

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 3, 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

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MINOR VARIANCE REVIEW

SCTM - HAMLET

- 1. Steven & Sandra Schoenbart (app# 1900128) 900-79-2-26 Water Mill
183 Water Mill Towd Road Keith
Applicant requests relief from Town Code §330-115D(2) (continuance) for a principal rear yard setback of 43.9 feet where 47.6 feet is permitted for a proposed porch addition to the existing dwelling and relief from Town Code §330-11 (residential districts table of dimensional regulations) for an accessory distance from street setback of 100 feet where 110 feet is required for a proposed swimming pool on a nonconforming lot and any other relief necessary.

2. Jeffrey Bradley (app# 1900132) Cornelius 900-61-1-36 North Sea
15 Cove Road
Applicant requests the following relief from the provisions of Town Code §330-115D (continuance) for a proposed garage addition to an existing dwelling on a nonconforming lot: (i) §330-115D(1): for a principal minimum side yard setback of 19 feet where 21.20 feet is permitted and a total side yard setback of 42.6 feet where 53 feet is permitted and (ii) §330-115D(2): for a principal rear yard setback of 36 feet where 43.11 feet is permitted and any other relief necessary.

3. P.O. Box 74, LLC (app# 1900133) Jason 900-69-3-4 Bridgehampton
115 Corwith Avenue
Applicant requests relief from Town Code Section 330-11 (residential districts table of dimensional regulations) for a principal front yard setback of 34.6 feet where 40 feet is required for a proposed porch addition to an existing dwelling and any other relief necessary.

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**NEW APPLICATIONS**

**SCTM – HAMLET**

4. **Bernard Bailey** (app# 1900129) Michael 900-128-2-24.7 Tuckahoe  
170 Whites Lane  
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for a principal rear yard setback of 74.8 feet where 100 feet is required for a proposed one-story addition to an existing dwelling and any other relief necessary.
5. **Jasper Rose, LLC** (app# 1900131) 900-134-5-29 Bridgehampton  
97 Sandpiper 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 the existing swimming pool and deck to be located within the required total side yard for the principal building as a result of a proposed first and second floor addition to the existing dwelling on a nonconforming lot and any other relief necessary.
6. **Denise Dee** (app# 1900134) Brian 900-15-2-69 Noyac  
5 Long Beach Lane  
Applicant requests relief from Town Code §330-84D (pyramid height) for an encroachment in the amount of 3,923 cubic feet for a proposed one-story dwelling and any other relief necessary.
7. **Ira Trachtenberg** (app# 1900135) Jason 900-67-1-3.21 Water Mill  
32 Cooks Lane  
Applicant requests relief from the following provisions of the Town Code: (i) §330-11 (residential districts table of dimensional regulations) for a principal front yard setback of 50 feet from the easterly lot line (Hayground Road) where 60 feet is required for a proposed two-story dwelling; (ii) §330-11 for an accessory distance from street setback (front yard) of 61.8 feet from the westerly lot line (Cooks Lane) where 70 feet is required; and (iii) §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 for the principal building on a nonconforming lot and any other relief necessary.
8. **Patrick Bradley** (app# 1900130) Keith 900-343-1-27 East Quogue  
18 Sandpiper Lane  
Applicant requests relief from the following provisions of the Town Code: (i) 330-11 (residential districts table of dimensional regulations) for a principal front yard setback of 29.43 feet from the southerly lot line (Gannett Crossings) where 40 feet is required for a proposed porch addition to the existing dwelling and (ii) §330-84D (pyramid height) for an encroachment in the amount of 135 cubic feet for a proposed 2<sup>nd</sup> floor addition to the existing dwelling and any other relief necessary.

