

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

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

# TOWN OF SOUTHAMPTON



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## PRELIMINARY AGENDA – NOT OFFICIAL

### SOUTHAMPTON TOWN ZONING BOARD OF APPEALS PUBLIC HEARING AGENDA February 4, 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](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**

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#### MINOR VARIANCE REVIEW

#### SCTM - HAMLET

None schedule for this meeting

#### NEW APPLICATIONS

#### SCTM – HAMLET

1. **Michael Sarkozi & Ronald Shuma** (appl. 1600008) 900-88-1-8.1 Bridgehampton  
28 Hildreth Avenue Brian  
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for a rear yard setback of 1.2 feet where 60 feet is required to permit the connection of the existing frame studio to the existing dwelling by the construction of a proposed two-story addition and relief from Town Code §330-84(D) (pyramid height) for a proposed encroachment in the amount of 465.6 cubic feet for the proposed two-story addition on a nonconforming lot and any other relief necessary.
2. **118 Dune Road Realty, LLC** (appl. 1600009) 900-134-3-3 Bridgehampton  
118 Dune Road Herb  
Applicant requests relief from the following provisions of the Town Code for a proposed three-story house with a glass roof top railing on a nonconforming lot: (i) §330-11 (residential districts table of dimensional regulations) (Note 6) to allow the proposed dwelling to have a height of 44 feet to the top of the roof and to 47.5 feet to the top of the roof railing where a maximum height of 42 feet is permitted, and §330-11 to allow the proposed dwelling to be 3 stories where a maximum of 2 stories is permitted; (ii) §330-115(D)(2) (continuance) for a principal rear yard setback of 35.1 feet where 50.29 feet is required; (iii) §330-115(D)(1) (continuance) for a principal minimum side yard setback of 11.6 feet where 18.24 feet is permitted and a principal total side yard setback of 35.4 feet where 45.6 feet is permitted; (iv) §330-84(D) (pyramid height) for a proposed encroachment is the amount of 5,835 cubic feet on the West side and 1,055 cubic feet on the East side, and (v) §330-84(B)(2) to allow the proposed stair bulkhead to exceed the height limitation for the zoning district and be used for residence purposes. In addition, appeals the determination of the Building Inspector, as it relates to the size of the stair bulkhead and any other relief necessary.



**READVERTISED APPLICATIONS**

**SCTM – HAMLET**

8. **Longview Land Company, LLC (Beau Enterprises Marina, LLC (Cow Fish) – Applicant** (SCTM# 900-229-2-6.1)) (appl. 1500183) Adam 900-229-2-1 Hampton Bays  
Applicant requests relief from the following provisions of the Town Code: §330-203B(prohibited signs): i) §330-203B(3): To allow for the placement of two "off premises" signs where "off premises" signs are designated as prohibited type signs, ii) §330-205B(freestanding signs): §330-205B(2): To allow for the placement of an "off premises" sign within the "corner clearance" area (as defined in §330-201) and in no event, shall any such sign be allowed within corner clearances, iii) §330-205B(2): To allow the placement of a freestanding sign in the area of the northwesterly corner of the parcel with setbacks of less than the required 20 foot minimum from each of the two adjacent property lines, and to allow the placement of a freestanding sign near the westerly property line with less than the required 20 foot minimum setback on a nonconforming lot and any other relief necessary.
9. **Robert & Margaret Zack** (appl. 1500076) Herb 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 on a nonconforming lot: (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. In addition, applicant requests relief from §330-11.2(F) (accessory apartment special standards) for a principal minimum side yard of 4.5 feet where 7 feet is required (70% of dimensional regulations required) to allow a proposed accessory apartment to be constructed on the second floor of the garage attached to the main dwelling on a lot that is less than 30,000 square feet and any other relief necessary.

**NEW - ADJOURNED APPLICATIONS**

**SCTM – HAMLET**

**Adjourned from the 12/3/15 meeting:**

10. **Frederick Foelsch** (appl. 1500179) Laura 900-123-1-34 Flanders  
169 Sylvan Lane  
Applicant requests relief from Town Code §330-84D (pyramid height) for a pyramid encroachment in the amount of 407 cubic feet and relief from §330-11 (residential districts table of dimensional regulations) for accessory side yard setbacks to 1.3 feet and 2.1 feet where 8 feet is required and accessory rear yard setbacks to 0.9 feet and 3.5 feet where 8 feet is required; all to legalize a shed constructed without the benefit of a building permit on a nonconforming lot. In addition, applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for total lot coverage in excess of the maximum allowable coverage of 20% and any other relief necessary.

**Adjourned from the 12/3/15 meeting:**

11. **Winslow W. Peters Jr. & Ella Peters Revocable Trust** (appl. 1500156)  
1127 Noyack Path Helene 900-35-2-59 Bridgehampton  
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for a principal front yard setback of 60.38 feet where 100 feet is required for a proposed principal dwelling on a nonconforming lot and any other relief necessary.

