

# TOWN OF SOUTHAMPTON

**CHAIRPERSON**  
ADAM GROSSMAN

**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 6, 2021

**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](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**

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### **MINOR VARIANCE REVIEW**

### **SCTM - HAMLET**

None scheduled for this meeting

### **NEW APPLICATIONS**

### **SCTM – HAMLET**

1. **Southampton Town** (app# 2100041)      Brian      900-308-4-1.3      Westhampton  
700 Stewart Avenue  
Applicant requests relief from the following provisions of the Town Code for proposed sports lighting on municipal facilities (baseball and soccer field): (i) Town Code §330-346 I.6.a to permit the proposed fixtures for the baseball field to be installed and maintained with aiming angles that permit a maximum of 8% of the total applied lumens to be projected above the horizontal where no more than 1% of the light emitted by each fixture is permitted; (ii) Town Code §330-346 I.6.b to permit light sources with correlated color temperature of 5700 kelvin for all proposed fixtures where light sources shall not exceed 3000 kelvin; and (iii) Town Code §330-346 I.6.e to use IES Class III standards for illumination levels for the baseball field lighting where Class IV standards apply on the premises based upon the amount of spectator seating and any other relief necessary.
2. **Brendan Sullivan & Dorothy Sullivan** (app# 2100035)      900-9-3-76      Noyac  
38 Cove Drive      Michael  
Applicant request relief from the Town Code §330-11 (residential districts table of dimensional regulations) for a principal front yard setback of 18'-1¼" where 30 feet is required for a proposed 1-story covered porch addition to an existing dwelling and any other relief necessary.

**NEW APPLICATIONS (continued)**

**SCTM – HAMLET**

3. **Ralph & Mia Petrillo** (app# 2100036) Adam 900-42-1-19.1 North Sea  
9 East Beach Drive  
Applicant requests relief from the following provisions of the Town Code: 1. For the proposed two-story dwelling on a nonconforming lot: §330-83K (yards) as it relates to §330-11 (residential districts table of dimensional regulations) for a principal minimum side setback of 6.3 where 10 feet is permitted and (ii) §330-84D (pyramid height) for pyramid encroachment in the amount of 5,023 cubic feet; 2. For the proposed deck: §330-11 for an accessory side yard setback of 6.2 feet where 10 feet is permitted; and 3. For the proposed A/C unit: §330-77G (placement of accessory buildings, structures and uses in residence districts) for a side yard setback of 2.5 feet where 10 is required and any other relief necessary.
  
4. **John T. & Mary Greiner** (app# 2100037) Brian 900-381-1-9.4  
24 Halsey Road Remsenburg/Speonk.  
Applicant requests a determination as to whether or not the proposed accessory building 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 Town Code §330-77C (placement of accessory buildings, structures and uses in residence districts) to allow the proposed accessory building to have an overall height of 28'-4" where a maximum height of 20 feet is permitted and any other relief necessary.
  
5. **LPD IV, LLC** (app# 2100038) Helene 900-263-3-33.1 Hampton Bays  
134 East Montauk Highway  
Applicant requests relief from Town Code §330-95 (Schedule of Off-Street Parking Space Requirements for Nonresidential Uses) to allow 58 parking spaces where 66 parking spaces is required for a proposed laundromat and any other relief necessary.
  
6. **1201 Noyac Road, LLC** (app# 2100039) Michael 900-42-3-51 North Sea  
18 Kendalls Lane  
Applicant requests relief from the following provisions of the Town Code: 1. For a proposed covered porch addition to the existing dwelling: §330-115C (continuance) for a principal front yard setback of 21.8 feet where 27.1 feet is existing; 2. For the proposed one-story addition and two-story addition to the existing dwelling: §330-115C for a principal front yard setback of 23 feet where 27.1 feet is existing; 3. For a proposed tennis court: (i) §330-11 (residential districts table of dimensional regulations) for an accessory distance from street setback (front yard) of 20 feet where 70 feet is required for the westerly property line (40' Right-of-Way Kendalls Lane) and (ii) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the tennis court to be located within the required front yard for the principal building; and 4. For the patio around the swimming pool: §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the northwest corner of the patio to be located within the required minimum side yard for the principal building on a nonconforming lot and any other relief necessary.

