

TOWN OF SOUTHAMPTON

CHAIRPERSON
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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
March 17, 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

NEW APPLICATIONS (from the February 18, 2016 meeting) SCTM – HAMLET

1. **Bruce & Milliken Katherine O. Milliken** (appl. 1600020) 900-76-4-39.2 North Sea
103 Locust Avenue Helene
Applicant requests relief from Town Code §330-84(D) (pyramid height) for a proposed encroachment in the amount of 198 cubic feet for a proposed roof renovation and any other relief necessary.

2. **Craig M. Proce** (appl. 1600021) Laura 900-5-5-28.1 Noyac
7 Pine Road
Applicant requests relief from the following provisions of the Town Code: 1. To legalize a covered porch addition constructed without the benefit of a building permit: §330-115C (continuance) for a front yard setback of 17.8 feet where 23.5 feet is existing; 2. For a proposed deck addition to the rear of the existing dwelling: (i) §330-11 (residential districts table of dimensional regulations) for a proposed rear yard setback of 7.7 feet and 9.9 feet where 10 feet is required, and (ii) §330-77(D) (placement of accessory buildings and uses in residence districts) for a proposed rear yard coverage of 30.9% where a maximum of 20% is permitted; 3. To legalize the roof over deck constructed without the benefit of a building permit at the rear and side of the existing dwelling : i) §330-11(residential districts table of dimensional regulations) for a rear yard setback of 20.4 feet where 30 feet is required, and ii) §330-83C(yards) and §330-76D (placement of accessory buildings and uses in all districts) to allow the deck to be located within total side required yard setback for the principal building on a nonconforming lot and any other relief necessary.

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NEW APPLICATIONS (from the February 18, 2016 meeting) SCTM – HAMLET
(Continued)

3. **106 Newtown Road, LLC.** (appl. 1600023) Adam 900-186-2-37 Hampton Bays
106 Newtown Road
Applicant requests relief from Town Code §330-116 (extensions) as it relates to §330-167B (specific types of variances) to permit the demolition and reconstruction of a dwelling on a lot with two residences, to wit, a two-story dwelling and a garage with apartment above and any other relief necessary.

4. **J.A.F. Real Property, Inc.** (appl. 1600019) Keith 900-355-3-36 Westhampton
4 Montauk Highway
Applicant requests relief from Chapter 330 of the Town Code for a proposed freestanding sign as follows: Article XXII(signs): §330-205(general provisions): i) §S330-205B(1): To allow a freestanding sign to be placed within the front yard where the existing building has a front yard setback of 37.3 feet and where no freestanding sign shall be permitted unless the entire building to which it relates is set back from its front line a distance of 40 feet or more, ii) §330-205B(2): To allow the placement of a freestanding sign at a front yard setback of 10 feet where a freestanding sign permitted hereunder shall be set back at least 20 feet from all property lines and any other relief necessary.

5. **John & Nancy Paganucci** (appl. 1600022) Helene 900-259-2-43.22 Hampton Bays
9 Washington Drive
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for an accessory rear yard setback of 20.5 feet where 40 feet is required for the location of the proposed detached garage on a nonconforming lot.

6. **Thomas Didomenico** (appl. 1600024) Laura 900-52-2-48.1 Bridgehampton
20 Sea Farm Court
Applicant requests relief from the following provisions of the Town Code for: 1. A proposed 2-story addition to an existing dwelling on a nonconforming lot: (i) §330-11 (residential districts table of dimensional regulations) for a principal minimum side yard setback of 7 feet where 15 feet is required and a principal total side yard setback of 28.9 feet where 35 feet is required and (ii) §330-84D (pyramid height) for a proposed encroachment in the amount of 1,308 cubic feet 2. A proposed 2nd story deck and 1st story terrace: § 330-83C (Yards): To allow the terrace to be located 7 feet from the westerly lot line and within the required minimum principal side yard of 15 feet and within total side yard at 28.9 feet where the required minimum is 35 feet, and to allow the proposed 2nd story deck at approximately 11 feet from the westerly lot line and within the minimum principal side yard of 15 feet and within total side yard at 32.9 feet where the required minimum is 35 feet and any other relief necessary.

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**NEW - ADJOURNED APPLICATIONS
(From the February 18, 2016 meeting)**

SCTM – HAMLET

Adjourned from the 1/7/16 meeting:

7. **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.

MINOR VARIANCE REVIEW

SCTM - HAMLET

8. **Fred Vazac** (appl. 1600029) Helene 900-186-1-36 Hampton Bays
43 Columbine Avenue North
Applicant requests the following relief from the provisions of Town Code §330-11 (residential districts table of dimensional regulations) for a proposed two-lot subdivision: (i) a lot width of 100 feet for both proposed lots where 120 feet is required and (ii) a principal minimum side yard setback of 16.3 feet where 20 feet is required to allow the existing house to remain its current location and any other relief necessary.

NEW APPLICATIONS

SCTM – HAMLET

9. **Holonoco, LLC** (appl. 1600015) Keith 900-368-3-29 Remsenburg/Speonk
19 Matthews Drive
Applicant requests the following relief from Town Code §330-11 (residential districts table of dimensional regulations) for a proposed two-lot subdivision: (i) a proposed lot area of 19,576 square feet and a proposed lot width of 102.64 feet for proposed Lot 1 and (ii) a proposed lot area of 19,831 square feet and a proposed lot width of 107.36 feet for proposed Lot 2 and any other relief necessary.
10. **Cynthia Myers Bartlett** (appl. 1600032) Adam 900-232-2-35 Shinnecock Hills
10 Hawthorne Road
Applicant requests a determination that the subject parcel SCTM# 900-232-2-35 is held in single and separate ownership from the adjacent parcel to the South identified as SCTM# 900-232-2-36 and thus entitled to relief pursuant to §330-115D and any other relief necessary.

