

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
October 20, 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

- | | | | | |
|----|--------------------------------------------------|--------|--------------|-------------|
| 1. | Woodcock Ventures, LLC.
135 South Road | Helene | 900-376-1-33 | Westhampton |
|----|--------------------------------------------------|--------|--------------|-------------|
- Applicant requests relief from Town Code §330-6 (General Regulations) that references 330-11 (Residence Districts Table of Dimensional Regulations) for a principal front yard setback from the required 60' to 45' for a proposed one-family dwelling on a nonconforming lot and any other relief necessary.

NEW APPLICATIONS

SCTM – HAMLET

- | | | | | |
|----|---------------------------------------------|--|--------------|-----------|
| 2. | Wiltraud Salm
2277 North Sea Road | | 900-57-1-1.2 | North Sea |
|----|---------------------------------------------|--|--------------|-----------|
- Applicant requests relief from §330-116 (extension) and §330-167B (specific types of variances) to allow a two story addition to dwelling #2 (known as "Laundry House") situated on a parcel with Six (6) dwellings and other relief necessary.
- | | | | | |
|----|--------------------------------------------------------------------------------------|---------|----------------------------------|---------------|
| 3. | JMPE 2, LLC, JMPE, LLC & John Radziwill
911, 913, 915 & 917 Ocean Road | Michael | 900-105-2-54.4, 57.1, 55 & 57.2. | Bridgehampton |
|----|--------------------------------------------------------------------------------------|---------|----------------------------------|---------------|
- Applicant requests relief from Town Code Chapter 330 Section 82, (Lot Width-Road Frontage), for proposed lot widths of 18.54 feet (for proposed lots 1, 2 & 3 respectively) where 20 feet required and 18.55 feet (for proposed lot 4) where 20 feet required for the proposed reconfiguration of lot lines for a four lot subdivision and any other relief necessary.

NEW APPLICATIONS (continued)

SCTM – HAMLET

4. **Steven & Cynthia Slater** Robert 900-190-1-42.3 Hampton Bays
9 Peconic Overlook
Applicant requests relief from the following provisions of the Town Code: 1. For the proposed detached garage on a nonconforming lot: (i) §330-11 (Residence districts Table of Dimensional Regulations) for an accessory side yard setback of 6.8' where 10' is required; (ii) §330-76.D (Placement of accessory buildings, structures and uses in all districts) and § 330-83.C (yards) to allow the garage to be located within the required minimum and total side yard for the principal building; and (iii) §330-84.D (pyramid height) for an proposed encroachment in the amount of 138 cu. ft.; and 2. To legalize an existing raised patio constructed without the benefit of a building permit: §330-76.D (Placement of accessory buildings, structures and uses) and § 330-83.C (yards) to allow the raised patio to remain within the required minimum and total side yard for the principal building and any other relief necessary.
5. **First SMPD, LLC** Susan 900-26-4-5 Sag Harbor
19 Collingswood Drive
Applicant request relief from Town Code §330-76D (Placement of accessory buildings, structures and uses in all districts) and §330-83C (Yards) to allow a garage to be located within the minimum required side yard on a nonconforming lot and any other relief necessary.

READVERTISED APPLICATIONS

SCTM – HAMLET

None scheduled this for this meeting

NEW - ADJOURNED APPLICATIONS

SCTM – HAMLET

None scheduled this for this meeting

SCOPING SESSION

SCTM – HAMLET

None scheduled this for this meeting

HOLDOVER APPLICATIONS

SCTM – HAMLET

Adjourned from 03/03/22 meeting; held over from the 05/05/22 meeting; and adjourned from the 07/21/22 meeting; and held over from the 08/18/22 meeting:

7. **SGM Excavating LLC and Mack's Masonry Supply Yard, LLC** (app# 2200012)
110 & 154 North Magee Street Adam 900-129-2-19.1 & 19.2 Tuckahoe
Applicant appeals the issuance of Notices of Violation issued by the Office of the Fire Marshal, dated September 13, 2021, and September 27, 2021 as provided in Town Code §330-165A (appeals on interpretation of Zoning Law and Map), which allege violations of Town Code 330-177A and Town Code 123-4 for change of use and failure to obtain building permits and certificates of occupancy for trailers on the premises.

