

TOWN OF SOUTHAMPTON

CHAIRPERSON
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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
May 7, 2020

The Zoning Board of Appeals meeting is being held via videoconference. Applications are scheduled to begin at 6:00 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

NOTE: Public Hearings WILL NOT be held for Case numbers 1 – 29. These are applications from February 20, 2020, March 19, 2020 and April 2, 2020 that require the rescheduling of hearing dates due to the cancellation of the meetings.

NEW APPLICATIONS (from the 02.20.20, 03.19.20 and the 04.02.20 meetings)

SCTM – HAMLET

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|----|---|-------|----------------|---------------|
| 1. | 94 Dune Road Holding Corp. (app# 2000010) 94 Dune Road Applicant requests relief from Town Code §330-117 (change) as it relates to Town Code §330-167B(3) (specific types of variances) to permit a change from one nonconforming use to another, to wit, from a One story frame building with 2 nd floor office, restaurant,/bar, marina with tennis courts, decks and parking to a twenty-five (25) unit multi-family condominium use with a swimming pool and accessory building (cabana) and any other relief necessary. | Adam | 900-385-1-37.3 | East Quogue |
| 2. | 2331 Montauk, LLC (app# 2000012) 2331 Montauk Highway Applicant request relief from the following provisions of the Town Code for a proposed two-story office building: (i) §330-34 (business districts table of dimensional regulations) for a principal minimum side yard setback of 4 feet where 15 feet is required and a principal total side yard setback of 19 feet where 30 feet is required; and (ii) §330-30(B)(4) (General Regulations) as it relates to §330-162.18(A)(1) (Hamlet Office/Residential and Hamlet Commercial/Residential Building Size) to allow a proposed 5,587 square foot office building to contain one (1) 600 square foot apartment where three (3) apartments are required and any other relief necessary. | Brian | 900-86-1-6 | Bridgehampton |

NEW APPLICATIONS (from the 02.20.20, 03.19.20 and the 04.02.20 meetings)

(continued)

SCTM – HAMLET

3. **Enma Carrera-Cruz & Luis Idrovo Urgiles** Michael 900-268-3-2 Hampton Bays
3 Woodridge Road (app# 200017)
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for a principal front yard setback of 35.1 feet where 40 feet is required for a proposed covered porch addition to an existing dwelling on a nonconforming lot. In addition, applicant requests the following relief from the provisions of Town Code §330-11.2F (accessory apartment special standards) to legalize an accessory apartment constructed in the basement of the dwelling without the benefit of a building permit: (i) relief to allow the accessory apartment to remain on a lot that is less than 30,000 square feet, (ii) lot area from 16,000 square feet to 10,667 square feet (80% of the required 20,000 square feet), and (iii) a principal rear yard setback of 37 feet +/- where 42 feet is required (70% of the required 60 feet) and any other relief necessary.

4. **Edward Czaplinski** (app# 2000015) Keith 900-254-1-43 Hampton Bays
46 Sherwood Road
Applicant requests relief from the following provisions of the Town Code to legalize an accessory apartment constructed within the basement of a dwelling on a nonconforming lot without the benefit of a building permit: (i) §330-11.2F (accessory apartment special standards) to allow an accessory apartment to be located on a parcel that has a lot area of less than 30,000 square feet and (ii) §330-11.2G(1) to allow the size of the accessory apartment to be 40% of the total floor area of the principal dwelling where a maximum of 35% is permitted and any other relief necessary.

5. **Beach House Associates, LLC** (app# 2000016) 900-15-2-44 Noyac
19 Wickatuck Drive Adam
Applicant requests a determination that the subject parcel SCTM# 900-15-2-44 is held in single and separate ownership from all adjacent parcels and thus entitled to relief pursuant to §330-115D and any other relief necessary.

RE-ADVERTISED APPLICATION (from the 02.20.20, 03.19.20 and the 04.02.20 meetings)

SCTM – HAMLET

6. **Sand Land Corp.** (app# 1600135) 900-23-1-1 Noyac
585 Middle Line Highway
Applicant appeals the issuance of Certificate of Occupancy No. C160135, dated April 26, 2016, as it relates to the uses on the subject property and any other relief necessary.

