Applicant requests relief from the following provisions of the Town Code from: 1. §330-84D (pyramid height) for a proposed encroachment in the amount of 1,432 cubic feet for a proposed first and second story addition; and 2. §330-115 C (Continuance) for a principal side yard setback of 13.9' where 14.0' is existing for the proposed two story addition on the westerly side of the dwelling on a nonconforming lot and any other relief necessary.

4. **Viva Group, LLC** Michael 900-99-1-51 North Sea  
5 Kings Lane

Applicant requests a determination that the subject parcel SCTM# 900-99-1-51 is held in single and separate ownership from all adjacent parcels and thus entitled to relief pursuant to §330-115D. In addition, applicant requests relief from the following provisions of Town Code §330-11 (residential districts table of dimensional regulations): 1. For the proposed dwelling: (i) a principal front yard of 40 feet at the North Side and 51 feet at the South Side where 80 feet is required, (ii) a minimum side yard of 15.5 feet at where 25 feet is required, (iii) a total side yard setback of 38.2 feet where 65 feet is required and (iv) a rear yard setback of 56.4 feet where 100 feet is required; 2. For the proposed covered front porch: a principal front yard of 38.5' where 80' is required; 3. For the proposed in-ground pool: an accessory side yard setback of 14 feet at the north side of the property where 30 feet is required; and 4. For the rear deck attached to the proposed dwelling: an accessory side yard setback of 22.7 feet where 30 feet is required on a nonconforming lot and any other relief necessary.

**READVERTISED APPLICATIONS**

**SCTM – HAMLET**

None scheduled for this meeting

**SCOPING SESSION**

**SCTM – HAMLET**

None scheduled for this meeting

**NEW - ADJOURNED APPLICATIONS**

**SCTM – HAMLET**

**Adjourned from the 11/19/20, 01/07/21 and the 03/18/21 meetings:**

5. **Edward Burke Jr. & Patricia Burke** (app# 2000105) 900-5-2-17 Noyac  
57 Hampton Road Keith  
Applicant requests relief from Town Code §330-84D (pyramid height) for a pyramid encroachment in the amount of 12,528 cubic feet for a proposed two-story dwelling and Town Code §330-11 (residential districts table of dimensional regulations) for a total lot coverage of 23.3% where a maximum of 20% is permitted. In addition, applicant also request relief from Town Code Section 330-83C (Yards) and 330-76D (placement of accessory buildings, structures, and uses in all districts) to allow a portion of the proposed deck around swimming pool to be located within the total side yard for the principal building and any other relief necessary.

**HOLDOVER APPLICATIONS**

**SCTM – HAMLET**

**Held over from the 01/21/21 meeting and the 03/04/21 meeting:**

6. **NYCELEX Real Estate Holdings Development Corp.** (app# 2100003)  
376 Main Street Cornelius 900-349-2-24 Eastport  
Applicant requests the following relief for a proposed two-lot subdivision of a nonconforming lot:  
1. For proposed Lot A: (i) §330-11 (residential districts table of dimensional regulations) for a lot area of 15,588.97 square feet where 20,000 square feet is required; (ii) a lot width of 80 feet +/- where 120 feet is required, and (iii) a total lot coverage of 39% where a maximum of 20% is permitted; and (ii) §330-77D (placement of accessory buildings, structures and uses in residence districts) for a rear yard coverage of 23% where a maximum of 20% is permitted; and 2. For proposed Lot B: (i) §330-11 for a lot area of 15,574.60 square feet where 20,000 square feet is required, (ii) a lot width of 50 feet where 120 feet is required, (iii) a principal minimum side yard setback of 15 feet where 20 feet is required, and (iii) a principal rear yard setback of 25 feet where 60 feet is required and any other relief necessary.

**Held over from the 02/18/21 and the 04/15/21 meeting:**

7. **Diego & Marlene Quizhpi** (app# 2100019) Jason 900-143-3-47 Flanders  
828 Flanders Road  
Applicant request relief from the following provisions of the Town Code: 1. To legalize the construction of a second story addition to the existing dwelling without the benefit of a building permit on a nonconforming lot: §330-84D (pyramid height) for an encroachment in the amount of 3,216 cf (277 cf (West side) + 2,939 cf (East Side)); 2. To legalize the construction of a screen room to the rear of the dwelling without the benefit of a building permit: §330-115C (continuance) for a principal rear yard setback of 20.9 feet where 29.3 feet is existing and any other relief necessary.

