

# 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  
May 5, 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**

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### MINOR VARIANCE REVIEW

### SCTM - HAMLET

1. **Jill and John DiRenzo** (app# 2200035) Helene 900-292-2-21 Hampton Bays  
22 Rolling Hill Road  
Applicant requests relief from Town Code Chapter 330, Zoning, Section 6 that references Section 11, Residence Districts Table of Dimensional Regulations, for a rear yard of 51.8' where 60' is required for a proposed addition to a one-family dwelling on a nonconforming lot and any other relief necessary.

### NEW APPLICATIONS

### SCTM – HAMLET

2. **Kai Sturmann and Mary T. Ryan** (app# 2200039)  
77 Reeves Bay Trail Adam 900-122-3-28 Flanders  
Applicant requests relief for a proposed dwelling on a nonconforming lot: 1. Town Code §330-84(Pyramid/Height) for a total pyramid encroachment of 5,083.917 cubic feet (2,558.667 cubic feet on the East side and 2,525.250 cubic feet on the West side); 2. §330-11 (residence districts table of use regulations) for a required minimum side yard setback of 10.4' on the W. side of the property and a required side yard setback of 11.4' on the E. side of the property where a minimum of 15' is required; and 3. §330-11 (residence districts table of use regulations) for a proposed rear yard setback of 35' to the dwelling and 31.1' to the proposed roof over step where 50' is required. In addition, applicant requests relief from §330-97 (Supplemental regulations for private garages and off-street parking areas in residence districts) for a total of 5 parking spaces on the property where 4 are allowed and any other relief necessary.

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**NEW APPLICATIONS (continued)**

**SCTM – HAMLET**

3. **James Case** (app# 2200036) Susan 900-357-1-34 Westhampton  
23B Baycrest Avenue  
Applicant requests the following relief from Town Code §330-11 (Residence Districts Table of Dimensional Regulations) for a tennis court built without the benefit of a building permit on a nonconforming lot: (i) an accessory rear yard setback of 6.8' where 10' is required; (ii) for an accessory side yard setback on the East side of the property a setback of 3.1' where 10' is required; and (iii) for an accessory side yard setback on the North side of the property of 0' where 10' is required and any other relief necessary.
4. **Jean Marc Chaillan & Juraci da Silva** (app# 2200037)  
2 High Road Robert 900-231-3-27 Hampton Bays  
Applicant requests relief of Town Code Chapter 330, Zoning, Section 84, Height, Paragraph D, Pyramid Law, for an encroachment of 2,790 cubic feet to construct a proposed second story addition to a one-family residence on a nonconforming lot and any other relief necessary.
5. **Trustees of the Adria Alpert Romm Revocable Trust** (app# 2200038)  
18 Cheviot Road Michael 900-210-1-58 Shinnecock Hills  
Applicant requests relief from the following provisions of the Town Code: 1. For a proposed swimming pool on a nonconforming lot: (i) §330-11 (residential districts table of dimensional regulations) for an accessory distance from street setback (front yard) of 52.5 feet where 70 feet is required and (ii) §330-76D (placement of accessory building 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; 2. For a proposed detached one-story garage: (i) §330-11 for an accessory distance from street setback (front yard) of 50.5 feet where 70 feet is required, (ii) §330-77C (placement of accessory buildings, structures and uses in residence districts) for a proposed height of 20.9 1/4' where a maximum height of 20 feet is permitted; and (iii) §330-76D (placement of accessory building structures and uses in all districts) and §330-83C (yards) to allow the proposed garage to be located within the required front yard and required minimum side yard for the principal building and any other relief necessary.

