

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
June 2, 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

- 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

NEW APPLICATIONS

SCTM – HAMLET

- Farrell CIT Buildco LLC** (app# 2200047) Robert 900-134-2-32 Bridgehampton
201 Jobs Lane
Applicant requests relief from Town Code: 1. For a proposed spa on a nonconforming lot: §330-11 (Residence Districts Table of Dimensional Regulations) a proposed front yard setback of 82.4' where 90' is required; and 2. For a proposed tennis court: (i) §330-11 a proposed front yard setback of 83.5' where 90' is required and (ii) §330-77D (placement of accessory building, structures and uses in residence districts) for a proposed required rear yard coverage of 42.11% where 20% is required and any other relief necessary.
- 87 Foster Ave, LLC** (app# 2200048) Helene 900-374-2-6 Hampton Bays
87 Foster Avenue
Applicant requests relief from the following provisions of the Town Code a proposed in-ground swimming pool: (i) §330-34 (business districts table of dimensional regulations) for an accessory distance from street setback (front yard) of 32 feet from Lighthouse Road (north property line) where 60 feet is required and an accessory distance from street setback (front yard) of 50 feet from Foster Avenue (east property line) where 60 feet is required and (ii) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the swimming pool to be located within the required front yard for the principal building on a nonconforming lot and any other relief necessary.

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NEW APPLICATIONS (continued)

SCTM – HAMLET

3. **Jonathan Martin** (app# 2200049) Michael 900-31-1-66.7 North Sea
37 Lake Drive
Applicant requests relief from Town Code §330-84D (Height/Pyramid) for a pyramid encroachment of 4,261 cubic feet (2,709 cu. ft. on the S/E side of the property and 1,552 cu. ft. on the S/W side of the property) for a proposed two-story dwelling on a nonconforming lot and any other relief necessary.
4. **Glover, LLC** (app# 220050) Keith 900-110-1-1 North Sea
374 West Neck Road
Applicant requests relief from the following provisions of the Town Code: 1. For the proposed dwelling: (i) §330-115C (continuance) for a minimum required side yard setback of 10' where 15' was pre-existing and (ii) §330-84D (Pyramid/Height) for a total encroachment of 3,398 cubic feet (2,528 cubic feet on S/E and 870 cubic feet on N. Side); 2. For unroofed steps: §330-83(C)(Yards) to allow unroofed steps to be located within the minimum required side yard for the principal building; 3. For a proposed swimming pool: (i) §330-11 (Residential Districts Table of Dimensional Regulations) for an accessory front yard setback of 12.4' from the northerly property line (West Neck Road) where 90' is required and an accessory front yard setback of 51.7' from the westerly property line (West Neck Harbor) where 90' is required; and (ii) §330-76D (Placement of accessory buildings, structures and uses in all districts) and §330-83 (C) (Yards) to allow the proposed swimming pool to be located within the required front yard on a nonconforming lot and any other relief necessary.
5. **Ryan Nivakoff** (app# 2200051) Robert 900-104-1-24.1 Bridgehampton
678 Halsey Lane
Applicant requests relief from the following provisions of the Town Code for a proposed accessory building (one-story studio w/finished basement): (i) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the proposed accessory building to be located within the total required side yard for the principal building and (ii) §330-83C (yards) to allow the roof overhang of the accessory building to be 3.3' where a maximum of 18 inches is permitted and any other relief necessary.
6. **Daniel Baranovsky** (app# 2200052) Helene 900-77-5-33.8 North Sea
3 Hannah's Court. North Sea.
Applicant requests relief from the following provision of the Town Code for a proposed sports court: 1. §330-11 (Residence Districts Table of Dimensional Regulations): (i) for an accessory front yard setback of 20.5' where 70' is required and (ii) an accessory side yard setback of 10.5' where 20' is required; and 2. §330-76 D (Placement of accessory buildings, structures and uses in all districts) and §330-83C (Yards) to allow the sports court to be located within the required front yard and the required minimum side yard for the principal building 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 02/17/22 and the 06/02/22 meeting:

