

TOWN OF SOUTHAMPTON

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

Phone: (631) 287-5700
Fax: (631) 287-5754



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PRELIMINARY AGENDA – NOT OFFICIAL

SOUTHAMPTON TOWN ZONING BOARD OF APPEALS
PUBLIC HEARING AGENDA
June 17, 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

- 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

MINOR VARIANCE REVIEW

SCTM - HAMLET

None scheduled for this meeting

NEW APPLICATIONS

SCTM – HAMLET

1. **Elissa McLean and Andrew Winter** (app# 2100064) 900-15-2-23 Noyac
50 Wickatuck Drive Michael
Applicant requests relief from §330-84 (D) (pyramid height) for a proposed encroachment in the amount of 4,650.08 (1,661.36 cubic feet at the SE side + 2,988.72 cubic feet at the SW side) for proposed additions to the second floor of an existing two-story dwelling on a nonconforming lot and any other relief necessary.
2. **Haney Farm, LLC** (app# 2100058) Brian 900-56-1-15 Sagaponack
369 Sagg Road
Applicant requests relief from the following provisions of Town Code §330-109 (fences, walls, accessory driveway structures, and clotheslines) for a proposed 8 foot high agricultural (deer) fence that runs along the perimeter of the subject property with the exception of the southerly property line that measures 309.44 feet long and the southwest property line that measures 366.55 feet long on a nonconforming lot: (i) §330-109 A(1) to allow an eight foot high fence to be located in the required front yard where a maximum height of four feet is permitted; (ii) §330-109 A(2) to allow an eight foot high fence to be located in the required side and rear yard where a maximum height of six feet is permitted; and (iii) §330-109 A(3) to allow the proposed fence to have a height of eight feet where no fence or wall shall have a height greater than six feet and any other relief necessary.

NEW APPLICATIONS (continued)

SCTM – HAMLET

3. **Josiah Foster, LLC** (app#) Brian 900-56-1-16 Sagaponack
331 Sagg Road
Applicant requests relief from the following provisions of Town Code §330-109 (fences, walls, accessory driveway structures, and clotheslines) for a proposed 8 foot high agricultural (deer) fence that runs along the easterly property line and the southerly property line on a nonconforming lot: (i) §330-109A(2) to allow an eight foot high fence to be located in the required side and rear yard where a maximum height of six feet is permitted; and (iii) §330-109 A(3) to allow the proposed fence to have a height of eight feet where no fence or wall shall have a height greater than six feet and any other relief necessary.
4. **Linda Mattera** (app# 2100059) Helene 900-343-1-11 East Quogue
4 Sanderling Lane
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for a principal front yard setback of 30 feet +/- where 40 feet is required for a proposed front covered porch addition to the existing dwelling and any other relief necessary.
5. **Robert Postma & Janet Whalen** (app# 2100060) 900-102-3-14.39 Water Mill
141 Mecox Road Susan
Applicant requests a determination as to whether or not the proposed accessory building (garage with accessory apartment above) 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 requests relief from Town Code §330-11.2F (accessory apartment special standards) for a principal front yard setback of 26.3 feet where 56 feet is required (70% of the required 80 feet) for the proposed accessory apartment and any other relief necessary.
6. **Richard Stott** (app# 2100061) Adam 900-268-2-31 Hampton Bays
61 Kyle Road
Applicant requests relief from the following provisions of the Town Code: 1. For a proposed covered front porch: §330-11 (residential districts table of dimensional regulations) for a principal front yard setback of 35.4 feet (35'-5 3/4") where 40 is required; 2. For a proposed addition on the west side of the existing dwelling on a nonconforming lot: (i) §330-115D(1) (continuance) for a principal minimum side yard setback of 10.66' (10'-8 1/8"(at the closest point of the addition - NW corner)) where 12.8 feet is permitted and (ii) a principal total side yard setback of 23.46 feet (10'-8 1/8" + 12'-9 5/8") where 32 feet is permitted; and 3. For a proposed roof renovation to the east side of the existing dwelling: §330-84D (pyramid height) for a proposed encroachment in the amount 8.5 cubic feet and any other relief necessary.

READVERTISED APPLICATIONS

SCTM – HAMLET

7. **16 Sagamore, LLC** (app# 2100023) 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.

