

TOWN OF SOUTHAMPTON

CHAIRPERSON
ADAM GROSSMAN

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



VICE-CHAIRPERSON
BRIAN DESESA

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

JAY SCHNEIDERMAN
TOWN SUPERVISOR

BOARD MEMBERS
KEITH TUTHILL
HELENE BURGESS
CORNELIUS KELLY
MICHAEL DALY
JASON HANN

PRELIMINARY AGENDA – NOT OFFICIAL

SOUTHAMPTON TOWN ZONING BOARD OF APPEALS
PUBLIC HEARING AGENDA
January 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

MINOR VARIANCE REVIEW

SCTM - HAMLET

None scheduled for this meeting

NEW APPLICATIONS

SCTM – HAMLET

- Ocean Road Partners, LLC.** Michael 900-105-2-24 Bridgehampton
765 Ocean Road
Applicant requests relief from Town Code §330-116 (extension) as it relates to Town Code §330-167B(1)(a) (specific types of variances) to permit an expansion of a nonconforming use, to wit, a proposed addition to the existing dwelling and the proposed conversion of a screened porch into a sunroom on nonconforming lot and any other relief necessary.
- LI Automobile Collectors, LLC.** Cornelius 900-131-1-7.1 North Sea/Tuckahoe
315 County Road 39
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.

NEW APPLICATIONS

SCTM – HAMLET

3. **Richard Sulenski & Victoria Linda Sulenski** 900-293-4-22.1 Hampton Bays
5 Springville Circle Keith
Applicant requests relief from the following provisions of the Town Code: 1. To legalize an addition constructed without the benefit of a building permit on the west side of the dwelling: §330-11 (residential districts table of dimensional regulations) for a principal rear yard setback of 49.3 feet where 60 feet is required; 2. For a proposed addition to the existing dwelling: §330-11 for a principal rear yard setback of 49.2 feet where 60 feet is required; 3. For the proposed deck on the south side of the dwelling: (i) §330-11 for an accessory side yard setback of 8.4 feet where 20 feet is required and (ii) §330-76D (placement of accessory buildings and uses in all districts) and §330-83C (yards) to allow the deck to be located within the required minimum and total side yard for the principal building; and 4. To legalize the location and extension of the 1-story building with attached deck: (i) §330-11 for an accessory side yard setback of 6.2 feet where 10 feet is required and (ii) §33084D (pyramid height) for an encroachment in the amount of 11.2 cubic feet and any other relief necessary.

4. **Patricia Kopic** Helene 900-342-1-4 East Quogue
19 Weesuck Avenue
Applicant requests relief from Town Code §330-34 (business districts table of dimensional regulations) for an accessory rear yard setback of 13 feet where 50 feet is required for a proposed swimming pool on a nonconforming lot and any other relief necessary.

5. **Marc Levin & Mariana Loose (Lewis J. Liman & Lisa C. Liman – Applicants)**
116 Turtle Cove Drive 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.

6. **Lawrence Fliegelman** Jason 900-368-4-71.15 Remsenburg/Speonk
13 Old Mill Lane
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for an accessory rear yard setback of 16 feet where 20 feet is required to legalize an accessory building (pool house) constructed without the benefit of a building permit and any other relief necessary.

7. **Jennifer Gilmore** Michael 900-6-1-20 Noyac
11 Poplar Street
Applicant requests relief from the following provisions of the Town Code for a proposed swimming pool: (i) §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 minimum side yard for the principal building and §330-77D (placement of accessory buildings, structures and uses in residence districts) for proposed rear yard coverage of 26.5% where a maximum of 20% is permitted and any other relief necessary.

READVERTISED APPLICATIONS

SCTM – HAMLET

8. **Kenneth Seiff and Nicole Kule Seiff** (app. 1800165) 900-70-2-36 Bridgehampton
191 Bridgehampton Sag Harbor Turnpike Adam
On November 1, 2007, by decision number D012243, this Board granted relief for the size of a home professional office to be used as an artist studio for personal use and a minimum side yard setback to 14.5 feet; all to attach an accessory structure to a principal structure. By letter dated November 8, 2018, Laurie Wiltshire, agent for the owner, has requested that said decision be modified as the artist studio use that was previously granted by this Board has been converted into habitable space and as such, said use is no longer necessary.

NEW - ADJOURNED APPLICATIONS

SCTM – HAMLET

Held over from 10/18/18 meeting:

9. **Patricia Damiecki** (appl. 1800125) Helene 900-50-1-11.1 Bridgehampton
163 Millstone Road
Applicant requests a determination as to whether or not the proposed detached one-story garage with attached carport/overhang 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 and any other relief necessary.

Adjourned from the 10/4/18 and the 11/15/18 meeting:

10. **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.

Adjourned from the 12/6/18 meeting:

11. **625 Butter Lane Homestead, LLC** Brian 900-51-1-17.7 Bridgehampton
Agricultural Reserve
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.

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:

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.

Held over from the 10/4/18 and the 11/15/18 meeting:

13. **192 Hampton Bays Realty, LLC** (appl. 1800122) 900-221-3-17 Hampton Bays
192 West Montauk Highway Adam
Applicant requests relief from Town Code §330-132 (filling station) to allow the subject premises to have a frontage of 170.67 feet where 200 feet is required along a collector street or secondary highway. In addition, applicant requests a determination as to whether or not the proposed convenience store is a customary accessory use to the proposed gasoline filling station pursuant to Town Code §330-5 (definitions) (Accessory Use, Building or Structure) and any other relief necessary.

