

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
July 15, 2021

The Zoning Board of Appeals meeting is held in the Town Board Room, 116 Hampton Road, Southampton. 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. | Loris Nazarian
99 Crescent Street | Brian | 900-17-1-2 | Noyac |
|----|---|-------|------------|-------|

Applicant requests relief from the following provisions of the Town Code: 1. For the proposed two-story dwelling on a nonconforming lot: (i) §330-83K (YARDS) for a principal rear yard setback of 28.5' (+/-) at the westerly side of the dwelling where 30' is permitted and 17.8' at the easterly side of dwelling where 30' is permitted ; (ii) §330-84D (pyramid height) for a proposed encroachment in the amount of 2,194.4 cubic feet (760 cubic feet at the westerly side of the property and 1,434.4 cubic feet at the easterly side of the property) and; 2. For the proposed swimming pool: §330-11 (residence districts table of dimensional regulations) for an accessory front yard setback of 36' where 70' is required; and (ii) for an accessory side yard of 13' where 20' is required and any other relief necessary.

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|----|--|-------|-------------|-------|
| 2. | Scott Schlachter
7 Standford Court | Susan | 900-24-1-49 | Noyac |
|----|--|-------|-------------|-------|

Applicant request relief from the following provisions of the Town Code for a proposed second story deck on a nonconforming lot: 1. §330-115D(3) (continuance): (i) for a principal front yard setback of 44.6' where 50' is permitted and (ii) a principal minimum side yard setback of 14.6' where 15' is permitted; and 2. §330-84D (pyramid) for an encroachment on the north side of the property of 112 cubic feet and any other relief necessary.

NEW APPLICATIONS

SCTM – HAMLET

3. **Charles W. White and Mary White** 900-396-1-41 Hampton Bays
103 Ponquogue Avenue Cornelius
Applicant requests relief from the following provisions of the Town Code: 1. For the proposed front porch addition on a nonconforming lot: (i) §330-115C (Continuance) for a principal minimum side yard setback of 10.4' on the south side of the dwelling where 11.4' is existing and a principal total side yard setback of 25.3 feet where 26.3 feet is existing; (ii) §330-84D (pyramid height) for a total encroachment in the amount of 56 cubic feet (12 cu ft existing + 44 cu ft proposed); 2. For the proposed one story dwelling addition: (i) §330-115 C (Continuance) for a principal minimum side yard setback of 10.8' on the north side of the dwelling where 11.4' is existing and a proposed total side yard of 22.2' where 26.3' is existing; and (ii) §330-84D (pyramid height) for a proposed encroachment in the amount 2 cubic feet at the northwest side; and 3. For the proposed deck addition at the north side of the dwelling: (i) §330-11 (residential districts table of dimensional regulations) for a minimum side yard of 10.5' where 20' is required and (ii) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83 (yards) to allow a portico of the proposed wood deck to be located within the total required side yard for the principal building and any other relief necessary.
4. **Noyac Log Cabin Trust** Helene 900-4-2-72 Noyac
44 Noyack Bay Avenue
Applicant requests relief from §330-115C (continuance) for a principal minimum side yard setback from 5.9 feet to 2.8 feet and relief from 330-84D (pyramid height) for an encroachment in the amount of 219.6 cubic feet; all for a proposed patio room addition to an existing dwelling on a nonconforming lot and any other relief necessary.
5. **Karen & Brian Coyle** Keith 900-147-2-26 Flanders
27 Pierson Road
Applicant requests relief from the following provisions of the town Code: 1. For a proposed second story addition to an existing dwelling on a nonconforming lot: (i) §330-84D (pyramid) for a proposed encroachment in the amount of 2,450 cubic feet on the south side; and (ii) §330-83K (yards) for a principal total side yard of (+/-) 23 feet where 30 feet is permitted; 2. For the proposed 2nd story balcony on the north side of the dwelling: (i) §330-83K for a principal total side yard of (+/-) 19 feet where 30 feet is permitted; 3. For a proposed wood deck on the north side of the dwelling: §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the wood deck to be located within the total required side yard for the principal building (at a setback of (+/-) 13 feet); 4. To legalize the location of the a/c unit installed on the south side of the dwelling without the benefit of a building permit: §330-77G (placement of accessory buildings, structures and uses in residence districts) for a side yard setback of (+/-) 7 feet where 10 feet is required; 5. To legalize the two storage boxes on the south side of the dwelling which were installed/constructed without the benefit of a building permit: (i) §330-11 (residential districts table of dimensional regulations) for accessory side yard setbacks of (+/-) 4 feet and (+/-) 6 feet (respectively) where 20 feet is required; and (ii) 330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the wood deck to be located within the total required side yard for the principal building (at a setback of (+/-) 13 feet); and 6. To legalize an outdoor shower located on the south side of the dwelling without the benefit of a building permit: §330-11 for an accessory side yard setback of (+/-) 4' where 10' is required and any other relief necessary.

RE-ADVERTISED APPLICATIONS

SCTM – HAMLET

None scheduled for this meeting

NEW - ADJOURNED APPLICATIONS

SCTM – HAMLET

Re-opened 5/20/21; adjourned from the 06/17/21 meeting:

6. **Edward Burke Jr. & Patricia Burke** (app# 2000105) 900-5-2-17 Noyac
57 Hampton Road Keith
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.

