

**TOWN OF SOUTHAMPTON**

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**Department of Land Management**  
**Zoning Board of Appeals**  
116 HAMPTON ROAD  
SOUTHAMPTON, NY 11968

**Phone:** (631) 287-5700  
**Fax:** (631) 287-5754



**JAY SCHNEIDERMAN**  
TOWN SUPERVISOR

***PRELIMINARY AGENDA – NOT OFFICIAL***

**SOUTHAMPTON TOWN ZONING BOARD OF APPEALS**  
**PUBLIC HEARING AGENDA**  
**February 4, 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. **Eugene Miozzi (Emil Trotta – Applicant)** 900-318-1-57 East Quogue  
55 Squires Avenue Jason  
Applicant requests the following relief from the provisions of Town Code §330-11 (residential districts table of dimensional regulations) for a proposed two-story dwelling on a nonconforming lot: (i) a principal front yard setback of 34 feet where 40 feet is required from the northerly property line (Squires Avenue) and a principal front yard setback of 33 feet where 40 feet is required from the westerly property line (Ocean Avenue) and any other relief necessary.
2. **John Lucas Jr.** Brian 900-3-1-12.4 Noyac  
8 Noyack Avenue  
Applicant requests relief from the following provisions of the Town Code for a proposed 22' x' 17' accessory building (pool house): (i) §330-11 (residential districts table of dimensional regulations) for an accessory distance from street setback (front yard) of 20 feet 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 accessory building (pool house) to be located in the required front yard for the principal building and any other relief necessary.

**NEW APPLICATIONS (continued)**

**SCTM – HAMLET**

3. **Wilbur Hansen** Keith 900-158-1-8 Tuckahoe  
753 County Road 39  
Applicant appeals the decision of the Building Inspector dated September 24, 2020 as provided in Town Code §330-165A (appeals on interpretation of Zoning Law and Map), in that the proposed 24' x 46' garage addition to the existing dwelling on a nonconforming lot is not permitted pursuant to Town Code §330-97 (Supplemental regulations for private garages and off-street parking areas in residence districts). In the alternative, applicant requests relief from §330-94 (Schedule of Off-Street Parking Space Requirements for Residential Uses) and/or §330-97 to allow for the construction of the proposed garage addition and any other relief necessary.
  
4. **Bartolomeo Calia** Helene 900-296-1-35 Hampton Bays  
21 North Westbury Road  
Applicant requests relief from Town Code §330-82 (Lot Width) to allow a road frontage of 16.65 feet where a minimum of 40 feet is required and any other relief necessary.
  
5. **Frank Freddi** Adam 900-293-5-18 Hampton Bays  
201 Springville Road  
Applicant requests relief from the following provisions of the Town Code for a proposed two-lot subdivision: 1. For proposed Lot 1: (i) §330-11 (residential districts table of dimensional regulations) for a lot width of 111.59 feet where 120 feet is required and (ii) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to legalize a concrete patio constructed in the required minimum side yard of the principal building without the benefit of a building permit; and 2. For proposed Lot 2: (i) §330-11 for a lot width of 126.86 feet where 120 feet is required and (ii) §330-82 (lot width) to allow a road frontage of 33.79 feet where a minimum of 40 feet is required and any other relief necessary.
  
6. **Matthew Sachs** Cornelius 900-50-1-8.2 Bridgehampton  
557 Mitchell Lane  
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 tennis court to remain within the total required side yard for the principal building and any other relief necessary.

**READVERTISED APPLICATIONS**

**SCTM – HAMLET**

7. **Richard Varela** (app# 2000123) Helene 900-321-4-20 Hampton Bays  
11 Wells Lane  
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for the following: (i) a principal front yard setback of 19.4 where 60 feet is required for a proposed roof over platform (15' x 12.5'); (ii) a principal front yard setback of 26 feet +/- where 60 feet is required for a proposed roof over (1.75' x 17.58') attached to the front of the garage; and (iii) an accessory side yard setback of 16.7 feet where 20 feet is required for a proposed wood deck addition with storage under on a nonconforming lot and any other relief necessary.

**MODIFICATION REQUEST**

**SCTM – HAMLET**

8. **Patrick Bradley** Keith 900-343-1-27 East Quogue  
18 Sandpiper Lane  
On November 7, 2019, this Board by Decision #D019143 granted the applicant a setback variance for a proposed garage addition to an existing dwelling and a pyramid variance for a proposed 2<sup>nd</sup> floor addition to the existing dwelling. The findings of this decision includes a discussion regarding the configuration of the existing two driveways. By letter dated January 8, 2021, Patrick Bradley and Ann Marie Bradley are requesting that said decision be modified to continue to allow the circular driveway to extend from the garage to the south side of the property on Gannett Crossing as shown on the proposed driveway drawing prepared by Todd O’Connell, AIA, of Todd O’Connell Architect, P.C. dated January 5, 2020.

