

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
July 7, 2022

The Zoning Board of Appeals meeting is held both in the Town Board Room, 116 Hampton Road, Southampton and 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

1. **Cloverleaf Realty Inc.** (app# 2200057) Keith 900-133-2-1 Water Mill
2 Montauk Highway

Applicant requests relief from the following provisions of the Town Code: 1. Town Code §330-205(A)1 (General Provisions/Wall Signs): (i) to allow a 25.8 sf sign to be located on the South wall of the building facing the South parking lot where only a wall sign facing a public street frontage for each business operating within the building containing such wall is allowed; (ii) to allow a 44.6 sf sign to be located on the East wall of the building facing the East parking lot where only a wall sign facing a public street frontage for each business operating within the building containing such wall is allowed; 2. Attachment 330-9 (Schedule of Permitted Signs) to allow two wall mounted signs to face a public street (North Wall facing Montauk Hwy) where a maximum of one sign is permitted, to wit, sign on roof and canopy and 3. Town Code §330-205(C)(2) (General Provisions) to allow a door sign that exceeds the maximum allowable 10% of the glass coverage area of the door to which it is painted or affixed, to wit, 16%; all on a nonconforming lot and any other relief necessary.

NEW APPLICATIONS (continued)

SCTM – HAMLET

2. **Madeline Feldman and David Albert** (app# 2200058) Susan 900-290-3-64 East Quogue
24 White Birch Trail
Applicant requests relief from the following provisions of the Town Code: 1: For the proposed detached garage: (i) §330-11 (residential districts table of dimensional regulations) for an accessory distance from street (front yard) setback of 32.5 feet where 50 feet is required from the Easterly property line (White Birch Trail) and for an accessory distance from street (front yard) setback of 32.5 feet where 50 feet is required from the Westerly property line (Shinnecock Avenue) and (iii) §330-76D (placement of accessory buildings, structures and uses in all districts and §330-83C (yards) to allow the proposed garage to be located within the required minimum side yard for the principal building; 2. For the proposed swimming pool: §330-11 for an accessory distance from street (front yard) setback of +/- 37 feet where 50 feet is required from the Easterly property line (White Birch Trail) and for an accessory distance from street (front yard) setback of 34 feet where 50 feet is required from the from the Westerly property line (Shinnecock Avenue); and 3. For a proposed covered porch: §330-11 for a principal rear yard setback of 32 feet where 60 feet is required on a nonconforming lot and any other relief necessary.
3. **Jesse Gettling** (app# 2200059) Robert 900-186-1-70.1 Hampton Bays
145 Newtown Road
Applicant requests relief from Town Code §330-11 (Residence Districts Table of Dimensional Regulations) for a rear yard setback of 23.7' where 60' is required to legalize enclosed rear entrance to cellar on a nonconforming lot and any other relief necessary.
4. **Mark Caltabiano** (app# 2200060) Michael 900-265-4-5 Hampton Bays
12 Lynncliff Road
Applicant requests a determination that the subject parcel SCTM# 900-265-4-5 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.

READVERTISED APPLICATIONS

SCTM – HAMLET

5. **87 Foster Ave, LLC** (app# 200048) Helene 900-374-2-6 Hampton Bays
87 Foster Avenue
Applicant requests relief from the following provisions of the Town Code a proposed in-ground swimming pool: (i) §330-34 (business districts table of dimensional regulations) for an accessory distance from street setback (front yard) of 32 feet from Lighthouse Road (north property line) where 60 feet is required and an accessory distance from street setback (front yard) of 50 feet from Foster Avenue (east property line) where 60 feet is required and (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 for the principal building on a nonconforming lot and any other relief necessary.

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; adjourned from the 03/04/21, 05/06/21, 8/5/21, 11/04/21 and the 01/06/22 meeting:

6. **94 Dune Road Holding Corp.** (app# 2000010) 900-385-1-37.3 East Quogue
94 Dune Road 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 One story frame building with 2nd 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 02/17/22 and the 06/02/22 meeting; and adjourned from the 06.02.22 meeting:

7. **Blessing Fields LLC** (app# 2200007) Adam 900-222-1-12 Hampton Bays
163 West Montauk Highway
Applicant requests relief from the following provisions of the Town Code: 1. For a proposed Office Building: (i) §330-115C (Continuance) for a minimum side yard setback of 10' where 10.96' was existing; (ii) §330-84D (Pyramid/Height) for a pyramid encroachment of 4,755 cubic feet on the West side of the property; and 2. For a proposed General Trade building: §330-115D(1) for a minimum side yard setback of 10' where 11.84' is required; and (ii) §330-84D (Pyramid/Height) for a pyramid encroachment of 14,107 cubic feet and any other relief necessary.

Held over from the 07/16/20 and the 9/3/20 meeting; adjourned from the 10/15/20 01/07/21, 03/04/21, 06/17/21, 09/16/21, 12/16/21, 02/03/22 and the 03/03/22 meeting; Held over from the 03/17/22 and the 05/05/22 meeting:

8. **Tyrone Terchunian** (app# 2000066) Adam 900-355-2-18.6 Westhampton
57 Station Road
Applicant requests relief from the following provisions of the Town Code to legalize a one story concrete building on a nonconforming lot: Town Code §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 3 feet where 20 feet is required and an accessory rear yard setback of 15.2 feet where 20 feet is required; and Town Code §330-84D (pyramid height) for an encroachment in the amount of 960 cubic feet and any other relief necessary.

