

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
January 19, 2017

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

MINOR VARIANCE REVIEW

SCTM - HAMLET

None scheduled for this meeting

NEW APPLICATIONS

SCTM – HAMLET

1. **Kelly & Joseph Simmons** (appl. 1600102) Keith 900-260-7-19 Hampton Bays
99 Springville Road

Applicant requests relief from the following provisions of the Town Code: 1. To legalize the conversion of an existing garage into an accessory apartment on a lot that has less than 30,000 square feet: §330-11.2(F) (accessory apartment special standards), §330-11.2(G)(1) to allow the accessory apartment to be 39% of the total floor area of the main dwelling where a maximum of 35% is permitted, and §330-11.2.J(1) to allow two access driveways where only one access driveway shall be permitted on the lot having an accessory apartment, 3. § 330-11(Residence Districts Table of Dimensional Regulations): To legalize a deck and stair at the westerly side of the accessory building with an accessory side yard setback of 4.9 feet where a minimum of 10 feet is required on nonconforming lot and any other relief necessary.

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NEW APPLICATIONS

SCTM – HAMLET

2. **Class A, LLC** (appl. 1600197) Brian 900-68-1-6.1 Bridgehampton
254 Mitchells Lane
Applicant requests the following relief from Town Code §330-11 (residential districts table of dimensional regulations) to allow the height of a proposed dwelling to be 33'-8 1/4" and to allow the upper portion of the "banquet" roof structure to be at a height of 38'-4 1/2" to allow access to a 2nd story deck where a maximum height of 32 feet is permitted and any other relief necessary.

3. **Laffalot, LLC.** (appl. 1600198) Laura 900-211-2-19 Shinnecock Hills
11 Ochre Lane
Applicant requests relief from the following provisions of the Town Code for a proposed two-story dwelling on a nonconforming lot: (i) §330-115 (C) (continuance) for a principal front yard setback of 67.5 feet from New Lane where a setback of 72.1 feet is pre-existing and a principal front yard setback of 49.1 feet from Ochre Lane where a setback of 68.9 feet is pre-existing for the proposed dwelling; (ii) §330-115 (C) for a principal front yard setback of 45.1 feet from Ochre Lane where a setback of 68.9 feet is pre-existing for the proposed covered porch attached to the dwelling, (iii) §330-84D (pyramid height) for a total proposed encroachment in the amount of 916 cubic feet (404 cf on the West + 512 cf on the East), and (iv) §330-11 (residential districts table of dimensional regulations) for a proposed lot coverage of 23.5% where a maximum of 20% is permitted. In addition, applicant requests relief from Town Code §330-83C (yards) to allow the overhangs on the proposed dwelling to encroach into the required yards and any other relief necessary.

4. **Eternity Non-Correlated Guarantee Management, LLC.** (appl. 1600200)
475 David Whites Lane Thomas 900-132-2-14 North Sea
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for accessory distance from street setbacks of 53.90 feet (South side) and 54.30 feet (North side) for a proposed tennis court where a minimum accessory front yard setback of 90 feet is required, an accessory rear yard setback of 25 feet where a minimum setback of 30 feet is required and principal rear yard setbacks of 65.30 feet and 69.0 feet for a proposed two-story residence with attached garage where a minimum of 100 feet is required and any other relief necessary.

5. **Jeffrey & Tracy Smith** (appl. 1600202) Helene 900-114-1-28 Water Mill
20 Old Mill Road
Applicant requests relief from the following provisions of the Town Code: (i) §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 10.4 feet where 20 feet is required for a proposed tennis court and (ii) §330-77D (placement of accessory buildings and uses in residence districts) for a proposed rear yard coverage of 42% where a maximum of 20% is permitted and any other relief necessary.

NEW APPLICATIONS – Continued

SCTM – HAMLET

6. **Mark C. Matthews** (appl. 1600201) Adam 900-76-5-21 North Sea
220 Shore Road
Applicant requests relief the following relief from the Town Code: 1. For the proposed two-story dwelling on a nonconforming lot: (i) §330-11 (residential districts table of dimensional regulations) for a principal front yard setback of 10 feet from Cedar Avenue where 30 feet is required, (ii) §330-84D (pyramid height) for a proposed encroachment in the amount of 3,855 cubic feet and (iii) §330-83C (yards) to allow the overhang on the East side of the proposed dwelling to encroach into the required front yard with a setback of 8.5 +/- feet and to encroach into the required side yard (West side) with a setback of 8.5 +/- feet; 2. For the proposed garage: (i) §330-11 for an accessory distance from street setback of 10 feet from Cedar Avenue where 40 feet is required, (ii) §330-84D (pyramid height) for a proposed encroachment in the amount of 68 cubic feet, and (iii) §330-83C (yards) to allow the overhang on the East side of the proposed garage to encroach into the required front yard with a setback of 9 +/-feet. In addition, applicant requests relief from Town Code §330-77A (placement of accessory buildings and uses in residence districts) to allow accessory parking within the required front yard or sand §330-11 for a total lot coverage in excess of the permitted 20% and any other relief necessary.

