



ZONING BOARD OF APPEALS
PUBLIC HEARING – Thursday, July 28, 2022
@ 6pm
VIRTUAL MEETING

A public hearing will be held on Thursday, July 28, 2022 at 6:00 pm via video-conferencing, by the **ZONING BOARD OF APPEALS** of the Incorporated Village of Southampton NY. PLEASE TAKE FURTHER NOTICE, that for as long as the continuing Executive Order of the Governor which allows for virtual meetings remains in effect it is the intention of the members of the Board to appear virtually.

To view the meeting LIVE go to:

<https://www.youtube.com/channel/UCwDidTdhkHXbspR0hkoxH4g>

To submit comments for the Public Record or in relation to a Public Hearing:

Send your comments via e-mail to jallen@southamptonvillage.org by 12 Noon on July 28, 2022

To join the Zoning Board of Appeals meeting via Zoom, you must register in advance.

Please e-mail shvvideonow1@yahoo.com to receive a webinar invitation.

You will be joining as an “attendee” so you will be able to see and hear, but will not be on camera. If you wish to speak or address the board regarding a particular application you need to “raise your hand” and then your status will be changed to allow you to be on screen and heard.

PENDING DECISIONS

1. # 3131 - SMITHTOWN PARTNERS
40 MEADOW LANE
SCTM: 904- 26-1-14

Lot Size 40,055 sq. ft.
Zoning District: R-120

Applicant request relief from Section 116-12E (Pyramid Law) and Section 116-12 (Height) in order to:

1. Pierce the 33° side yard sky plane by an additional 2,830 cu ft. (+32,825 cu. ft. existing) for:
 - a. An east dormer (+1,120 cu. ft.)
 - b. A west dormer (+1,120 cu. ft.)
 - c. An expansion of an existing front gable (+590 cu. ft.); and
2. Increase the maximum height for a narrow lot in a FEMA Special Flood Hazard Area from 30 ft. above base flood elevation (BFE) [EL 46] permitted to 32.2 ft. above BFE [EL 48.2] for two (2) proposed dormers (east and west); and
3. Increase the maximum height for a narrow lot in a FEMA Special Flood Hazard Area from 30 ft. above base flood elevation (BFE) [EL 46] permitted to 37 ft. above BFE [EL 53] for a proposed 3.3 ft. southward expansion of an existing front gable. (37 ft. above BFE [EL 53] existing)

2. #3138 - JAY FITZPATRICK AS APPLICANT

**1. ELM STREET
SCTM – 904-8-1-1**

**Lot Size: 20,378 sq. ft.
Zoning District: VB**

Applicant requests an interpretation pursuant to Section 116-26 (Interpretation) with regard to the following:

- a. Certificate of Occupancy issued February 14, 2000 for subject property for use as a catering hall & kitchen.
- b. Building Permit No. 13241 issued March 3, 2021 for interior alterations for a catering facility.

3. #3140 - CAROLINE & JOSHUA BRANNAN

**122 COOPER'S FARM ROAD
SCTM: 904-2-3-14**

**Lot Size: 20,040 sq. ft.
Zoning District: R-20**

Applicant requests relief from Section 116-17.1 (GFA) in order to:

1. Increase the gross floor area (GFA) from 3,504 sq. ft. maximum to 4,910 sq. ft. (4,778 sq. ft. existing) for a proposed 132 sq. ft. second floor dormer expansion on the east elevation

PENDING CASES:

1. #3133 - MICHAEL & ANNIE FALK

**10 SQUABBLE LANE
SCTM 904-30-1-9**

**Lot Size: 155,699 sq. ft
R-120**

APPLICANT REQUESTS ADJOURNMENT TO AUGUST 25, 2022

Applicant request a wetlands (natural resource) special permit pursuant to 116-19.2 (Wetlands) in order to:

1. Allow regulated activity within the 125 ft. wetland setbacks for landscaping (common reed management).

2. #3134 - MICHAEL & ANNIE FALK

**1. SQUABBLE LANE
SCTM 904-30-1-18.3**

**Lot Size: 111,975 sq. ft
R-120**

APPLICANT REQUESTS ADJOURNMENT TO AUGUST 25, 2022

Applicant request a wetlands (natural resource) special permit pursuant to 116-19.2 (Wetlands) in order to:

1. Allow regulated activity within the 125 ft. wetland setbacks for landscaping (common reed management).

3. **# 3130 - ESTATE OF JANET STEIN**
2 MEADOW LANE **Lot Size 125,959 sq. ft**
SCTM 904-27-1-5 **R-120**
ADJOURNED TO SEPTEMBER 3, 2022

Applicant request a variance from Ch 49 (Coastal Erosion Hazard Area) pursuant to §49-19 order to allow regulated activity south of the Coastal Erosion Hazard Line for:

1. A proposed 2½-story house south of the Coastal Erosion Hazard Line;
and
2. A proposed deck south of the Coastal Erosion Hazard Line;

