

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
January 7, 2016

The Zoning Board of Appeals meeting is held in the Town Board Room, 116 Hampton Road, Southampton. Applications are scheduled to begin at 7:00 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

- Roseann J. Spindel** (appl. 1500189) Helene 900-87-2-20.10 Bridgehampton
59 Farm Field Road
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for a principal total side yard setback of 56.2 feet where 60 feet is required for a proposed 2nd floor addition to an existing dwelling and any other relief necessary.
- Martin Berman** (appl. 1500197) Laura 900-99-2-42.6 North Sea
225 Edge of Woods Road
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for a principal front yard setback of 91.4 feet where 100 feet is required for a proposed porch addition to an existing residence and any other relief necessary.

NEW APPLICATIONS

SCTM – HAMLET

- Ronald M. Dubin & Betty Dubin** (appl. 1500190) Adam 900-191-3-7.3 Hampton Bays
92 North Road
Applicant requests relief from Town Code §330-167(B)(3) to permit a change from one non-conforming use to another nonconforming use without the benefit of building permits, to wit, from three single-family dwellings to a two-family dwelling with covered porch, a two-family one-story dwelling with cellar and a one-family one-story dwelling and any other relief necessary.

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NEW APPLICATIONS (Continued)

SCTM – HAMLET

8. **Louis & Barbara Taibe** (appl. 1500195) Keith 900-292-1-33 Hampton Bays
25 Rolling Hill Road
Applicant requests relief from the following provisions of the Town Code to legalize a wood deck higher than one foot above ground level constructed within the required front yard without the benefit of a building permit on a nonconforming lot: (i) §330-83A(4) (yards) to allow the deck to remain within the required front yard, and (ii) §330-11 (residential districts table of dimensional regulations) for a front yard setback of 35.9 feet where 40 feet is required. In addition, applicant requests relief from the following provisions of the Town Code to legalize a shed constructed without the benefit of a building permit: (i) §330-11 for an accessory side yard setback of 3.2 feet where 10 feet is required and a rear yard setback 3 feet where 10 feet is required and (ii) §330-84D (pyramid height) for an encroachment in the amount of 116 cubic feet and any other relief necessary.
9. **Janine Senie** (appl. 1500195) Laura 900-357-2-1 Westhampton
2 Baycrest Avenue
Applicant requests relief from Town Code §330-11.2F (accessory apartment special standards) for a principal rear yard setback of 15.7 feet where 42 feet is required and relief to allow the conversion of a pool house to an accessory apartment on a lot that is less than 30,000 square feet and any other relief necessary.

READVERTISED APPLICATIONS

SCTM – HAMLET

10. **Robert & Margaret Zack** (appl. 1500076) Adam 900-211-4-54 Shinnecock Hills
24 Old Fort Lane
Applicant requests relief from the following provisions of the Town Code for a proposed two-story residence with a proposed covered deck: (i) §330-84D (pyramid height) a proposed total encroachment in the amount of 6590.03 (2803.26 cu ft east side, 3718.59 cu ft west side and 68.18 cu ft balcony on west side), and (ii) §330-83(C) (yards) to allow the unroofed access stairs attached to the proposed covered deck to be located within the required minimum side yard and to allow the cellar entrance stairs on the easterly side of the proposed residence to be located within a required yard and any other relief necessary.
11. **Michael Denktsis** (appl. 1500093) Keith 900-234-1-3 Shinnecock Hills
300 Montauk Highway
Applicant requests relief from Town Code §330-116 (extension) as it relates to Town Code §330-167B(1)(a) (specific types of variances) to legalize an expansion of a nonconforming use, to wit, the conversion of a detached garage into 3 additional motel units without the benefit a building permit, which would result in a total of 13 units. In addition, applicant requests a determination as to whether relief is necessary to legalize the expansion of the single family dwelling which also operates as the motel's office, to wit, a 450 square foot addition to the rear of the dwelling and any other relief necessary.

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NEW - ADJOURNED APPLICATIONS

SCTM – HAMLET

Adjourned from the 11/19/15 meeting:

12. **Christopher & Diedra Maleno** (appl. 1500158) 900-43-1-38 North Sea
116 Turtle Cove Drive Brian
Applicant requests relief from Town Code §330-84D (pyramid height) for a total proposed encroachment in the amount of 1,946 cubic feet (1,376 south side + 570 north side) for a proposed 2-story dwelling on a nonconforming lot and any other relief necessary.

