

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 19, 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

- 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

1. **Steve & Allison Bartolotta.** (app# 2200043) 900-270-2-46 Hampton Bays
16 Palo Alto Drive Helene
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for a principal front yard setback of 35.3 feet where 40 feet is required for a proposed 1-story dwelling and any other relief necessary.

NEW APPLICATIONS

SCTM – HAMLET

2. **1737 Millstone Road** (app# 2200044) Michael 900-13-1-72.2 Noyac
1737 Millstone Road
Applicant requests relief from Town Code §330-11 (Residence Districts Table of Use Regulations) for a principal rear yard setback of 62' where 100' is required on a nonconforming lot and any other relief necessary.
3. **DIMAX Realty, LP** (app# 2200046) Keith 900-188-1-1.2 Hampton Bays
63 Newtown 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 allow an expansion of a nonconforming use as follows: (i) to permit the relocation of an existing barn and to allow the conversion of said barn into a cottage without cooking facilities; and (ii) to permit a proposed 2,943 square foot 2nd story addition to an existing 1-story frame residence and any other relief necessary.

NEW APPLICATIONS (continued)

SCTM – HAMLET

4. **Janet Zimmerman** (app# 2200041) Robert 900-369-1-21 Remsenburg/Speonk
44 Mill Road
Applicant requests relief from the following provisions of the Town Code: 1. §330-84D (Pyramid/Height) for a total pyramid encroachment of 123 cubic feet to legalize a 2nd story addition to an existing dwelling without the benefit of a building permit; and 2. §330-11 (Residential Table of Dimensional Regulations) for a principal rear yard setback of 50.3 feet where 60 is required to legalize a second story deck addition to an existing dwelling without the benefit of a building permit on a nonconforming lot and any other relief necessary.
5. **Donald Bouchard and Deborah Bouchard** (app# 2200042) 900-341-1-93 East Quogue
14 Jackson Avenue Susan
Applicant requests relief from Town Code §330-77D (Placement of accessory buildings, structures and uses in residence districts) for a rear yard coverage of 29.2% where a maximum of 20% is permitted for a proposed swimming pool on a nonconforming lot and any other relief necessary.

READVERTISED APPLICATIONS

SCTM – HAMLET

6. **110 Guyer, LLC** (app# 2200020) Robert 900-49-1-3.3 Bridgehampton
110 Guyer Road
Applicant requests relief from the following provisions of the Town Code for a proposed 55' x 114' tennis court: (i) §330-11 (residential districts table of dimensional regulations) for an accessory distance from street (front yard) setback of 45 feet where 90 feet is required and an accessory side yard setback of 22.5 feet where 30 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 tennis court to be located within the required front yard and the required minimum side yard for the principal building and any other relief necessary.

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 02/03/22 meeting; adjourned from 04/07/22 meeting:

7. **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.

HOLDOVER APPLICATIONS (continued)

SCTM – HAMLET

Held over from the 02/03/22 meeting; and adjourned from the 03/17/22 meeting; held over from the 04/07/22 meeting:

8. **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.

Held over from the 01/20/22 meeting; and adjourned from the 03/17/22 and the 04/21/22 meeting:

