

# 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  
October 20, 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**

1. **David Jackson** (appl. 1600153) Herb 900-36-1-20.27 Bridgehampton  
870 Millstone Road  
Applicant requests relief from Town Code §330-115D(3) (continuance) for a principal rear yard setback of 60.6 feet where 70 feet is required for a proposed addition to the existing residence on a nonconforming lot and any other relief necessary.

### **HOLDOVER APPLICATIONS**

### **SCTM – HAMLET**

**Held over from the 9/6/12 meeting; adjourned from the 1/3/13, 4/18/13, 10/3/13, 4/3/14, 10/2/14, 1/15/15, 5/21/15, 11/05/15 and the 3/3/16 meeting:**

2. **Southampton Day Camp Realty LLC (Change of Use)** (appl.1200091)  
665 Majors Path David 900-97-3-17.1 North Sea  
Applicant requests a variance pursuant to Town Code §330-167(B)(3) to allow a change from one nonconforming use to another nonconforming use, that is, from an existing seasonal tennis camp to a seasonal day camp and any other relief necessary.

**NEW APPLICATIONS**

**SCTM – HAMLET**

2. **Jason & Marni Hefter** (appl. 1600144) Adam 900-342-2-26.2 East Quogue  
25 Bay Avenue  
Applicant requests relief from the following provisions of the Town Code for a proposed attached two-car garage with second floor addition: (i) §330-11 (residential districts table of dimensional regulations) for a principal minimum side yard setback of 10'-1 1/2" where 20 feet is required, (ii) §330-84(D) (pyramid height) for a proposed encroachment in the amount of 3887 cubic feet (subject to verification) and (iii) §330-83(C) (yards) to allow the overhang to encroach project into the required principal side yard and any other relief necessary.
3. **Christopher Jackson** (appl.1600145) 900-267-2-33 Hampton Bays  
112 Argonne Road East  
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 proposed garage is not a subordinate or incidental building because of its size in proportion to the main dwelling and its use and any other relief necessary.
4. **James Carney** (appl. 1600146) Brian 900-134-3-11 Bridgehampton  
35 Dune Road  
Applicant requests relief from the following provisions of the Town Code: 1. For the proposed dwelling: (i) §330-46.2(B)(1) (coastal erosion management permit required; effect on zoning regulations) for a setback of 121.4 feet from the crest of the dune where 125 feet is required and (ii) §330-11 (residential districts table of dimensional regulations) to allow the proposed dwelling to have three stories where only two stories is permitted; 2. For the proposed swimming pool with attached spa and terrace: (i) §330-46.2(B)(1) for a setback of 99.6 feet from the crest of the dune for the swimming pool and a setback of 98.5 feet for the deck where 125 feet is required and (ii) §330-11 for accessory distance from street setback of 85.7 feet to the swimming pool and 76.2 feet to deck where 90 feet is required; 3. §138-7(A) (coastal erosion management permit required; compliance with provisions; effect on zoning regulations) to allow the proposed swimming pool with attached spa, terrace and a portion of the proposed dwelling to be located within the Coastal Erosion Hazard Area any other relief necessary.
5. **Big Sky, LLC.** (appl. 1600148) Helene 900-261-2-1.2 Hampton Bays  
74 Springville Road  
Applicant requests relief from Town Code §330-11.2(F) (accessory apartment special standards) for a lot width of 68 feet where 84 feet is required (70% of the required 120 feet) for to allow an accessory apartment to be constructed within a dwelling that is located on a nonconforming parcel that has an area of less than 30,000 square feet and any other relief necessary.
6. **161 Mid Ocean, LLC.** (appl. 1600151) Laura 900-134-4-49.5 Bridgehampton  
161 Mid Ocean Drive  
Applicant requests relief from the following provisions of the Town Code: 1. For the proposed dwelling: (i) §330-11 (residential districts table of dimensional regulations) to allow the proposed dwelling to have three stories where only two stories is permitted and (ii) §330-84E as it relates to 330-11 to allow the proposed dwelling to have a height of 45'-5" where a maximum of 42 feet is permitted; 2. For the proposed swimming pool with attached spa and deck: (i) §330-46.2(B)(1) for a setback of 96.2 feet landward from the crest of the dune for the swimming pool and a setback of 95.5 feet landward for the deck where 125 feet is required and any other relief necessary.

**NEW APPLICATIONS - Continued**

**SCTM – HAMLET**

7. **Greg & Susan Mastronardi** (appl. 1600149) 900-323-1-33.2 Hampton Bays  
25 Gardners Lane Helene  
Applicant requests relief from Town Code §330-115C (continuance) for a principal total side yard of 37 feet where 67.3 feet is existing for a proposed two-story dwelling on a nonconforming lot and any other relief necessary.
8. **Timothy Rumph** (appl. 1600150) Herb 900-234-3-46 Shinnecock Hills  
3 Middle Pond Lane  
Applicant requests the following relief from the provisions of the Town Code §330-11.2(F) (accessory apartment special standards) to allow an accessory apartment to be constructed within an existing detached garage that is located on parcel that has a lot area of less than 30,000 square feet: (i) lot width of 67.69 feet where 70 feet is required (70% of the required 100 feet), (ii) a principal minimum side yard setback of 4.5 feet where 10.5 feet is required (70% of the required 15 feet) and (iii) total side yard setback of 22.5 feet where 24.5 feet is required (70% of the required 35 feet). In addition, applicant requests relief from Town Code §330-11.2(L) for the location of the second-floor outside entrance to the accessory apartment on a nonconforming lot and any other relief necessary.

