

TOWN OF SOUTHAMPTON

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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 January 20, 2022

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

MINOR VARIANCE REVIEW

SCTM - HAMLET

None scheduled for this meeting

NEW APPLICATIONS

SCTM – HAMLET

- Donald Noble** Helene 900-368-2-38.21 Remsenburg/Speonk
14 Sandys Lane
Applicant requests relief from the following provisions of the Town Code for a proposed attached one story garage: §330-11 (residence districts table of dimensional regulations) a required front setback of 49.7' where 60' is required to the dedicated Town of Southampton future Road and any other relief necessary.
- Robert Feuer & Judit Lang** Keith 900-323-2-31 Hampton Bays
32A Penny Lane
Applicant requests relief from the following provisions of the Town Code: 1. For a proposed two story dwelling on a nonconforming lot: (i) §330-84D (Pyramid Height) for a pyramid encroachment of 3,902.6 cubic feet; (ii) §330-115C (continuance) for a proposed rear yard setback of 22.7' where 39.3' is pre-existing; 2. For a proposed elevated deck on the south side of the dwelling: §330-83C (Yards) and §330-76D (placement of accessory buildings, structures) to allow the elevated deck to be located within the minimum and total side yard for the principal building; and 3. For a proposed Accessory Building: (i) §330-84D (Pyramid Height) for a pyramid encroachment of 830 cubic feet, and (ii) §330-11 (residential districts table of dimensional regulation for a proposed accessory rear yard setback of 2' where 50' is required and any other relief necessary.

NEW APPLICATIONS (continued)

SCTM – HAMLET

3. **9-11 Flanders Road, LLC** Adam 900-138-2-31 & 32 Riverside
9 & 11 Flanders Road

Applicant requests an interpretation that the proposed 3,024 square foot convenience store is a customary accessory use to the proposed gasoline station at the subject premises or relief from §330-167 (Special Types of Variances) and §330-31B (Maximum number of uses) for an use variance. In addition, applicant requests relief from the following provisions of the Town Code: 1. For the proposed Gas Station on a nonconforming lot: (i)§330-34 (Business Districts Table of Dimensional Regulations) for a principal front yard setback of 30.6' (Flanders Rd) 39.9' (Riverleigh Ave) where 50' is required; (ii) §330-132A (Filling Station) to allow a lot area less than 40,000 sq. ft, and a frontage of less than 200' along a collector street and secondary highway; (iii) §330-132B (Filling station) for a distance of 320' (Peconic River) where 500' is required; (iv) §330-132E for pumps to be located 39.8' from Flanders Road and 49.1' from Riverleigh Avenue and where a distance of 50' is required; (i) §330-83H (Yards) for off street parking in front yard (Riverleigh Ave. and Flanders Rd); 2. For the proposed Grocery store: (i)§330-34 (Business Districts Table of Dimensional Regulations) for a principal rear yard setback of 39.1' where 50' is required; (ii) for a principal side yard setback of 10' where 50' is required; (ii) §330-84 (Pyramid) an encroachment of 3,109.6 cubic feet on the South side of the property; (iii) §330-33 (Business Districts Table of Use Regulations) for a proposed convenience store use that is not permitted under HB zoning district; 3. For the proposed gas station and convenience grocery store (i) §330-95 (Scheduled of Off-Street Parking Space Requirements for Nonresidential Uses) a proposed total of 36 parking stalls where a total 55 is required (29 parking spaces required for the 6 pumps and 31 for the grocery store); (ii) §330-99G (Design requirements for nonresidential parking and truck loading areas) a total of 2 handicap spaces where 3 handicap spaces are required; §330-103 (Corner Clearance) for proposed parking within 50' from the intersection of Flanders Road and Riverleigh Avenue; 4. §330-83H (1) (Yards) to allow off street parking to be located in the required front yard where off-street parking areas are not permitted within the 50 foot minimum required front yard; 5. For a proposed monument sign: (i) §330-206B (Zoning districts) and §330-205B (5) (General provisions) for a 48sq ft sign where 32 sq ft is permitted; (ii) §330-205B (1) to be located on a property where part of the building has a front set back of less than 40'; (iii) §330-207 (A) (Illuminated signs) for an internally illuminated LED price sign where only opaque background, translucent letters and symbols and white light sources is permitted; (iv) §330-210.1 (C) (Miscellaneous provisions) for a sign exceeding the required three colors; 6. For proposed wall signs: (i) §330-205A for two addition signs located on the North and East Side of the canopy where only one wall sign facing the street is allowed; (ii) §330-210.1(C) for a sign exceeding the required three colors and any other relief necessary.