**NEW APPLICATIONS (continued)**

**SCTM – HAMLET**

7. **80 Cobb Owner, LLC** (app# 2100040) Cornelius 900-160-3-19 Water Mill  
80 Cobb Isle Road  
Applicant requests relief from Town Code §330-83K (yards) as it relates to Town Code §330-11 (residential districts table of dimensional regulations) for a principal rear yard setback of 30 feet where 35 feet is permitted for a proposed two-story dwelling with attached understory garage and any other relief necessary.

**READVERTISED APPLICATIONS**

**SCTM – HAMLET**

None scheduled for this meeting

**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 9/3/20 meeting and adjourned from the 03/04/21 meeting:**

8. **94 Dune Road Holding Corp.** (app# 2000010) Adam 900-385-1-37.3 East Quogue  
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<sup>nd</sup> 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.

**Held over from the 04/15/21 meeting:**

9. **Liliana Danzo** (app# 2100032) Adam 900-339-1-47 & 902-4-3-19  
22 Lakewood Avenue East Quogue  
Applicant requests relief from the following provisions of the Town Code: 1. For a proposed 1-story addition with a proposed covered deck and a proposed 2<sup>nd</sup> story addition to an existing dwelling: (i) §330-115C (continuance) for a principal front yard setback of 13.8 feet where 23.3 feet is existing; (ii) §330-11 (residential districts table of dimensional regulations) for a side yard setback of 19.6' where 20' is required; (iii) §330-11 for a front side yard relief of 16.3' where 60' is required; (iv) §330-84(D) (pyramid height) for a proposed encroachment in the amount 1,003 cubic feet (North side); 2. For a proposed screened porch addition to the existing dwelling: §330-11 for a principal front yard setback of 36.3 where 40 feet is required from the west property line (Lakeside Lane); and 3. To legalize a shed constructed without the benefit of a building permit: (i) §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 7.1 feet where 10 feet is required and an accessory distance from street setback (front yard) (west property line – Lakeside Lane) of 31.6' where 50' is required; and (ii) §330-76D (placement of accessory buildings, structures and uses in all districts); (iii) §330-83C (yards) to allow

**HOLDOVER APPLICATIONS (continued)**

**SCTM – HAMLET**

**Lilana Danzo (continued)**

the metal shed to be located in the within the required front yard of the principal building; (iv) §330-76 (placement of accessory buildings, structures and uses in all districts) for an accessory building located 3.4' from the main building where 5' is required on a nonconforming lot and any other relief necessary.

**Held over from the 04/15/21 meeting:**

10. **Viva Group, LLC** (app# 2100034) Michael 900-99-1-51 North Sea  
5 Kings Lane

Applicant requests a determination that the subject parcel SCTM# 900-99-1-51 is held in single and separate ownership from all adjacent parcels and thus entitled to relief pursuant to §330-115D. In addition, applicant requests relief from the following provisions of Town Code §330-11 (residential districts table of dimensional regulations): 1. For the proposed dwelling: (i) a principal front yard of 40 feet at the North Side and 51 feet at the South Side where 80 feet is required, (ii) a minimum side yard of 15.5 feet at where 25 feet is required, (iii) a total side yard setback of 38.2 feet where 65 feet is required and (iv) a rear yard setback of 56.4 feet where 100 feet is required; 2. For the proposed covered front porch: a principal front yard of 38.5' where 80' is required; 3. For the proposed in-ground pool: an accessory side yard setback of 14 feet at the north side of the property where 30 feet is required; and 4. For the rear deck attached to the proposed dwelling: an accessory side yard setback of 22.7 feet where 30 feet is required on a nonconforming lot and any other relief necessary.

