

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
February 16, 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. | CVR First, LLC (appl.1600181)
88 Birchwood Lane | Thomas | 900-51-2-71.17 Bridgehampton |
|----|---|--------|------------------------------|

Applicant requests relief from the following provisions of the Town Code: 1. To legalize the location of a swimming pool that is under construction in the required side yard of the principal building: (i) §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 9 feet where 10 feet is required and (ii) §330-76D (placement of accessory buildings and uses in all districts) and §330-83C (yards) to allow the swimming pool to remain within the required side yard of the principal building; and 2. To legalize the location of the pool cover pit: §330-77G (placement of accessory buildings and uses in residence districts) for a side yard setback of 5.7 feet where 10 feet is required and any other relief necessary.

NEW APPLICATIONS - Continued

SCTM – HAMLET

2. **Two Trees Farm Development, LLC.** (appl. 1700011) 900-83-1-1.11 Bridgehampton
1 Two Trees Lane Brian
Applicant requests relief from Town Code §330-135 (housing for agricultural labor) for a front yard setback of 120 feet where 150 feet is required and a side yard setback of 82.7 feet where 200 feet is required to allow the 2 1/2 story frame residence located at 849 Hayground Road, Bridgehampton (SCTM# 900-67-1-2.20) to be relocated onto the subject premises to be used for agricultural labor housing. In addition, applicant requests for existing signage as follows: 1. §330-206(zoning districts);15'-8" x 2'-0"(31 sq. ft.) non-illuminated wall sign at the northerly façade of the main(westerly) horse barn: §330-206.D(Hamlet Office and Hamlet Commercial); To allow a sign area of 31 square feet and a sign width of 15'-8" where the maximum sign area allowed shall not exceed 0.5 square foot in area for each horizontal foot of the wall on which it is mounted and here calculated to be 20 square feet, nor exceed, in width, 30% of the horizontal measurement of such wall and here calculated to be a maximum width of 12'-1", respectively, 2. §330-206(zoning districts);15'-8" x 2'-0"(31 sq. ft.) non-illuminated wall sign at the westerly façade of the main(westerly) horse barn: §330-206.D(Hamlet Office and Hamlet Commercial); To allow a sign area of 31 square feet and a sign width of 15'-8" where the maximum sign area allowed shall not exceed 0.5 square foot in area for each horizontal foot of the wall on which it is mounted and here calculated to be 20 square feet, nor exceed, in width, 30% of the horizontal measurement of such wall and here calculated to be a maximum width of 12'-1", respectively and any other relief necessary.

3. **Rone Barcelos and Maria Helena Foley** (appl. 1700012) 900-130-2-6 North Sea
369 Majors Path Thomas
Applicant requests relief from Town Code §330-11 (residence districts table of dimensional regulations) for a principal front yard setback of 33.7 feet where 40 feet is required to legalize a covered front porch that has been partially constructed without the benefit of a building permit and any other relief necessary.

4. **Guilber Prado** (appl.1700010) Adam 900-144-2-49 Flanders
44 Flanders Boulevard
Applicant requests relief from the following provisions of the Town Code 1. To legalize an addition constructed without the benefit of a building permit the rear of the existing dwelling on a nonconforming lot: (i) §330-115C (continuance) for a rear yard setback of 23.9 feet where 29.8 feet is existing, (ii) §330-84D (pyramid height) for an encroachment in the amount of 227 cubic feet; 2. To legalize a wood deck constructed on the front of the dwelling house without the benefit of a building permit: (i) §330-115C for a front yard setback of 19.7+/- feet where 24.7 feet is existing and (ii) §330-83A(4) to allow a deck higher than one foot above the ground to be located within the required front yard; and 3. To legalize a wood covered platform constructed on the northerly side of the dwelling without the benefit of a building permit: §330-115C for a side yard setback of 4.9+/- feet where 8.9 feet is existing. In addition, applicant requests relief from §330-11 to allow a total lot coverage of 21.9% where a maximum of 20% is permitted and any other relief necessary.