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**NEW - ADJOURNED APPLICATIONS - Continued**

**SCTM – HAMLET**

**Adjourned from the 1/7/16 meeting:**

12. **Twin Ponds East, LLC** (appl. 1500194) Laura 900-21-2-29.4 Noyac  
1559 Millstone Road  
Applicant requests relief from Town Code §330-109(A)(2), (A)(3) and (A)(11) (fences, walls, accessory driveway structures, and clotheslines) to legalize an 8 foot high fence constructed in the front, side and rear yards without the benefit of building permits and any other relief necessary.

**SCOPING SESSION**

**SCTM – HAMLET**

None scheduled for this meeting

**HOLDOVER APPLICATIONS**

**SCTM – HAMLET**

**Held over from the 12/3/15 meeting:**

13. **Allison Schneider** (appl. 1500178) Keith 900-373-1-11 East Quogue  
53 West End Avenue  
Applicant requests relief from the following provisions of the Town Code: 1. To legalize a shed constructed without the benefit of a building permit on a nonconforming lot: (i) §330-11 (residential districts table of dimensional regulations) for a accessory side yard setback of 0 feet where 10 feet is required, (ii) §330-84D (pyramid height) for an encroachment in the amount of 405 cubic feet and (iii) §330-76D (placement of accessory buildings and uses in all districts) and §330-83C (yards) to allow the shed to remain within the minimum and total required side yard of the principal building; 2. To legalize a wood arbor constructed without the benefit of a building permit: (i) §330-11 (residential districts table of dimensional regulations) for a accessory side yard setback of 1.7 feet where 10 feet is required, and (ii) §330-84D (pyramid height) for an encroachment in the amount of 96 cubic feet; and 3. To legalize a wood deck constructed without the benefit of a building permit (i) §330-11 (residential districts table of dimensional regulations) for a accessory side yard setback of 8.9 feet where 10 feet is required and any other relief necessary.

**Held over from the 1/7/16 meeting:**

14. **Robert James Wallace** (appl. 1500182) Keith 900-115-3-4 Water Mill  
26 Georgian Lane  
Applicant requests relief from the following provisions of the Town Code: 1) To legalize a 6 foot high fence constructed without the benefit of a building permit on portions of the north and west side of the nonconforming property: §330-109(A)(1) (fences, walls, accessory driveway structures and clotheslines) to allow the 6 foot high fence to remain where a maximum height of 4 feet is permitted, and 2) For a proposed greenhouse to be located within the required front yard on a nonconforming lot: i) §330-11 (residential districts table of dimensional regulations) for an accessory distance from street setback to 25.7 feet from Georgian Lane and 27 feet from the "Gravel Drive" (easterly property line) where 90 feet is required and (ii) §330-76D (placement of accessory buildings and uses in all districts) and (iii) §330-83 (C) yards. In addition, applicant requests a determination that the easterly property line be considered a side yard rather than a front yard as referenced in ZBA decision #7312 dated March 8, 1985 and any other relief necessary.

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| <u>DECISIONS</u>                                     |        | <u>DATE CLOSED</u> | <u>SCTM – HAMLET</u> |                  |
|--|--------|--------------------|----------------------|------------------|
| Wildcats II, LLC                                     | Helene | 1/7/16             | 900-104-1-24.4       | Bridgehampton    |
| Candido Goncalves<br>(written submissions)           | Adam   | 1/7/16             | 900-359-1-35.11      | Quiogue          |
| Lyman Trippe, Inc.<br>(written submissions)          | Adam   | 1/21/16            | 900-25-1-20          | Sag Harbor       |
| Howard & Betty Schwartz<br>(written submissions)     | Laura  | 1/21/16            | 900-111-3-3.4        | Tuckahoe         |
| Laurel Woods, LLC<br>(written submissions)           | Adam   | 1/21/16            | 900-13-1-77          | Noyac            |
| Catherine F. Romano<br>(written submissions)         | Helene | 1/21/16            | 900-382-2-8          | Westhampton      |
| George & Josephine Caporaso<br>(written submissions) | Helene | 1/21/16            | 900-294-2-5 & 6      | Hampton Bays     |
| Michael & Alena Carroll                              | Helene | 1/21/16            | 900-357-1-14.3       | Westhampton      |
| Loris Nazarian<br>(written submissions)              | Brian  | 10/1/15            | 900-171-1-2          | Noyac            |
| 32 Westway, LLC                                      | Keith  | 12/17/15           | 900-233-2-37         | Shinnecock Hills |
| Theresa Cantwell Irrevocable Trust                   | Adam   | 11/19/15           | 900-264-4-13         | Hampton Bays     |