

TOWN OF SOUTHAMPTON

CHAIRPERSON
ADAM GROSSMAN

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



VICE-CHAIRPERSON
BRIAN DESESA

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

JAY SCHNEIDERMAN
TOWN SUPERVISOR

BOARD MEMBERS
KEITH TUTHILL
HELENE BURGESS
CORNELIUS KELLY
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SUSAN KOEHN

PRELIMINARY AGENDA – NOT OFFICIAL

SOUTHAMPTON TOWN ZONING BOARD OF APPEALS
PUBLIC HEARING AGENDA
November 4, 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

- Gregory Liffen** (app# 2100116) Keith 900-374-2-8 Hampton Bays
28 Lighthouse Road
Applicant requests relief from the following provisions of the Town Code: 1. For the proposed covered wood deck on the south side of the dwelling on a nonconforming lot: §330-115C (continuance) for a principal minimum side yard setback of 11.5 feet where 13.9 feet is existing and a principal total side yard setback of 38.5 feet where 40.9 feet is existing; 2. For the proposed upper wood deck: §330-83A(4) (yards) to allow a deck that is higher than one foot above ground level to be located in the required front yard; and 3. For the proposed 2nd floor addition to the existing dwelling: §330-84D (pyramid height) for a proposed encroachment in the amount of 322 cubic feet on the South side of the property and any other relief necessary.
- Daniel Beller** (app# 2100117) Michael 900-101-3-53.4 Water Mill
280 Deerfield Road
Applicant requests the following relief for a proposed carriage house addition to an existing “detached garage” on a nonconforming lot: 1. Town Code §330-9D(4)(c) (Density incentive provisions): (i) for a proposed front yard setback of 68.1 feet where (+/-) 145 feet is required; and (ii) For a side yard setback of 23.1 feet where 30 feet is required; and 2. Town Code §330-9(D)(4) to waive the transfer of one or more development right(s) or PBC to the site and any other relief necessary.

NEW APPLICATIONS

SCTM – HAMLET

3. **PJT Realty Management, LLC** (app# 2100118) 900-6-2-43.2 Noyac
21 Spring Lane Michael
Applicant requests relief from Town Code §330-77D (placement of accessory buildings, structures and uses in residence districts) for a proposed rear yard lot coverage of 33.2% where 20% is required for a proposed swimming pool and the expansion of an elevated wood deck on a nonconforming lot and any other relief necessary.

4. **Sand Land Corp.** (app# 2100119) Cornelius 900-23-1-1 Noyac
585 Middle Line Highway
Applicant appeals the issuance of a Stop Work Order (S.W.O.), dated June 4, 2021, which alleges certain violations of the Town Code Sections 330-167.1 (Violation of approvals or conditions; penalties for offenses), 330-177A (Certificate of occupancy), 330-184.1 (Violation of approvals or conditions; penalties for offenses), 123-9A(1) (Application for building or demolition permit), and 211.2(c) (Litter regulations; notice; removal).

5. **Eastend Homesgmt, Inc.** (app# 2100120) 900-146-1-34 Flanders
12 Bayview Lane Brian
Applicant requests a determination that the subject parcel SCTM# 900-146-1-34 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 the Town Code for a proposed dwelling on a nonconforming lot: (i) §330-11 (Residence Districts Table of Dimensional Regulations) for a principal front yard setback of 29' where 40' is required and (ii) §330-84D (pyramid height) for a proposed encroachment in the amount of (+/-) 4,081.15 cubic feet (N side 3,426.45 cu.ft and S side (+/-) 654.7 cu.ft) and any other relief necessary.

6. **2 Tents, LLC** (app# 2100121) Helene 900-230-1-27.1 Hampton Bays
2 Tepee Street
Applicant requests relief from Town Code §330-11 (residence districts table of dimensional regulations) for a proposed detached three-car garage with storage above on a nonconforming lot: (i) from the northerly property line (Sagamore Road) a proposed front yard setback of 40' where 60' is required; and (ii) from the easterly property line (Tepee Street) a proposed front yard setback of 31' where 60' is required. In addition, a determination is required as to whether or not the proposed detached three-car 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 and any other relief necessary.