Held over from the 07/16/20 and the 9/3/20 meeting; adjourned from the 10/15/20, 01/07/21, 03/04/21, 06/17/21, 09/16/21, 12/16/21, 02/03/22 and the 03/03/22 meeting; Held over from the 03/17/22 and the 05/05/22 meeting:

9. **Production Holding, LLC & Tyrone Terchunian** 900-355-2-18.6 & 18.7
57 & 61 Station Road (app# 2000064) Adam Westhampton
Applicant requests the following relief from Town Code §330-11 (residential districts table of dimensional regulations) to legalize a two-lot subdivision: For Lot 18.6: a lot area of 20,083 square feet where 40,000 square feet is required and a lot width of 113.97 where 120 feet is required; and For Lot 18.7: a lot area of 21,958 square feet where 40,000 square feet is required and any other relief necessary.

HOLDOVER APPLICATIONS (continued)

SCTM – HAMLET

Held over from the 07/16/20 and the 9/3/20 meeting; adjourned from the 10/15/20 01/07/21, 03/04/21, 06/17/21, 09/16/21, 12/16/21, 02/03/22 and the 03/03/22 meeting; Held over from the 03/17/22 and the 05/05/22 meeting;

10. **Production Holding, LLC** (app# 2000065) Adam 900-355-2-18.7 Westhampton
 61 Station Road
 Applicant requests relief from the following provisions of the Town Code: 1. For an existing two story house on a nonconforming lot: Town Code §330-11 (residential districts table of dimensional regulations) for a principal minimum side yard setback of 16.7 feet where 20 feet is required to legalize the conversion of an open porch to a covered porch; 2. To legalize an addition to a one story frame barn: (i) Town Code §330-11 for an accessory side yard setback of 11.1 feet where 20 feet is required, (ii) Town Code §330-115C (continuance) for an accessory rear yard setback of 2.4 feet where 4.2 feet is existing; and (iii) Town Code §330-84D (pyramid height) for an encroachment in the amount of 2.45 cubic feet; 3. For a deck attached to the barn: (i) Town Code §330-11 for an accessory side yard setback of 0 feet where 20 feet is required, and an accessory rear yard setback of 10 feet +/- where 20 feet is required, and (ii) Town Code §330-84D for an encroachment in the amount of 3.9 cubic feet; 4. For the existing A/C unit: Town Code §330-77G (placement of accessory building, structures and uses in residence districts) for a rear yard setback of 4.7 feet where 10 feet is required; 5. To legalize the conversion of the barn to an accessory apartment: 1. Town Code §330-11.2F (accessory apartment special standards) for the following: (i) for a lot area of 21,958 square feet where 32,000 square feet is required (80% of 40,000 square feet); (ii) an accessory rear yard setback of 2.4 feet where 14 feet is required (70% of 20 feet); (iii) an accessory side yard setback of 11.1 feet where 14 feet is required (70% of 20 feet); (iv) an accessory side yard setback of 0 feet where 14 feet is required for the existing deck (70% of 20 feet); and 2. Town Code §330-11.2G(1) to allow the size of the apartment to exceed 35% of the total floor area of the principal dwelling (approximately 50%) where a maximum of 35% is permitted and any other relief necessary.

MODIFICATION REQUEST

SCTM – HAMLET

11. **Richard F. Stott** (app# 2200061) Adam 900-268-2-31 Hampton Bays
 61 Kyle Road
 On October 7, 2021, by decision number D021112, this Board granted relief for the following: (i) setback relief for a proposed covered porch, (ii) setback relief for a proposed addition on the west side of the dwelling, (ii) pyramid relief for a proposed roof renovation to the east side of the existing dwelling. By letter dated May 16, 2022, the applicant is requesting that said decision be modified to indicate a side yard setback of 9.4 feet instead of the 10.66 feet which was granted for the proposed addition on the west side of the dwelling.

DECISIONS

DATE CLOSED

SCTM – HAMLET

Jonathan Martin (written submissions by June 17 th)	Michael	06/02/22	900-31-1-66.7	North Sea
Glover, LLC (written submissions by June 17 th)	Keith	06/02/22	900-110-1-1	Norths Sea
Ryan Nivakoff (written submissions by June 17 th)	Robert	06/02/22	900-104-1-24.1	Bridghehampton

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<u>DECISIONS</u>		<u>DATE CLOSED</u>	<u>SCTM – HAMLET</u>	
Daniel Baranovsky (written submissions by June 17 th)	Helene	06/02/22	900-77-5-33.8	North Sea
192 Hampton Bays Realty, LLC (written submissions by June 17 th)	Keith	06/02/22	900-221-3-17	Hampton Bays
Lee Skolnick (written submissions by July 1 st)	Michael	06/16/22	900-26-2-2.16	Sag Harbor
Donna McKinney (written submissions by July 1 st)	Helene	06/16/22	900-254-4-6	Hampton Bays
Flying Point Estate, LLC (written submissions by July 1 st)	Susan	06/16/22	900-132-3-22.1	Water Mill
DIMAX Realty, LP (written submissions by July 1 st)	Keith	06/16/22	900-188-1-1.2	Hampton Bays
Dilip Patel & Sabjhit Kaur Dhillon (written submissions by April 22 nd)		04/07/22	900-31-1-3.2	North Sea
Janet Zimmerman (written submissions by June 3 rd)	Robert	05/19/22	900-369-1-21	Remsenburg/Spoenk
Adios Holdings, LLC (written submissions by May 9 th)	Michael	03/17/22	900-10-1-11	Noyac
Nicholas & Luz Kardaras (written submissions by May 20 th)		05/05/22	900-26-1-86	Sag Harbor
1240 Ocean, LLC (written submission from David Gilmartin Jr. by May 13 th and from Michael Walsh by May 20 th)	Michael	05/05/22	900-134-4-29.9	Bridgehampton
The Colonel's Way, LLC (written submissions by May 6 th)	Robert	04/21/22	900-60-3-14.2	North Sea