**RE-ADVERTISED APPLICATIONS**

**SCTM – HAMLET**

6. **Marc House Developers** (app# 2200024) Helene 900-234-1-15 Shinnecock Hills  
43 Middle Pond Road  
Applicant requests relief from Town Code §330-82 (lot width) to allow a road frontage of zero feet where a minimum of 40 feet is required and any other relief necessary.
7. **Sand Land Corp.** (app# 2100119) Michael 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**

**Adjourned from 03/03/22 meeting:**

8. **SGM Excavating LLC and Mack's Masonry Supply Yard, LLC** (app# 2200012)  
110 & 154 North Magee Street **Cornelius** 900-129-2-19.1 & 19.2 Tuckahoe  
Applicant appeals the issuance of Notices of Violation issued by the Office of the Fire Marshal, dated September 13, 2021, and September 27, 2021 as provided in Town Code §330-165A (appeals on interpretation of Zoning Law and Map), which allege violations of Town Code 330-177A and Town Code 123-4 for change of use and failure to obtain building permits and certificates of occupancy for trailers on the premises.

**Adjourned from the 12/02/21, 01/20/22, 03/17/22 and the 04/07/22 meeting:**

9. **Nicholas & Luz Kardaras** **Cornelius** 900-26-1-86 Sag Harbor  
30 Laurel Lane  
Applicant requests relief from 330-6 that references 330-11, Residence Districts Table of Dimensional Regulations, for Front Yard for a Proposed Covered Entry Porch from the required 100' to 24', 29.9' is existing front yard. Rear Yard relief for a Proposed Addition from the required 100' to 22.6', 25.5' is existing rear yard. Additionally, relief is requested from 330-11 for Distance From Street for a proposed pool house from the required 110' to 56.2', and Distance From Street for a proposed pool from the required 110' to 34.8'.

**SCOPING SESSION**

**SCTM – HAMLET**

None scheduled for this meeting

**HOLDOVER APPLICATIONS**

**SCTM – HAMLET**

**Held over from the 03/17/22 meeting:**

10. **192 Hampton Bays Realty LLC.** (app# 2200016) 900-221-3-17 Hampton Bays  
192 West Montauk Highway **Keith**  
Applicant requests relief from the following provisions of the Town Code for a proposed Monument Sign: (i) §330-205(B)(2) (General provisions) for a proposed front setback of 6 feet where 20 feet is required; (ii) §330-205(B)(5) and §330-206(B) for a proposed area of 48 square feet where a maximum of 32 square feet is permitted; (iii) §330-207(A) (Illuminated signs) to allow the spacing between fixtures to be 18" and 32" where a minimum of four feet is required; and (iv) §330-210.1(B)(Design guidelines) to allow six colors to be used where a maximum of three colors is permitted and any other relief necessary.

**Held over from the 03/17/22 meeting:**

11. **Three Sticks. Q, LLC** (app# 2200018) Susan 900-117-1-11 Bridgehampton  
111 Quimby Lane  
Applicant requests relief from the following provisions of the Town Code for a proposed carriage house: (i) §330-9D(4) (density incentive provisions) to waive the transfer of one or more development right(s) or PBC to the site and (ii) Town Code §330-9D(4)(h) to allow two-driveways where only one driveway is permitted. In addition, applicant requests relief from Town Code §330-77A (placement of accessory buildings, structures and uses in residence districts) as it relates to §330-94 (Schedule of Off-Street Parking Space Requirements for Residential Uses) to

**HOLDOVER APPLICATIONS (continued)**

**SCTM – HAMLET**

**Three Sticks. Q, LLC (continued)**

allow an additional two (2) off-street parking spaces to be located within the required front yard (a maximum of 9 spaces is permitted - eleven (11) spaces are being proposed) and any other relief necessary.

**Held over from the 03/17/22 meeting:**

12. **1240 Ocean, LLC** (app# 2200019) Michael 900-134-4-29.9 Bridgehampton  
1240 Ocean Drive  
Applicant requests relief from the following provisions of the Town Code: 1. For the proposed two-story dwelling: §330-11 (residential districts table of dimensional regulations) for: (i) a principal front yard setback of 67.1 feet to the proposed dwelling where 80 feet is required; (ii) a principal front yard setback of 64.6' to the covered front porch on the east side of the dwelling where 80 feet is required; and (iii) a principal front yard setback 65.2 feet to the covered terraces on the south side of the proposed dwelling where 80 feet is required; 2. For the proposed swimming pool: (i) §330-11 for an accessory distance from street setback (front yard) of 42 feet where 90 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 in the required front yard; and 3. For the proposed accessory building (pool house): §330-11 for an accessory distance from street setback (front yard) of 40 feet where 90 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 accessory building (pool house) to be located in the required front yard 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, 12/16/21, 02/03/22 and the 03/03/22 meeting; Held over from the 03/17/22 meeting:**

