

# 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 16, 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](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. **Charles DiFalco** (appl. 1900058)                      Jason                      900-340-2-6                      East Quogue  
98 Lewis Road  
Applicant requests the following relief from the provisions of Town Code §330-115 (continuance) for a proposed one-story addition to an existing dwelling: (i) a principal total side yard setback of 37.1 feet where 39.4 feet is existing and (ii) a principal rear yard setback of 38 feet +/- where 49.9 feet is existing on a nonconforming lot and any other relief necessary.
2. **William Perino** (appl. 1900059)                      Cornelius                      900-123-3-19                      Flanders  
12 Nash Road  
Applicant requests relief from Town Code §330-115C (continuance) for a principal front yard setback of 17 feet where 21.5 feet is existing for a proposed covered stoop and §330-84D (pyramid height) for an encroachment in the amount of 3,694 cubic feet for a proposed 2<sup>nd</sup> story addition to the existing dwelling on a nonconforming lot and any other relief necessary.

**NEW APPLICATIONS (continued)**

**SCTM – HAMLET**

3. **Melissa Schnapp Revocable Trust** (appl. 1900060)                      900-345-1-1              Hampton Bays  
12 Port Elizabeth Drive    Keith  
Applicant requests relief from the following provisions of the Town Code: (i) §330-11 (residential district table of dimensional regulations) for an accessory side yard setback of 8.2 feet where 20 feet is required to legalize a BBQ constructed without the benefit of a building permit, (ii) §330-11 for an accessory side yard setback of 3.8 feet where 20 feet is required for to legalize an outdoor shower constructed without the benefit of a building permit, (iii) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the BBQ and outdoor shower to remain in the required minimum and total side yard of the principal building, (iv) §330-77G (placement of accessory buildings, structures and uses in residence districts) to allow a setback of 5.6 feet where 10 feet is required to legalize the location of pool equipment and (v) §330-77G to allow a setback of 5 feet +/- where 10 feet is required to legalize the location of the two (2) air conditioning units on a nonconforming lot and any other relief necessary.
  
4. **Marla & Michael Rothstein** (appl. 1900061)              Helene              9800-345-2-1              Hampton Bays  
43 Tiana Circle  
Applicant requests relief from the following provisions of the Town Code: 1. For the proposed swimming pool on a nonconforming lot: (i) §330-11 (residential districts table of dimensional regulations) for an accessory front yard setback of 66.6 feet where 70 feet is required from the westerly lot line (Tiana Bay) and an accessory front yard setback of 20.1 feet where 70 feet is required from the northerly lot line (Elder Avenue) 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 in the required front yard of the principal building and 2. For the proposed two-story dwelling: §330+83K (yards) for a proposed rear yard setback of 22.1 feet where 35 feet is permitted on a nonconforming lot and any other relief necessary.
  
5. **Doris Olsen** (appl. 1900063)    Brian    900-265-5-29              Hampton Bays  
17 Kyle Road  
Applicant requests relief from the following provisions of the Town Code: (i) §330-115D(2) (continuance) for a principal rear yard setback of 42.8 feet where 45 feet is permitted to legalize an addition to the existing dwelling without the benefit of a building permit, (ii) §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 9.9 feet where 10 feet is required to legalize the outdoor shower constructed without the benefit of a building permit and (iii) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the outdoor shower to remain within the required side yard of the principal building on a nonconforming lot and any other relief necessary.
  
6. **Francesca Carolyn Abbracciamento** (appl. 1900062)                      900-5-5-26              Noyac  
57 Chestnut Street    Michael  
Applicant requests relief from the following provisions of the Town Code: (i) §330-84D (pyramid height) for an encroachment in the amount of 338 cubic feet for a proposed two-story dwelling, (ii) §330-11 (residential districts table of dimensional regulations) for an accessory distance from street setback of 19.9 feet from Briar Lane where 40 feet is required for a proposed swimming pool and (iii) §330-84D for an encroachment in the amount of 580 cubic for the reconfiguration of the existing garage on a nonconforming lot and any other relief necessary.

**READVERTISED APPLICATIONS**

**SCTM – HAMLET**

7. **Bill Bitis & Stephanie Bitis.** (1900027) Brian 900-16-2-50 Noyack  
65 Bay View Drive West  
Applicant requests relief from the following provisions of the Town Code: (i) §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, (ii) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow a proposed deck to be located within the required minimum side yard for the principal building, and (iii) §330-11 for an accessory front yard setback of 40.1 feet where 50 feet is required for a proposed patio w/trellis on a nonconforming lot and any other relief necessary.