**READVERTISED APPLICATIONS**

**SCTM – HAMLET**

9. **Richard Chiorando & Eva M. Chiorando** (appl. 1600141) 900-232-2-33 Shinnecock Hills  
5 Lenape Road Adam  
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for a principal front yard setback of 24.71 feet (west corner) and 27.1 feet (east corner) where 40 feet is required for a proposed two-story dwelling. Applicant also requests relief from Town Code §330-167A (specific types of variances) to permit an extension of the zoning district boundary line 50 feet west into the R-40 Zoning District and relief from Town Code §330-11 for an accessory distance of street setback of 48.3 feet from Montauk Highway where 50 feet is required for an accessory building (pool house). In the alternative applicant requests relief from Town Code §330-11 for an accessory distance from street setback of 48.3 feet where 70 is required for an accessory building (pool house) and any other relief necessary.
10. **Raymond Pawlowski** (appl. 1600140) Keith 900-207-3-5 Hampton Bays  
8 Fort Hill Road  
Applicant requests relief from the following provisions of the Town Code to legalize a front 2<sup>nd</sup> story deck constructed without the benefit of a building permit: (i) §330-11 (residential districts table of dimensional regulations) for a front yard setback of 34.7 feet where 40 feet is required and (ii) §330-83(A)(4) to permit a deck higher than 12 inches to be located within the required front yard on a nonconforming lot and any other relief necessary.

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**NEW - ADJOURNED APPLICATIONS**

**SCTM – HAMLET**

**Adjourned from the 1/7/16, 2/4/16, 4/21/16, 6/2/16, 7/7/16 and the 9/15/16 meeting:**

11. **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 9/1/16 meeting:**

12. **Tyler Eddy** (appl. 1600121) Keith 900-160-3-55 Water Mill  
608 Flying Point Road  
Applicant requests relief from the following provisions of the Town Code: 1. For a proposed one-story addition to an existing residence on a non-conforming lot: §330-115(C) (continuance) for a principal rear yard setback of 18 feet where 25.2 feet is existing and 2. For a proposed outdoor shower: §330-11 (residence districts table of dimensional regulations) for an accessory distance from street setback of 22.4 feet where 30 feet is required on a nonconforming lot and any other relief necessary.

**Adjourned from the 1/7/16, 2/18/16, 3/17/16, 4/21/16, 6/2/16, 7/21/16 and the 9/15/16 meeting:**

13. **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.

**Re-Opened and adjourned from the 9/15/16 meeting; held over from the 10/6/16 meeting:**

14. **Robyn Siegel & Jason Lash** (appl. 1600048) Brian 900-5-2-13 Noyac  
45 Hampton Road  
Applicant is requesting relief from the Town Code as follows: 1. §330-11(Residence Districts Table of Dimensional Regulations): For a proposed two story dwelling and rear attached porch: 4 feet side yard and 8.2 feet total side yard where the required minimum side yard is 10 feet and the required minimum total side yard is 25 feet, 2. §330-76.D(Placement of accessory buildings and uses in all districts)and §330-83.C(Yards): Proposed first story front deck and outdoor shower enclosure along the westerly building façade within a required side yard and total side yard where accessory structures shall not be placed within a required side yard nor the total required side yard for a principal building, 3. §330-77.G(Placement of accessory buildings and uses in residence

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**(Siegel & Lash – continued)**

districts): Proposed equipment platform along the westerly building façade at 4.2 feet from the easterly lot line where a minimum of an eight-foot setback from all property lines must be maintained. 4. §330-77.F(Yards) as it relates to §330-11 (Residence Districts Table of Dimensional Regulations): For a proposed one story front deck with side yard setbacks at 4 feet from the westerly lot line and 4.6 feet from the easterly lot line, and where the required minimum accessory setback is 8 feet, 5. §330-84.D(pyramid height): For an encroachment beyond the sky plane porch in the amount of 16,277 cubic feet for the proposed principal building, and accessory structures including decks, outdoor shower, and rear porch 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, 6/2/16, 7/7/16, 8/4/16, and the 9/15/16 meeting:**

15. **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.

<u>DECISIONS</u>		<u>DATE CLOSED</u>	<u>SCTM – HAMLET</u>	
John Lovett (written submissions)	Keith	9/15/16	900-138-1-60	Riverside
Vincezno Farruggio (written submissions)	Brian	7/21/16	900-291-1-25	East Quogue
Thomas & Mary Ellen Pearson (written submissions)	Helene	10/6/16	900-177-4-7	Shinnecock Hills
Raymond R. Hann (written submissions)	Herb	10/6/16	900-355-3-32	Westhampton
Charles & Carolyn Drexel	Brian	10/6/16	900-169-1-14	Flanders
Hubertus Frowein (written submissions)	Thomas	10/6/16	900-77-1-6	North Sea
Patricia Farrell-Fritz & Tom A. Javits	Adam	10/6/16	900-81-2-20.5	Water Mill
Emilio Bassini	Keith	10/6/16	900-68-1-2.27	Bridgehampton

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<b><u>DECISIONS</u></b>		<b><u>DATE CLOSED</u></b>	<b><u>SCTM – HAMLET</u></b>	
Paul R. Tokarski (written submissions)	Herb	10/6/16	900-340-2-13	East Quogue
Marianna Watnick Revocable Trust (written submissions)	Herb	10/6/16	900-116-1-12.21	Water Mill
Joseph Leo (written submissions)	Helen	10/6/16	900-324-1-13	Hampton Bays
W.K.K. of New York, LLC (written submissions)	Helene	9/15/16	900-292-2-67	Hampton Bays
Michael Sonnenfeldt (written submissions)	Thomas	7/7/16	900-134-2-25.2	Bridgehampton