

# 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  
MICHAEL DALY  
SUSAN KOEHN

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

SOUTHAMPTON TOWN ZONING BOARD OF APPEALS  
PUBLIC HEARING AGENDA  
December 2, 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**

\*\*\*\*\*

### MINOR VARIANCE REVIEW

### SCTM - HAMLET

None scheduled for this meeting

### NEW APPLICATIONS

### SCTM – HAMLET

- Atlantic Golf Club Inc. (Maryann Gabriele, et al - applicants)**  
1040 Scuttle Hole Road 900-49-1-7.1 Bridgehampton.  
Applicants appeal the determination of the Building Inspector, dated June 4, 2021, permitting Atlantic Golf Club, Inc. to construct staff housing as an accessory use at the subject premises.
- Nicholas & Luc Kardaras** Cornelius 900-26-1-86 Sag Harbor  
30 Laurel Lane  
Applicant requests relief from 330-6 that references 330-11, Residence Districts Table of Dimensional Regulations, for Front Yard for a Proposed Covered Entry Porch from the required 100' to 24', 29.9' is existing front yard. Rear Yard relief for a Proposed Addition from the required 100' to 22.6', 25.5' is existing rear yard. Additionally, relief is requested from 330-11 for Distance From Street for a proposed pool house from the required 110' to 56.2', and Distance From Street for a proposed pool from the required 110' to 34.8'.

**NEW APPLICATIONS (continued)**

**SCTM – HAMLET**

3. **Stephen Glickman & Ellie Paiewonsky-Glickman** 900-355-3-10.12 Westhampton  
9 Cedarfield Lane  
Applicant requests relief from the following provisions of the Town Code: 1. For an existing asphalt court: §330-11 (residence districts table of use regulations) located within the required front yard, a setback of 63.5' where 70' is required; 2. An existing rear lot coverage of 20.9% where 20% is required.
4. **Gwendolyn Brewer** Adam 900-294-2-17 Hampton Bays  
116B Ponquogue Avenue  
Applicant requests relief from the following provisions of the Town Code: 1. For a proposed one story addition on the east side of the house: (i) §330-115D (Continuance) a Side Yard Regulations for lots held in Single and Separate ownership, for minimum side yard from 12.24' to 11.1'; (ii) relief of §330-84D (Height) for a proposed pyramid encroachment of 148 cubic feet; (iii) Relief of §330-115D, Rear Yard Regulations for lots held in Single and Separate ownership, from the existing 15.3' to 5', and a Minimum side yard from 4.7' to 4.3'; 2. For the existing Screened In deck relief of §330-84D (Height) a pyramid encroachment of 102 cubic feet; 3. For an existing deck, relief of §330-11 (Residence District Table of Dimensional Regulations) for Distance From Rear Lot Line from 10' to 5.9'; 4. For a deck and outdoor shower, relief of §330-11 (Residence District Table of Dimensional Regulations) for Distance From Side Lot Line from 10' to 4'; 5. Relief of §330-77 (Placement of accessory buildings, structures and uses in residence districts) Required Rear Yard Coverage, from 20% to 37% for the Screened-In Deck and Rear Deck; and 6. For a Shed located in the required front yard: (i) Relief of §330-76D (Placement of Accessory Buildings, structures and uses in all districts); (ii) §330-83C (Yards) for a Front Yard setback of 10.5' where 50' is required and a side yard setback of 19.5 where 20' is required; and (iii) §330-84D (Height) a pyramid encroachment of 6 cubic feet.
5. **Fabio Daino** Keith 900-176-2-12 Shinnecock Hills  
4 Cold Spring Court  
Applicant requests relief from the following provisions of the Town Code §330-6 (General Regulations) which references §330-11 (Residence Districts Table of Dimension Regulations) and relief of §330-5 (Definitions - Lot Line Front B(3)) for a distance from Rear Lot line from 20' to 10', and for a proposed 252 sq.ft. garage/shed §330-84D (Height) for a pyramid encroachment of 13.8 cubic feet on the south side of the property.
6. **Barbara & Daniel Montero** Michael 900-9-2-35 Noyac  
33 Windermere Drive  
Applicant requests relief from the following provisions of the Town Code for the proposed second story addition on the south side of the property §330-84D for pyramid encroachment of 125.7 cubic feet.