NEW - ADJOURNED APPLICATION (from 03.19.20 and the 04.02.20 meetings)

SCTM – HAMLET

Adjourned from the 02/06/20 meeting:

7. **William Kienke** (app# 1900166) Jason 900-62-1-48 North Sea
74 Waters Edge Road
Applicant requests relief from the following provisions of the Town Code for a proposed swimming pool: (i) §330-11 (residential districts table of dimensional regulations) for an accessory distance from street setback of 31 feet where 70 feet is required from Knoll Road and (ii) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C

NEW - ADJOURNED APPLICATIONS (from 03.19.20 and the 04.02.20 meeting) (Continued)

William Kienke

(yards) to allow the swimming pool to be located within the required front yard of the principal building on a nonconforming lot. In addition, applicant requests relief from Town Code §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow a concrete patio to be located within the required minimum and total side yard for the principal building and any other relief necessary.

HOLDOVER APPLICATIONS (from the 03.19.20 and the 04.02.20 meetings)

SCTM – HAMLET

Held over from the 11/7/19 meeting; adjourned from the 12/19/19 meeting:

8. **Nicholas Coslov** (app# 1900147) Michael 900-87-4-1 Bridgehampton
18 Trelawney Road
- Applicant requests a determination as to whether or not the following are subordinate or incidental buildings and uses pursuant to Town Code §330-5 (definitions) because of their sizes in proportion to the main dwelling and their uses: (i) the proposed three-car garage, (ii) the proposed underground parking garage and storage and (iii) the proposed accessory building (pool house (cabana) with covered porch). In addition, applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 20 feet where 30 feet is required and an accessory distance from street setback (front yard) of 51 feet where 90 feet is required from the southerly lot line (Trelawney Road) for the proposed underground parking garage and storage and any other relief necessary.

Held over from the 02/06/20 meeting:

9. **River Rock Structured Capital, LLC** (app# 1900163) 900-115-1-8 Water Mill
186 Crescent Avenue Adam
- Applicant requests relief from the following provisions of the Town Code: 1. For the two-story dwelling under construction on a nonconforming lot: (i) §330-11 (residential districts table of dimensional regulations) to allow the height of the dwelling to be 44.6 feet where maximum of 42 feet is permitted, (ii) §330-11 for a total lot coverage of 12.7% where a maximum of 10% is required, (iii) §330-83K (yards) for a principal front yard setback from the easterly property line (Davids Lane (Crescent Avenue)) of 38.1 feet where 40 feet is permitted, and (iv) §330-105(J) (schedules of minimum and maximum floor area) to allow the total floor area of the dwelling to be in excess of 15,000 square feet (if necessary); and 2. To legalize the location of the tennis court: §330-11 for an accessory rear yard setback of 28.5 feet where 30 feet is required; and 3. To legalize the height of the retaining wall: §330-109 (Fences, walls, accessory driveway structures, and clotheslines) to allow a portion of the retaining wall to have a height of approximately 8.2 feet where a maximum of 6 feet is permitted. In addition, applicant requests relief from the following provisions of the Town Code to allow the existing cottage to be converted into a carriage house: (i) §330-9D(4) (density incentive provisions) for a waiver of one or more development right or PBC; (iii) §330-9D(4) (density incentive provisions) to permit a carriage house on a lot where the property size is less than 3 acres; and (iv) §330-9D(4)(b) to permit a carriage house on a lot where the principal dwelling does not comply with all applicable dimensional requirements of the code, to wit, a height of 44.6 feet where a maximum of 42 feet is permitted; (v) §330-9D(4)(c) to allow the carriage house to remain at a front yard setback of 19.1 feet from the westerly lot line (Mud Creek) where a carriage house shall have a front yard setback of at least 10 feet greater than the principal dwelling setback and to remain at a side yard setback of 23.4 feet where 30 feet is required. In the alternative to the relief for the carriage house, applicant requests relief from Town Code §330-116 (extension) as it relates to §330-167B(1)(a) (specific types of variances) for expansion of nonconforming uses in excess of the allowable 50% and any other relief necessary.

RE-OPEN FOR SUBMISSIONS ONLY
(from the March 19, 2020 and the 04.02.20 meetings)

SCTM – HAMLET

10. **River Rock Structured Capital, LLC** (app# 1900163) 900-115-1-8 Water Mill
186 Crescent Avenue Adam
On February 6, 2020, a deadline of March 11, 2020 by 3:00 p.m. was set for written submissions, with the hearing to be continued March 19, 2020. On March 12, 2020, a written submission was submitted by John Bennett, of Bennett & Read, LLP. Subsequently additional written comments were received from other parties after March 19th, in response to Mr. Bennett's submission and comments and one letter of support.