**NEW APPLICATIONS (continued)**

**SCTM – HAMLET**

9. **The Harvey T. Edwards Jr Irrevocable Trust** (app#1900136)  
110 Old Country Road Adam 900-330-1-3.1 Westhampton  
Applicant requests a determination as to whether or not the proposed barn is a subordinate or incidental building pursuant to Town Code §330-5 (definitions) because of its size in proportion to the main dwelling and its use. In addition, applicant requests relief from the following provisions of the Town Code: 1. For the proposed barn with attached porch: (i) §330-11 (residential districts table of dimensional regulations) for an accessory distance from street (front yard) setback of 22.9 feet where 110 feet, (ii) §330-115D(5) (continuance) for an accessory side yard setback of 18 +/- feet where 30 feet is required, and (iii) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the barn with attached porch to be located within the required front yard for the principal building; 2. For the proposed swimming pool: (i) §330-11 for an accessory distance from street (front yard) setback of 35.4 feet where 110 feet is required; 3. For the existing dwelling: §330-55 (transfer of residential development rights procedure) for a principal rear yard setback of 13.6 feet where 27.2 feet is permitted for the existing dwelling and any other relief necessary.

10. **Michael Picozzi** (app# 1900126) 900-105-2-37 Bridgehampton  
857 Ocean Road  
Applicant requests a determination that the subject parcel SCTM# 900-105-2-37 is held in single and separate ownership from all adjacent parcels and thus entitled to relief pursuant to §330-115D and any other relief necessary.

**RE-ADVERTISED APPLICATIONS**

**SCTM – HAMLET**

11. **Commissioners of the Southampton Ambulance District** (app# 1900118)  
1256 North Sea Road Brian 900-986-3-3.1 North Sea  
Applicant requests relief from the following provisions of the Town Code for a proposed ambulance facility: (i) §330-162.18(A) (Hamlet Office/Residential and Hamlet Commercial/Residential building size) to allow the proposed building to be 8,600 square feet where a maximum of 6,000 square feet is permitted and (ii) §330-162.18A(1) relief from the hamlet office regulations requiring that one apartment be constructed for every 1,000 square feet, or portion thereof, greater than 3,000 square feet of additional building space, where applicant proposes a building of approximately 8,600 square feet and no apartment(s) and any other relief necessary.

**NEW - ADJOURNED APPLICATIONS**

**SCTM – HAMLET**

None scheduled for this meeting

**SCOPING SESSION**

**SCTM – HAMLET**

None scheduled for this meeting

**MODIFICATION REQUEST**

**SCTM – HAMLET**

12. **97 Wild Goose Lane, LLC** (app# 1900127) 900-103-2-28 Water Mill  
97 Wild Goose Lane Michael  
On May 16, 2019, by decision number D019061, this Board granted relief for rear yard lot coverage and an accessory rear yard setback for the location of a proposed tennis court. By letter dated September 4, 2019, John Bennett, attorney for the owner, is requesting that said decision be modified to address a slight change in the location of the tennis.

**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, 1/17/19, 3/21/18 and the 7/18/19 meeting:**

13. **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.

**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; adjourned from the 8/15/19 meeting:**

14. **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 9/5/19 meeting;**

15. **Go Key Realty Consulting Ltd.** (appl. 1900111) 900-376-2-16.2 Westhampton  
75A Baycrest Avenue Cornelius  
Applicant requests relief from the following provisions of the Town Code for the location of a proposed swimming pool on a nonconforming lot: (i) §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 10 feet where 20 feet is required and an accessory rear yard setback of 10 feet where 20 feet is required and (ii) §330-77C (placement of accessory buildings, structures and uses in residence districts) for a proposed rear yard coverage of 36% +/- and any other relief necessary.

**HOLDOVER APPLICATIONS (continued)**

**SCTM – HAMLET**

**Held over from the 08/01/19 meeting; adjourned from the 09/05/19 meeting:**

16. **Edward Broidy** (appl. 1900100) Helene 900-139-3-47.2 Riverside  
 12 Old Quogue Road  
 Applicant requests relief from Town Code §330-82 (lot width) to allow a minimum road frontage of zero feet where 40 feet is required and any other relief necessary.