READVERTISED APPLICATIONS

SCTM – HAMLET

None scheduled for this meeting

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 9/3/20 meeting; adjourned from the 03/04/21, 05/06/21 and the 8/5/21 meeting:

7. **94 Dune Road Holding Corp.** (app# 2000010) 900-385-1-37.3 East Quogue
 94 Dune Road 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 One story frame building with 2nd floor office, restaurant,/bar, marina with tennis courts, decks and parking to a twenty-five (25) unit multi-family condominium use with a swimming pool and accessory building (cabana) and any other relief necessary.

Held over from the 05/20/21 meeting; and adjourned from the 8/5/21, 09/02/21 and the 10/07/21 meeting:

8. **East Quogue 535 Realty Inc.** Keith 900-341-1-52 East Quogue
 535 Montauk Highway
 Applicant requests a determination as to whether or not the proposed 1,468 square foot convenience store is a customary accessory use to the existing gasoline filling station pursuant to Town Code §330-5 (definitions) (Accessory Use, Building or Structure). In addition, applicant requests relief from the following provisions of the Town Code for the proposed convenience store: (i) §330-95 (scheduled of off-street parking space requirements for nonresidential uses) to allow 9 parking spaces where a minimum of 15 parking spaces is required; (ii) §330-116 (extensions) as it relates to §330-167B(1)(a) (specific types of variances) to allow an expansion of a nonconforming use, to wit, to allow a 1,468 square foot convenience store to replace a pre-existing non-conforming 1,182 square foot building (a 24% expansion); and (iii) §330-78 (placement of accessory buildings and uses in nonresidential districts) to allow two off-street parking spaces to be located in the front yard where no off-street parking shall be permitted in the front yard and any other relief necessary.

Held over from the 10/21/21 meeting:

9. **Jeffrey & Cara Klein** (app# 2100115) Susan 900-52-1-2.1 Bridgehampton
 527 Butter Lane
 Applicant requests relief from the following provisions of the Town Code to legalize a basketball court constructed without the benefit of a building permit: (i) §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 11.3 feet 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 basketball court to remain within the required minimum side yard and total side yard of the principal building on a nonconforming lot and any other relief necessary.

DECISIONS

DATE CLOSED

SCTM – HAMLET

Donna Cooke (written submissions by Oct. 22 nd)	Cornelius	10/07/21	900-369-1-68.1	Remsenburg/Speonk
Athena Moustakas (written submissions by Oct. 22 nd)	Michael	10/07/21	900-5-5-64	Noyac

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<u>DECISIONS (continued)</u>		<u>DATE CLOSED</u>	<u>SCTM – HAMLET</u>	
Richard Doyle (written submissions by Oct. 22 nd)	Keith	10/07/21	900-62-1-51	North Sea
Mia Rowe (written submissions by Oct. 22 nd)	Adam	10/07/21	900-36-1-20.26	Bridgehampton
Falcon 422, LLC (written submissions by Oct. 22 nd)	Helene	10/07/21	900-81-2-22.1	Water Mill
John & Victoria Petrillo (written submissions by Oct. 22 nd)	Michael	10/07/21	900-42-1-9	North Sea
Stephen and Wendy Cambor (written submissions by Oct. 22 nd)	Brian	10/07/21	900-211-2-22	Shinnecock Hills
95 Inlet Road West, LLC (written submissions by Oct. 1 st)	Helene	09/16/21	900-176-1-1	Shinnecock Hills
Edward Burke Jr. & Patricia Burke (written submissions by July 29 th)	Keith	07/15/21	900-5-2-17	Noyac
Kurt Steltenphol (written submissions by Sept. 17 th)	Brian	09/02/21	900-86-1-25	Bridgehampton
LPD IV, LLC (written submissions by Sept. 17 th)	Helene	09/02/21	900-263-3-33.1	Hampton Bays
NYCELEX Real Estate Holdings Development Corp. (written submissions by July 29 th)	Cornelius	07/01/21	900-349-2-24	Eastport
Scott Schlachter (written submissions by July 29 th)	Susan	07/15/21	900-24-1-49	Noyac
85 Eastway, LLC (written submissions by Feb. 22 nd)	Adam	01/21/21	900-233-2-1	Shinnecock Hills