READVERTISED APPLICATIONS (continued)

SCTM – HAMLET

8. **John T. & Mary Greiner** (app# 2100037) Brian 900-381-1-9.4 Remsenburg/Speonk
24 Halsey Road
Applicant requests a determination as to whether or not the proposed accessory building 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 requests relief from Town Code §330-77C (placement of accessory buildings, structures and uses in residence districts) to allow the proposed accessory building to have an overall height of 28'-4" where a maximum height of 20 feet is permitted and any other relief necessary.
9. **Matthew Lucas** (app# 2100044) Michael 900-9-3-82 Noyac
38 Bay View Drive East
Applicant requests relief from Town Code §330-84D (pyramid height) for a proposed encroachment in the amount of 3,925.3 cubic feet (2,905.4 east side + 1,019.9 west side) for proposed two-story dwelling with attached garage and any other relief necessary.
10. **Joseph Vulpis** (app# 2100045) Brian 900-33-3-1 North Sea
2 Roses Grove Road
Applicant requests relief from Town Code §330-109(A)(1) (fences, walls, accessory driveway structures, and clotheslines) to legalize the following that constructed without the benefit of a building permit: (i) a six foot fence that runs east to west along the north side of the masonry block patio that is located on the west side of the dwelling and (ii) a masonry wall with a fence on top runs north to south along the west side of said patio and has an overall height of six feet and any other relief necessary.
11. **Edward Burke Jr. & Patricia Burke** (app# 2000105) Keith 900-5-2-17 Noyac
57 Hampton Road
Applicant requests relief from the following provisions of the Town Code: 1. For a proposed two-story dwelling: §330-84D (pyramid height) for a pyramid encroachment in the amount of 5,534 cubic feet (2,767 cubic feet on east side and west side respectively); 2. For the proposed deck around swimming pool: §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 3. For the proposed 2nd floor addition to the existing garage: §330-84D for a proposed encroachment in the amount of 1,080 cubic feet and any other relief necessary.

NEW - ADJOURNED APPLICATIONS

SCTM – HAMLET

None scheduled for this meeting

SCOPING SESSION

SCTM – HAMLET

None scheduled for this meeting

HOLDOVER APPLICATIONS

SCTM – HAMLET

Held over from the 05/06/21 meeting:

12. **LPD IV, LLC** (app# 2100038) Helene 900-263-3-33.1 Hampton Bays
134 East Montauk Highway
Applicant requests relief from Town Code §330-95 (Schedule of Off-Street Parking Space Requirements for Nonresidential Uses) to allow 58 parking spaces where 66 parking spaces is required for a proposed laundromat and any other relief necessary.

Held over from the 01/21/21 meeting; adjourned from the 03/04/21, 04/15/21 and 05/06/21 meeting:

13. **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 07/16/20 and the 9/3/20 meeting; adjourned from the 10/15/20, 01/07/21 and 03/04/21 meeting:

14. **Production Holding, LLC & Tyrone Terchunian** 900-355-2-18.6 & 18.7
57 & 61 Station Road (app# 2000066) Adam Westhampton
Applicant requests the following relief from Town Code §330-11 (residential districts table of dimensional regulations) to legalize a two-lot subdivision: For Lot 18.6: a lot area of 20,083 square feet where 40,000 square feet is required and a lot width of 113.97 where 120 feet is required; and For Lot 18.7: a lot area of 21,958 square feet where 40,000 square feet is required and any other relief necessary.

Held over from the 07/16/20 and the 9/3/20 meeting; adjourned from the 10/15/20 01/07/21 and 03/04/21 meeting:

15. **Tyrone Terchunian** (app# 2000064) Adam 900-355-2-18.6 Westhampton
57 Station Road
Applicant requests relief from the following provisions of the Town Code to legalize a one story concrete building on a nonconforming lot: Town Code §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 3 feet where 20 feet is required and an accessory rear yard setback of 15.2 feet where 20 feet is required; and Town Code §330-84D (pyramid height) for an encroachment in the amount of 960 cubic feet and any other relief necessary.

