

# TOWN OF SOUTHAMPTON

CHAIRPERSON  
ADAM GROSSMAN

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



JAY SCHNEIDERMAN  
TOWN SUPERVISOR

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

BOARD MEMBERS  
KEITH TUTHILL  
HELENE BURGESS  
CORNELIUS KELLY  
MICHAEL DALY  
SUSAN KOEHN  
ROBERT MACEDONIO

## ***PRELIMINARY AGENDA – NOT OFFICIAL***

SOUTHAMPTON TOWN ZONING BOARD OF APPEALS  
PUBLIC HEARING AGENDA  
February 3, 2022

The Zoning Board of Appeals meeting is being held via videoconference. 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**

\*\*\*\*\*

### MINOR VARIANCE REVIEW

### SCTM - HAMLET

None scheduled for this meeting

### NEW APPLICATIONS

### SCTM – HAMLET

1. **William Owen & Neil Owen** (app# 2200001) 900-77-3-40 North Sea  
86 Straight Path Michael  
Applicant requests relief from the following provisions of the Town Code for a proposed accessory apartment on a nonconforming lot: (i) §330-11.2 F (Special standards) for a lot width of 100' +/- where a minimum of 105 feet is required; and (ii) §330-11.2 G(1) to allow the size of the accessory apartment to be 52.7% of the total floor area of the principal dwelling where a maximum of 35% is permitted. In addition, applicant requests a determination as to whether or not the proposed Accessory building 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.
2. **Joseph & Maria Ricciardi** (app# 2200002) Susan 900-5-3-40 Noyac  
20 Bay Avenue  
Applicant requests relief from the Town Code §330-84D (Height/Pyramid) for a pyramid encroachment of 1,038 cubic feet (original 134 c.f. + an additional 904 c.f.) to legalize a second story that was added to an existing detached garage (for storage only) without the benefit of a building permit on a nonconforming lot and any other relief necessary.

**NEW APPLICATIONS (continued)**

**SCTM – HAMLET**

3. **40 Oceanview Drive, LLC** (app# 2200003) Cornelius 900-271-1-44 Shinnecock Hills  
40 Oceanview Drive  
Applicant requests relief from Town Code §330-84D (Pyramid Height) for a total pyramid encroachment of 8,788 cubic feet (3,699 cu. ft. on the East side of the property + 5,089 cu. ft. on the West side of the property) for a proposed two-story dwelling on a nonconforming lot and any other relief necessary.
  
4. **Thomas & Julie Crowley** (app# 2200004) Keith 900-207-3-40.1 Hampton Bays  
7 Canal Street  
Applicant requests relief from the following provisions of the Town Code: 1. For the proposed Lot 1:(i) §330-11 (Residence Districts Table of Dimensional Regulations) for a principal minimum side yard setback of 6.5' where 15' is required; (ii) a principal total side yard setback of 25.8' where 35' is required; (iii) §330-84D (Pyramid Height) for a pyramid encroachment of 610 cubic feet on the North side of the property; (iv) §330-76D (Placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the portion of the deck on the south side of the dwelling constructed without the benefit of a building permit to be located within the total side yard for the principal building; and 2. For the proposed Lot 2: §330-84D (Pyramid Height) for a proposed pyramid total encroachment of 378 cubic feet (189 cubic feet on the North and on the South Side of the dwelling) and any other relief necessary.
  
5. **12 Red Creek, LLC** (app# 2200005) Helene 900-175-1-29 Hampton Bays  
10 Red Creek Road  
Applicant requests a determination that the subject parcel SCTM# 900-175-1-29 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.
  
6. **Kim R. Lester** (app# 2200006) Adam 900-323-5-9 Hampton Bays  
17 Alanson Lane  
Applicant requests relief from Town Code §330-31D (Maximum number of uses) to allow a second use (Boat Yard - Dry Boat Storage) on the subject property where only one use for every 40,000 square feet of lot area is permitted (the subject property currently has a pre-existing one-story dwelling). In addition, applicant requests relief from the following provisions of the Town Code for the dry boat storage: 1. §330-34 (business district table of dimensional regulations)(i) for a principal rear yard setback of 20 feet where 50 feet is required, (ii) for a principal minimum side yard setback of 20 feet where 50 feet is required and (iii) for a principal total side yard setback of 70 feet where 100 feet is required; and 2. §330-126 (boatyard) to allow the dry boat storage to be located at a setback of 45' +/- where 50 feet is required from any residential district and any other relief necessary.

