

# TOWN OF SOUTHAMPTON

CHAIRPERSON  
ADAM GROSSMAN

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 17, 2018

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. **Brook Morrow** (appl. 1800047) Adam 900-29-4-5.1 Noyac  
4 Julianna Way  
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for a principal rear yard setback of 64.4 feet where 70 feet is required for a proposed extension of an existing 2<sup>nd</sup> floor deck attached to rear of the main dwelling and any other relief necessary.
2. **Peter & Erin Finelli** (appl. 1800048) Helene 900-43-1-70.1 North Sea  
31 Wooley's Drive  
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for an accessory front yard setback of 43.53 feet where 50 feet is required for a proposed addition to an existing detached garage and any other relief necessary.

### **NEW APPLICATIONS**

### **SCTM - HAMLET**

3. **289 Noyack Road, Lot #1, LLC** (appl. 1800049) Keith 900-60-3-9.1 North Sea  
289 Noyack Road  
Applicant requests relief from the following provisions of the Town Code: (i) §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 3.3 feet where 20 feet is required for the proposed swimming pool and (ii) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the proposed pervious paver patio to be located within the required minimum side yard for the principal building and any other relief necessary.

**NEW APPLICATIONS - Continued**

**SCTM – HAMLET**

4. **309 Noyak Road, Lot #2, LLC** (appl. 1800050) Helene 900-60-3-9.2 North Sea  
309 Noyack Road  
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for an accessory rear yard setback of 8.7 feet where 20 feet is required for proposed swimming pool and any other relief necessary.
  
5. **Randall Apt** (appl. 1800052) Cornelius 900-70-2-14 Bridgehampton  
78 Narrow Lane  
Applicant requests relief from Town Code §330-84D (pyramid height) for a proposed encroachment in the amount of 960 cubic feet to legalize the location of an existing dwelling on a nonconforming lot and any other relief necessary.
  
6. **Rodney Parrish** (appl. 1800051) Brian 900-96-2-46 North Sea  
873 Majors Path  
Applicant requests relief from the following provisions of the Town Code to permit the conversion of an existing one-story studio into an accessory on a nonconforming lot: 1. §330-11.2F (accessory apartment special standards): (i) to allow the proposed accessory apartment to be located on a parcel that has a lot area of less than 30,000 square feet, (ii) for a lot area of 15,448 square feet where 16,000 square feet is required (80% of 20,000 sq ft), (iii) for a lot width of 74 feet +/- where 84 feet is required (70% of 120 feet), and (iv) for an accessory side yard setback of 0.2 feet where 7 feet is required (70% of 10 feet). In addition, applicant requests relief from Town Code §330-11.2G(1) to allow the proposed accessory apartment to be 55.2% +/- of the total floor area of the main dwelling where a maximum of 35% is permitted and any other relief necessary.
  
7. **865 North Sea Mecox Investor, LLC** (appl. 1800053) Adam 900-113-1-10 Water Mill  
865 North Sea Mecox Road  
Applicant requests a determination that the subject parcel SCTM# 900-113-1-10 is held in single and separate ownership from all adjacent parcels and thus entitled to relief pursuant to §330-115D. If the Board does not find the subject parcel to be a single and separate parcel, then, the applicant requests the following relief from Town Code §330-11 (residential districts table of dimensional regulations) for a proposed two-story dwelling on a nonconforming lot: (i) a proposed lot coverage of 14.5% where 10% is required and (ii) a rear yard setback of 85.9 feet where 100 feet is required and any other relief necessary.

**READVERTISED APPLICATIONS**

**SCTM – HAMLET**

8. **Estate of James Mairs, et al.** (appl. 1800037) Jason 900-357-2-3 & 6 Westhampton  
6 & 8 Baycrest Avenue  
Applicant requests the following relief from Town Code §330-11 (residential districts table of dimensional regulations) for a proposed lot line modification: (i) a lot width of 84.76 feet where 120 feet is required for Lot 1, (ii) a lot area of 11,939 square feet where 20,000 square feet is required for Lot 1, and (iii) a lot area of 19,011 square where 20,000 square feet is required for Lot 2. In addition, applicant requests relief from the following provisions of the Town Code) to legalize the location of a shed constructed on proposed Lot #1 without the benefit of a building permit: (i) §330-11 for an accessory side yard setback of 2.7 feet where 10 feet is and an accessory rear yard setback of 5.6 feet where 10 feet is required and (ii) §330-84D (pyramid height) and any other relief necessary.

**READVERTISED APPLICATIONS - Continued**

**SCTM – HAMLET**

9. **Unlimited Earth Care of Bridgehampton, LLC** (appl. 1700057) 900-53-1-19.1 & 900-53-1-85  
1004 Bridgehampton-Sag Harbor Turnpike and 2247 Scuttle Hole Road Bridgehampton  
Adam

Applicant requests a determination regarding the pre-existing use of both parcels for car storage use. Additionally, applicant seeks to merge the parcels and change from one nonconforming use (car storage) to another nonconforming use (landscape design and maintenance) pursuant to Town Code §330-167(B)(3) (specific types of variances). Applicant also requests relief from Town Code §330-109A(1) (fences, walls, accessory driveway structures, and clotheslines) to allow a 6 foot high fence to be constructed within the required front yard and any other relief necessary.