HOLDOVER APPLICATION (from the 02.06.20, 03.19.20 and the 04.02.20 meetings)

SCTM – HAMLET

Held over from the 12/19/19 meeting: adjourned from 02/06/20 meeting:

11. **Antoinette Novick** (app# 1900168) Cornelius 900-340-1-4 East Quogue
104 Old Country Road
+Applicant requests relief from Town Code §330-11.2F (accessory apartment special standards) for a principal front yard setback of 22.4 feet where 28 feet is permitted (70% of the required 40 feet) for an accessory apartment (studio/efficiency unit) that will be located within a proposed detached garage and any other relief necessary.

NEW APPLICATIONS (from the 03.19.20 meeting)

SCTM – HAMLET

12. **16 Dover Avenue, LLC** (app# 2000025) Cornelius 900-42-3-43 North Sea
16 Dover Avenue
Applicant requests relief from the following provisions of the Town Code for a proposed swimming and proposed patio: (i) §330-11 (residential districts table of dimensional regulations) for an accessory distance from street setback (front yard) of 51 feet where 70 feet is required and (ii) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the proposed swimming pool and proposed patio to be located in the required front and total side yard for the principal building on a nonconforming lot and any other relief necessary.
13. **Kristof Gleich** (app# 2000027) Brian 900-259-1-24.2 Hampton Bays
10 Corwin Lane
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) to permit a partial conversion of an attic into habitable space (recreation room) within an existing dwelling on a nonconforming lot which will result in a partial third story where a maximum of two stories is permitted and any other relief necessary.

NEW APPLICATIONS (from the 03.19.20 meeting) (continued) SCTM – HAMLET

14. **Joseph J. Hancock** (app# 2000026) Cornelius 900-226-2-10.2 Hampton Bays
22 Squiretown Road
Applicant appeals the decision of the Principal 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. In addition, applicant requests relief from Town Code §330-84D (pyramid height) for an encroachment in the amount of 1,690 cubic feet for a proposed detached garage on a nonconforming lot and any other relief necessary.

15. **German Rivera** (app# 2000028) Michael 900-232-1-20 Shinnecock Hills
577 East Montauk Highway
Applicant requests relief from Town Code §330-84D (pyramid height) for an encroachment in the amount of 115 cubic feet for a proposed 2nd story addition to an existing dwelling on a nonconforming lot and any other relief necessary.

NEW APPLICATIONS (continued) (from the 03.19.20 meeting) SCTM – HAMLET

16. **73 Lyncliff, LLC** (app# 2000029) Helene 900-268-1-21 Hampton Bays
73 Lyncliff Road
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for a principal rear yard setback of 30.3 feet where 60 feet is required for a proposed garage addition to a dwelling under-construction and any other relief necessary.

READVERTISED APPLICATIONS (from the 03.19.20 meeting) SCTM – HAMLET

17. **Valerie Sirignano** (app# 2000013) Jason 900-32-1-12 North Sea
105 Edgemere Drive
Applicant requests relief from Town Code §330-84D (pyramid height) for an encroachment in the amount of 17,659.5 cubic feet for a proposed two-story dwelling and an encroachment in the amount of 182 cubic feet for the 2nd floor deck on a nonconforming lot and any other relief necessary.

MODIFICATION REQUEST (from the 03.19.20 meeting) SCTM – HAMLET

18. **Lake Creek Properties, LLC** (app# 2000030) 900-118-2-8 Riverside
30 Flanders Road, Route 24 Adam
On July 21, 2016, this Board by decision number D016100, granted the applicant relief for the following: (i) a proposed dual-pole, double-sided freestanding pole sign; (ii) relief to allow five (5) freestanding signs (a dual-pole double-sided freestanding sign, two (2) menu board signs and two (2) canopy signs with signage and LCD Confirmation display area); (iii) two (2) internally illuminated single-sided freestanding menu board signs; (iv) two (2) drive-through lanes; (v) two (2) illuminated freestanding canopies with signage and LCD menu confirmation; and (vi) to allow a loud speaker and window service system. By letter dated, January 31, 2020, Keith Brown of Brown & Altman, LLP seeks to modify said decision as it relates to the dual-pole, double-sided freestanding sign to allow the area of the sign to be 33.3 square feet where a maximum of 20 square feet is permitted and to allow the height of the sign to be 13'-2" where a maximum of 7 feet is permitted pursuant to Town Code §330-131.1(V)(1).