**READVERTISED APPLICATIONS**

**SCTM – HAMLET**

None scheduled for this meeting

**NEW - ADJOURNED APPLICATIONS**

**SCTM – HAMLET**

**Adjourned from the 01/20/22 meeting:**

7. **Drew Fine** Michael 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.

**SCOPING SESSION**

**SCTM – HAMLET**

None scheduled for this meeting

**HOLDOVER APPLICATIONS**

**SCTM – HAMLET**

**Held over from the 05/20/21 meeting; and adjourned from the 8/5/21, 09/02/21, 10/07/21, 11/04/21 and the 12/02/21 meeting:**

8. **East Quogue 535 Realty Inc.** Keith 900-341-1-52 East Quogue  
535 Montauk Highway  
Applicant requests a determination as to whether or not the proposed 1,468 square foot convenience store is a customary accessory use to the existing gasoline filling station pursuant to Town Code §330-5 (definitions) (Accessory Use, Building or Structure). In addition, applicant requests relief from the following provisions of the Town Code for the proposed convenience store: (i) §330-95 (scheduled of off-street parking space requirements for nonresidential uses) to allow 9 parking spaces where a minimum of 15 parking spaces is required; (ii) §330-116 (extensions) as it relates to §330-167B(1)(a) (specific types of variances) to allow an expansion of a nonconforming use, to wit, to allow a 1,468 square foot convenience store to replace a pre-existing non-conforming 1,182 square foot building (a 24% expansion); and (iii) §330-78 (placement of accessory buildings and uses in nonresidential districts) to allow two off-street parking spaces to be located in the front yard where no off-street parking shall be permitted in the front yard and any other relief necessary.

**Held over from the 10/07/21 meeting; adjourned from the 11/18/21 meeting; and held over from the 12/02/21 meeting:**

9. **Dilip Patel & Sabjhit Kaur Dhillon** (app# 2100107) Brian 900-31-1-3.2 North Sea  
147 Edgemere Drive  
Applicant requests relief from the following provisions of the Town Code for a proposed two-story addition to the existing dwelling on a nonconforming lot: (i) §330-115C (continuance) for a principal total side yard setback of 24.9 feet where 40.5 is existing and (ii) §330-84D (pyramid height) for an encroachment in the amount of (+/-) 1,303.62 cubic feet (663.5 proposed on the east side + 640.12 existing on the west side) and any other relief necessary.

**HOLDOVER APPLICATIONS (continued)**

**SCTM – HAMLET**

**Held over from the 01/20/22 meeting:**

10. **Stephen Glickman & Ellie Paiewonsky-Glickman** (app# 2100133)  
9 Cedarfield Lane Cornelius 900-355-3-10.12 Westhampton  
Applicant requests relief from the following provisions of the Town Code: 1. For an existing asphalt court: §330-11 (residence districts table of use regulations) located within the required front yard, a setback of 63.5' where 70' is required; 2. An existing rear lot coverage of 20.9% where 20% is required and any other relief necessary.

**Held over from the 07/16/20 and the 9/3/20 meeting; adjourned from the 10/15/20 01/07/21, 03/04/21, 06/17/21, 09/16/21 and the 12/16/21 meeting:**

11. **Tyronne Terchunian** (app# 2000064) Adam 900-355-2-18.6 Westhampton  
57 Station Road  
Applicant requests relief from the following provisions of the Town Code to legalize a one story concrete building on a nonconforming lot: Town Code §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 3 feet where 20 feet is required and an accessory rear yard setback of 15.2 feet where 20 feet is required; and Town Code §330-84D (pyramid height) for an encroachment in the amount of 960 cubic feet and any other relief necessary.