HOLDOVER APPLICATIONS (continued)

SCTM – HAMLET

Held over from the 08/18/22 meeting:

6. **SGM Excavating, LLC** (app# 2200072) Adam 900-129-2-19.2 Tuckahoe
110 North Magee Street
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for an accessory front yard setback of 22.9 feet where 70 feet is required to legalize an accessory office trailer constructed on the premises without the benefit of a building permit and accessory front yard setbacks of +/- 10 feet for each of the bulk gravel storage areas respectively and any other relief necessary.

Held over from the 09/15/22 meeting:

8. **Michael Gluckman and Lila Beudert Gluckman** (app# 2200082)
38 Cliff Drive Susan 900-9-1-45 Noyac
Applicant request relief from the following provisions of the Town Code for a proposed two-story dwelling on a nonconforming lot: 1. §330-84D (Height/Pyramid) for a total pyramid encroachment of 2,752.13 cubic feet (1,042.79 cubic feet on the North side of the property and 1,709.34 cubic feet on the South of the property); and 2. §330-11 (Residence Districts Table of Dimensional Regulations) for a total lot coverage of 21.1% where a maximum of 20% is required 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; and adjourned from the 07/07/22 and the 09/15/22 meeting:

9. **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; and adjourned from the 07/07/22 and the 09/15/22 meeting:

10. **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; and adjourned from the 07/07/22 and the 09/15/22 meeting:

11. **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.

Held over from the 08/18/22 meeting; and adjourned from the 09/01/22 and 09/15/22 meeting:

12. **Fisher Organization, LLC** (app# 2200073) Keith 900-120-3-38.1 Flanders
74 Priscilla Avenue
Applicant requests the following relief from Town Code §330-11 (residential districts table of dimensional regulations) for a proposed two-lot subdivision: 1. For proposed Lot 1: (i) a lot area of 10,000 square feet where a minimum of 15,000 square feet is required, (ii) a lot width of 50 feet where a minimum of 100 feet is required, (iii) a principal minimum side yard setback of 13 feet where 15 feet is required and (iv) a principal total side yard setback of 26 feet where 35 feet is required and any other relief necessary.

Held over from the 08/04/22 meeting; and adjourned from the 09/15/22 and the 10/06/22 meeting:

13. **Ivan Paskov** (app# 2200071) Keith 900-125-1-18 Hampton Bays
11 N. Shore Road
Applicant requests relief from the following provisions of the Town Code: 1. §330-11 (Residence Districts Table of Dimensional Regulations) for a proposed third story addition where a maximum of two stories is permitted; 2. §330-84D (Pyramid/Height) for a proposed total pyramid encroachment of 2,463.21 cubic feet (2,351 cu ft on the West side of the property and 112.21 cu ft

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HOLDOVER APPLICATIONS (continued)

SCTM – HAMLET

Ivan Paskov (continued)

on the S/E side of the property); 3. §330-115 (continuance): (i) for a second story deck a proposed front setback of 31.8' where 60' is required (off Shore Road) and (ii) for a proposed first, second and third story addition a principal minimum side yard setback of 17.4' where 20' is required and a total principal side yard setback of 38.9' where 60' is required on a nonconforming lot and any other relief necessary.

DECISIONS

DATE CLOSED

SCTM – HAMLET

East Quogue 535 Realty Inc. (written submissions by July 1 st)	Keith	06/16/22	900-341-1-52	East Quogue
Deanna & Debra Frey (written submissions by Oct. 7 th)	Robert	09/15/22	900-368-2-13	Remsenburg/Speonk
547 Dune Road, LLC (written submissions by Sept. 23 rd)	Robert	09/01/22	900-392-2-16	Westhampton
Robert Elenowitz (written submissions by Sept. 23 rd)	Keith	09/01/22	900-391-2-21	Westhampton
Brendan Haag and Cristina Ferruggiari (written submissions by Sept. 30 th)	Michael	09/15/22	900-9-3-17	Noyac
Grace Amass Clark (written submissions by Sept. 2 nd)	Michael	08/04/22	900-42-1-26.1	Noyac
Lee Skolnick (written submissions by July 1 st)	Michael	06/16/22	900-26-2-2.16	Sag Harbor
Dilip Patel & Sabjhit Kaur Dhillon (written submissions by April 22 nd)		04/07/22	900-31-1-3.2	North Sea