NEW - ADJOURNED APPLICATION (from the 04.02.20 meeting)

SCTM – HAMLET

Adjourned from the 02/06/20, 02/20/20 (mtg. cancelled) and the 3/5/20 meeting:

19. **OPH Building Corp.** (app# 2000006) Michael 900-17-2-77 Noyac
30 Linda Lane
Applicant requests relief from the following provisions of the Town Code: 1. For the proposed two-story dwelling on a nonconforming lot: §330-84D (pyramid height) for an encroachment in the amount of 725.55 cubic feet (389.95 cf (East side) + 335.60 cu ft (North East side); and 2. §330-115(D)(3) (Continuance) for an accessory distance from street (front yard) of 39.4 feet where 50 feet is required and §330-84D (pyramid height) for an encroachment in the amount of 1,009.26 cubic feet and any other relief necessary.

HOLDOVER APPLICATIONS (from the 04.02.20 meeting)

SCTM – HAMLET

Held over from the 02/06/20 meeting:

20. **Robert Raphael** (app# 2000002) Michael 900-391-2-28 Westhampton
639 Dune Road
Applicant requests relief from Town Code §138-17 (A), (C), and (D) (Non-conforming buildings and structures) for the construction of a pool fence and a 281 square foot second story deck in the Coastal Erosion Hazard Area on a nonconforming lot. In addition, applicant requests relief from Town Code §330-46.2(B) (1), (2) (Adjacent Areas) for the construction of a pool fence located 58.5 feet landward of the crest of dune where relief of 76.8 feet was previously granted by Zoning Board of Appeals Decision #D018062; and relief from Section 330-46.2(B) (1), (2) (Adjacent Areas) for the construction of a second floor deck located 75 feet landward of the crest of dune where 125 feet is required and any other relief necessary.

Held over from the 3/21/19 meeting; adjourned from 04/18/19, 7/18/19, 9/19/19, 11/21/19 and the 02/06/20 meeting.

21. **Konner Friedlander Gateway 1, LLC** (app# 1900002) 900-84-1-15, 16.2 & 16.8
2037, 2045 & 2071 Montauk Highway Brian Bridgehampton
Applicant requests relief from the following provisions of the Town Code or a proposed three-lot subdivision and site development: (i) §330-82 (lot width) for a proposed flag pole width of 10 feet for proposed Lot 1 where 20 feet is required; (ii) §330-105K (schedules of minimum and maximum floor area) for the size of the proposed building complex on proposed Lot 2 to be 27,000 square feet where a maximum of 15,000 square feet is permitted; (iii) §330-83G(1) (yards) to allow parking spaces to be located within the transitional rear yard; and (iv) §330-78 (placement of accessory buildings and uses in non-residential districts) to allow parking to be located zero feet from portions of the side and rear property lines where 20 feet is required and any other relief necessary.

HOLDOVER APPLICATIONS (continued) (from the 04.02.20 meeting)

SCTM – HAMLET

Held over from the 7/5/18 meeting; adjourned from the 9/20/18 and the 11/15/18 meeting; Re-Opened 3/7/19; adjourned from the 3/7/19, 3/21/19 and the 04/18/19 meeting; held over from the 5/16/19 meeting; adjourned from the 6/20/19; held over from the 7/18/19 meeting; adjourned from the 8/15/19, 10/3/19, 11/21/19, 01/06/20, 02/20/20 (mtg. cancelled) and the 3/5/20 meeting:

22. **KAARP Management Group, LLC** (app# 1800076) 900-346-1-10 Hampton Bays
17 Ludlow Lane Helene
Applicant requests relief from the following provisions of the Town Code for the location of a proposed swimming pool: (i) 330-115D(3) (continuance) for an accessory front yard setback of 14 feet from Ludlow Lane where 50 feet is required, and (ii) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the proposed swimming pool to be located within the required front yard on a nonconforming lot and any other relief necessary. This application has been re-opened for further discussion as requested by the owner.