**NEW - ADJOURNED APPLICATIONS**

**SCTM – HAMLET**

**Adjourned from the 11/19/20 and the 01/07/21 meetings:**

9. **Edward Burke Jr. & Patricia Burke** (app# 2000105) Keith 900-5-2-17 Noyac  
57 Hampton Road  
Applicant requests relief from Town Code §330-84D (pyramid height) for a pyramid encroachment in the amount of 12,528 cubic feet for a proposed two-story dwelling and Town Code §330-11 (residential districts table of dimensional regulations) for a total lot coverage of 23.3% where a maximum of 20% is permitted. In addition, applicant also request relief from Town Code Section 330-83C (Yards) and 330-76D (placement of accessory buildings, structures, and uses in all districts) to allow a portion of the proposed deck around swimming pool to be located within the total side yard for the principal building and any other relief necessary.

**SCOPING SESSION**

**SCTM – HAMLET**

None scheduled for this meeting

**HOLDOVER APPLICATIONS**

**SCTM – HAMLET**

**Held over from the 01/07/21 meeting:**

10. **MRB ICBC, LLC** (app# 2100006) Brian 908-10-4-13 Sagaponack  
719 Daniels Lane  
Applicant requests relief from Town Code Section 138-20(H) (Notification of Administrator) to allow existing geotextile cubes to remain on the subject property where a time period for the undertaking of emergency activity shall not exceed six months and any other relief necessary.

**Held over from the 01/07/21 meeting:**

11. **Jerry Walia** (app# 2000122) Michael 900-50-1-8.1 Bridgehampton  
555 Mitchell Lane  
Applicant requests relief from the following provisions of the Town Code for a proposed tennis court: (i) §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 10 feet where 30 feet is required and an accessory rear yard setback of 10 feet where 30 feet is required; and (ii) §330-76D (placement of accessory buildings, structures and uses in residence districts) for a rear yard coverage of 25.71% where a maximum of 20% is permitted and any other relief necessary.

**HOLDOVER APPLICATIONS (continued)**

**SCTM – HAMLET**

**Held over from the 11/19/20 meeting; adjourned from the 01/07/21 meeting:**

12. **135 Newlight, LLC** (app# 2000104) Jason 900-84-1-33.2 Bridgehampton  
135 Newlight Lane  
Applicant requests relief from the following relief from the provisions of the Town Code §330-11 (residential districts table of dimensional regulations): 1. To allow the height of the proposed two-story dwelling to be 33'-4" where a maximum of 32 feet is permitted and 2. For the proposed tennis court: (i) an accessory rear yard setback of 28 feet where 30 feet is required and (ii) accessory side yard setbacks of 21.5 feet (south property line) and 24 feet (southwest property line) where 30 feet is required. In addition, applicant requests relief from Town Code §330-77D (placement of accessory buildings, structures and uses in all districts) for a proposed rear yard coverage of 32.8% where a maximum of 20% is permitted and any other relief necessary.

**Held over from the 12/03/20 meeting; adjourned from the 01/21/21 meeting:**

13. **65 Cliff Drive, LLC** (app# 2000109) Michael 900-9-1-18.1 Noyac  
65 Cliff Drive  
Applicant requests relief from the following provisions of the Town Code: 1. For the proposed dwelling: (i) §330-84D (Pyramid Height) for an encroachment in the amount of 1,951.05 cubic feet (1,951 c.f. (north side) + 0.05 c.f. (east side)); (ii) §330-11 (Residence Districts Table of Dimensional Regulations) Proposed third story; 3. For the proposed detached garage: (i) §330-84D (Pyramid Height) for an encroachment in the amount of 67 cubic feet (south side), and (ii) §330-76D (Placement of Accessory Buildings, structures and uses in all district) and §330-82C (yards) to allow the detached garage to be located within the total side yard of the principal building; and 3. For the swimming pool under construction: (i) §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 total side yard of the principal building and any other relief necessary.

**Held over from the 12/17/20 and the 01/21/21 meeting:**

14. **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

**HOLDOVER APPLICATIONS (continued)**

**SCTM – HAMLET**

**River Rock Structured Capital, LLC (continued)**

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.

**DECISIONS**

**DATE CLOSED**

**SCTM – HAMLET**

Flying Point Sands, LLC  
(written submissions by Jan. 7<sup>th</sup>)

Brian 12/3/20

900-178-2-14 Water Mill

Elizabeth Hazan  
(written submissions by Jan. 18<sup>th</sup>)

Cornelius 12/17/20

900-69-2-1.1 Bridgehampton

David and Robin Santora  
(written submissions by Dec. 21<sup>st</sup>)

Adam 11/19/20

900-359-4-39.2 Quiogue