**Held over from the 9/19/19 meeting:**

17. **Jason and Kay Davis** (app. 1900124) Helene 900-186-2-2.1 Hampton Bays  
 18 East Landing Lane Road.  
 Applicant requests relief from the following provisions of the Town Code for a proposed garage addition to an existing dwelling: (i) §330-11 (residential districts table of dimensional regulations) for a principal rear yard setback of 13.2 feet where 60 feet is permitted; and (ii) §330-84D (pyramid height) for an encroachment in the amount of 3 cubic feet and other relief necessary.

**Held over from the 9/19/19 meeting:**

18. **Scott Jacobs and Sara Jacobs** Brian 900-27-2-17.1 North Sea  
 80 Whalebone Landing Road  
 By decision number D017158, dated November 16, 2017, this Board granted pyramid height in the amount of 654.87 cubic feet and a principal total side yard setback of 24.17 feet for a proposed dwelling with a 2<sup>nd</sup> floor cantilever. By letter dated August 14, 2019, Daphne Vaughan of Surfside Environmental Planning, Inc., agent for the owner, is requesting that said decision be amended to reflect new plans and a new survey for a proposed project that is similar in nature to the project previously granted. (**MODIFICATION REQUEST**)

**CLARIFICATION**

**SCTM – HAMLET**

19. **James Broderick & Tara Leterza** Brian 900-352-1-11 Eastport  
 14 South Bay Avenue  
 On August 15, 2019, by Decision number D019107, this Board granted the applicants James Broderick & Tara Leterza relief for a proposed dwelling and basement staircase with a condition that the applicants plant evergreen screening on the Northeast property line for the distance of the house, and for the screening to be maintained by the applicants and all successors. By e-mail dated September 19, 2019, Diana DeLucia (owner of 12 South Bay Avenue, Eastport (property located Northeast), has requested a clarification of the aforementioned condition.

**DECISIONS**

**DATE CLOSED**

**SCTM – HAMLET**

PAD Construction, LLC (written submissions)	Jason	09/05/19	900-253-1-8	Hampton Bays
CAPN, LLC (written submissions)	Cornelius	09/05/19	900-315-3-30.1	East Quogue

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<b><u>DECISIONS (continued)</u></b>		<b><u>DATE CLOSED</u></b>	<b><u>SCTM – HAMLET</u></b>	
Old Quogue Development, LLC (written submissions by 9/11/19)	Adam	09/05/19	900-139-3-34	Flanders
Maria C. Del Rosso (written submissions)	Keith	09/05/19	900-176-1-3.2	Shinnecock Hills
On the Canal Apartment Owners Corp. (Unit #9) (written submissions)	Cornelius	09/19/19	900-258-1-8.1	Hampton Bays
Marilyn Pacella and John DeVito	Brian	09/19/19	900-61-1-34	North Sea
Estate of Daniel Tompkins	Adam	09/19/19	900-123-3-38.1	Flanders
Frederick M. Pignataro & Lauren D. Pignataro	Keith	09/19/19	900-322-3-2	Hampton Bays
Meritt Thomas (written submissions)	Jason	09/19/19	900-69-5-4	Bridgehampton
Kevin Mance & Janet Rost-Mance	Adam	09/19/19	900-51-1-20.1	Bridgehampton
528 Mecox Road, LLC (written submissions)	Michael	09/19/19	900-104-2-4	Water Mill
The Patricia A. Bencardino Trust (written submissions)	Michael	09/19/19	900-33-1-80	North Sea
Giulliana Albarracin	Brian	09/19/19	900-145-1-19	Flanders
Joseph F. Ceravolo (written submissions)	Adam	08/01/19	900-259-2-12	Hampton Bays
Maria & Michael Rothstein (written submissions)	Helene	05/16/19	900-345-2-1	Hampton Bays