Held over from the 3/5/20 meeting:

23. **James & Phyllis Garito** (app# 2000011) Keith 900-271-1-27 Shinnecock Hills
29 Oceanview Drive
Applicant requests relief from Town Code §330-84D (pyramid height) for an encroachment in the amount of 3,250 cubic feet for a proposed second floor addition, proposed roof decks and proposed two-story additions and any other relief necessary.

Adjourned from the 11/7/19 meeting; held over from the 12/19/19; adjourned from the 02/20/20 (mtg. cancelled), and the 3/5/20 meeting:

24. **Christopher Norwood** (app# 1900144) Jason 900-5-2-31 Noyac
7 Right of Way off Noyack Avenue
Applicant appeals the interpretation of the Chief Building Inspector as provided in Town Code §330-165A (appeals on interpretation of Zoning Law and Map), in that the inspector at the time Certificate of Occupancy #C17873, dated June 23, 1997 was issued for a “Detached 2-car garage with 2nd floor sleeping quarters for family members” was not incorrect in his assessment of the permitted uses. If the Board disagrees with the Chief Building Inspector, then, the 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 without the benefit of a building permit, to wit, a total of 600 square feet of living space (400 square feet existing + 200 additional square feet) within a detached building situated on a nonconforming lot with a single-family dwelling. If the Board agrees with the Chief Building Inspector, applicant requests relief from Town Code §330-167B(3) (specific types of variances) to permit a change from one non-conforming use to another nonconforming use, to wit, from a single-family, two-story dwelling with attached deck, shed and shower and detached 2-car garage with 2nd floor sleeping quarters for family members to a single-family, two-story dwelling with attached deck, shed and shower and detached one-car garage with apartment. In addition, applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 4.6 feet and an accessory rear yard setback of 2.7 feet where 8 feet is required to legalize the wood deck attached to the detached garage with apartment and any other relief necessary.

HOLDOVER APPLICATIONS (from the 04.16.20 meeting)

SCTM – HAMLET

Held over from the 08/01/19 meeting; adjourned from the 09/05/19, 10/3/19 and the 12/5/19 meeting:

25. **Edward Broidy** (app# 1900100) Helene 900-139-3-47.2 Riverside
12 Old Quogue Road
Applicant requests relief from Town Code §330-82 (lot width) to allow a minimum road frontage of zero feet where 40 feet is required and any other relief necessary.

Held over from the 08/01/19 meeting; and re-opened at the 01/02/20 meeting; and adjourned from the 01/16/20 meeting; adjourned from the 02/20/20 (mtg. cancelled) and the 3/5/20 meeting:

26. **Old Quogue Development, LLC** Adam 900-139-3-34 Flanders
90 Old Quogue Road (app# 1900070)
Applicant appeals the decision of the Chief Building Inspector, dated March 27, 2018 as provided in Town Code §330-165A (appeals on interpretation of Zoning Law and Map), in that, he was in error in refusing to issue an updated Certificate of Occupancy to certify that an Auto Repair Business was in operation and open to the public at the subject property prior to 1957 and any other relief necessary.

HOLDOVER APPLICATIONS (from the 02.20.20 and the 04.16.20 meetings)

SCTM – HAMLET

Held over from the 08/16/18 meeting; adjourned from the 10/4/18 meeting; held over from 11/15/18 meeting; adjourned from the 1/3/19, 4/4/19, 5/2/19, 7/18/19, 09/05/19, 10/17/19 and the 11/21/19 meeting; adjourned from the 02/20/20 (mtg. cancelled) and the 3/5/20 meeting:

27. **295 Montauk Highway, Inc.** (app# 1800094) Keith 900-231-1-31 Hampton Bays
295 East Montauk Highway
Applicant requests relief from the following provisions of the Town Code: (i) Town Code §330-83G(1)(a) (yards) to allow a parking area 3 feet from the rear yard where 17 feet is existing on a nonconforming lot; (ii) Town Code §330-78 (placement of accessory buildings and uses in nonresidential districts) to allow parking spaces #1-12 to be located 3 feet from the rear property line (north) where 10 feet is required; 0 feet from the side (northwesterly) property line where 10 feet is required; and 2.5 feet from the easterly property line; (iii) Town Code §330-78 to allow parking space #28 to be located 3 feet from the side (westerly) property line where 10 feet is required; (iv) Town Code §330-100(F)(1)(exemptions and waivers of parking and truck loading space requirements) to allow a parking area (subject to Planning Board approval) to be located on the subject premises and the adjoining site to the west; and (v) Town Code §330-34 (business districts table of dimensional regulations) to allow a dumpster and dumpster pad to be located at 0 feet, straddling the lot line with the parcel to the west, where accessory structures are to be located on the subject property and any other relief necessary.