Held over from the 08/16/18 meeting; adjourned from the 10/4/18 meeting; held over from 11/15/18 meeting:

14. **JTEN Holdings, LLC** (appl. 1800093) Keith 900-231-1-32 Hampton Bays
293 East Montauk Highway
Applicant requests relief from the following provisions of the Town Code: (i) Town Code §330-83G(1)(a) (yards) to allow a parking area 3 feet from the rear yard and allow the pre-existing motel parking to remain 3 feet from the side yard where a 50 foot transition yard is required; (ii) Town Code §330-78 (placement of accessory buildings and uses in nonresidential districts) to allow the parking area to be located 3 feet from the northerly property line where 10 feet is required; 0 feet from the northeasterly property line (where parking spaces cross into Edgewater parking lot) where 10 feet is required; and 3 feet from the westerly property line where 10 feet is required; (iii) Town Code §330-100F(1) (exemptions and waivers of parking and truck loading space requirements) to allow parking area to be located on adjoining sites as required for parking spaces #20 (and Edgewater #1); and (iv) Town Code §330-34 (business districts table of dimensional regulations) to allow a dumpster and dumpster pad to be located at 0 feet, straddling the lot line with the Edgewater property, where accessory structures are to be located on the subject property. Applicant also requests relief from the following provisions of the Town Code to allow the conversion of an existing two story motel into housing for restaurant employees: (i) Town Code §330-76C (placement of accessory buildings, structures and uses in all districts) to allow an accessory building, structure, or use, on an adjacent lot to allow proposed restaurant employee housing for the principal restaurant on site and Edgewater restaurant; (ii) Town Code §330-154B (Housing for restaurant employees) to allow the proposed employee housing to be located on the site of the restaurant detached from the principal building; (iii) Town Code §330-154C to allow an existing side yard setback of 39.3 feet on the west and 15 feet on the east where

Southampton Town Zoning Board of Appeals
Public Hearing Agenda
January 3, 2019
Page 5 of 6

JTEN Holdings, LLC (appl. 1800093) Keith 900-231-1-32 Hampton Bays
(Continued)

a minimum setback of 50 feet is required; (iv) Town Code §330-154D to allow kitchen or cooking facilities within the proposed employee housing; and (v) Town Code §330-154G to allow four two-bedroom motel units to be used as employee housing for four employees on a nonconforming lot and any other relief necessary.

Held over from the 08/16/18 meeting; adjourned from the 10/4/18 meeting; held over from 11/15/18 meeting:

15. **295 Montauk Highway, Inc.** (appl. 1800094) Keith 900-231-1-31 Hampton Bays
295 East Montauk Highway

Applicant requests relief from the following provisions of the Town Code: (i) Town Code §330-83G(1)(a) (yards) to allow a parking area 3 feet from the rear yard where 17 feet is existing on a nonconforming lot; (ii) Town Code §330-78 (placement of accessory buildings and uses in nonresidential districts) to allow parking spaces #1-12 to be located 3 feet from the rear property line (north) where 10 feet is required; 0 feet from the side (northwesterly) property line where 10 feet is required; and 2.5 feet from the easterly property line; (iii) Town Code §330-78 to allow parking space #28 to be located 3 feet from the side (westerly) property line where 10 feet is required; (iv) Town Code §330-100(F)(1)(exemptions and waivers of parking and truck loading space requirements) to allow a parking area (subject to Planning Board approval) to be located on the subject premises and the adjoining site to the west; and (v) Town Code §330-34 (business districts table of dimensional regulations) to allow a dumpster and dumpster pad to be located at 0 feet, straddling the lot line with the parcel to the west, where accessory structures are to be located on the subject property and any other relief necessary.

Held over from the 08/16/18 meeting; adjourned from the 10/4/18 meeting; held over from 11/15/18 meeting:

16. **JTEN Properties, LLC** (appl.1800095) Keith 900-231-1-30.1 Hampton Bays
5 South Valley Road

Applicant requests relief from the following provisions of the Town Code: (i) Town Code §330-83G(1)(a) (yards) to allow a parking area 21.3 feet (spaces #20-22) from the northerly property line and 3.2 feet from the northwest corner property line where a 50 foot transition yard is required; (ii) Town Code §330-83G(2)(a) to allow a front transitional yard of 19.5 feet where 20 feet is required granted by the ZBA (this looks like 20 on the survey); (iii) Town Code §330-100F(1) and Town Code 330-78 (placement of accessory buildings and uses in nonresidential districts) to allow 10 (spaces #35-44) parking spaces from the adjacent property to the west to be located 0 feet from the side (westerly) property line where 10 feet is required; (iv) Town Code §330-167A to allow the extension of the Motel Zoning District line 47.95 feet into the more restrictive Residential-40 Zoning District to allow the premises to be zoned Motel; (v) Town Code §330-154D to allow kitchen or cooking facilities within the proposed employee housing; and (vi)Town Code §330-154G to allow two units for employee housing for two employees on a nonconforming lot and any other relief necessary.

**Southampton Town Zoning Board of Appeals
Public Hearing Agenda
January 3, 2019
Page 6 of 6**

SEORA DETERMINATION (Only)

SCTM – HAMLET

17. **2287 Montauk Highway, LLC** (appl. 1800002)
2287 Montauk Highway Brian

900-86-1-2 Bridgehampton

Motion: _____

2nd: _____

In favor: _____

Opposed: _____

DECISIONS

DATE CLOSED

SCTM – HAMLET

Barry & Joanne Ulrich
(written submissions)

Brian

12/20/18

900-4-1-16

Noyac

Frances von Luckanovic & Andrea Brown

Michael

12/20/18

900-29-2-38.68

Noyac

Idil Banastey & Hayati Banastey

Jason

12/20/18

900-160-1-36.15

Water Mill

Estate of Clifford Foster
(written submissions)

Brian

12/6/18

900-36-1-4.2

Bridgehampton