

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
April 4, 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

1. **Nancy T. Trunzo** (appl. 1900036) Cornelius 900-297-3-4 Hampton Bays
7 Norbury Road
Applicant requests a determination that the subject parcel SCTM# 900-297-3-4 is held in single and separate ownership from the adjacent parcel identified as SCTM# 900-297-3-3 and thus entitled to relief pursuant to §330-115D and any other relief necessary.
2. **45 Dune Road, LLC** (appl. 1900037) Michael 900-134-3-12 Bridgehampton
45 Dune Road
Applicant requests relief from Town Code §330-46.2(B)(1) (Coastal erosion management permit required; effect on zoning regulations) a proposed crest of dune setback of 118.5 feet where 125 feet is required for a proposed swimming pool and a proposed crest of dune setback of 121 feet where 125 feet is required for the proposed deck on a nonconforming lot and any other relief necessary.

NEW APPLICATIONS

SCTM – HAMLET

3. **Rae Monteverdi** (appl. 1900038) Helene 900-341-1-75 East Quogue
9 Jackson Avenue
Applicant requests the following relief for a proposed lot line modification: 1. For Lot #75: §330-11 (residential districts table of dimensional regulations) for a lot area of 2,719 square feet where 20,000 square feet is required and an accessory side yard setback of 3 feet where 10 feet is required for the frame shed; and 2. For Lot #76: §330-11 for a lot area of 2,344 square feet where 20,000 square feet is required and any other relief necessary.

4. **Jeffrey Sadowski** (appl. 1900039) Jason 900-112-2-31 North Sea
190 North Sea Mecox Road
Applicant requests relief from Town Code §330-84D (pyramid height) for a proposed encroachment in the amount of 1,900 cubic feet (783 cu ft (existing) + 1,117 cu ft (proposed)) for a proposed dormer addition to the existing garage. In addition, applicant requests relief from Town Code §330-77D (placement of accessory, buildings, structures and uses in residence districts) for a rear yard coverage of 29.4% where a maximum of 20% is permitted for a proposed second story deck and exterior stairs and to legalize the location of an in-ground swimming pool on a nonconforming lot and any other relief necessary.

5. **Sean King** (appl. 1900040) Brian 900-65-2-3.55 Water Mill
16 Farmstead Lane
Applicant requests relief from Town Code §330-84D (pyramid height) for a proposed encroachment in the amount of 1,507 cubic feet for a proposed detached garage and relief from Town Code §330-11.2G(3) (accessory apartment special standards) to allow an accessory apartment (efficiency unit) that is greater than 35% of the total floor area of the main dwelling, to wit, 44%, to be located on the second floor of the proposed detached garage and any other relief necessary.

6. **East Quogue 535 Realty Inc.** (appl. 1900041) Keith 900-341-1-52 East Quogue
535 Montauk Highway
SCTM# 900-341-1-52. Applicant requests a determination as to whether or not the proposed 1,800 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) §330-30B(6) (general regulations) to allow the lot be covered with 66.4% of impervious or paved surfaces where a maximum of 60% is permitted, (ii) §330-83G(1)(b)[1] (yards) to allow the proposed convenience store to be located within the transitional rear yard at a setback of 15.97 feet where a minimum of 20 feet is required, and (iii) §330-95 (scheduled of off-street parking space requirements for nonresidential uses) to allow 8 parking spaces where a minimum of 18 parking spaces is required, (iv) §330-116 (extensions) as it relates to §330-167B(1)(a) (specific types of variances) to allow an expansion of a nonconforming use, and (v) §330-34 (business districts table of dimensional regulations) for a front yard setback of 25 feet +/- where 30 feet is required and a rear yard setback of 15.97 feet where 30 feet is required and any other relief necessary.

READVERTISED APPLICATIONS

SCTM – HAMLET

None scheduled for this meeting

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 10/4/18 and the 11/15/18 meeting; adjourned from the 1/3/19 meeting:

7. **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; adjourned from the 1/3/19 meeting:

8. **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

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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; adjourned from the 1/3/19 meeting:

9. **295 Montauk Highway, Inc.** (appl. 1800094) 900-231-1-31 Hampton Bays
295 East Montauk Highway Keith

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; adjourned from the 1/3/19 meeting:

10. **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.

HOLDOVER APPLICATIONS

SCTM – HAMLET

Held over from the 11/1/18 and 12/6/18 meeting and adjourned from the 1/17/19 and the 2/21/19 meeting:

11. **Scuttlebutt Farms Land, LLC** (appl. 1800134) 900-50-1-9.1 Bridgehampton
1 Scuttlebut Farms Helene
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 19.7 feet where 30 feet is required and relief from Town Code §330-77(D) (placement of accessory buildings, structures and uses in residence districts) to allow a rear yard coverage of 22.86% where a maximum of 20% is permitted; all to legalize the construction of an arbor and any other relief necessary.

Held over from the 11/1/18 meeting and adjourned from the 1/17/19 and the 3/7/19 meeting:

13. **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.

Held over from the 10/4/18 meeting; adjourned from the 1/3/19 meeting for further testimony; adjourned from the 2/7/19 meeting; held over from the 2/21/19 meeting:

14. **2287 Montauk Highway, LLC** (appl. 1800002) 900-86-1-2 Bridgehampton
2287 Montauk Highway Brian
On May 3, 2018, this Board by decision number D018046 granted the applicant relief for setbacks, lot coverage, parking spaces, and the proposed location of a dumpster. By letter dated August 21, 2018, the attorney for the applicant is requesting that said decision be amended to eliminate the conditions related to shared parking at Newman Village.

Held over from the 2/21/19 meeting; adjourned from the 3/21/19 meeting:

15. **Laurie & Anthony Belmonte** (appl.1900015) Adam 900-298-1-2 Hampton Bays
70 Wakeman Road
Applicant requests relief from Town Code §330-77D (placement of accessory buildings, structures and uses in residence districts) to allow for the construction of a swimming pool on a nonconforming lot which would result in a rear yard coverage of 33.45% where a maximum of 20% is permitted and any other relief necessary.

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<u>DECISIONS</u>		<u>DATE CLOSED</u>	<u>SCTM – HAMLET</u>	
James Conforti & Patricia Conforti	Brian	3/21/19	900-28-1-30	North Sea
Scrimshaw, LLC	Adam	3/21/19	900-20-1-56	North Sea
James Dixon & Stella Song	Cornelius	3/21/19	900-99-3-20.1	North Sea
Bayview Four, L.P. (written submissions)	Keith	3/21/19	900-115-2-30.11	Water Mill
Bayview Four, L.P. (written submissions)	Keith	3/21/19	900-115-2-30.12	Water Mill
Peter & Karen Gruenberg (written submissions)	Michael	03/07/19	900-155-1-28	Tuckahoe
George & Christine Bertero (written submissions)	Michael	03/07/19	900-9-3-79	Noyac
Fahrettin Ozdemir (written submissions)	Cornelius	03/07/19	900-316-1-29	East Quogue
Millard C. Jayne III & Rebecca J. Wiseman (written submissions)	Cornelius	03/07/19	900-376-1-64	Westhampton