HOLDOVER APPLICATIONS (continued)
(from the 02.20.20 and the 04.16.20 meetings)

SCTM – HAMLET

Held over from the 08/16/18 meeting; adjourned from the 10/4/18 meeting; held over from 11/15/18 meeting; adjourned from the 1/3/19, 4/4/19, 5/2/19, 7/18/19, 09/05/19, 10/17/19 and the 11/21/19 meeting; adjourned from the 02/20/20 (mtg. cancelled) and the 3/5/20 meeting:

28. **JTEN Holdings, LLC** (app# 1800093) Keith 900-231-1-32 Hampton Bays
293 East Montauk Highway
Applicant requests relief from the following provisions of the Town Code: (i) Town Code §330-83G(1)(a) (yards) to allow a parking area 3 feet from the rear yard and allow the pre-existing motel parking to remain 3 feet from the side yard where a 50 foot transition yard is required; (ii) Town Code §330-78 (placement of accessory buildings and uses in nonresidential districts) to allow the parking area to be located 3 feet from the northerly property line where 10 feet is required; 0 feet from the northeasterly property line (where parking spaces cross into Edgewater parking lot) where 10 feet is required; and 3 feet from the westerly property line where 10 feet is required; (iii) Town Code §330-100F(1) (exemptions and waivers of parking and truck loading space requirements) to allow parking area to be located on adjoining sites as required for parking spaces #20 (and Edgewater #1); and (iv) Town Code §330-34 (business districts table of dimensional regulations) to allow a dumpster and dumpster pad to be located at 0 feet, straddling the lot line with the Edgewater property, where accessory structures are to be located on the subject property. Applicant also requests relief from the following provisions of the Town Code to allow the conversion of an existing two story motel into housing for restaurant employees: (i) Town Code §330-76C (placement of accessory buildings, structures and uses in all districts) to allow an accessory building, structure, or use, on an adjacent lot to allow proposed restaurant employee housing for the principal restaurant on site and Edgewater restaurant; (ii) Town Code §330-154B (Housing for restaurant employees) to allow the proposed employee housing to be located on the site of the restaurant detached from the principal building; (iii) Town Code §330-154C to allow an existing side yard setback of 39.3 feet on the west and 15 feet on the east where a minimum setback of 50 feet is required; (iv) Town Code §330-154D to allow kitchen or cooking facilities within the proposed employee housing; and (v) Town Code §330-154G to allow four two-bedroom motel units to be used as employee housing for four employees on a nonconforming lot and any other relief necessary.

Held over from the 08/16/18 meeting; adjourned from the 10/4/18 meeting; held over from 11/15/18 meeting; adjourned from the 1/3/19, 4/4/19, 5/2/19, 7/18/19, 09/05/19, 10/17/19 and the 11/21/19 meeting; adjourned from the 02/20/20 (mtg. cancelled) and the 3/5/20 meeting:

29. **JTEN Properties, LLC** (app# 1800095) Keith 900-231-1-30.1 Hampton Bays
5 South Valley Road
Applicant requests relief from the following provisions of the Town Code: (i) Town Code §330-83G(1)(a) (yards) to allow a parking area 21.3 feet (spaces #20-22) from the northerly property line and 3.2 feet from the northwest corner property line where a 50 foot transition yard is required; (ii) Town Code §330-83G(2)(a) to allow a front transitional yard of 19.5 feet where 20 feet is required granted by the ZBA (this looks like 20 on the survey); (iii) Town Code §330-100F(1) and Town Code 330-78 (placement of accessory buildings and uses in nonresidential districts) to allow 10 (spaces #35-44) parking spaces from the adjacent property to the west to be located 0 feet from the side (westerly) property line where 10 feet is required; (iv) Town Code §330-167A to allow the extension of the Motel Zoning District line 47.95 feet into the more restrictive Residential-40 Zoning District to allow the premises to be zoned Motel; (v) Town Code §330-154D to allow kitchen or cooking facilities within the proposed employee housing; and (vi) Town Code §330-154G to allow two units for employee housing for two employees on a nonconforming lot and any other relief necessary.

