

# TOWN OF SOUTHAMPTON

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  
May 5, 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 scheduled for this meeting

### NEW APPLICATIONS

### SCTM – HAMLET

1. **320 West Montauk, LLC** (appl.1600052) Adam 900-253-1-32 Hampton Bays  
320 West Montauk Highway  
Applicant requests relief from Town Code §330-109B(1) (fences, walls, accessory driveway structures, and clotheslines) to allow the existing 9.5 foot high stockade fence located within 10 feet of the westerly property line to be reduced to a proposed height of 9 feet where a maximum height of 6 feet is permitted and any other relief necessary.
2. **George W. Desmarais** (appl. 1600053) Thomas 900-340-2-40 East Quogue  
27 Fairline Drive  
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for a principal front yard setback of 35.8 feet where 40 feet is required to legalize a front covered porch on a nonconforming lot and any other relief necessary.



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**READVERTISED APPLICATIONS**

**SCTM – HAMLET**

7. **Hubertus M. Frowein** (appl. 1600036) Keith 900-77-1-6 North Sea  
29 Harris Lane  
Applicant requests relief from the following provision of the Town Code §330-115C (continuance) for a front yard setback of 35.2 feet where 40.2 feet is permitted legalize a canopy over an elevated landing (covered entry) constructed without the benefit of a building permit on a nonconforming lot and any other relief necessary.
8. **Domenic & Elizabeth Propati** (appl. 1400104) Herb 900-5-4-28 Noyac  
30 Walnut Street  
On February 5, 2015, this Board, by decision number D015016, granted the applicant pyramid relief in the amount of 7,414.74 cubic feet. By letter dated April 7, 2016, Robert Manzo, builder for the owner, states that because of an error on behalf of the surveyor and architect, he is requesting that said decision be amended to include an increase in the amount of pyramid relief granted.

**NEW - ADJOURNED APPLICATIONS**

**SCTM – HAMLET**

**Adjourned from the 3/17/16 meeting:**

9. **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.

**SCOPING SESSION**

**SCTM – HAMLET**

None scheduled for this meeting

**HOLDOVER APPLICATIONS**

**SCTM – HAMLET**

**Held over from the 11/19/15 meeting; adjourned from the 1/7/16 and the 3/3/16 meeting:**

10. **Carlo & Jennifer Gabrielli** (appl. 1500033) Helene 900-59-2-14 North Sea  
21 Third Road  
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**

**SCTM – HAMLET**

**Held over from the 3/3/16 meeting:**

11. **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.

**Held over from the 3/17/16 meeting:**

12. **337 Montauk Highway, LLC & 329 Montauk Highway, LLC** (appl. 1600031)  
337 Montauk Highway & 329 Montauk Highway  
900-133-1-17.1 & 18.1 Laura Water Mill.  
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.

**Held over from the 4/7/16 meeting:**

13. **Elizabeth Waters** (appl. 1600040) Keith 900-186-2-13 Hampton Bays  
6 Squires Terrace  
Applicant requests relief from the following provisions of the Town Code to allow a proposed accessory building (pool house) with attached storage shed and attached deck to be located within the required front yard of the principal building on a nonconforming lot: (i) §330-83C (yards), (ii) §330-76D (placement of accessory buildings and uses in all district), and (iii) §330-11 (residential districts table of dimensional regulations) for an accessory distance from street setback of 26.3 feet from Squires Court where 50 feet is required and any other relief necessary.

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**AMENDMENT REQUEST**

**SCTM – HAMLET**

**A brief discussion of this request took place at the 3/17/16 meeting:**

14. **Craig Nobert & Lisa Dabney** Herb 900-65-2-3.36 Water Mill  
33 Farmstead Lane  
On September 4, 2008, by decision number D012399, this Board granted relief for a front yard setback, minimum and total side yard setbacks and pyramid relief for a proposed 1 ½ story addition, deck and porches. This decision was subsequently amended on April 3, 2014, by decision number D014032, to delete the previously granted relief and replaced it with a lesser amount of relief for a front yard setback, minimum and total side yard setbacks and pyramid relief for a proposed two-story addition. By letter dated March 4, 2016, David Kirst, attorney for the current owners, Craig Nobert & Lisa Dabney, has requested that the current decision be modified to include the relief as described in his letter for the new proposal.

**DECISIONS**

**DATE CLOSED**

**SCTM – HAMLET**

Allison Schneider (written submissions)	Keith	2/4/16	900-373-1-11	East Quogue
Susan Burnside (written submissions)	Adam	4/21/16	900-69-1-26	Bridgehampton
Christian von Schimmelmann	Keith	4/21/16	900-211-1-11.28	Shinnecock Hills
Winslow W. Peters Jr. & Ella Peters Revocable Trust	Helene	4/21/16	900-35-2-59	Bridgehampton
Michael Sarkozi & Ronald Shuma	Brian	4/21/16	900-88-1-8.1	Bridgehampton
Sung-Ho Perry Lee (written submissions)	Laura	4/21/16	900-31-2-13	North Sea
Narrow Lane Property, LLC (written submissions)	Laura	4/7/16	900-81-1-25.3	Water Mill
Thomas N. Rogers, Jr. (written submissions)	Brian	4/7/16	900-369-1-48	Remsenburg/Speonk