READVERTISED APPLICATIONS

SCTM – HAMLET

RE-OPENED AMENDMENT REQUEST

7. **Hawks Hills, LLC** (appl. 1600131) Adam 900-92-3-26 North Sea
63 Island Creek Road
On October 6, 2016, this Board, by Decision number D016139, granted the applicant relief for the construction of a two-story residence with a covered porch. It was later discovered that additional pyramid relief was indicated on the architectural plans submitted with the application but not discussed at the public hearing.

NEW - ADJOURNED APPLICATIONS

SCTM – HAMLET

None scheduled for this meeting

SCOPING SESSION

SCTM – HAMLET

None scheduled for this meeting

HOLDOVER APPLICATIONS

SCTM – HAMLET

Held over from the 11/17/16 meeting:

8. **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.

HOLDOVER APPLICATIONS – Continued

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, 10/20/16 and the 11/17/16 meeting:

9. **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 12/01/16 meeting:

10. **Patricia A. Frank** (appl. 1600176) Brian 900-9-2-85 Noyac
43 Harbor Drive
Applicant requests relief from the Town Code: For a proposed two story dwelling: (i) §330-11(Residence Districts Table of Dimensional Regulations): To allow a principal rear yard setback of 23.1 feet where a minimum of 30 feet is required, (ii) §330-84.D(pyramid law): To allow a total volume of encroachment beyond the sky-plane in the amount of 2616.6 cubic feet, and (iii) §330-11(Residence Districts Table of Dimensional Regulations): To allow a total lot coverage of 20.99% where a maximum coverage of 20% is allowed and any other relief necessary.

Adjourned from the 6/16/16 and the 12/1/16 meeting:

11. **Nelson Mendez-Lopez** (appl. 1600083) Keith 900-120-3-26 Flanders
128 Priscilla Avenue
SCTM# 900-120-3-26. Applicant requests a determination that the subject parcel SCTM# 900-120-3-26 is held in single and separate ownership from the all adjacent parcels and thus entitled to relief pursuant to §330-115D. If the Board finds the subject parcel to be a single and separate parcel, then applicant requests relief from Town Code §330-84(D) (pyramid height) for a total proposed encroachment in the amount of 2,272.2 cubic feet (1,662.7 on the West + 609.5 on the East) for the proposed two-story dwelling on a nonconforming lot and any other relief necessary.

Held over from the 12/15/16 meeting:

12. **Alan Shapiro** (appl. 1600186) Brian 900-234-3-23.1 Shinnecock Hills
23 Koral Drive
Applicant requests relief from Town Code 1. §330-11 (residential districts table of dimensional regulations) for a rear yard setback of 28.2 feet where 50 feet is required and a pyramid encroachment in the amount of 742 cubic feet; all for a proposed two-story dwelling. 2. Applicant requests a determination as to whether or not the proposed garage is a subordinate or incidental building pursuant to Town Code §330-5 (definitions) because of its size in proportion to the main dwelling and its use and any other relief necessary.

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HOLDOVER APPLICATIONS – Continued

SCTM – HAMLET

Held over from the 10/1/15 meeting; Adjourned from the 11/19/15, 1/7/16, 3/3/16 and the 4/7/16 meeting; adjourned from the 5/19/16, 7/21/16, 9/1/16, 10/6/16 and the 12/1/16 meeting:

13. **Vanderbilt Nursery General Contracting, Corp.** (appl. 1500147)
181 Hayground Road Adam 900-84-1-5.9 Bridgehampton
Pursuant to New York State Town Law §267-a, applicant appeals Notice of Violation #CMP15-115, issued on April 29, 2015, by the Town's Investigation and Enforcement Unit stating that the use of the property has been changed from a Nursery to Landscaping Storage and any other relief necessary.

<u>DECISIONS</u>		<u>DATE CLOSED</u>	<u>SCTM – HAMLET</u>	
Andrew Maffei	Laura	1/5/17	900-50-1-4.6	Bridgehampton
296 Surfside, LLC (written submissions)	Laura	1/5/17	900-117-1-41.1	Bridgehampton
Walter & Beverly Vella (written submissions)	Adam	1/5/17	900-131-3-29.1	North Sea
Rosemarie Principe (8 Oak Road)	Keith	1/5/17	900-5-5-65	Noyac
Rosemarie Principe (10 Oak Road)	Keith	1/5/17	900-5-5-65	Noyac
Andrew Reutter (written submissions)	Thomas	1/5/17	900-359-5-32	Quogue
John & Dana Feinberg (written submissions by 12/16/16)	Adam	12/1/16	900-363-1-24	East Quogue
Richard Konaszewski (written submissions)	Keith	12/15/16	900-260-6-7	Hampton Bays
Vincent Taldone (written submissions)	Keith	12/1/16	900-166-2-29.2	Flanders

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<u>DECISIONS (Continued)</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
Marianna Watnick Revocable Trust (written submissions)	Herb	10/6/16	900-116-1-12.21 Water Mill