

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
April 7, 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 for this meeting

NEW APPLICATIONS

SCTM – HAMLET

- Virginia Coughlin** (app# 2200022) Michael 900-5-3-15 Noyac
161 Noyack Avenue
Applicant requests relief from Town Code §330-84D (Height/Pyramid) for a total pyramid encroachment in the amount of 848 cubic feet (424 cubic feet on the West and East side of the property) for a proposed two-story dwelling on a nonconforming lot and any other relief necessary.
- 153 Herricks, LLC.** (app# 2200023) Adam 900-123-3-36 Flanders
24 Moon Avenue
Applicant requests relief from the following provisions of the Town Code for a proposed two-story dwelling on a nonconforming lot: (i) §330-84D (Height/Pyramid) for a pyramid encroachment of 3,520 cubic feet (1,760 cub. feet at each side) and (ii) §330-11 (residence districts table of dimensional regulations) for a total lot coverage of 29% where a 20% maximum is permitted and any other relief necessary.
- 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.

NEW APPLICATIONS (continued)

SCTM – HAMLET

4. **Skyhampton, LLC.** (app# 2200025) Robert 900-129-2-17.1 Tuckahoe
200 North Magee Street
Applicant requests relief from the following provisions of the Town Code for a proposed two-lot subdivision: 1. For proposed Lot 1: (i) §330-11 (residential districts table of dimensional regulations) for a proposed lot width of 129.73 feet where 150 feet is required and (ii) §330-77D (placement of accessory buildings structures and uses in residence districts) for a rear yard coverage of 23.6% where a maximum of 20% is permitted; and 2. For proposed Lot 2: (i) §330-11 for a proposed lot width of 144.73 feet where 150 feet is required and (ii) §330-82 (lot width) for a proposed flag-pole width of 15.64 feet where a minimum of 20 feet is required and any other relief necessary.

5. **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.

6. **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.

READVERTISED APPLICATIONS

SCTM – HAMLET

Re-advertised from the 01.06.22 meeting:

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).

8. **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

READVERTISED APPLICATIONS (continued)

SCTM – HAMLET

110 Guyer, LLC (app# 2200020) (continued)

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

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

10. **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.

Held over from the 02/17/22 meeting:

11. **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.

HOLDOVER APPLICATIONS (continued)

SCTM – HAMLET

SEORA RESOLUTION – Lead Agency

Blessing Fields, LLC (app# 2200007) Adam 900-222-1-12 Hampton Bays

Motion: _____ In Favor: _____ Abstained: _____

2nd: _____ Opposed: _____

Held over from the 10/07/21 meeting; adjourned from the 11/18/21 meeting; held over from the 12/02/21, 02/03/22, and the 02/17/22 meeting:

12. **Dilip Patel & Sabjhit Kaur Dhillon** (app# 2100107) 900-31-1-3.2 North Sea
147 Edgemere Drive ~~Brian~~

Applicant requests relief from the following provisions of the Town Code for a proposed two-story addition to the existing dwelling on a nonconforming lot: (i) §330-115C (continuance) for a principal total side yard setback of 24.9 feet where 40.5 is existing and (ii) §330-84D (pyramid height) for an encroachment in the amount of (+/-) 1,303.62 cubic feet (663.5 proposed on the east side + 640.12 existing on the west side) and any other relief necessary.

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

13. **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.

SEORA RESOLUTION – Lead Agency

Kim R. Lester (app# 2200006) Adam 900-323-5-9 Hampton Bays

Motion: _____ In Favor: _____ Abstained: _____

2nd: _____ Opposed: _____

Southampton Town Zoning Board of Appeals
Public Hearing Agenda
April 7, 2022
Page 5 of 6

MODIFICATION REQUEST

SCTM – HAMLET

14. **Robert Raphael** (app# 2200028) Cornelius 900-391-2-28 Westhampton
 639 Dune Road
 On March 4, 2021, by decision number D021020, this Board granted variance relief for the construction of a pool fence and a second floor deck landward of the crest of the dune. A written submission was received by this Board on February 24, 2002, requesting that ZBA decision #D021020 be modified to include any and all necessary variance relief for a proposed BBQ w/Outdoor Kitchen. Variance relief from the following provisions of the Town Code are required for said BBQ w/Outdoor Kitchen: (i) §330-46.2(B)(1) (Adjacent Areas) to allow the BBQ w/Outdoor Kitchen to be located 100 feet +/- from the crest of the dune where a setback of 125 feet is required; (ii) §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 10.45 feet where 20 feet is required and (iii) §330-76D (placement accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the BBQ w/Outdoor Kitchen to be located within the minimum and total side yard for the principal building.

AMENDED DECISION

SCTM – HAMLET

15. **Kenneth Seiff and Nicole Kule Seiff** Adam 900-70-2-36 Bridgehampton
 191 Bridgehampton Sag Harbor Turnpike
 On March 3, 2022, by decision number D022023, this Board granted relief to allow the conversion of the current primary residence into an accessory building and to allow the conversion of the one and a half story building into a single-family residence. In addition, this Board found that the proposed accessory building, is a subordinate or incidental building pursuant to Town Code §330-5. This decision is being amended to correct a scrivener’s error, to wit, the revised date of the survey.

DECISIONS

DATE CLOSED

SCTM – HAMLET

Stephan & Mana Siciliano (written submissions by March 18 th)	Susan	03/03/22	900-5-3-38	Noyac
95 Inlet Road West, LLC (written submissions by Oct. 1 st)	Helene	09/16/21	900-176-1-1	Shinnecock Hills
Timothy Shannon & Maritess Manaluz (written submissions by March 4 th)	Michael	02/17/22	900-62-1-30.1	North Sea
2 Tents, LLC (written submissions by March 4 th)	Helene	02/17/22	900-230-1-27.1	Hampton Bays
NYCELEX Real Estate Holdings Development Corp. (written submissions by July 29 th)	Cornelius	07/01/21	900-349-2-24	Eastport

**Southampton Town Zoning Board of Appeals
Public Hearing Agenda
April 7, 2022
Page 6 of 6**

<u>DECISIONS (continued)</u>		<u>DATE CLOSED</u>	<u>SCTM – HAMLET</u>	
Scott Schlachter (written submissions by July 29 th)	Susan	07/15/21	900-24-1-49	Noyac
Grant Werner (Bret and David Moore – Applicants) (written submissions by Jan. 21 st)		01/06/22	900-351-2-23	Eastport