

# TOWN OF SOUTHAMPTON

**CHAIRPERSON**  
ADAM GROSSMAN

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



**VICE-CHAIRPERSON**  
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## ***PRELIMINARY AGENDA – NOT OFFICIAL***

**SOUTHAMPTON TOWN ZONING BOARD OF APPEALS**  
**PUBLIC HEARING AGENDA**  
**June 20, 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](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.  | <b>Robert Haar</b><br>29 Jobs Lane | Keith | 900-134-2-25.4 | Bridgehampton |
| Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for a principal front yard setback of 75.9 feet where 80 feet is required for a proposed covered porch addition to the existing dwelling on a nonconforming lot and any other relief necessary. |                                    |       |                |               |

### **NEW APPLICATIONS**

### **SCTM – HAMLET**

- |   |   |       |                |           |
|---|---|-------|----------------|-----------|
| 2.  | <b>North Sea Mecox, LLC</b><br>636 North Sea Mecox Road | Jason | 900-132-2-15.2 | North Sea |
| Applicant requests relief from Town Code §330-77D (placement of accessory buildings, structures and uses in residence districts) for a proposed rear yard coverage of 29.3% where a maximum of 20% is permitted for the location of the proposed tennis court and any other relief necessary. |   |       |                |           |

**NEW APPLICATIONS (continued)**

**SCTM – HAMLET**

3. **27 Dune, LLC** Brian 900-386-2-2 East Quogue  
27 Dune Road  
Applicant requests relief from the following provisions of the Town Code: 1) Section 330-46.2B(4) (adjacent areas) for a proposed total side yard setback of 22.52 feet for the construction of a shed, outdoor shower, deck, pool and spa on a nonconforming lot where a total side yard setback of 28.80 feet is required (the total required side yards of the principle building shall at a minimum constitute 40% of the lot width); and 2). Section 330-46.2B(4)(b) for a proposed minimum side yard setback of 11 feet from the easterly lot line for the construction of a shed, outdoor shower, deck, and spa and a proposed minimum side yard setback of 10 feet from the westerly lot line for the construction of swimming pool where the minimum required side yard setback for each side shall be 11.52 feet (the minimum side yard for the principle building (including attached decking and porches) for each side shall be the lesser of 20% of lot width or 20 feet) and any other relief necessary.
  
4. **Estate of May C. Wilson** Adam 900-99-3-7 North Sea  
18 Whitfield Road  
Applicant requests a determination that the subject parcel SCTM# 900-99-3-7 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.
  
5. **Michael Farkas & Lauren Farkas** Helene 900-265-5-31 Hampton Bays  
13 Kyle Road  
Applicant requests relief from Town Code §330-115C (continuance) for a principal front yard setback of 25.6 feet where 29.9 feet is existing for a proposed mudroom and a total side yard setback of 40.3 feet where 42.2 feet is existing for a proposed one-story addition to the existing dwelling on a nonconforming lot and any other relief necessary.
  
6. **Maria C. Del Rosso** Keith 900-176-1-3.2 Shinnecock Hills  
87 Inlet Road West  
Applicant requests relief from the following provisions of the Town Code: 1. To legalize an existing deck on grade constructed without the benefit of a building permit: (i) §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of zero feet where 10 feet is required and (ii) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the deck to remain within the required minimum and total side yard of the principal building; 2. To legalize a shed constructed without the benefit of a building permit: (i) §330-11 for an accessory side yard setback of 0.5 feet where 10 feet is required, (ii) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the shed to remain within the required minimum and total side yard of the principal building, and (iii) §330-84D (pyramid height) for an encroachment in the amount of 336 cubic feet; 3. To legalize an outdoor shower constructed without the benefit of a building permit: (i) §330-11 for an accessory side yard setback of 0.5' +/- feet where 10 feet is required, (ii) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the outdoor shower to remain within the required minimum and total side yard of the principal building, and (iii) §330-84D for an encroachment in the amount of 223 cubic feet; 4. For a proposed addition to the southeast corner of the existing dwelling; §330-84D for a proposed encroachment in the amount of 680 cubic feet; 5. For a proposed addition to the southwest corner of the existing dwelling: §330-84D for a proposed encroachment in the amount of 1,960 cubic feet; and 6. For a proposed covered porch: §330-115C (continuance) for a principal rear yard setback of 8.3 feet where 14.3 feet is existing on a nonconforming lot and any other relief necessary.

**NEW APPLICATIONS (continued)**

**SCTM – HAMLET**

7. **JJ 2015, LLC** Brian 900-10-1-94.5 Noyac  
7 Rawson Road  
Applicant requests relief from the following provisions of the Town Code to legalize a swimming pool constructed without the benefit of a building permit: (i) §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 5.3 feet where 20 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 remain within the required minimum and total side yard of the principal building and any other relief necessary.
8. **Joseph F. Ceravolo** Adam 900-259-2-12 Hampton Bays  
9 Corwin Lane  
Applicant requests a determination that the subject parcel SCTM# 900-259-2-12 is held in single and separate ownership from all adjacent parcels and thus entitled to relief pursuant to §330-115D. In addition, applicant requests relief from the following provisions of the Town Code for the proposed two-story dwelling: (i) §330-11 (residential districts table of dimensional regulations) for a principal front yard setback of 49.8 feet where 60 feet is required, (ii) §330-84D (pyramid height) for a proposed encroachment in the amount of 1,379 cubic feet, (iii) §330-83A(4) to allow the first and second floor decks that are higher than one foot above ground level to be located in the required front yard, and (iv) §330-83D to allow the stairway (steps) on the northerly side of the proposed deck to be located in the side yard at a setback of 11.9 feet where a setback of 12 feet is required and the stairway (steps) leading up to the covered porch to be located in the side yard at a setback of 11.9 feet where a setback of 12 feet is required on a nonconforming lot 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 schedule for this meeting

