

# TOWN OF SOUTHAMPTON

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

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



JAY SCHNEIDERMAN  
TOWN SUPERVISOR

CHAIRPERSON  
HERBERT E. PHILLIPS

VICE-CHAIRPERSON  
ADAM GROSSMAN

BOARD MEMBERS  
KEITH TUTHILL  
BRIAN DESESA  
LAURA TOOMAN  
HELENE BURGESS  
THOMAS SCHIAVONI

## ***PRELIMINARY AGENDA – NOT OFFICIAL***

SOUTHAMPTON TOWN ZONING BOARD OF APPEALS  
PUBLIC HEARING AGENDA  
November 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](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**

\*\*\*\*\*

### MINOR VARIANCE REVIEW

### SCTM - HAMLET

None scheduled for this meeting

### NEW APPLICATIONS

### SCTM – HAMLET

1. **Dr. Charles Toteró & Julia Toteró** (appl. 1600165)      900-4-2-32      Noyac  
4 Oak Drive North      Laura  
Applicant requests the following relief from Town Code §330-115C (continuance) for a proposed addition to the existing dwelling on a nonconforming lot: (i) a principal front yard setback of 20 feet from Mill Road where 38 feet is existing and a principal front yard setback of 29 feet from Oak Drive North where 30.5 feet is existing and any other relief necessary.
2. **Michael & Sundy Schermeyer** (appl. 1600166)      900-373-2-15      East Quogue  
4 Bayside Avenue      Keith  
Applicant requests relief from the following provisions of the Town Code for a deck located within the required side yard of the principal dwelling on a nonconforming lot: (i) §330-76D (placement of accessory buildings and uses in all districts), (ii) §330-83C (yards) and (iii) §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 7.4 feet where 10 feet is required and any other relief necessary.

**Southampton Town Zoning Board of Appeals**  
**Public Hearing Agenda**  
**November 17, 2016**  
**Page 2 of 5**

**NEW APPLICATIONS - Continued**

**SCTM – HAMLET**

3. **Mitchell Baum** (appl. 1600167) Brian 900-28-2-17 North Sea  
22 Bay View Road  
Applicant requests relief from the following provisions of the Town Code to allow a proposed swimming pool to be located with the required front yard on a nonconforming lot: (i) §330-76D (placement of accessory buildings and uses in all districts), (ii) §330-83C (yards) and (iii) §330-11 (residential districts table of dimensional regulations) for an accessory distance from street setback of 35.9 feet where 50 feet is required and any other relief necessary.
  
4. **Kim Strnad** (appl. 1600168) Keith 900-151-2-26 Hampton Bays  
81 Red Creek Road  
Applicant requests relief from Town Code §330-84D (pyramid height) for a proposed encroachment in the amount of 4,112 cubic feet for a proposed 2<sup>nd</sup> story addition to the existing dwelling on a nonconforming lot and any other relief necessary.
  
5. **Americo Ferreira** (appl. 1600169) Thomas 900-295-2-12 Hampton Bays  
23 Duvall Drive  
Applicant requests relief from Town Code i) §330-11.2(F) (accessory apartment special standards) to legalize the construction of an accessory apartment in the basement of the existing dwelling located on a nonconforming lot that has an area of less than 30,000 square feet, ii) §330-11.2J(1): To allow two access driveways where one access driveway is permitted, iii) §330-11.2G(1): To allow an accessory apartment to contain less than the required minimum of 400 square feet and any other relief necessary.
  
6. **Summer Wind 81, LLC** (appl. 1600170) Helene 900-32-1-15 North Sea  
35 Shore Drive  
Applicant requests relief from Town Code §330-76D (placement of accessory buildings and uses in all districts) and §330-83C (yards) to allow a proposed swimming pool with attached spa to be located within the total required side yard for the principal building and any other relief necessary.
  
7. **Franco Petruzzello & Virginia Yeterian** (appl. 1600171) 900-354-1-17 Westhampton  
134 Montauk Highway Adam  
Applicant requests a determination that the subject parcel SCTM# 900-354-1-17 is held in single and separate ownership from all adjacent parcels and requests a determination as to the applicable zoning regulations for the subject parcel and any other relief necessary.
  
