

# 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  
August 15, 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

1. **102 North Road, LLC** (appl. 1900105) Helene 900-191-3-34 Hampton Bays  
102 North Road  
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for a principal front yard setback of 35 feet where 40 feet is required for a proposed two-story dwelling and any other relief necessary.
2. **9 Hobart Lane, LLC** (appl. 1900109) Cornelius 900-383-2-13 Quogue  
9 Hobart Lane  
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for a total side yard setback of 45.8 feet where 60 feet is required for a proposed renovation and additions to an existing dwelling and any other relief necessary.

### NEW APPLICATIONS

### SCTM – HAMLET

3. **Thomas R. Stachecki Living Trust** (appl. 1900102) Adam 900-78-1-20.1 North Sea  
1205 Majors Path  
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 Pre-existing non-conforming use for the receipt of natural organic wastes (trees, brush, stumps, leaves and other clearing debris) to a 120 unit multi-family condominium use with a two-story club house an recreational area and any other relief necessary.

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**NEW APPLICATIONS (continued)**

**SCTM – HAMLET**

4. **Eric & Tara Belfi** (appl. 1900103) Brian 900-155-1-63 Tuckahoe  
45 Cold Spring Point Road  
Applicant requests relief from Town Code §330-84D (pyramid height) for a proposed encroachment in the amount of 5,620 cubic feet (2,810 cf East side + 2,810 cf West side) for a proposed two-story dwelling with attached balcony and decks on a nonconforming lot and any other relief necessary.
5. **528 Mecox Road, LLC** (appl. 190104) Michael 900-104-2-4 Water Mill  
528 Mecox Road  
Applicant requests relief from the following provisions of the Town Code to legalize the location of an outdoor kitchen constructed without the benefit of a building permit: (i) §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 8 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 outdoor kitchen to remain in its current location and any other relief necessary.
6. **Frank Franzese** (appl. 1900106) Cornelius 900-378-1-5 Quogue  
55 Alden Lane  
Applicant requests relief from Town Code §330-84D (pyramid height) for a proposed encroachment in the amount of 1,044 cubic feet to allow the existing dwelling to be raised and renovated on a nonconforming lot and any other relief necessary.
7. **Jon Stanat** (appl. 1900107) Keith 900-377-1-36 Quogue  
430 North Main Street  
SCTM# 900-3771-36. Applicant requests relief from Town Code §330-84D (pyramid height) for an encroachment in the amount of 167 cubic feet (91 cf existing (42 cf west side + 49 cf east side) + 76 cf proposed (38 cf west side + 38 cf east side)) for a proposed renovation of 2<sup>nd</sup> floor of an existing dwelling on a nonconforming lot and any other relief necessary.
8. **Daniel Edward Warner** (appl. 1900108) Jason 900-340-1-32 East Quogue  
24 Central Avenue  
Applicant requests relief from the following provisions of the Town Code for a proposed two-lot subdivision: (i) §330-11 (residential districts table of dimensional regulations) for a lot width of 116.37 feet where 120 feet is required for proposed Lot 1 and (ii) §330-82 (lot width) for a flagpole width of 15.21 feet where 20 feet is required and any other relief necessary.

**READVERTISED APPLICATIONS**

**SCTM – HAMLET**

9. **Sand Land Corp.** (appl. 1600135) 585 Middle Line Highway. Noyac  
SCTM# 900-23-1-1. Applicant appeals the issuance of Certificate of Occupancy No. C160135, dated April 26, 2016, as it relates to the uses on the subject property 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 7/18/19 meeting:**

10. **Andes, Inc.** (appl. 1900087) Michael 900-190-1-29 Hampton Bays  
15A Oakhurst Road  
Applicant requests relief from Town Code §330-84D (pyramid height) for an encroachment in the amount of 8,356.755 cubic feet for a proposed two-story dwelling on a nonconforming lot and any other relief necessary.

**Held over from the 7/18/19 meeting:**

11. **Robert & Catherine Canberg** (appl. 1900090) 900-369-1-59 Remsenburg  
11 Crestview Drive Jason  
Applicant requests relief from Town Code §330-84D (pyramid height) for a proposed encroachment in the amount of 4,311 cubic feet for a proposed 2<sup>nd</sup> story addition to an existing dwelling on a nonconforming lot and any other relief necessary.

**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; held over from the 5/16/19 meeting; adjourned from the 6/20/19; held over from the 7/18/19 meeting:**

12. **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 6/6/19 meeting; re-opened at the 8/1/19 meeting:**

13. **The Patricia A. Bencardino Trust** Michael 900-33-1-80 North Sea  
88 Peconic Hills Drive  
On May 20, 1999 by decision number D10344, this Board granted the applicant a rear yard coverage of 24% for a proposed tennis court. By letter dated May 13, 2019, Kieran Pape Murphree, attorney for the applicant, submitted a letter requesting that said decision be modified to correct an error with respect to the rear yard coverage calculation.

**HOLDOVER APPLICATIONS (continued)**

**SCTM – HAMLET**

**Held over from the 8/1/19 meeting:**

14. **Giulliana Albarracin** (appl. 1900095) Brian 900-145-1-19 Flanders  
 192 Brookhaven Avenue  
 Applicant requests relief from the following provisions of the Town Code to legalize the construction of an accessory apartment within the main dwelling on a nonconforming lot: (i) §330-11.2(F) (accessory apartment special standards) to allow an accessory apartment to located on a lot that has a lot area of less than 20,000 square feet; (ii) §330-11.2(F) for lot area of 15,000 square feet where 32,000 square feet is required (70% of 40,000 square feet); and (iii) to allow the accessory apartment to be 73% of the total floor area of the principal dwelling and any other relief necessary.

**Held over from the 11/1/18 meeting and adjourned from the 1/17/19, 3/7/19, 4/4/19 and the 5/16/19 meeting; held over from the 8/1/19 meeting:**

15. **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.

**DECISIONS**

**DATE CLOSED**

**SCTM – HAMLET**

Henry & Loretta Vigilante Adam 07/18/19 900-382-1-56 Westhampton  
 (written submissions)

Marc Levin & Marianna Loose (Lewis J. Liman & Lisa C. Liman – Applicants) (app# 1900093)  
 (written submissions by July 31<sup>st</sup>) Adam 05/02/19 900-43-1-38 North Sea

Marc Levin & Marianna Loose (Lewis J. Liman & Lisa C. Liman – Applicants) (app# 1800172)  
 (written submissions by July 31<sup>st</sup>) Adam 05/02/19 900-43-1-38 North Sea

625 Butter Lane Homestead, LLC Brian 03/21/19 900-51-1-17.7 Bridgehampton  
 (written submissions)

The Julie Lynn Levin Revocable Trust Brian 08/01/19 900-355-1-6.3 Westhampton

DAS Properties, LLC Brian 08/01/19 900-5-5-65 Noyac

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<b><u>DECISIONS (Continued)</u></b>		<b><u>DATE CLOSED</u></b>	<b><u>SCTM – HAMLET</u></b>	
Sea Salt Holding, LLC (written submissions)	Keith	08/01/19	900-341-2-66.1	East Quogue
Robert S. Stabile Jr.	Jason	08/01/19	900-343-1-57	East Quogue
Robert J. Lysaght (written submissions)	Michael	08/01/19	900-32-2-12	North Sea
James Broderick & Tara Laterza (written submissions)	Brian	07/18/19	900-352-1-1	Eastport
Maria & Michael Rothstein (written submissions)	Helene	05/16/19	900-345-2-1	Hampton Bays