Southampton Town Zoning Board of Appeals
Public Hearing Agenda
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MINOR VARIANCE REVIEW (from the 02.20.20, 03.19.20 and the 04.02.20 meetings)

SCTM – HAMLET

30. **Salvatore Barberi** (app# 2000014) Helene 900-381-1-67 Remsenburg/Speonk
27 Shore Road
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for a principal rear yard setback of 56 feet where 60 feet is required for a proposed one-story addition to an existing dwelling and any other relief necessary.

MINOR VARIANCE REVIEW (New)

SCTM - HAMLET

31. **Charles Baker** Keith 900-176-2-21.4 Shinecock Hills
50 Inlet Road East
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for a principal rear yard setback of 45.8 feet where 60 feet is required for a proposed sunroom addition to an existing dwelling and any other relief necessary.

NEW APPLICATIONS (from the 04.02.20 meeting)

SCTM – HAMLET

32. **Sea Glass Ventures, LLC** (app# 2000032) Michael 900-134-3-13 Bridgehampton
55 Dune Road
The applicant is requesting relief from section 330-46.2 (Adjacent Areas) for a 225 square foot addition with a setback of 35.2 feet from the crest of the dune where a setback of 42.7 is existing on a nonconforming lot and any other relief necessary.
33. **Jack Bartelme** (app# 2000037) Keith 900-25-1-35 Sag Harbor
1403 Bridgehampton-Sag Harbor Turnpike
Applicant requests relief from the following provisions of the Town Code to convert a one-story dwelling into an accessory apartment that is located on a on a nonconforming lot where a new two-story dwelling is proposed: 1. §330-11 (residential districts table of dimensional regulations) for an accessory distance from street setback (front yard) of 13.3 feet where 110 feet is required and an accessory side yard setback of 29.6 feet where 50 feet is required; 2. §330-11.2 (accessory apartment special standards) for the following: (i) §330-11.2(F): lot area of 43,776 feet where 160,000 square feet is required (80% of the required 200,000 square feet), (ii) a principal minimum side yard setback of 32.2 feet where 35 feet is required (70% of the required 50 feet), (iii) a principal total side yard setback of 85.4 feet where 87.5 feet is required (70% of the required 125 feet), (iv) an accessory distance from street setback (front yard) of 13.3 feet where 77 feet is required (70% of the required 110 feet), (v) accessory side yard setback of 29.6 feet where 35 feet is required (70% of the required 50 feet), and (vi) §330-11.2J: to allow the two off-street parking spaces to be located within the required front yard where such space(s) shall not be located in the required minimum front yard and any other relief necessary.

NEW APPLICATIONS (from the 04.02.20 meeting)
(continued)

SCTM – HAMLET

34. **Dean Isidro** (app# 20000) Brian 900-26-1-45 Sag Harbor
1 Lily Pond Drive
Applicant requests the following relief on a nonconforming lot: 1. For the proposed swimming pool: (i) §330-11 (residential districts table of dimensional regulations) for an accessory distance from street setback (front yard) of 11.1 feet where 110 feet is required from the southerly lot line (Lily Pond Drive), (ii) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the swimming pool to be located within the required front yard of the principal building, and 2. For a proposed addition that will connect the garage and shed to the principal building: §330-115C (continuance) for a principal front yard setback of 4.9 feet where 30.6 feet is existing and any other relief necessary.
35. **John Nicoletti** Cornelius 900-380-2-62.1 Remsenburg/Speonk
26 Club Lane
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for an accessory rear yard setback of 7.9 feet where 20 feet is required and an accessory side yard setback of 9.9 feet where 20 feet is required; all to legalize a Bocci Ball Court with attached steps constructed without the benefit of a building permit and any other relief necessary.