READVERTISED APPLICATIONS

SCTM – HAMLET

4. **Stephen Glickman & Ellie Paiewonsky-Glickman** 900-355-3-10.12 Westhampton
9 Cedarfield Lane Cornelius

Applicant requests relief from the following provisions of the Town Code:1. For an existing asphalt court:§330-11 (residence districts table of use regulations) located within the required front yard, a setback of 63.5' where 70' is required; 2. An existing rear lot coverage of 20.9% where 20% is required and any other relief necessary.

READVERTISED APPLICATIONS (continued)

SCTM – HAMLET

5. **Atlantic Golf Club Inc. (Maryann Gabriele, et al - applicants)**
1040 Scuttle Hole Road Brian 900-49-1-7.1 Bridgehampton
Applicants appeal the determination of the Building Inspector, dated June 4, 2021, permitting Atlantic Golf Club, Inc. to construct staff housing as an accessory use at the subject premises.

6. **Estrada Ruiz** Keith 900-354-4-68 Westhampton
46 Seagate Avenue
Applicant requests relief from the following provisions of the Town Code 330-115 D (2) (Continuance) for a proposed second story addition a rear yard setback of 24.9' where 30' is permitted on a nonconforming lot and any other relief necessary.

7. **Drew Fine** Michael 900-102-3-14.42 Water Mill
116 Oliver's Cove Lane
Applicant requests relief from the following provisions of the Town Code for a sports court constructed without the benefit of a building permit: (i) §330-11 (Residence Districts Table of Dimensional Regulations) for an accessory side yard setback of 12' where 30' is required; and (ii) §330-76D (Placement of accessory buildings, structures and uses in all districts) and §330-83C (Yards) to allow the sports court to remain within the required side yard for a principal building.

NEW - ADJOURNED APPLICATIONS

SCTM – HAMLET

Adjourned from the 12/02/21 meeting:

8. **Nicholas & Luz Kardaras** Cornelius 900-26-1-86 Sag Harbor
30 Laurel Lane
Applicant requests relief from 330-6 that references 330-11, Residence Districts Table of Dimensional Regulations, for Front Yard for a Proposed Covered Entry Porch from the required 100' to 24', 29.9' is existing front yard. Rear Yard relief for a Proposed Addition from the required 100' to 22.6', 25.5' is existing rear yard. Additionally, relief is requested from 330-11 for Distance From Street for a proposed pool house from the required 110' to 56.2', and Distance From Street for a proposed pool from the required 110' to 34.8'.

SCOPING SESSION

SCTM – HAMLET

None scheduled for this meeting

HOLDOVER APPLICATIONS

SCTM – HAMLET

Held over from the 11/04/21 meeting; adjourned from the 11/18/21 and the 12/16/21 meeting:

9. **PJT Realty Management, LLC (app# 2100118)** 900-6-2-43.2 Noyac
21 Spring Lane Michael
Applicant requests relief from Town Code §330-77D (placement of accessory buildings, structures and uses in residence districts) for a proposed rear yard lot coverage of 33.2% where 20% is required for a proposed swimming pool and the expansion of an elevated wood deck on a nonconforming lot and any other relief necessary.

HOLDOVER APPLICATIONS (continued)

SCTM – HAMLET

Held over from the 8/15/19 meeting; adjourned from the 3/5/20 meeting (mtg. cancelled); and adjourned from the 05/07/20, 07/16/20, 01/21/21, 07/01/21 and the 07/15/21 meeting:

10. **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.

