

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
March 21, 2019

The Zoning Board of Appeals meeting is held in the Town Board Room, 116 Hampton Road, Southampton. Applications are scheduled to begin at 7:00 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. **James Conforti & Patricia Conforti** (app.1900031) 900-28-1-30 North Sea
102 Lake Drive Brian
Applicant requests the following relief from Town Code §330-11 (residential districts table of dimensional regulations) for a proposed two-story dwelling with covered porches on a nonconforming lot: (i) a principal front yard setback of 31.6 feet where 40 feet is required, (ii) a principal total side yard setback of 31.6 feet where 35 feet is required and (iii) a total lot coverage of 20.6% where a maximum of 20% is permitted and any other relief necessary.
2. **156 Pheasant Lane, LLC** (appl.1900034) Helene 900-368-2-68.2
Remsenbrg/Speonk
156 South Country Road
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for an accessory distance from street setback of 59 feet where 70 feet is required for a proposed swimming pool and any other relief necessary.

NEW APPLICATIONS

SCTM – HAMLET

3. **Bill Bitis & Stephanie Bitis** (appl.1900027) Brian 900-16-2-50 Noyack
65 Bay View Drive West
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for a principal rear yard setback of 36 feet where 60 feet is required and a principal minimum side yard setback of 16.1 feet where 20 feet is required for a proposed one-story addition. In addition, applicant requests relief from Town Code §330-76D (placement of accessory buildings, structures and uses in all districts) and Town Code §330-83C (yards) to allow a proposed deck to be located within the required minimum side yard for the principal building on a nonconforming lot and any other relief necessary.

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NEW APPLICATIONS (Continued)

SCTM – HAMLET

4. **Scrimshaw, LLC** (appl.1900028) Adam 900-20-1-56 North Sea
41 Scrimshaw Drive
Applicant requests relief from the following provisions of the Town Code 1. For the proposed shed: (i) §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback 10.1 feet where 20 feet is required and (ii) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the shed to be located within the required minimum side yard of the principal building and 2. To legalize an existing deck: (i) §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback 15.3 feet where 20 feet is required and (ii) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the deck to remain within the required minimum side yard of the principal building on a nonconforming lot. In addition, to clarify the records, the applicant requests a clarification of the side yard setback of 19 feet to the main dwelling and any other relief necessary.

5. **Hampton Middle Line, LLC** (appl.1900029) Jason 900-34-1-1.4 North Sea
119 Middle Line Highway
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 15 feet where 50 feet is required and §330-77D (placement of accessory buildings, structures, and uses in residence districts) for a rear yard coverage of 30.88%; all for a proposed tennis court on a nonconforming lot and any other relief necessary.

6. **James Dixon & Stella Song** (appl.1900030) Cornelius 900-99-3-20.1 North Sea
21 Whitfield Road
Applicant requests relief from Town Code §330-115C (continuance) for a principal front yard setback of 37.4 feet where 41.1 feet is existing (Barrel Hill Road) and Town Code §330-11 (residential districts table of dimensional regulations) for a principal minimum side yard setback of 28.9 feet where 30 feet is required; all for a proposed addition to the existing dwelling on a nonconforming lot. In addition, applicant requests relief from Town Code §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the proposed patio to be located within the required minimum side yard of the principal building and any other relief necessary.

7. **Bayview Four, L.P.** (appl.1900032) Keith 900-115-2-30.11 Water Mill
145 Crescent Avenue
Applicant requests relief from Town Code §330-109A(1, 2, & 3) (fences, walls, accessory driveway structures, and clotheslines) to allow for the construction of an 8 foot high deer fence around the perimeter of the property and any other relief necessary.

8. **Bayview Four L.P.** (appl.1900033) Keith 900-115-2-30.12 Water Mill
45 Halsey Lane South
Applicant requests relief from Town Code §330-109A(1, 2, & 3) (fences, walls, accessory driveway structures, and clotheslines) to allow for the construction of an 8 foot high deer fence around the perimeter of the property and any other relief necessary.

READVERTISED APPLICATIONS

SCTM – HAMLET

None scheduled for this meeting

NEW - ADJOURNED APPLICATIONS

SCTM – HAMLET

Held over from the 7/5/18 meeting; adjourned from the 9/20/18 and the 11/15/18 meeting; Re-Opened 3/7/19; adjourned from the 3/7/19 meeting:

9. **KAARP Management Group, LLC** (appl. 1800076) 900-346-1-10 Hampton Bays
17 Ludlow Lane Helene
Applicant requests relief from the following provisions of the Town Code for the location of a proposed swimming pool: (i) 330-115D(3) (continuance) for an accessory front yard setback of 14 feet from Ludlow Lane 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 proposed swimming pool to be located within the required front yard on a nonconforming lot and any other relief necessary. This application has been re-opened for further discussion as requested by the owner.