7. **Blessing Fields LLC** (app# 2200007) Adam 900-222-1-12 Hampton Bays
163 West Montauk Highway
Applicant requests relief from the following provisions of the Town Code: 1. For a proposed Office Building: (i) §330-115C (Continuance) for a minimum side yard setback of 10' where 10.96' was existing; (ii) §330-84D (Pyramid/Height) for a pyramid encroachment of 4,755 cubic feet on the West side of the property; and 2. For a proposed General Trade building: §330-115D(1) for a minimum side yard setback of 10' where 11.84' is required; and (ii) §330-84D (Pyramid/Height) for a pyramid encroachment of 14,107 cubic feet and any other relief necessary.

Held over from the 05/05/22 meeting:

8. **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.

Held over from the 03/17/22 and the 05/05/22 meeting:

9. **192 Hampton Bays Realty LLC.** (app# 2200016) Keith 900-221-3-17 Hampton Bays
192 West Montauk Highway
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.

HOLDOVER APPLICATIONS (continued)

SCTM – HAMLET

Held over from the 05.19.22 meeting:

10. **1737 Millstone, LLC** (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.

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 and the 05/05/22 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, 12/16/21, 02/03/22 and the 03/03/22 meeting; Held over from the 03/17/22 and the 05/05/22 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, 12/16/21, 02/03/22 and the 03/03/22 meeting; Held over from the 03/17/22 and the 05/05/22 meeting:

13. **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

SCTM – HAMLET

14. **Scott Schlachter** Susan 900-24-1-49 Noyac
 7 Standford Court
 Applicant request relief from the following provisions of the Town Code for a proposed second story deck on a nonconforming lot: 1. §330-115D(3) (continuance): (i) for a principal front yard setback of 44.6' where 50' is permitted and (ii) a principal minimum side yard setback of 14.6' where 15' is permitted; and 2. §330-84D (pyramid) for an encroachment on the north side of the property of 112 cubic feet and any other relief necessary. This application was re-opened on May 5, 2022 and held over to hear further testimony.

DECISIONS

DATE CLOSED

SCTM – HAMLET

Adios Holdings, LLC (written submissions by May 9 th)	Michael	03/17/22	900-10-1-11	Noyac
Jean Marc Chaillan & Juraci da Silva (written submissions by May 20 th)	Robert	05/05/22	900-231-3-27	Hampton Bays
Trustees of the Adria Alpert Romm Revocable Trust (written submissions by May 20 th)	Michael	05/05/22	900-210-1-58	Shinnecock Hills
Marc House Developers (written submissions by May 20 th)	Helene	05/05/22	900-234-1-15	Shinnecock Hills
Nicholas & Luz Kardaras (written submissions by May 20 th)		05/05/22	900-26-1-86	Sag Harbor
Three Sticks Q, LLC (written submissions by May 20 th)	Susan	05/05/22	900-117-1-11	Bridgethampton

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<u>DECISIONS (continued)</u>		<u>DATE CLOSED</u>	<u>SCTM – HAMLET</u>	
1240 Ocean, LLC (written submission from David Gilmartin Jr. by May 13 th and from Michael Walsh by May 20 th)	Michael	05/05/22	900-134-4-29.9	Bridgehampton
William Owen & Neil Owen (written submissions by May 20 th)	Adam	05/05/22	900-77-3-40	North Sea
Blades of Grass, LLC (written submissions by May 20 th)	Keith	05/05/22	900-87-3-10.6	Bridgehampton
White Banana, LLC (written submissions by May 20 th)	Susan	05/05/22	900-34-2-24.1	North Sea
The Colonel's Way, LLC (written submissions by May 6 th)	Robert	04/21/22	900-60-3-14.2	North Sea