Held over from the 01/06/22 meeting:

11. **808 Mecox Road, LLC** (app# 2100144) Susan 900-116-2-4.4 Bridgehampton
 808 Mecox Road
 Applicant requests relief from the following provisions of the Town Code for the proposed tennis court on a nonconforming lot: (i) §330-11 (Residence Districts Table of Use Regulations) for an accessory side yard setback of 23.4' where 30' is required; and (ii) a rear lot coverage of 25% where 20% is required and any other relief necessary.

Held over from the 12/2/21 meeting and adjourned from the 01/06/22:

12. **Gwendolyn Brewer** (app# 2100135) Adam 900-294-2-17 Hampton Bays
 116B Ponquogue Avenue
 Applicant requests relief from the following provisions of the Town Code: 1. For a proposed one story addition on the east side of the house: (i) §330-115D (Continuance) a Side Yard Regulations for lots held in Single and Separate ownership, for minimum side yard from 12.24' to 11.1'; (ii) relief of §330-84D (Height) for a proposed pyramid encroachment of 148 cubic feet; (iii) Relief of §330-115D, Rear Yard Regulations for lots held in Single and Separate ownership, from the existing 15.3' to 5', and a Minimum side yard from 4.7' to 4.3'; 2. For the existing Screened In deck relief of §330-84D (Height) a pyramid encroachment of 102 cubic feet; 3. For an existing deck, relief of §330-11 (Residence District Table of Dimensional Regulations) for Distance From Rear Lot Line from 10' to 5.9'; 4. For a deck and outdoor shower, relief of §330-11 (Residence District Table of Dimensional Regulations) for Distance From Side Lot Line from 10' to .4'; 5. Relief of §330-77 (Placement of accessory buildings, structures and uses in residence districts) Required Rear Yard Coverage, from 20% to 37% for the Screened-In Deck and Rear Deck; and 6. For a Shed located in the required front yard: (i) Relief of §330-76D (Placement of Accessory Buildings, structures and uses in all districts); (ii) §330-83C (Yards) for a Front Yard setback of 10.5' where 50' is required and a side yard setback of 19.5 where 20' is required; and (iii) §330-84D (Height) a pyramid encroachment of 6 cubic feet.

DECISIONS

DATE CLOSED

SCTM – HAMLET

Wayne Fjotland (written submissions by Jan. 7 th)	Michael	12/16/21	900-272-1-34.2	Shinnecock Hills
LES Investments II, LLC (written submissions by Jan. 7 th)	Helene	12/16/21	900-366-1-16.3	Remsenburg/Speonk

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<u>DECISIONS (continued)</u>		<u>DATE CLOSED</u>	<u>SCTM – HAMLET</u>	
Ross Weinstein & Ariel G. Ball (written submissions by Jan. 7 th)	Keith	12/16/21	900-211-2-15	Shinnecock Hills
Barbara & Daniel Montero (written submissions by Jan. 7 th)	Cornelius	12/16/21	900-9-2-35	Noyac
81 Rose Way, LLC (written submissions by Jan. 7 th)	Susan	12/16/21	900-134-2-14.8	Bridgehampton
Richard Durand (written submissions by Jan. 20 th)	Helene	01/06/22	900-321-5-24	Hampton Bays
Fabio Daino (written submissions by Dec. 17 th)	Keith	12/2/21	900-176-2-12	Shinnecock Hills
95 Inlet Road West, LLC (written submissions by Oct. 1 st)	Helene	09/16/21	900-176-1-1	Shinnecock Hills
85 Eastway, LLC (written submissions by Feb. 22 nd)	Adam	01/21/21	900-233-2-1	Shinnecock Hills
Kenneth Seiff and Nicole Kule Seiff (written submissions by Dec. 3 rd)	Brian	11/18/21	900-70-2-36	Bridgehampton
Edward Burke Jr. & Patricia Burke (written submissions by July 29 th)	Keith	07/15/21	900-5-2-17	Noyac
LPD IV, LLC (written submissions by Sept. 17 th)	Helene	09/02/21	900-263-3-33.1	Hampton Bays
NYCELEX Real Estate Holdings Development Corp. (written submissions by July 29 th)	Cornelius	07/01/21	900-349-2-24	Eastport
Scott Schlachter (written submissions by July 29 th)	Susan	07/15/21	900-24-1-49	Noyac