

# TOWN OF SOUTHAMPTON

**CHAIRPERSON**  
HERBERT E. PHILLIPS

**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**  
July 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](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. **Hightide Corp. and John Amini** (appl. 160089) 900-54-1-6 Bridgehampton  
477 Bridgehampton Sag Turnpike Brian  
Applicant requests relief from the following provisions of the Town Code for a proposed two-story dwelling on a nonconforming lot: (i) §330-11 (residential districts table of dimensional regulations) for a proposed total lot coverage of 24% where a maximum of 20% is permitted, (ii) §330-115(C) (continuance) for a front yard setback of 7.1 feet for the proposed deck, (iv) 330-83(A)(4) (yards) to allow a deck higher than one foot above ground level to be located within the required front yard, and (v) §330-84D (pyramid height) for a total proposed encroachment in the amount of 7,643.59 cubic feet (2,324.3 cf on the southerly side + 5,219.47 cf on the northerly side + 99.82 cf on the westerly side) and any other relief necessary.
2. **Cullen Family Partnership** (appl. 1600090) Laura 900-27-2-3 North Sea  
61 Whalebone Landing Road  
Applicant requests relief from Town Code §330-84(D) (pyramid height) for a total proposed encroachment in the amount of 5,510 cubic feet (2,020 cf on the North side + 3,490 cf on the South side) for a proposed two-story dwelling on a nonconforming lot and any other relief necessary.

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**NEW APPLICATIONS - Continued**

**SCTM – HAMLET**

3. **Dushyant Chadha & Pranothi Prabhakara** (appl. 1600091) 900-45-1-20.2 North Sea  
3 Ocean View Parkway  
Applicant requests relief from Town Code (i) §330-77(D) (placement of accessory buildings and uses in residence districts) for a proposed rear yard coverage of 35% for a proposed tennis court on a nonconforming lot and any other relief necessary.
  
4. **CAT Properties, LLC** (appl. 1600092) Adam 900-373-2-25 East Quogue  
17 Bayside Avenue  
Applicant requests relief from Town Code §330-84D (pyramid height) for a total proposed encroachment in the amount of 8,328 cubic feet (1,442 cf on the East side + 6,886 cf on the West side) for a proposed two-story dwelling on a nonconforming lot and any other relief necessary.
  
5. **William A. D’Gata** (appl. 1600093) Keith 900-342-1-36 East Quogue  
6 Weesuck Avenue  
Applicant requests relief from Town Code §330-76D (placement of accessory buildings and uses in all districts) and §330-83(C) (yards) to allow the proposed swimming pool to be located within the required minimum and total side yard of the principal building on a nonconforming lot and any other relief necessary.
  
6. **Grant Harder & Lisa Grossman** (appl. 1600094) 900-9-2-50 Noyac  
20 Windemere Drive Thomas  
Applicant requests relief from the following provisions of the Town Code: (i) §330-77G (placement of accessory buildings and uses in residence districts) for a side yard setback to 6.8 feet where 8 feet is required for the proposed pool equipment and to +/- 6.8 feet for the proposed air conditioning unit and (ii) §330-76D (placement of accessory buildings and uses in all districts) and §330-83(C) (yards) to allow the proposed swimming pool to be located within the minimum and total side yard of the principal building on a nonconforming lot and any other relief necessary.

**READVERTISED APPLICATIONS**

**SCTM – HAMLET**

None scheduled for this meeting

**NEW - ADJOURNED APPLICATIONS**

**SCTM – HAMLET**

**Adjourned from the 1/7/16, 2/4/16, 4/21/16 and the 6/2/16 meeting:**

7. **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.

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**NEW - ADJOURNED APPLICATIONS - Continued**

**SCTM – HAMLET**

**Adjourned from the 6/16/16 meeting:**

8. **McDaid Family Trust** (appl. 1600081) Laura 900-71-3-23.1 Bridgehampton  
73 Norris Lane  
Applicant requests relief from the following provisions of the Town Code legalize structures constructed without the benefit of building permits on a nonconforming lot: 1. To legalize an addition to the northerly shed: §330-84(D) (pyramid height) for an encroachment in the amount of 214.89 cubic feet, 2. To legalize the southerly shed that is 12.3'x 20.3': §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 9.4 feet where 10 feet is required, 3. To legalize the southerly shed that is 10.1'x 14.2': §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 6.1 feet where 20 feet is required and §330-84(D) for an encroachment in the amount of 0.047 cubic feet, 4. §330-11 to allow the existing sports court to remain with an accessory side yard setback of 18 feet(+/-) where a minimum side yard setback of 20 feet is required and any other relief necessary.

**Adjourned from the 6/16/16 meeting:**

9. **Michael Sonnenfeldt** (appl. 1600082) Thomas 900-134-2-25.2 Bridgehampton  
1135 Mecox Road  
Applicant requests relief from the following provisions of the Town Code for a proposed dwelling on a nonconforming lot: (i) §330-115(C) (continuance) for a proposed principal rear yard setback of 19 feet where 45 feet is existing, a proposed principal front yard setback of 44.9 feet from Mecox Road where 61.1 feet is existing and (ii) §330-84(D) (pyramid height) for a proposed encroachment in the amount of 1,224.5 cubic feet and any other relief necessary.