**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 10/21/21 meeting:**

7. **Grant Werner (Bret and David Moore – Applicants)** (app# 2100104)  
10 River Avenue Brian 900-351-2-23 Eastport  
Applicant appeals the issuance of Pre-Existing Certificate of Occupancy No. C210111, dated April 12, 2021, for the “1-Two story, two family dwelling with partial unfinished basement; 1-One story cottage; 1-Two story cottage. As per survey dated October 8, 2019 by John Gallacher. OTHER STRUCTURES APPROVED BY THE FOLLOWING CERTIFICATES: P083976-First floor deck on main dwelling and outdoor shower, replace window in bedroom to egress” and any other relief necessary.

**Held over from the 11/04/21 meeting:**

8. **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.

**Held over from the 11/04/21 meeting**

9. **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.

**Held over from the 11/18/21 meeting:**

10. **RCF Properties, LLC**(app# 2100126) Susan 900-100-3-2.11 Water Mill  
454 Seven Ponds Towd Road  
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 52.1% where maximum of 20% is permitted for the proposed location of a tennis court on a nonconforming lot and any other relief necessary.

**HOLDOVER APPLICATIONS (continued)**

**SCTM – HAMLET**

**Held over from the 05/20/21 meeting; and adjourned from the 8/5/21, 09/02/21, 10/07/21 and the 11/04/21 meeting:**

11. **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 10/07/21 meeting and adjourned from the 11/18/21 meeting:**

12. **Dilip Patel & Sabjhit Kaur Dhillon** (app# 2100107) 900-31-1-3.2 North Sea  
 147 Edgemere Drive Brian  
 Applicant requests relief from the following provisions of the Town Code for a proposed two-story addition to the existing dwelling on a nonconforming lot: (i) §330-115C (continuance) for a principal total side yard setback of 24.9 feet where 40.5 is existing and (ii) §330-84D (pyramid height) for an encroachment in the amount of (+/-) 1,303.62 cubic feet (663.5 proposed on the east side + 640.12 existing on the west side) and any other relief necessary.

**DECISIONS**

**DATE CLOSED**

**SCTM – HAMLET**

Gregory Liffen (written submissions by Nov. 19th)	Keith	11/04/21	900-374-2-8	Hampton Bays
Eastend Homesgmt, Inc. (written submissions by Nov. 19 <sup>th</sup> )	Brian	11/04/21	900-146-1-34	Flanders
Jeffrey & Cara Klein (written submissions by Nov.19 <sup>th</sup> )	Susan	11/04/21	900-52-1-2.1	Bridgehampton
Frederick & Anne Scopinich (written submissions by Nov. 5 <sup>th</sup> )	Adam	10/21/21	900-345-3-1	Hampton Bays
John & Victoria Petrillo (written submissions by Oct. 22 <sup>nd</sup> )	Michael	10/07/21	900-42-1-9	North Sea

**Southampton Town Zoning Board of Appeals  
Public Hearing Agenda  
December 2, 2021  
Page 5 of 5**

<b><u>DECISIONS (continued)</u></b>		<b><u>DATE CLOSED</u></b>	<b><u>SCTM – HAMLET</u></b>	
Edward Burke Jr. & Patricia Burke (written submissions by July 29 <sup>th</sup> )	Keith	07/15/21	900-5-2-17	Noyac
LPD IV, LLC (written submissions by Sept. 17 <sup>th</sup> )	Helene	09/02/21	900-263-3-33.1	Hampton Bays
NYCELEX Real Estate Holdings Development Corp. (written submissions by July 29 <sup>th</sup> )	Cornelius	07/01/21	900-349-2-24	Eastport
Scott Schlachter (written submissions by July 29 <sup>th</sup> )	Susan	07/15/21	900-24-1-49	Noyac