SCOPING SESSION

SCTM – HAMLET

None scheduled for this meeting

HOLDOVER APPLICATIONS

SCTM – HAMLET

Held over from the 06/03/21 meeting:

7. **Mia Rowe** (app# 2100054) Adam 900-36-1-20.26 Bridgehampton
872 Millstone Road
Applicant requests relief for the following buildings and structures that were constructed without the benefit of building permits: 1. To legalize the location of the 20' x 53.4' in-ground swimming pool with waterfall: (i) §330-11 (residential districts table of dimensional regulations) for an accessory front yard setback of 38.8 feet where 70 feet is required and (ii) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the swimming pool to remain within the total required side yard for the principal building); 2. To legalize the portion of the patio on the north side of the swimming pool: §330-11 for an accessory front yard setback of 46 feet+/- where 70 feet is required; 3. To legalize the portion of the patio on the west side of the swimming pool: §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow this portion of the patio to remain within the total required side yard for the principal building at a setback of 21.7'(southeast corner) and 30' (southwest corner); and 4. To legalize the location of the 10.5' x 20' shed: §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the shed to remain within the total required side yard for the principal building at a setback of 32 feet +/- and any other relief necessary.

HOLDOVER APPLICATIONS

SCTM – HAMLET

Held over from the 05/06/21 meeting; and adjourned from the 06/03/21 meeting:

8. **1201 Noyac Road, LLC** (app# 2100039) Michael 900-42-3-51 North Sea
18 Kendalls Lane
Applicant requests relief from the following provisions of the Town Code: 1. For a proposed covered porch addition to the existing dwelling: §330-115C (continuance) for a principal front yard setback of 21.8 feet where 27.1 feet is existing; 2. For the proposed one-story addition and two-story addition to the existing dwelling: §330-115C for a principal front yard setback of 23 feet where 27.1 feet is existing; 3. For a proposed tennis court: (i) §330-11 (residential districts table of dimensional regulations) for an accessory distance from street setback (front yard) of 20 feet where 70 feet is required from the westerly property line (40' Right-of-Way Kendalls Lane) and (ii) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the tennis court to be located within the required front yard for the principal building; and 4. For the patio around the swimming pool: §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the northwest corner of the patio to be located within the required minimum side yard for the principal building on a nonconforming lot and any other relief necessary.

Held over from the 06/17/21 meeting:

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.

Held over from the 8/15/19 meeting; adjourned from the 3/5/20 meeting (mtg. cancelled); and adjourned from the 05/07/20, 07/16/20, 01/21/21 and the 07/01/21 meeting:

10. **Thomas R. Stachecki Living Trust** (appl. 1900102) 900-78-1-20.1 North Sea
1205 Majors Path Adam
Applicant requests relief from Town Code §330-117 (change) as it relates to Town Code §330-167B(3) (specific types of variances) to permit a change from one nonconforming use to another, to wit, from a Pre-existing non-conforming use for the receipt of natural organic wastes (trees, brush, stumps, leaves and other clearing debris) to a 120 unit multi-family condominium use with a two-story club house an recreational area and any other relief necessary.

SEQRA RESOLUTION – LEAD AGENCY

East Quogue 535 Realty, Inc.
535 Montauk Highway

SCTM – HAMLET

900-341-1-52 East Quogue

Motion: _____ Opposed: _____

2nd: _____ Abstained: _____

In favor: _____

**Southampton Town Zoning Board of Appeals
Public Hearing Agenda
July 15, 2021
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<u>DECISIONS</u>		<u>DATE CLOSED</u>	<u>SCTM – HAMLET</u>	
Elissa McLean and Andrew Winter (written submissions by July 2 nd)	Michael	06/17/21	900-15-2-33	Noyac
Haney Farm, LLC (written submissions by July 2 nd)	Brian	06/17/21	900-56-1-15	Sagaponack
Josiah Foster, LLC (written submissions by July 2 nd)	Brian	06/17/21	900-56-1-16	Sagaponack
Linda Mattera (written submissions by July 2 nd)	Helene	06/17/21	900-343-1-11	East Quogue
Robert Postma & Janet Whalen (written submissions by July 2 nd)	Susana	06/17/21	900-102-3-14.39	Water Mill
Richard Stott (written submissions by July 2 nd)	Adam	06/17/21	900-268-2-31	Hampton Bays
Joseph Vulpis (written submissions by July 2 nd)	Brian	06/17/21	900-33-3-1	North Sea
Jair Zapata (written submissions by July 2 nd)	Keith	06/17/21	900-97-1-29	North Sea
85 Eastway, LLC (written submissions by Feb. 22 nd)	Adam	01/21/21	900-233-2-1	Shinnecock Hills
Diego & Marlene Quizhpi (written submissions by April 29 th)	Adam	04/15/21	900-143-3-47	Flanders
Barbara Swislosky (written submissions by March 18 th)	Helene	02/18/21	900-144-1-24	Flanders