**HOLDOVER APPLICATIONS (continued)**

**SCTM – HAMLET**

**Held over from the 12/3/20 meeting and adjourned from the 01/21/21 meeting; held over from the 03/18/21 meeting:**

8. **Round Dune, Inc.** Brian 900-385-2-14 East Quogue  
 101 Dune Road  
 Applicant requests relief from Town Code §138-20(G) Notification of Administrator, Duration of emergency authorization. The applicant received an Emergency Coastal Erosion Management Permit # ECE 190001 for the installation of dune stabilizing geo-cubes and is requesting relief beyond the 6 months permitted by the Town Code and any other relief necessary.

**Held over from the 03/04/21 and the 03/18/21 meeting:**

9. **16 Sagamore, LLC** Keith 900-230-1-20 Hampton Bays  
 16 Sagamore Road  
 Applicant requests a determination as to whether or not the proposed garage is a subordinate or incidental building pursuant to Town Code §330-5 (definitions) because of its size in proportion to the main dwelling and its use. In addition, applicant request the following relief: 1. For proposed garage on a nonconforming lot: (i) §330-34 (Business District Table of Dimensional Regulations) for an accessory rear yard setback of 10 feet where 50 feet in required and (ii) §330-84D (pyramid height) for an encroachment in the amount of 749 cubic feet and any other relief necessary.

**Held over from the 11/19/20 meeting; adjourned from the 01/07/21, 02/04/21, 02/18/21, 03/04/21 and the 04/01/21 meeting:**

10. **135 Newlight, LLC** (app# 2000104) Jason 900-84-1-33.2 Bridgehampton  
 135 Newlight Lane  
 Applicant requests relief from the following relief from the provisions of the Town Code §330-11 (residential districts table of dimensional regulations): 1. To allow the height of the proposed two-story dwelling to be 33'-4" where a maximum of 32 feet is permitted and 2. For the proposed tennis court: (i) an accessory rear yard setback of 28 feet where 30 feet is required and (ii) accessory side yard setbacks of 21.5 feet (south property line) and 24 feet (southwest property line) where 30 feet is required. In addition, applicant requests relief from Town Code §330-77D (placement of accessory buildings, structures and uses in all districts) for a proposed rear yard coverage of 32.8% where a maximum of 20% is permitted and any other relief necessary.

**DECISIONS**

**DATE CLOSED**

**SCTM – HAMLET**

John Morris & Jeanne Morris (written submissions by April 5 <sup>th</sup> )	Keith	03/04/21	900-230-1-20	Hampton Bays
David Sherwood (written submissions by April 5 <sup>th</sup> )	Michael	03/04/21	900-19-1-16	Noyac
89 Hayground Cove, LLC (written submissions by April 5 <sup>th</sup> )	Cornelius	03/04/21	900-102-3-14.46	Water Mill

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<b><u>DECISIONS (continued)</u></b>		<b><u>DATE CLOSED</u></b>	<b><u>SCTM – HAMLET</u></b>	
Hampton Mecox I, LLC (written submissions by April 5 <sup>th</sup> )	Brian	03/04/21	900-113-1-17.1	Water Mill
85 Eastway, LLC (written submissions by Feb. 22 <sup>nd</sup> )	Adam	01/21/21	900-233-2-1	Shinnecock Hills
John Lucas Jr.	Brian	04/01/21	900-3-1-12.4	Noyac
747 Flanders Road, LLC (written submissions by March 18 <sup>th</sup> )	Adam	02/18/21	900-144-1-7	Flanders
749 Flanders Road, LLC (written submissions by March 18 <sup>th</sup> )	Adam	02/18/21	900-144-1-8	Flanders
Barbara Swislosky (written submissions by March 18 <sup>th</sup> )	Helene	02/18/21	900-144-1-24	Flanders
Patrick Bradley (written submissions by March 18 <sup>th</sup> )	Keith	02/18/21	900-343-1-27	East Quogue
Frank Freddi (written submissions by March 8 <sup>th</sup> )	Adam	02/04/21	900-293-5-18	Hampton Bays