SCOPING SESSION

SCTM – HAMLET

None scheduled for this meeting

HOLDOVER APPLICATIONS

SCTM – HAMLET

Held over from the 10/5/17 meeting; adjourned from the 11/16/17, 01/18/18, 3/1/18, 4/5/18, 7/19/18, 08/16/18, 10/4/18, 12/6/18 and the 1/17/19 meeting:

10. **Michael Esposito & Louis Esposito** (appl. 1700111) 900-143-2-48 Flanders
730 Flanders Road Thomas
Applicant requests relief from Town Code §330-117 (Change) as it relates to Town Code §330-167B(3) (Specific types of variances) to legalize a change from one nonconforming use to another nonconforming use without the benefit of a building permit, to wit, from a restaurant and lounge to a Take-Out Restaurant (delicatessen/market) and any other relief necessary.

Adjourned from the 12/6/18 and held over from the 1/3/19 meeting; held over from the 2/7/19 meeting:

11. **625 Butter Lane Homestead, LLC** (appl. 1800156) Brian 900-51-1-17.7
Agricultural Reserve Brian Bridgehampton
Applicant requests the following relief from Town Code §330-135D (housing for agricultural labor): 1. For propose Agricultural House "A": (1) a rear yard setback of 71.7 feet +/- where 200 feet is required and a side yard setback of 96 feet +/- where 200 feet is required; and 2. For proposed Agricultural House "B": (1) a rear yard setback of 71.7 feet where 200 feet is required and a side yard setback of 120.5 where 200 feet is required and any other relief necessary.

Adjourned from the 10/4/18, 11/15/18, 1/3/19 and the 2/21/19 meeting:

12. **106 Cold Spring Point LLC** (Cathleen Buckley & Anthony Aufiero – Applicants).
(appl. 1800120) 106 Cold Spring Point Road Cornelius 900-155-1-30 Tuckahoe
Applicants appeal the issuance of Building Permit #P079933, dated June 20, 2018 in that said permit was issued without a variance for the proposed concrete retaining wall and any other relief necessary.

HOLDOVER APPLICATIONS (continued)

SCTM – HAMLET

Held over from the 2/21/19 meeting:

13. **Laurie & Anthony Belmonte** (appl.1900015) Adam 900-298-1-2 Hampton Bays
70 Wakeman Road
Applicant requests relief from Town Code §330-77D (placement of accessory buildings, structures and uses in residence districts) to allow for the construction of a swimming pool on a nonconforming lot which would result in a rear yard coverage of 33.45% where a maximum of 20% is permitted and any other relief necessary.

Held over from the 1/3/19 meeting; adjourned from the 2/21/19 meeting:

14. **LI Automobile Collectors, LLC.** (appl. 1800170) 900-131-1-7.1 North Sea/Tuckahoe
315 County Road 39 Cornelius
Applicant requests relief from Town Code §330-116 (extension) 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 an Auto Museum to the storage of portable toilets and associated materials and items in connection with a portable toilet rental and leasing business. In addition, applicant requests relief from Town Code §330-167A (specific types of variances) to permit an extension of the Highway Business zoning district boundary line 50 feet North into the R20 Zoning District and any other relief necessary.

Held over from the 1/3/19 meeting; adjourned from the 2/21/19 meeting:

15. **Marc Levin & Mariana Loose (Lewis J. Liman & Lisa C. Liman – Applicants)**
116 Turtle Cove Drive (appl. 1800172) Brian 900-43-1-38 North Sea
Applicants appeal the issuance of Building Permit #P080115, dated July 24, 2018 in that said permit was issued without a variance for the proposed concrete sanitary retaining wall and any other relief necessary.

SEQRA RESOLUTION (Only)

SCTM – HAMLET

Adjourned from the 3/7/19 meeting:

16. **Konner Friedlander Gateway 1, LLC** (appl. 1900002) 900-84-1-15, 16.2 & 16.8
2037, 2045 & 2071 Montauk Highway Brian Bridgehampton

Motion: _____

2nd: _____

In Favor: _____

Opposed: _____

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<u>DECISIONS</u>		<u>DATE CLOSED</u>	<u>SCTM – HAMLET</u>	
KTB Flying Point Revocable Trust (written submissions)	Keith	11/15/18	900-160-1-26	Water Mill
Randall Apt (written submissions)	Cornelius	05/17/18	900-70-2-14	Bridgehampton
Peter & Karen Gruenberg (written submissions)	Michael	03/07/19	900-155-1-28	Tuckahoe
George & Christine Bertero (written submissions)	Michael	03/07/19	900-9-3-79	Noyac
Themistokles Kapopoulos	Adam	03/07/19	900-348-2-1.2	Eastport
Fahrettin Ozdemir (written submissions)	Cornelius	03/07/19	900-316-1-29	East Quogue
Barbara Seibert Vietri & John G. Seibert (written submissions)	Adam	03/07/19	900-323-1-8	Hampton Bays
Rush Development, LLC (written submissions)	Jason	03/07/19	900-359-4-54	Quogue
Richard McManus	Helene	03/07/19	900-187-1-33	Hampton Bays
Anthony Milanese	Cornelius	03/07/19	900-392-2-16	Westhampton
160 Riverside, LLC	Adam	03/07/19	900-143-1-41	Flanders
Millard C. Jayne III & Rebecca J. Wiseman (written submissions)	Cornelius	03/07/19	900-376-1-64	Westhampton
Estate of Clifford Foster	Brian	03/07/19	900-36-1-4.2	Bridgehampton