**Held over from the 01/21/21 meeting; adjourned from the 03/04/21 and the 04/15/21 meeting:**

11. **NYCELEX Real Estate Holdings Development Corp.** (app# 2100003)  
376 Main Street Cornelius 900-349-2-24 Eastport

Applicant requests the following relief for a proposed two-lot subdivision of a nonconforming lot: 1. For proposed Lot A: (i) §330-11 (residential districts table of dimensional regulations) for a lot area of 15,588.97 square feet where 20,000 square feet is required; (ii) a lot width of 80 feet +/- where 120 feet is required, and (iii) a total lot coverage of 39% where a maximum of 20% is permitted; and (ii) §330-77D (placement of accessory buildings, structures and uses in residence districts) for a rear yard coverage of 23% where a maximum of 20% is permitted; and 2. For proposed Lot B: (i) §330-11 for a lot area of 15,574.60 square feet where 20,000 square feet is required, (ii) a lot width of 50 feet where 120 feet is required, (iii) a principal minimum side yard setback of 15 feet where 20 feet is required, and (iii) a principal rear yard setback of 25 feet where 60 feet is required and any other relief necessary.

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**RE-OPENED**

**SCTM – HAMLET**

**Re-Opened on 04/01/21 and adjourned to 05/06/21**

12. **John & Audrey Niewenhaus** Adam 900-9-3-36.1 Noyac  
61 Harbor Drive  
The public hearing for this application was closed on September 17, 2020 and left open for written submissions to allow the applicant time to make an application to the Town Conservation Board. This application is being re-opened for further testimony.

**DECISIONS**

**DATE CLOSED**

**SCTM – HAMLET**

90 WGL, LLC (written submissions by April 19 <sup>th</sup> )	Jason	03/18/21	900-103-2-24	Water Mill
Julie Medler (written submissions by April 19 <sup>th</sup> )	Helene	03/18/21	900-57-1-35	North Sea
David and Robin Santora (written submissions by April 19 <sup>th</sup> )	Adam	03/18/21	900-359-4-39.2	Quogue
65 Cliff Drive, LLC (written submissions by April 19 <sup>th</sup> )	Michael	03/18/21	900-9-1-18.1	Noyac
Mark L. Rickabaugh (written submissions by April 16 <sup>th</sup> )	Michael	04/01/21	900-54-2-50	Sagaponack
Candace Clanahan & Melissa Clanahan (written submissions by April 16 <sup>th</sup> )	Adam	04/01/21	900-258-4-42	Hampton Bays
2 Peconic Crescent, LLC (written submissions by April 16 <sup>th</sup> )	Cornelius	04/01/21	900-191-4-11	Shinnecock Hills
Stuart Boesky (written submission by April 16 <sup>th</sup> )	Brian	04/01/21	900-178-1-17.80	Water Mill
Bernard & Carol Soumoff (written submissions by April 29 <sup>th</sup> )	Helene	04/15/21	900-43-2-23	North Sea
Julia & Andrew Hartmann (written submissions)	Keith	04/15/21	900-268-5-12	Hampton Bays

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<b><u>DECISIONS (continued)</u></b>		<b><u>DATE CLOSED</u></b>	<b><u>SCTM – HAMLET</u></b>	
Diego & Marlene Quizhpi (written submissions by April 29 <sup>th</sup> )	Adam	04/15/21	900-143-3-47	Flanders
John Morris & Jeanne Morris (written submissions by April 5 <sup>th</sup> )	Keith	03/04/21	900-230-1-20	Hampton Bays
Hampton Mecox I, LLC (written submissions by April 5 <sup>th</sup> )	Brian	03/04/21	900-113-1-17.1	Water Mill
85 Eastway, LLC (written submissions by Feb. 22 <sup>nd</sup> )	Adam	01/21/21	900-233-2-1	Shinnecock Hills
747 Flanders Road, LLC (written submissions by March 18 <sup>th</sup> )	Adam	02/18/21	900-144-1-7	Flanders
749 Flanders Road, LLC (written submissions by March 18 <sup>th</sup> )	Adam	02/18/21	900-144-1-8	Flanders
Barbara Swislosky (written submissions by March 18 <sup>th</sup> )	Helene	02/18/21	900-144-1-24	Flanders
Patrick Bradley (written submissions by March 18 <sup>th</sup> )	Keith	02/18/21	900-343-1-27	East Quogue
Frank Freddi (written submissions by March 8 <sup>th</sup> )	Adam	02/04/21	900-293-5-18	Hampton Bays