

# TOWN OF SOUTHAMPTON

CHAIRPERSON  
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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  
January 6, 2022

The Zoning Board of Appeals meeting is held in the Town Board Room, 116 Hampton Road, Southampton. Applications are scheduled to begin at 6:00 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. **Richard Durand** (app# 2100141) Helene 900-321-5-24 Hampton Bays  
22D Gardiners Lane  
Applicant requests the following relief from Town Code §330-11 (residence districts table of dimensional regulations) for a proposed two-story dwelling with attached garage on a nonconforming lot: (i) a principal front yard setback of 30 feet where 40 feet is required and (ii) a principal rear yard setback of 52.3 feet where 60 feet is required and any other relief necessary.

### NEW APPLICATIONS

### SCTM – HAMLET

2. **Estrada Ruiz** (app# 2100143) Keith 900-354-4-68 Westhampton  
46 Seagate Avenue  
Applicant requests relief from the following provisions of the Town Code 330-115 D (2) (Continuance) for a proposed second story addition a rear yard setback of 24.9' where 30' is permitted on a nonconforming lot and any other relief necessary.

3. **Drew Fine** 900-102-3-14.42 Water Mill  
116 Oliver's Cove Lane  
Applicant requests relief from the following provisions of the Town Code for a sports court constructed without the benefit of a building permit: (i) §330-11 (Residence Districts Table of Dimensional Regulations) for an accessory side yard setback of 12' where 30' is required; and (ii) §330-76D (Placement of accessory buildings, structures and uses in all districts) and §330-83C (Yards) to allow the sports court to remain within the required side yard for a principal building.

**NEW APPLICATIONS**

**SCTM – HAMLET**

4. **808 Mecox Road, LLC** (app# 2100144) Susan 900-116-2-4.4 Bridgehampton  
808 Mecox Road  
Applicant requests relief from the following provisions of the Town Code for the proposed tennis court on a nonconforming lot: (i) §330-11 (Residence Districts Table of Use Regulations) for an accessory side yard setback of 23.4' where 30' is required; and (ii) a rear lot coverage of 25% where 20% is required and any other relief necessary.
5. **Alice Greenwald** (app# 2100145) Michael 900-31-2-2 North Sea  
148 Edgemere Drive  
Applicant requests relief from the following provisions of the Town Code: 1. To legalize wood deck on north side of dwelling (front): (i) §330-83A (4) (yards) to allow a deck higher than one foot above ground level to be located within the required front yard, and (ii) §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 8.7 feet where 10 feet is required; 2. To legalize wood deck on the south side of dwelling (rear): (i) §330-11 for an accessory side yard setback of 5.6 feet where 10 feet is required, and (ii) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow a portion of the deck to be located within the required minimum and total side yard for the principal building; and 3. To legalize the outdoor shower: §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow a portion of the outdoor shower to be located within the required minimum and total side yard for the principal building on a nonconforming lot and any other relief necessary.

**READVERTISED APPLICATIONS**

**SCTM – HAMLET**

6. **Sand Land Corp.** (app# 2100119) Cornelius 900-23-1-1 Noyac  
585 Middle Line Highway  
Applicant appeals the issuance of a Stop Work Order (S.W.O.), dated June 4, 2021, which alleges certain violations of the Town Code Sections 330-167.1 (Violation of approvals or conditions; penalties for offenses), 330-177A (Certificate of occupancy), 330-184.1 (Violation of approvals or conditions; penalties for offenses), 123-9A(1) (Application for building or demolition permit), and 211.2(c) (Litter regulations; notice; removal).

**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 9/3/20 meeting; adjourned from the 03/04/21, 05/06/21, 8/5/21 and the 11/04/21 meeting:**

7. **94 Dune Road Holding Corp.** (app# 2000010) 900-385-1-37.3 East Quogue  
94 Dune Road Adam  
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 One story frame building with 2<sup>nd</sup> floor office, restaurant/bar, marina with tennis courts, decks and parking to a twenty-five (25) unit multi-family condominium use with a swimming pool and accessory building (cabana) and any other relief necessary.