**Held over from the 07/16/20 and the 9/3/20 meeting; adjourned from the 10/15/20 01/07/21, 03/04/21, 06/17/21, 09/16/21 and the 12/16/21 meeting:**

12. **Production Holding, LLC** (app# 2000065) Adam 900-355-2-18.7 Westhampton  
61 Station Road  
Applicant requests relief from the following provisions of the Town Code: 1. For an existing two story house on a nonconforming lot: Town Code §330-11 (residential districts table of dimensional regulations) for a principal minimum side yard setback of 16.7 feet where 20 feet is required to legalize the conversion of an open porch to a covered porch; 2. To legalize an addition to a one story frame barn: (i) Town Code §330-11 for an accessory side yard setback of 11.1 feet where 20 feet is required, (ii) Town Code §330-115C (continuance) for an accessory rear yard setback of 2.4 feet where 4.2 feet is existing; and (iii) Town Code §330-84D (pyramid height) for an encroachment in the amount of 2.45 cubic feet; 3. For a deck attached to the barn: (i) Town Code §330-11 for an accessory side yard setback of 0 feet where 20 feet is required, and an accessory rear yard setback of 10 feet +/- where 20 feet is required, and (ii) Town Code §330-84D for an encroachment in the amount of 3.9 cubic feet; 4. For the existing A/C unit: Town Code §330-77G (placement of accessory building, structures and uses in residence districts) for a rear yard setback of 4.7 feet where 10 feet is required; 5. To legalize the conversion of the barn to an accessory apartment: 1. Town Code §330-11.2F (accessory apartment special standards) for the following: (i) for a lot area of 21,958 square feet where 32,000 square feet is required (80% of 40,000 square feet); (ii) an accessory rear yard setback of 2.4 feet where 14 feet is required (70% of 20 feet); (iii) an accessory side yard setback of 11.1 feet where 14 feet is required (70% of 20 feet); (iv) an accessory side yard setback of 0 feet where 14 feet is required for the existing deck (70% of 20 feet); and 2. Town Code §330-11.2G(1) to allow the size of the apartment to exceed 35% of the total floor area of the principal dwelling (approximately 50%) where a maximum of 35% is permitted and any other relief necessary.

**HOLDOVER APPLICATIONS (continued)**

**SCTM – HAMLET**

**Held over from the 07/16/20 and the 9/3/20 meeting; adjourned from the 10/15/20, 01/07/21, 03/04/21, 06/17/21, 09/16/21 and the 12/16/21 meeting:**

13. **Production Holding, LLC & Tyronne Terchunian** 900-355-2-18.6 & 18.7  
 57 & 61 Station Road (app# 2000066) Adam Westhampton  
 Applicant requests the following relief from Town Code §330-11 (residential districts table of dimensional regulations) to legalize a two-lot subdivision: For Lot 18.6: a lot area of 20,083 square feet where 40,000 square feet is required and a lot width of 113.97 where 120 feet is required; and For Lot 18.7: a lot area of 21,958 square feet where 40,000 square feet is required and any other relief necessary.

**DECISIONS**

**DATE CLOSED**

**SCTM – HAMLET**

720 North Sea Road, LLC (written submissions by Jan. 21 <sup>st</sup> )	Keith	12/16/21	900-130-2-11	North Sea
Alice Greenwald (written submissions by Jan. 21 <sup>st</sup> )	Michael	01/06/22	900-31-2-2	North Sea
Grant Werner (Bret and David Moore – Applicants) (written submissions by Jan. 21 <sup>st</sup> )	Brian	01/06/22	900-351-2-23	Eastport
RCF Properties, LLC (written submissions by Jan. 21 <sup>st</sup> )	Susan	01/06/22	900-100-3.2.11	Water Mill
Wayne Fjotland (written submissions by Jan. 7 <sup>th</sup> )	Michael	12/16/21	900-272-1-34.2	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
Kenneth Seiff and Nicole Kule Seiff (written submissions by Dec. 3 <sup>rd</sup> )	<del>Brian</del> Adam	11/18/21	900-70-2-36	Bridgehampton
Edward Burke Jr. & Patricia Burke (written submissions by July 29 <sup>th</sup> )	Keith	07/15/21	900-5-2-17	Noyac

**Southampton Town Zoning Board of Appeals  
Public Hearing Agenda  
February 3, 2022  
Page 6 of 6**

**DECISIONS**

**DATE CLOSED**

**SCTM – HAMLET**

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