**RE-OPENED**

8. **Kevin Mance & Janet Rost-Mance** (appl. 1900055) 900-51-1-20.1 Bridgehampton  
570 Lumber Lane Adam  
On May 16, 2013, by decision number D013185, this Board granted the applicants variance relief for an addition to an existing shed and relief for the conversion of a barn into an accessory apartment. The relief is granted was conditioned on the applicants and/or any future owner of the subject property removing the second driveway (for the inhabitants of the existing accessory apartment) within one year of the date of this decision, and obtaining all required approvals for parking for the existing accessory apartment from the Southampton Town Building Department. By letter dated April 10, 2019, Kevin Mance has requested that the Board modify said decision to allow the second driveway to remain in its current location. This application was re-opened and is being advertised for further discussion.

**NEW - ADJOURNED APPLICATIONS**

**SCTM – HAMLET**

**Adjourned from the 04/18/19 meeting:**

9. **Diane Christopher** (appl. 1900046) Michael 900-3-2-10 Noyack  
19 Maple Lane  
Applicant requests relief from the following provisions of the Town Code: 1. To legalize a shed with an attached ramp that was constructed without the benefit of a building permit on a nonconforming lot: (i) §330-115D(5) (continuance) for: (i) an accessory side yard setback of 1.1 feet where 10 feet is permitted, (ii) an accessory rear yard setback of 1.2 feet (northwest corner) and 1.4 feet (southeast corner) where 10 feet is permitted and (iii) §330-84D (pyramid height) for an encroachment in the amount of 743.26 cubic feet, and 2. To legalize a front covered deck constructed without the benefit of a building permit: §330-115C (continuance) for a principal front yard setback of 13.8 feet where 17.7 feet is existing and any other relief necessary.

**SCOPING SESSION**

**SCTM – HAMLET**

None scheduled for this meeting

**HOLDOVER 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, 3/21/19 and the 04/18/19 meeting:**

10. **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.

**Held over from the 11/1/18 meeting and adjourned from the 1/17/19, 3/7/19 and the 4/4/19 meeting:**

11. **Hampton Cove Realty** (appl. 1800138) Adam 900-323-2-6.1 Hampton Bays  
4 Penny Lane  
Applicant requests relief from Town Code §330-116 (extensions) as it relates to Town Code §330-167B(1)(a) (specific types of variances) and Town Code §330-167B(1)(d) to permit the expansion of a nonconforming use, to wit, legalize the conversion of a garage into a cottage without the benefit of a building permit on a parcel improved with one two-bedroom cottage w/deck and four one-bedroom cottages with porches and any other relief necessary.

**Held over from the 04/18/19 meeting:**

12. **Field's Edge House, LLC** (appl. 1900047) 900-82-1-8.10 Water Mill  
123 Narrow Lane South Jason  
Applicant requests relief from the following provisions of the Town Code to legalize a trellis constructed without the benefit of a building permit: (i) §330-11 (residential districts table of dimensional regulations) for an accessory front yard setback of 17 feet where 70 feet is required, (ii) an accessory side yard setback of 9 feet where 20 feet is required and (iii) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83(C) (yards) to allow the as-built trellis to remain within the required front yard of the principal building on a nonconforming lot and any other relief necessary.

**Southampton Town Zoning Board of Appeals  
Public Hearing Agenda  
May 16, 2019  
Page 5 of 6**

**HOLDOVER APPLICATIONS (continued)**

**SCTM – HAMLET**

**Held over from the 1/3/19 meeting; adjourned from the 2/21/19 meeting; held over from the 3/21/18 and 04/18/19 meeting:**

13. **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.

**DECISIONS**

**DATE CLOSED**

**SCTM – HAMLET**

Joseph & Donna Andreassi (written submissions)	Cornelius	04/18/19	900-64-3-19.1	Water Mill
SYLJAM, LLC (written submissions)	Michael	04/18/19	900-49-1-9.7	Bridgehampton
97 Wild Goose Lane, LLC	Michael	05/02/19	900-103-2-28	Water Mill
Elizabeth Fornidoni & Juan Mendez	Jason	05/02/19	900-81-3-5	Water Mill
JSC Resources, Inc. (written submissions)	Helene	05/02/19	900-330-2-16.11	Westhampton
Nicholas Stefanou	Jason	05/02/19	900-295-1-10.14	Hampton Bays
Daniel & Cristina Thorp (written submissions)	Cornelius	05/02/19	900-24-3-16.7	Noyac
Susan J. Wolfersdorf & Edward Wolfersdorf	Brian	05/02/19	900-344-1-28	East Quogue
Jeffrey Sadowski (written submissions)	Jason	04/04/19	900-112-2-31	North Sea

**Southampton Town Zoning Board of Appeals  
Public Hearing Agenda  
May 16, 2019  
Page 6 of 6**

<b><u>DECISIONS (continued)</u></b>		<b><u>DATE CLOSED</u></b>	<b><u>SCTM – HAMLET</u></b>
Bayview Four, L.P. (written submissions)	Keith	03/21/19	900-115-2-30.11 Water Mill
Bayview Four, L.P. (written submissions)	Keith	03/21/19	900-115-2-30.12 Water Mill