SCOPING SESSION

SCTM – HAMLET

None scheduled for this meeting

HOLDOVER APPLICATIONS

SCTM – HAMLET

Held over from the 11/19/15 meeting:

13. **Candido Goncalves** (appl. 1500172) Adam 900-359-1-35.11 Quogue
23 Adam Lane
Applicant requests relief from the following provisions of the Town Code to legalize a wall constructed without the benefit of a building permit: § 330-109(Fences, walls, accessory driveway structures, and clotheslines): i) §330-109A(2): For a wall erected within a residence district at the side and rear yards at a height of 7'-5 1/2" at columns and 6'-10 1/2" at wall areas between columns, where no fence or wall in a required rear or side yard shall have a height greater than six feet and, ii) §330-109A(3): In no case shall any fence or wall have a height greater than six feet and any other relief necessary.

Held over from the 11/19/15 meeting:

14. **Carlo & Jennifer Gabrielli** (appl. 1500033) 900-59-2-14 North Sea
21 Third Road Helene
In an e-mail dated August 20, 2015, Agena Rigdon, agent for the applicant, advised the Board that the proposed swimming pool has been relocated and requires additional variances, including relief from the following provisions of the Town Code: 1. (A) §330-11 (residential districts table of dimensional regulations) for a distance from street setback of 22.7 feet where 40 feet is required, (B) §330-76D (placement of accessory buildings and uses in all districts) and (C) §330-83(C) (yards), to allow the proposed swimming pool to be located within the required front yard; 2. §330-77D (placement of accessory buildings and use in residence districts) for a proposed rear yard coverage of 34.95% where a maximum of 20% is permitted. In addition, applicant requests relief from §330-11 for total lot coverage of 21.2% where a maximum of 20% is permitted and any other relief necessary.

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HOLDOVER APPLICATIONS (Continued)

SCTM – HAMLET

Held over from the 10/1/15 meeting; Adjourned from the 11/19/15 meeting:

15. **Vanderbilt Nursery General Contracting, Corp.** (appl. 1500147)
181 Hayground Road Adam 900-84-1-5.9 Bridgehampton
Pursuant to New York State Town Law §267-a, applicant appeals Notice of Violation #CMP15-115, issued on April 29, 2015, by the Town's Investigation and Enforcement Unit stating that the use of the property has been changed from a Nursery to Landscaping Storage and any other relief necessary.

Held over from the 12/3/15 meeting:

16. **Anthony & Peta Anne Hermann** (appl. 1500176) 900-233-1-26.1 Shinnecock Hills
57 Westway Drive Brian
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) to permit the height of a dwelling on a nonconforming lot to be 34.8 feet on the west side and 36.8 feet on the east side and any other relief necessary.

Held over from the 11/19/15 meeting; adjourned from the 12/3/15 meeting:

17. **Assembly of Christian Churches (a.k.a. Rock of Salvation Church)** (appl. 1500160)
4 Bellow Pond Road Adam 900-221-3-8 Hampton Bays
Applicant requests relief from the following provisions of the Town for a proposed Church and proposed parking area on a nonconforming lot: (i) §330-34 (business districts table of dimensional regulations) for a proposed principal front yard setback of 25 feet where 50 feet is required; (ii) §330-95 (schedule of off-street parking space requirements for nonresidential uses) to allow 41 parking spaces at the subject premises where 80 parking spaces is required; (iii) §330-78 (placement of accessory buildings and uses in nonresidential districts) to allow the accessory off-street parking area to be located 0 feet from the southerly property line where a setback of 10 feet is required from all property lines; and (iv) §330-83(G(1)(a) (yards) to allow the proposed Church and parking area to encroach into the required 50 foot transitional side yard along the northerly boundary line and any other relief necessary.

SEQRA – LEAD AGENCY RESOLUTION:

Motion: _____
2nd: _____
In favor: _____
Opposed: _____

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<u>DECISIONS</u>		<u>DATE CLOSED</u>	<u>SCTM – HAMLET</u>	
Cynthia Mack & John Johnson (written submissions)	Keith	10/1/15	900-53-1-19.1 & 85	Bridgehampton
Robert & Gail Arcate	Laura	12/17/15	900-229-2-4	Hampton Bays
Lynn Nadi	Brian	12/17/15	900-32-2-13	North Sea
Theresa Cantwell Irrevocable Trust (written submissions)	Adam	11/19/15	900-264-4-13	Hampton Bays