**SCOPING SESSION**

**SCTM – HAMLET**

None scheduled for this meeting

**HOLDOVER APPLICATIONS**

**SCTM – HAMLET**

**Held over from the 5/5/16 meeting:**

10. **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.

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**HOLDOVER APPLICATIONS - Continued**

**SCTM – HAMLET**

**Held over from the 1/21/16 meeting; adjourned from the 3/3/16 and the 5/19/16 meeting:**

11. **720 North Sea Road, LLC** (appl. 1600005) Keith 900-130-2-11 North Sea  
720 North Sea Road  
Applicant requests relief from Town Code §330-167(B)(3) (specific types of variances) to allow a change from one nonconforming use to another, to wit, from a residential and commercial use (restaurant) to a landscape business with apartment above and any other relief necessary.

**Held over from the 6/2/16 meeting:**

12. **Three J's, LLC** (appl. 1600074) Brian 900-95-1-24 North Sea  
29 Missepogue Avenue  
Applicant requests relief from Town Code §330-115C (continuance) for a principal front yard setback of 22.8 feet where 30 feet is existing to legalize a covered entryway constructed without the benefit of a building permit on a nonconforming lot and any other relief necessary.

**Held over from the 6/2/16 meeting:**

13. **Kevin T. Hoey** (appl. 1600070) Adam 900-148-2-6 Flanders  
147 Long Neck Boulevard  
Applicant requests the following relief from Town Code §330-84D (pyramid height) to allow the existing house to be raised: (i) a proposed encroachment of 83 cubic feet on the East (South Elevation), (ii) a proposed encroachment of 64.7 cubic feet on the South (East Elevation), (iii) a proposed encroachment of 9.4 cubic feet on the North (East Elevation), and (iv) a proposed encroachment of 2,304.7 cubic feet for the deck over the storage area. In addition, applicant requests relief from Town Code §330-83(A)(4) to allow the a proposed deck that will be higher than one foot above ground level to be located within the required front yard on a nonconforming lot and any other relief necessary.

**Held over from the 9/3/15 meeting; Adjourned from the 11/19/15, 1/21/16, 4/7/16 and the 6/2/16 meeting:**

14. **Citarelli, LLC.** (appl. 1500133) Denise 900-369-3-6 Westhampton  
137 Montauk Highway  
Applicant requests relief from Town Code §330-6 (general regulations) and Town Code §330-167(B)(3) (specific types of variances) to permit a change from one nonconforming use to another nonconforming use, to wit, from a commercial Newspaper printing and publishing business to: (i) an office/retail, and (ii) a special trade contractor and storage use on a nonconforming lot and any other relief necessary.

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**HOLDOVER APPLICATIONS - Continued**

**SCTM – HAMLET**

**Held over from the 6/16/16 meeting:**

15. **Richard Perello** (appl. 1600080) Brian 900-62-2-58 North Sea  
1562 Majors Path  
Applicant appeals the decision of the Building Inspector as provided in Town Code §330-165A (appeals on interpretation of Zoning Law and Map), in that the conversion of the existing framed garage into a recreation building(work started without the benefit of a building permit and remains substantially incomplete), the proposed two car garage, and the proposed conversion of the existing recreation building into an accessory apartment are not a subordinate or incidental buildings because of the size in proportion to the main dwelling and the uses. In addition, applicant requests relief from the following provisions of the Town Code: (1) To permit the conversion of a 1-Story frame building used a recreation building into an accessory apartment: (i) §330-11.2(F) (accessory apartment special standards) for a lot area of 41,835.67 square feet where 160,000 square feet is required (80% of required 200,000 square feet), an accessory side yard setback to 26 feet where 35 feet is required (70% of the required 50 feet) for the existing 1-story frame building, an accessory side yard setback to 16.4 feet where 35 feet is required (70% of the required 50 feet) for the existing frame garage (which is being converted into a recreation building), and an accessory rear yard setback to 20 feet where 35 feet is required (70% of the required 50 feet) for the proposed two-car garage; (ii) §330-11.2(G)(1) to allow the accessory apartment to be 40% of the total floor area of the principal dwelling where a maximum of 35% is permitted; and (iii) §330-11.2(J) to allow the parking space for the accessory apartment to be located within the required front yard where and such space shall not be located in the required minimum front yard on a nonconforming lot and any other relief necessary.

<b><u>DECISIONS</u></b>		<b><u>DATE CLOSED</u></b>	<b><u>SCTM – HAMLET</u></b>	
Laura A. Weinbrecht	Helene	6/16/16	900-264-1-20	Hampton Bays
277 Surfside, LLC (written submissions)	Brian	6/16/16	900-117-2-22	Bridgehampton
Aven Development, Inc.	Herb	6/16/16	900-18-1-33.1	Noyac
Sag Waterview, LLC	Herb	6/16/16	900-19-1-34	Noyac
600 Mecox Road, LLC	Adam	5/19/16	900-104-2-23	Water Mill
Robert & Laurie O’Kunewicz	Adam	6/2/16	900-19-1-32	Noyac
Robyn Siegel & Jason Lash (written submissions)	Brian	6/2/16	900-5-2-13	Noyac

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**DECISIONS - Continued**

**DATE CLOSED**

**SCTM – HAMLET**

Elizabeth Waters	Keith	6/2/16	900-186-2-13	Hampton Bays
Cynthia Mack & John Johnson	Keith	6/2/16	900-53-1-19.1 & 85	Bridgehampton