HOLDOVER APPLICATIONS (continued)

SCTM – HAMLET

Held over from the 07/16/20 and the 9/3/20 meeting; adjourned from the 10/15/20 01/07/21 and 03/04/21 meeting:

16. **Production Holding, LLC** (app# 2000065) Adam 900-355-2-18.7 Wethampton
 61 Station Road
 Applicant requests relief from the following provisions of the Town Code: 1. For an existing two story house on a nonconforming lot: Town Code §330-11 (residential districts table of dimensional regulations) for a principal minimum side yard setback of 16.7 feet where 20 feet is required to legalize the conversion of an open porch to a covered porch; 2. To legalize an addition to a one story frame barn: (i) Town Code §330-11 for an accessory side yard setback of 11.1 feet where 20 feet is required, (ii)Town Code §330-115C (continuance) for an accessory rear yard setback of 2.4 feet where 4.2 feet is existing; and (iii) Town Code §330-84D (pyramid height) for an encroachment in the amount of 2.45 cubic feet; 3. For a deck attached to the barn: (i) Town Code §330-11 for an accessory side yard setback of 0 feet where 20 feet is required, and an accessory rear yard setback of 10 feet +/- where 20 feet is required, and (ii) Town Code §330-84D for an encroachment in the amount of 3.9 cubic feet; 4. For the existing A/C unit: Town Code §330-77G (placement of accessory building, structures and uses in residence districts) for a rear yard setback of 4.7 feet where 10 feet is required; 5. To legalize the conversion of the barn to an accessory apartment: 1. Town Code §330-11.2F (accessory apartment special standards) for the following: (i) for a lot area of 21,958 square feet where 32,000 square feet is required (80% of 40,000 square feet); (ii) an accessory rear yard setback of 2.4 feet where 14 feet is required (70% of 20 feet); (iii) an accessory side yard setback of 11.1 feet where 14 feet is required (70% of 20 feet); (iv) an accessory side yard setback of 0 feet where 14 feet is required for the existing deck (70% of 20 feet); and 2. Town Code §330-11.2G(1) to allow the size of the apartment to exceed 35% of the total floor area of the principal dwelling (approximately 50%) where a maximum of 35% is permitted and any other relief necessary.

Held over from the 6/3/21 meeting:

17. **Jair Zapata** (app# 2100050) Keith 900-97-1-29 North Sea
 1087 North Sea Road
 Applicant requests relief from the following provisions of the Town Code for §330-76D (placement of accessory buildings, structure and uses in all districts) and §330-83C (yards) to allow the proposed swimming pool to be located within the minimum required side yard for the principal building on a nonconforming lot and any other relief necessary.

DECISIONS

DATE CLOSED

SCTM – HAMLET

Lawrence Praeger (written submissions by June 3 rd)	Susan	05/20/21	900-101-1-10.3	Water Mill
East Quogue Development, LLC (written submissions by June 3 rd)	Keith	05/20/21	900-316-1-23	East Quogue
IKRO Properties, LLC (written submissions by June 3 rd)	Cornelius	05/20/21	900-234-1-6.2	Shinnecock Hills

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<u>DECISIONS (continued)</u>		<u>DATE CLOSED</u>	<u>SCTM – HAMLET</u>	
Candace Clanahan (written submissions by June 3 rd)	Adam	05/20/21	900-258-4-42	Hampton Bays
John & Adurey Niewenhous (written submissions by June 3 rd)	Adam	05/20/21	900-9-3-36.1	Noyac
135 Newlight, LLC (written submissions by June 3 rd)	Keith	05/20/21	900-84-1-33.2	Bridgehampton
Liliana Danzo (written submissions by June 3 rd)	Adam	05/20/21	900-339-1-47 & 902-4-3-19	East Quogue
Viva Group, LLC (written submissions by June 3 rd)	Michael	05/20/21	900-99-1-51	North Sea
Town of Southampton (written submissions by June 17 th)	Brian	05/06/21	900-308-4-1.3	Westhampton
Ralph & Mia Petrillo (written submissions by May 20 th)	Adam	05/06/21	900-42-1-19.1	North Sea
Diego & Marlene Quizhpi (written submissions by April 29 th)	Adam	04/15/21	900-143-3-47	Flanders
85 Eastway, LLC (written submissions by Feb. 22 nd)	Adam	01/21/21	900-233-2-1	Shinnecock Hills
Barbara Swislosky (written submissions by March 18 th)	Helene	02/18/21	900-144-1-24	Flanders
KTB Flying Point Revocable Trust (written submissions by Nov. 2 nd)	Keith	10/01/20	900-160-1-26	Water Mill