**NEW - ADJOURNED APPLICATIONS**

**SCTM – HAMLET**

**Adjourned from the 02/15/18 and the 3/15/18 meeting:**

10. **Sheri Morgen David and Lawrence H. David** (appl. 1800003)  
446 Cobb Road Brian 900-114-2-17 Water Mill  
Applicant requests relief from the following provisions of the Town Code to legalize an arbor constructed over a patio without the benefit of a building permit on a nonconforming lot: (i) §330-115(D)(5) (continuance) for accessory side yard setbacks of 5.5 feet (northwest corner) and 4.4 feet (northeast corner) and accessory rear yard setbacks of 4.5 feet (northeast corner) and 6.9 feet (southeast corner) and (ii) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C(yards) to allow a portion of the arbor over patio to remain within the minimum and total side yard of the principal building. In addition, applicant requests relief from Town Code §330-77A (placement of accessory buildings, structures and uses in residence districts) to legalize portions of the parking area located in the required front yard that will accommodate accessory off-street parking spaces in addition to the two required/permitted parking spaces and any other relief necessary.

**Adjourned from the 12/21/17, 2/1/18, 3/1/18 and the 4/5/18 meeting (FINAL Adjournment):**

11. **Muharrem Ozguracg** (appl. 1700166) 900-291-3-31 East Quogue  
17 Birchwood Lane Cornelius  
Applicant requests a determination as to whether or not the proposed building that will house a garage with an accessory apartment above 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. In addition, applicant requests relief from the following provisions of the Town Code for a proposed detached garage with an accessory apartment above on a nonconforming lot: (i) §330-11.2F (accessory apartment special standards) to allow an accessory apartment to be located on a property that is less than 30,000 square feet, and (ii) §330-11.2G(1) to allow the accessory apartment to be 39% of the total floor area of the main dwelling where a maximum of 35% is permitted and any other relief necessary.

**Adjourned from the 5/3/18 meeting:**

12. **John & Maria McKenna** (appl. 1800046) Jason 900-368-2-38.39 Remsenburg  
5 Wisteria Drive  
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for an accessory rear yard setback of 12 feet where 20 feet is required to legalize the location of a gazebo constructed without the benefit of a building permit and any other relief necessary.

**SCOPING SESSION**

**SCTM – HAMLET**

None scheduled for this meeting

**HOLDOVER APPLICATIONS**

**SCTM – HAMLET**

**Held over from the 02/15/18 and the 3/15/18 meeting; adjourned from the 4/19/18 meeting:**

13. **Wesley Barton & Hanna Cho** (appl. 1800014) 900-368-1-5.3 Remsenburg/Speonk  
 188 South Country Road Keith  
 Applicant requests relief from the following provisions of the Town Code: 1. For the proposed swimming pool on a nonconforming lot: (i) §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 4.5 feet from the southerly lot line and an accessory side yard setback of 10.2 feet from the northerly lot line, 2. To legalize a hot tub constructed without the benefit of a building permit: (i) §330-11 for an accessory side yard setback of 5 feet +/- from the southerly lot line and an accessory side yard setback of 17 feet +/- from the northerly lot line, and 3. §330-77D (placement of accessory buildings, structures and uses in residence districts) for a proposed rear yard lot coverage of 22.9% where a maximum of 20% is permitted on a nonconforming lot and any other relief necessary.

**DECISIONS**

**DATE CLOSED**

**SCTM – HAMLET**

Catherine Curtin & Robert W. Hulsmeyer (written submissions from Dennis by 5/3/18 & Neighbors by 5/10/18)	Michael	04/19/18	900-26-2-84	Sag Harbor
Ronnie Knudsen (written submissions)	Keith	04/19/18	900-339-1-8	East Quogue
Nelson Mendez-Lopez (written submissions)	Keith	02/15/18	900-120-3-26	Flanders
Robert Kalimian (written submissions by 02/02/18)	Adam	01/18/18	900-232-3-35	Shinnecock Hills
Richard & Joanne Collins (written submissions)	Adam	05/03/18	900-64-1-4	Water Mill
Jeffrey & Heidi Dorf (written submissions)	Jason	05/03/18	900-299-1-16	Hampton Bays
Sagamore Hamptons, LLC	Helene	05/03/18	900-81-2-25.7	Water Mill
Constantine Rosko	Cornelius	05/03/18	900-159-2-2	Tuckahoe

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**DECISIONS – Continued**

**DATE CLOSED**

**SCTM – HAMLET**

Christine Arlotta  
(written submissions)

Michael 04/19/18

900-81-2-26.3 Water Mill

Jackson Dodds  
(written submissions)

Adam 04/19/18

900-14-1-27.3 Noyac

Thomas O’Keefe  
(written submissions)

Cornelius 04/19/18

900-353-2-42 Westhampton

Salguero Rental Properties, Inc.  
(written submissions)

Adam 04/05/18

900-144-2-66.1 Flanders