9. **9-11 Flanders Road, LLC** (app# 2100148) Adam 900-138-2-31 & 32 Riverside
9 & 11 Flanders Road
Applicant requests an interpretation that the proposed 3,024 square foot convenience store is a customary accessory use to the proposed gasoline station at the subject premises or relief from §330-167 (Special Types of Variances) and §330-31B (Maximum number of uses) for an use variance. In addition, applicant requests relief from the following provisions of the Town Code: 1. For the proposed Gas Station on a nonconforming lot: (i)§330-34 (Business Districts Table of Dimensional Regulations) for a principal front yard setback of 30.6' (Flanders Rd) 39.9' (Riverleigh Ave) where 50' is required; (ii) §330-132A (Filling Station) to allow a lot area less than 40,000 sq. ft, and a frontage of less than 200' along a collector street and secondary highway; (iii) §330-132B (Filling station) for a distance of 320' (Peconic River) where 500' is required; (iv) §330-132E for pumps to be located 39.8' from Flanders Road and 49.1' from Riverleigh Avenue and where a distance of 50' is required; (i) §330-83H (Yards) for off street parking in front yard (Riverleigh Ave. and Flanders Rd); 2. For the proposed Grocery store: (i)§330-34 (Business Districts Table of Dimensional Regulations) for a principal rear yard setback of 39.1' where 50' is required; (ii) for a principal side yard setback of 10' where 50' is required; (ii) §330-84 (Pyramid) an encroachment of 3,109.6 cubic feet on the South side of the property; (iii) §330-33 (Business Districts Table of Use Regulations) for a proposed convenience store use that is not permitted under HB zoning district; 3. For the proposed gas station and convenience grocery store (i) §330-95 (Scheduled of Off-Street Parking Space Requirements for Nonresidential Uses) a proposed total of 36 parking stalls where a total 55 is required (29 parking spaces required for the 6 pumps and 31 for the grocery store); (ii) §330-99G (Design requirements for nonresidential parking and truck loading areas) a total of 2 handicap spaces where 3 handicap spaces are required; §330-103 (Corner Clearance) for proposed parking within 50' from the intersection of Flanders Road and Riverleigh Avenue; 4. §330-83H (1) (Yards) to allow off street parking to be located in the required front yard where off-street parking areas are not permitted within the 50 foot minimum required front yard; 5. For a proposed monument sign: (i) §330-206B (Zoning districts) and §330-205B (5) (General provisions) for a 48sq ft sign where 32 sq ft is permitted; (ii) §330-205B (1) to be located on a property where part of the building has a front set back of less than 40'; (iii) §330-207 (A) (Illuminated signs) for an internally illuminated LED price sign where only opaque

HOLDOVER APPLICATIONS (continued)

SCTM – HAMLET

9-11 Flanders Road, LLC (continued)

background, translucent letters and symbols and white light sources is permitted; (iv) §330-210.1 (C) (Miscellaneous provisions) for a sign exceeding the required three colors; 6. For proposed wall signs: (i) §330-205A for two addition signs located on the North and East Side of the canopy where only one wall sign facing the street is allowed; (ii) §330-210.1(C) for a sign exceeding the required three colors and any other relief necessary.

Held over from the 05/05/22 meeting:

10. 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.

DECISIONS

DATE CLOSED

SCTM – HAMLET

The Colonel’s Way, LLC (written submissions by May 6 th)	Robert	04/21/22	900-60-3-14.2 North Sea
MM Maria Mendelsohn Realty, LL (written submissions by May 6 th)	Michael	04/21/22	900-11-1-18.9 Noyack
Chandler Capital, LLC (written submissions by May 6 th)	Susan	04/21/22	900-105-1-17.14 Bridgehampton
Freda Realty Holdings, LLC (written submissions by May 6 th)	Keith	04/21/22	900-160-3-25.8 Water Mill
Third Garden Park Limited Partnership (written submissions by May 6 th)	Adam	04/21/22	900-289-2-9 & 900-251-1-3 East Quogue
Atlantic Golf Club, Inc. (Maryann Gabriele, et al – applicants) (written submissions from Brian Matthews and public by May 4 th)		01/20/22	900-49-1-7.1 Bridgehampton

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Public Hearing Agenda
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<u>DECISIONS (continued)</u>		<u>DATE CLOSED</u>	<u>SCTM – HAMLET</u>	
153 Herricks, LLC (written submissions by April 22 nd)	Adam	04/07/22	900-123-3-36	Flanders
Carleton Gibson and Kaia Heimarck (written submissions by April 8 th)	Helene	03/17/22	900-92-3-13	North Sea