READVERTISED APPLICATIONS

SCTM – HAMLET

(applications originally scheduled for the 04.02.20 meeting)

36. **47 Crescent, LLC** Jason 900-115-2-22.17 Water Mill
47 Crescent Avenue
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for an accessory rear yard setback of 9 feet where 30 feet is required and an accessory side yard setback of 10.5 feet where 30 feet is required; all for a proposed trellis with berry enclosure and any other relief necessary.
37. **20 Riverleigh Avenue Corp.** (app# 2000033) Adam 900-138-2-30 Riverside
20 Riverleigh Avenue
Applicant requests relief from the following provisions of the Town Code: (i) §330-95 (schedules of off-street parking space requirements for nonresidential uses) to provide 55 parking spaces where 69 spaces is required (Town Planning Board has waived 31 spaces pursuant to Town Code §330-100 (exemptions and waivers of parking and truck loading space requirements); and (ii) §330-34 (business districts table of use regulations) to allow the attic/storage area to be converted into office space which will result in a third story where a maximum of two stories is permitted and any other relief necessary.

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HOLDOVER APPLICATION

SCTM – HAMLET

Held over from the 8/15/19 meeting; adjourned from the 3/5/20 meeting:

38. **Thomas R. Stachecki Living Trust** (appl. 1900102) 900-78-1-20.1 North Sea
1205 Majors Path Adam
Applicant requests relief from Town Code §330-117 (change) as it relates to Town Code §330-167B(3) (specific types of variances) to permit a change from one nonconforming use to another, to wit, from a Pre-existing non-conforming use for the receipt of natural organic wastes (trees, brush, stumps, leaves and other clearing debris) to a 120 unit multi-family condominium use with a two-story club house an recreational area and any other relief necessary.

DECISIONS

DATE CLOSED

SCTM – HAMLET

(from the 03.19.20 and the 04.16.20 meetings)

Thomas R. Stachecki Living Trust (Dixon, Dreyer & Lennox – applicants) (app# 1900137)
(written submissions) Brian 01/16/20 900-78-1-20.1 North Sea

Thomas R. Stachecki Living Trust (Michael K. Marion & Bobbie Lynn Grund – applicants) (app# 1900158)
(written submissions) Brian 01/16/20 900-78-1-20.1 North Sea

27 Dune, LLC Brian 06/20/19 900-386-2-2 East Quogue
(written submissions)

Marc Levin & Marianna Loose (Lewis J. Liman & Lisa C. Liman – Applicants) (app# 1900093)
(written submissions by April 8th) Adam 05/02/19 900-43-1-38 North Sea

Marc Levin & Marianna Loose (Lewis J. Liman & Lisa C. Liman – Applicants) (app# 1800172)
(written submissions by April 8th) Adam 05/02/19 900-43-1-38 North Sea

Frank Franzese Cornelius 08/15/19 900-378-1-5 Quogue
(written submissions)

DECISIONS

DATE CLOSED

SCTM – HAMLET

(from the 03.19.20, 04.02.20 and the 04.16.20 meetings)

Lenora Behrens Cornelius 3/5/20 900-209-3-76 Shinnecock Hills

Lenora Behrens Cornelius 3/5/20 900-209-3-74 Shinnecock Hills

1179 Fireplace Rd, LLC Jason 3/5/20 900-13-1-72.3 Noyac

Katherine and Brian Turza Michael 3/5/20 900-340-1-37 East Quogue

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| <u>DECISIONS (continued)</u> (from the 03.19.20, 04.02.20 and the 04.16.20 meetings) | | <u>DATE CLOSED</u> | <u>SCTM – HAMLET</u> | |
|---|---------|---------------------------|-----------------------------|--------------|
| Fisher Organization, LLC (written submissions) | Brian | 3/5/20 | 900-143-1-18 | Flanders |
| Fisher Organization, LLC (written submissions) | Brian | 3/5/20 | 900-120-3-22.3 | Flanders |
| Scott Stapleton (written submissions) | Adam | 3/5/20 | 900-17-2-68 | Noyac |
| Stephen Genovese (written submissions) | Keith | 02/06/20 | 900-152-1-16 | Hampton Bays |
| Maria & Michael Rothstein (written submissions) | Helene | 02/06/20 | 900-345-2-1 | Hampton Bays |
| Richard Hurtle (written submissions) | Keith | 02/06/20 | 900-264-2-33 | Hampton Bays |
| Frederic Van Wyck (written submissions) | Michael | 02/06/20 | 900-94-3-2.21 | North Sea |