**HOLDOVER APPLICATIONS**

**SCTM – HAMLET**

**Held over from the 9/20/18 meeting; adjourned from 10/18/18, 12/6/18, 1/17/19 and the 2/21/19 meeting:**

9. **Martin Pepa** (appl. 1800117) Michael 900-133-1-19.1 Water Mill  
357 Montauk Highway  
Applicant requests relief from Town Code §330-76A (placement of accessory buildings, structures and uses in all districts) to legalize the construction of a roof over an existing deck to be located 1'-8.5" from the main building where a distance of 5 feet is required on a nonconforming lot and any other relief necessary.

**HOLDOVER APPLICATIONS (continued)**

**SCTM – HAMLET**

**Held over from the 11/1/18 and 12/6/18 meeting and adjourned from the 1/17/19, 2/21/19 and the 4/4/19 meeting:**

10. **Scuttlebutt Farms Land, LLC** (appl. 1800134) 900-50-1-9.1 Bridgehampton  
1 Scuttlebutt 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.

**Adjourned from the 10/4/18, 11/15/18, 1/3/19, 2/21/19, 3/21/19 and 04/18/19 meeting:**

11. **106 Cold Spring Point LLC** (Cathleen Buckley & Anthony Aufiero – Applicants).  
(appl. 1800120) 106 Cold Spring Point Road Cornelius 900-155-1-30 Tuckahoe  
Applicants appeal the issuance of Building Permit #P079933, dated June 20, 2018 in that said permit was issued without a variance for the proposed concrete retaining wall and any other relief necessary.

**Held over from the 7/5/18 meeting; adjourned from the 9/20/18 and the 11/15/18 meeting; Re-Opened 3/7/19; adjourned from the 3/7/19, 3/21/19 and the 04/18/19 meeting; held over from the 5/16/19 meeting:**

12. **KAARP Management Group, LLC** (appl. 1800076) 900-346-1-10 Hampton Bays  
17 Ludlow Lane Helene  
Applicant requests relief from the following provisions of the Town Code for the location of a proposed swimming pool: (i) 330-115D(3) (continuance) for an accessory front yard setback of 14 feet from Ludlow Lane where 50 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 within the required front yard on a nonconforming lot and any other relief necessary. This application has been re-opened for further discussion as requested by the owner.

**Held over from the 6/6/19 meeting:**

13. **The Patricia A. Bencardino Trust** Michael 900-33-1-80 North Sea  
88 Peconic Hills Drive  
On May 20, 1999 by decision number D10344, this Board granted the applicant a rear yard coverage of 24% for a proposed tennis court. By letter dated May 13, 2019, Kieran Pape Murphree, attorney for the applicant, submitted a letter requesting that said decision be modified to correct an error with respect to the rear yard coverage calculation.

**Southampton Town Zoning Board of Appeals  
Public Hearing Agenda  
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<b><u>DECISIONS</u></b>		<b><u>DATE CLOSED</u></b>	<b><u>SCTM – HAMLET</u></b>	
Melissa Schnapp Revocable Trust (written submissions)	Keith	05/16/19	900-345-1-1	Hampton Bays
Maria & Michael Rothstein (written submissions)	Helene	05/16/19	900-345-2-1	Hampton Bays
Tiana Bay Apartments Owners, Inc. (written submissions)	Brian	06/06/19	900-320-1-9.1	Hampton Bays
Dean Isidro (written submissions)	Michael	06/06/19	900-26-1-45	Sag Harbor
Ethel Wanser (Doris Bagley, Fiduciary)	Cornelius	06/06/19	900-23-1-6	Noyac
Ethel Wanser (Doris Bagley, Fiduciary)	Cornelius	06/06/19	900-23-1-14	Noyac
Theresa McNamara (written submissions)	Keith	06/06/19	900-260-1-38	Hampton Bays
Anthony & Deborah Tarsitano (written submissions)	Brian	06/06/19	900-26-2-97.1	Bridgehampton
Robert Danker & Maude Davis	Jason	06/06/19	900-60-3-16.1	North Seas
Ira & Linda Freiband (written submissions)	Adam	06/06/19	900-173-2-6.9	Hampton Bays
William Perino	Cornelius	06/0619	900-123-3-19	Flanders
180 Pointe Mecox, LLC	Adam	06/06/19	900-134-1-56.	Brigehampton
625 Butter Lane Homestead, LLC (written submissions)	Brian	03/21/19	900-51-1-17.7	Bridgehampton
Sean King (written submissions)	Brian	05/02/19	900-65-2-3.55	Water Mill
Francesca Carolyn Abbracciamento	Michael	05/16/19	900-5-5-26	Noyac