**Held over from the 12/2/21 meeting:**

8. **Gwendolyn Brewer** (app# 2100135) Adam 900-294-2-17 Hampton Bays  
116B Ponquogue Avenue  
Applicant requests relief from the following provisions of the Town Code: 1. For a proposed one story addition on the east side of the house: (i) §330-115D (Continuance) a Side Yard Regulations for lots held in Single and Separate ownership, for minimum side yard from 12.24' to 11.1'; (ii) relief of §330-84D (Height) for a proposed pyramid encroachment of 148 cubic feet; (iii) Relief of §330-115D, Rear Yard Regulations for lots held in Single and Separate ownership, from the existing 15.3' to 5', and a Minimum side yard from 4.7' to 4.3'; 2. For the existing Screened In deck relief of §330-84D (Height) a pyramid encroachment of 102 cubic feet; 3. For an existing deck, relief of §330-11 (Residence District Table of Dimensional Regulations) for Distance From Rear Lot Line from 10' to 5.9'; 4. For a deck and outdoor shower, relief of §330-11 (Residence District Table of Dimensional Regulations) for Distance From Side Lot Line from 10' to .4'; 5. Relief of §330-77 (Placement of accessory buildings, structures and uses in residence districts) Required Rear Yard Coverage, from 20% to 37% for the Screened-In Deck and Rear Deck; and 6. For a Shed located in the required front yard: (i) Relief of §330-76D (Placement of Accessory Buildings, structures and uses in all districts); (ii) §330-83C (Yards) for a Front Yard setback of 10.5' where 50' is required and a side yard setback of 19.5 where 20' is required; and (iii) §330-84D (Height) a pyramid encroachment of 6 cubic feet.

**Held over from the 10/21/21 meeting and adjourned from the 12/02/21 meeting:**

9. **Grant Werner (Bret and David Moore – Applicants)** (app# 2100104)  
10 River Avenue Brian 900-351-2-23 Eastport  
Applicant appeals the issuance of Pre-Existing Certificate of Occupancy No. C210111, dated April 12, 2021, for the “1-Two story, two family dwelling with partial unfinished basement; 1-One story cottage; 1-Two story cottage. As per survey dated October 8, 2019 by John Gallacher. OTHER STRUCTURES APPROVED BY THE FOLLOWING CERTIFICATES: P083976-First floor deck on main dwelling and outdoor shower, replace window in bedroom to egress” and any other relief necessary.

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**HOLDOVER APPLICATIONS (continued)**

**SCTM – HAMLET**

**Held over from the 11/18/21 and the 12/02/21 meeting:**

10. **RCF Properties, LLC** (app# 2100126) Susan 900-100-3-2.11 Water Mill  
454 Seven Ponds Towd Road  
Applicant requests relief from Town Code §330-77D (placement of accessory buildings, structures and uses in all districts) for a proposed rear yard coverage of 52.1% where maximum of 20% is permitted for the proposed location of a tennis court on a nonconforming lot and any other relief necessary.

**DECISIONS**

**DATE CLOSED**

**SCTM – HAMLET**

Fabio Daino (written submissions by Dec. 17 <sup>th</sup> )	Keith	12/2/21	900-176-2-12	Shinnecock Hills
95 Inlet Road West, LLC (written submissions by Oct. 1 <sup>st</sup> )	Helene	09/16/21	900-176-1-1	Shinnecock Hills
85 Eastway, LLC (written submissions by Feb. 22 <sup>nd</sup> )	Adam	01/21/21	900-233-2-1	Shinnecock Hills
Pamela J. Keld (written submissions by Dec. 3 <sup>rd</sup> )	Cornelius	11/18/21	900-114-2-42	Water Mill
Kenneth Seiff and Nicole Kule Seiff (written submissions by Dec. 3 <sup>rd</sup> )	Brian	11/18/21	900-70-2-36	Bridgehampton
Gregory Liffen (written submissions by Nov. 19 <sup>th</sup> )	Keith	11/04/21	900-374-2-8	Hampton Bays
Edward Burke Jr. & Patricia Burke (written submissions by July 29 <sup>th</sup> )	Keith	07/15/21	900-5-2-17	Noyac
LPD IV, LLC (written submissions by Sept. 17 <sup>th</sup> )	Helene	09/02/21	900-263-3-33.1	Hampton Bays
NYCELEX Real Estate Holdings Development Corp. (written submissions by July 29 <sup>th</sup> )	Cornelius	07/01/21	900-349-2-24	Eastport
Scott Schlachter (written submissions by July 29 <sup>th</sup> )	Susan	07/15/21	900-24-1-49	Noyac