8. **Gerard Loesch** (appl. 1600172) Helene 900-324-1-1 Hampton Bays  
136 Bay Avenue East  
Applicant requests relief from the following provisions of the Town Code: 1. For a proposed covered front porch: (i) §330-11 (residential districts table of dimensional regulations) for a principal front yard setback of 37.2 feet where 40 feet is required and (ii) §330-83C (yards) to allow the roof overhang on the porch to encroach into the required front yard with a setback of 36.2 feet, 2. For a proposed garage addition to the rear of the existing dwelling: §330-115D(2) (continuance) for a rear yard setback of 40.9 feet where 44.1 feet is permitted, and 3. For the proposed deck: (i) §330-76D (placement of accessory buildings and uses in all districts) and §330-83C (yards) to allow the proposed deck to be located within the required side yard of the principal building on a nonconforming lot and any other relief necessary.

**NEW APPLICATIONS - Continued**

**SCTM – HAMLET**

9. **Association for Mental Health and Wellness, Inc.** (appl. 1600173)  
19 Randall Street Brian 900-140-2-31 Riverside  
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for a front yard setback of 32 feet +/- feet where 40 feet is required and §330-83A(4) (yards); all to allow a deck higher than one foot above ground level to be located within the required front yard on a nonconforming lot and any other relief necessary.

**READVERTISED APPLICATIONS**

**SCTM – HAMLET**

10. **Christopher Jackson** (appl.1600145) Thomas 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.

**NEW - ADJOURNED APPLICATIONS**

**SCTM – HAMLET**

**Adjourned from the 11/3/16 meeting:**

11. **795 Flying Point Road Realty, LLC** (Salvatore & Lisa Salibello – Applicants) (appl. 1600159)  
795 Flying Point Road Adam 900-178-1-11 Water Mill  
Applicants appeal the issuance of Certificate of Compliance #A150605 issued June 2, 2015, for an outdoor kitchen, alleging that the Building Department failed to enforce the conditions of ZBA Decision #D013031 and any other relief necessary.

**SCOPING SESSION**

**SCTM – HAMLET**

None scheduled for this meeting

**HOLDOVER APPLICATIONS**

**SCTM – HAMLET**

**Held over from the 10/20/16 meeting:**

12. **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.

**HOLDOVER APPLICATIONS**

**SCTM – HAMLET**

**Adjourned from the 1/7/16, 2/18/16, 3/17/16, 4/21/16, 6/2/16, 7/21/16, 9/15/16 and the 10/20/16 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.

**Held over from the 11/3/16 meeting:**

14. **Michele Hierholzer** (appl. 1600160) Helene 900-264-1-3 Hampton Bays  
6 Fanning Avenue  
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) to allow a total lot coverage of 23.8% where a maximum of 20% is permitted to legalize a screened porch addition to the rear of the existing dwelling 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, 9/15/16 and the 10/20/16 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.

**AMENDMENT REQUEST**

**SCTM – HAMLET**

16. **Lawrence Elliot** Keith 900-230-3-5 Hampton Bays  
4 Mohawk Road  
On September 15, 2016, by decision number D016128, this Board granted relief for the proposed dwelling and replaced decision number D015109 dated August 6, 2015 with the aforementioned decision. By letter dated November 1, 2016, Howard M. Kipnes of Cedar Knolls Inc. is requesting that decision number D016128 be amended to include relief for total lot coverage in excess of the maximum permitted 20%.

**Southampton Town Zoning Board of Appeals  
Public Hearing Agenda  
November 17, 2016  
Page 5 of 5**

<u>DECISIONS</u>		<u>DATE CLOSED</u>	<u>SCTM – HAMLET</u>	
Jason & Marni Hefter (written submissions)	Adam	10/20/16	900-342-2-26.2	East Quogue
Robyn Siegel & Jason Lash	Brian	10/20/16	900-5-2-13	Noyac
John Lovett (written submissions)	Keith	9/15/16	900-138-1-60	Riverside
Hubertus Frowein (written submissions)	Thomas	10/6/16	900-77-1-6	North Sea
Marianna Watnick Revocable Trust (written submissions)	Herb	10/6/16	900-116-1-12.21	Water Mill
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
David & Ling Helphand Trust (Carlos De La Torres – Applicant)	Keith	11/3/16	900-33-1-87	North Sea
Halcyon Park, LLC	Brian	11/3/16	900-23-1-69	Noyac
Natascha Tillmanns (written submissions)	Adam	11/3/16	900-3-2-11	Noyac
Richard Sinnott (written submissions)	Keith	11/3/16	900-345-1-40	Hampton Bays