13. **Tyrone 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, 12/16/21, 02/03/22 and the 03/03/22 meeting; Held over from the 03/17/22 meeting:**

14. **Production Holding, LLC** (app# 2000065) Adam 900-355-2-18.7 Wethampton  
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

**HOLDOVER APPLICATIONS (continued)**

**SCTM – HAMLET**

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.

**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, 12/16/21, 02/03/22 and the 03/03/22 meeting; Held over from the 03/17/22 meeting:**

15. **Production Holding, LLC & Tyrone 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.

**Re-Opened 03/03/22; and held over from the 03/17/22 meeting:**

16. **William Owen & Neil Owen** (app# 2200001) 900-77-3-40 North Sea  
86 Straight Path Michael  
On March 3, 2022, this Board re-opened the application and requested that the applicant appear tonight to further discuss the request for 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.

**Held over from the 04/07/22 meeting:**

17. **Blades of Grass, LLC.** (app# 2200026) Keith 900-87-3-10.6 Bridgehampton  
102 Highland Terrace  
Applicant requests the following relief from Town Code §330-77D (placement of accessory buildings, structures and uses in residence districts) for a proposed 60' x 120' tennis court: A proposed rear yard coverage of 31% where a maximum of 20% is permitted. In addition, variance relief is required from Town Code §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow a portion of the proposed swimming pool and a portion of the proposed pool house to be located within the total required side yard for the principal building and any other relief necessary.

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**HOLDOVER APPLICATIONS (continued)**

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**Held over from the 04/07/22 meeting:**

18. **White Banana, LLC.** (app# 2200027) Susan 900-34-2-24.1 North Sea  
142 Middle Line Highway  
Applicant requests relief from the following provisions of the Town Code for an existing dwelling on a nonconforming lot: (i) §330-84D (Height/Pyramid) for a pyramid encroachment of .02 cubic feet on the Easterly Side of the property; and (ii) §330-11 (residential districts table of dimensional regulations) for a building height of 37'6" where a maximum of 32' is permitted and any other relief necessary.

**DECISIONS**

**DATE CLOSED**

**SCTM – HAMLET**

Virginia Coughlin (written submissions by April 22 <sup>nd</sup> )	Michael	04/07/22	900-5-3-15	Noyac
153 Herricks, LLC (written submissions by April 22 <sup>nd</sup> )	Adam	04/07/22	900-123-3-36	Flanders
Skyhampton, LLC (written submissions by April 22 <sup>nd</sup> )	Robert	04/07/22	900-129-2-17.1	Tuckahoe
Dilip Patel & Sabjhit Kaur Dhillon (written submissions by April 22 <sup>nd</sup> )		04/07/22	900-31-1-3.2	North Sea
Robert Raphael (written submissions by April 22 <sup>nd</sup> )	Cornelius	04/07/22	900-391-2-28	Westhampton
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
Kidd Construction Company, Inc. (written submissions)	Helene	04/21/22	900-51-1-10	Bridgehampton
Paul McCormick (written submissions by April 8 <sup>th</sup> )	Cornelius	03/17/22	900-76-4-33	North Sea
Carleton Gibson and Kaia Heimarck (written submissions by April 8 <sup>th</sup> )	Helene	03/17/22	900-92-3-13	North Sea

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**DECISIONS (continued)**

**DATE CLOSED**

**SCTM – HAMLET**

Daniel Beller  
(written submissions by April 8<sup>th</sup>)

Michael 03/17/22

900-101-3-53.4 Water Mill