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NEW APPLICATIONS - Continued

SCTM – HAMLET

11. **Russell Patrick** (appl. 1600030) Helene 900-9-2-41 Noyac
11 Windmere Drive
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for a total pyramid encroachment in the amount of 64.03 cubic feet (36.3 cf proposed + 27.73 cf of the existing will remain) for a the proposed addition to the northerly side of the existing dwelling and a proposed total lot coverage of 23.49% where a maximum of 20% is permitted for said addition to the northerly side of the existing dwelling and a proposed addition to the westerly side of the existing dwelling. In addition, applicant requests relief from Town Code §330-77D (placement of accessory buildings and uses in residence districts) for a proposed rear yard coverage of 26.04% where a maximum of 20% is permitted for a proposed swimming pool on a nonconforming lot and any other relief necessary.
12. **337 Montauk Highway, LLC & 329 Montauk Highway, LLC** (appl. 1600031)
337 Montauk Highway & 329 Montauk Highway Laura Water Mill.
900-133-1-17.1 & 18.1
For SCTM #900-133-1-18.1: applicant seeks the following relief from Town Code 330-116 as it relates to Town Code 330-167B(3) to change from one nonconforming use to another, to wit, from a multi-use compound with landscape and related businesses to a health and wellness destination spa facility with one dwelling for the manager and 14 accessory spa suites to be used as lodging for overnight patrons and other related buildings and structures. For SCTM# 900-133-1-17.1, applicant requests a use variance, that is, relief from Town Code 330-6 (general regulations) and 330-10 (residential districts table of use regulations) to allow this nonconforming use to be located on a parcel where a two story one family dwelling with attached deck currently exists on a nonconforming lot and any other relief necessary.
13. **143 Mid Ocean, LLC** (appl. 1600034) Brian 900-134-4-49.4 Bridgehampton
143 Mid Ocean Drive
Applicant requests relief from the following provisions of the Town Code: 1. For a proposed addition to the existing two-story dwelling, to wit, a two-story addition over a proposed garage on a nonconforming lot: (i) §330-11 (residential districts table of dimensional regulations) (Note 6) to allow the proposed addition to have a height of 45'-9.5" where a maximum height of 42 feet is permitted, and §330-11 to allow the proposed addition to be 3 stories where a maximum of 2 stories is permitted; 2. For a proposed 2nd story addition over a proposed garage: (i) §330-11 (residential districts table of dimensional regulations) for a proposed front yard setback of 74 feet where 80 feet is required on a nonconforming lot and any other relief necessary.

READVERTISED APPLICATIONS

SCTM – HAMLET

None scheduled for this meeting

NEW - ADJOURNED APPLICATIONS

SCTM – HAMLET

None scheduled for this meeting

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SCOPING SESSION

SCTM – HAMLET

None scheduled for this meeting

HOLDOVER APPLICATIONS
(From the February 18, 2016 meeting)

SCTM – HAMLET

Held over from the 2/4/16 meeting:

14. **Joseph Andreassi.** (appl. 1600017) Brian 900-32-1-10 North Sea
109 Edgemere Drive
Applicant requests relief from Town Code §330-84(D) (pyramid height) for a proposed encroachment in the amount of 7,179 cubic feet for a proposed 2nd floor and roof deck addition to the existing one-story dwelling on a nonconforming lot and any other relief necessary.

HOLDOVER APPLICATIONS

SCTM – HAMLET

Held over from the 2/4/16 meeting:

15. **Robert & Margaret Zack** (appl. 1500076) 900-211-4-54 Shinnecock Hills
24 Old Fort Lane Herb
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.

Held over from the 3/3/16 meeting:

16. **M & R Properties, LLC** (appl.1600018) Herb 900-177-2-58.1 Shinnecock Hills
2036 County Road 39
Applicant seeks to change from one nonconforming use to another nonconforming use, to wit, from an office for a security business to two offices pursuant to Town Code §330-117 (Change) as it relates to Town Code §330-167(B)(3) and §330-167B(1)(d) (specific types of variances) and any other relief necessary.

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<u>DECISIONS</u>		<u>DATE CLOSED</u>	<u>SCTM – HAMLET</u>	
Peconic Bay Marina, LLC, et al (written submissions)	Herb	1/21/16	900-176-1-50 & 24	Shinnecock Hills
Lorne Zingone (written submissions)	Adam	3/3/16	900-77-4-39.2	North Sea
Maria Begona Santos-Montesinos	Helene	3/3/16	900-87-2-22	Bridgehampton
Timothy W. Ferguson & Daniele Knowles	Keith	3/3/16	900-79-2-16	Water Mill
The Tina Silver Lieberman 2003 Family Trust	Brian	3/3/16	900-391-2-41	Westhampton
118 Dune Road Realty, LLC (written submissions)	Herb	2/4/16	900-134-3-3	Bridgehampton
Assembly of Christian Churches (a.k.a. Rock of Salvation Church) (written submissions)	Adam	1/7/16	900-221-3-8	Hampton Bays
Allison Schneider (written submissions)	Keith	2/4/16	900-373-1-11	East Quogue