NEW APPLICATIONS - Continued

SCTM – HAMLET

5. **Marc A. Chiffert** (appl. 1700013) Brian 900-260-6-32 Hampton Bays
34 Nassau Road
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. In addition, applicant requests relief from the following provisions of the Town Code: (i) §330-11 (residence districts table of dimensional regulations) for an accessory distance from street setback of 30'-6" where 50 feet is required for a proposed detached garage; and (ii) §330-76D (placement of accessory buildings and uses in all districts) and §330-83C (yards) to allow the proposed wood deck to be located within the required side yard of the principal building on a nonconforming lot and any other relief necessary.
6. **Ann LaWall** (appl. 1700014) Adam 900-191-1-27 Hampton Bays
39 Oakhurst Road
Applicant requests relief from the following provisions of the Town Code: 1. For a proposed two-story addition to an existing dwelling on a nonconforming lot: (i) §330-115C and §330-115E (continuance) for a total side yard setback of 16.8 feet to the proposed covered porch and a total side yard of 17.8 feet to the proposed two-story addition where 18.9 feet is existing and (ii) §330-84D (pyramid height) for a proposed encroachment in the amount of 2,248.25 cubic feet; 2. For a proposed accessory apartment: §330-11.2 F (accessory apartment special standards): (i) to allow an accessory apartment to be located on a parcel that has a lot area that is less than 30,000 square feet, (ii) for a lot area of 10,890 where 12,000 square feet is required (80% of the required 20,000 sq ft), (iii) a principal minimum side yard setback of 7.8 feet where 14 feet is required (70% of the required 20 feet), (iv) a principal total side yard of 16.8 feet (covered porch) and 17.8 feet (proposed two-story addition) (70% of the required 45 feet) and, (v) §330-84D (pyramid height) for a proposed encroachment in the amount of 703.18 cubic feet and any other relief necessary.
7. **Christopher Dunlop** (appl. 1700015) Thomas 900-347-1-11.5 Hampton Bays
7 Trynz Lane
Applicant requests relief from the following provisions of the Town Code: 1. For a proposed swimming pool: §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 8.7 feet where 20 feet is required; 2. For a proposed accessory building (pool house) with attached equipment platform: (i) §330-11 for an accessory side yard setback of 8 feet where 20 feet is required and (ii) §330-84D (pyramid height) for a proposed encroachment in the amount of 102 cubic feet; 3. For the proposed hot tub: §330-11 for an accessory side yard setback of 12 +/- feet where 20 feet is required and 4. For the proposed location of the pool equipment: §330-77G (placement of accessory buildings and uses in residence districts) to allow the pool equipment to be located 8 feet from the southerly property line where 10 feet is required. In addition, applicant requests relief from Town Code §330-76D (placement of accessory buildings and uses in all districts) and §330-83C (yards) to allow the proposed swimming pool, hot tub and proposed accessory building (pool house) with attached equipment platform to be located within the minimum and total side yard of the principal building on a nonconforming lot and any other relief necessary.

HOLDOVER APPLICATIONS – Continued

SCTM – HAMLET

Held over from the 12/01/16 and the 1/19/17 meeting:

11. **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, 12/1/16, and the 1/19/17 meeting:

12. **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 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, 12/1/16, and the 1/19/17 meeting:

13. **Vanderbilt Nursery General Contracting, Corp.** (appl. 1500147)
181Hayground 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.

DECISIONS

DATE CLOSED

SCTM – HAMLET

Donald K. & Susan Murphy	Thomas	1/5/17	900-315-2-23	East Quogue
Jill Schlesinger & Jacqueline Licalzi (written submissions)	Keith	2/2/17	900-59-1-36	North Sea
Robert M. Morgillo & Cira Morgillo (written submissions)	Adam	2/2/17	900-46-3-21	North Sea
Alan Shapiro	Brian	2/2/17	900-234-3-23.1	Shinnecock Hills

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<u>DECISIONS</u>		<u>DATE CLOSED</u>	<u>SCTM – HAMLET</u>	
Paul S. Ruggiero	Keith	2/2/17	900-260-6-28	Hampton Bays
Patricia DiBenedetto (written submissions)	Thomas	2/2/17	900-357-3-40	Westhampton
CMR Unlimited Inc. & VTG Realty and Construction, LLC (written submissions)	Thomas	2/2/17	900-113-2-6	Water Mill
Edward A. Seltenreich & Jennifer Seltenreich (written submissions)	Keith	2/2/17	900-291-1-17	East Quogue
Theresa Lloyd	Adam	2/2/17	900-187-3-12	Hampton Bays
Hawks Hills, LLC	Adam	2/2/17	900-92-3-26	North Sea
Three Waters LLC (written submissions by Jan. 17 th)	Laura	1/5/17	900-179-2-2.1	Bridgehampton
Kelly & Joseph Simmons (written submissions)	Keith	1/19/17	900-260-7-19	Hampton Bays
Walter & Beverly Vella (written submissions)	Adam	1/5/17	900-131-3-29.1	North Sea
Jason & Marni Hefter (written submissions)	Adam	10/20/16	900-342-2-26.2	East Quogue