4. **# 3132 - LEE KRUTER**
370 GREAT PLAINS LANE **Lot Size: 70,785 sq. ft.**
SCTM 904-12-2-4 **Zoning District: R-120**
APPLICANT REQUESTS ADJOURNMENT TO AUGUST 9, 2022

Applicant requests relief from Section 116-11 (Side Yard Setback) in order to:

1. Decrease the west side yard setback from 30 ft. required to 13.5 ft. for a proposed 17'5.5" x 28' 10" pergola; and
2. Decrease the front yard (Great Plains Road) setback from 80 ft. required to a 61.5 ft. for a proposed 4,600 sq. ft. 2-story single family dwelling

Applicant requests a wetlands (natural resource) special permit pursuant to 116-19.2 (Wetlands) in order to:

3. Allow regulated activity within wetland setbacks for:
 - a. A proposed sanitary system to be located setback 128.1 ft. from wetlands where 200 ft. is required. (100.5 ft. existing); and
 - b. A proposed 4,600 sq. ft. 2-story single family dwelling to be located setback 55 ft. from wetlands where 150 ft. is required (34.8 ft. existing); and
 - c. A proposed 17'5.5" x 28'10" pergola to be located set back 114.9 ft. from wetlands where 150 ft. is required; and
 - d. A proposed generator to be located set back 140 ft. from wetlands where 150 ft. is required; and
 - e. A proposed new driveway gate to be located set back 135 ft. from wetlands where 150 ft. is required (140 ft. existing); and
 - f. A proposed new driveway to be located set back 92 ft. from wetlands where 125 ft. is required (85 ft. existing); and
 - g. A proposed drywell to be located set back 65.4 ft. from wetlands where 125 ft. is required; and
 - h. A proposed geothermal well system to be located set back 102 ft. from wetlands where 125 ft. is required.

5. # 3104 - TOWN & VILLAGE OF SOUTHAMPTON
51 POND LANE **Lot Size: 34,970 sq. ft.**
SCTM # 904-14-3-16 **Zoning District: R-20**
ADJOURNED PENDING ARB; SEQRA DETERMINATION
ADOPTED BY PLANNING BOARD

Applicant requests relief from Section 116-9A(b)[1](Accessory Structure Not to Exceed 520 sq. ft.), Section 116-9A(d) (Accessory Structure Not to Exceed 16 ft. In Height), Section 116-9A(3) (Accessory Buildings Not to be Placed Within Front Yard), Section 116-9A(1)(e)(No Cellars in Accessory Buildings) in order to:

1. Increase the maximum size of an accessory structure from 520 sq.ft. permitted to 570 sq. ft.; and
2. Decrease the minimum eastern front yard setback on Pond Lane for an accessory structure from 50 ft. required to 36.9ft.; and
3. Increase the maximum height of an accessory structure from 16 ft. permitted to 24 ft.; and
4. Allow a cellar in an accessory structure for a 570 sq. ft. (15' x 38')
5. Decrease the minimum access driveway from 24 ft. required to 20ft

6. #3137 - JOHN BENNETT AS APPLICANT
85 HILDRETH STREET **Lot Size: 8,277 sq. ft.**
SCTM – 904-5-5-13 **Zoning District: R-7.5**
ADJOURNED PENDING ARB

Applicant requests an interpretation pursuant to Section 116-26 (Interpretation) with regard to the following:

1. Building Inspector Determination dated April 12, 2022 which determined the filed plans for 85 Hildreth Street are conforming with Zoning Ordinance with respect to:
 - A. Homeowner is using the approved extension pursuant to ZBA Case # 3127 for additional living space
 - B. Village Code Section 116-14(M) that requires off-street parking spaces be a minimum of 10 ft. by 18 ft.
 - C. Village Code Section 116-15B (Courts and Spacing of Buildings) that requires an interior court be not less than 15 ft.
2. Building Permit #13303 issued April 16, 2021 for an exterior alteration with respect to Section 116-32B (Procedure for application; public hearings) regarding approval from the Board of Architectural Review and Historic Preservation

NEW CASES:

1. #3141 - KATHLEEN FERRARA
115 FOXHOLLOW LANE
SCTM: 904-1-3-84.18

Lot Size: 27,776 sq. ft.
Zoning District: R-20

APPLICANT REQUESTS ADJOURNMENT TO AUGUST 25, 2022

Applicant requests relief from Section 116-9A (Placement of Accessory Buildings and Uses) in order to:

1. Decrease the minimum setback for a pool to any lot line from 20 ft. required to 15 ft. from the western lot line for a proposed 16' x 32' pool.

Upcoming Meetings:

Tuesday, August 8 @ 6pm

Thursday, August 23 @ 6pm (Submit applications by July 22)

***SUBMISSIONS FOR CARRY OVER CASES MUST BE SUBMITTED BY
NOON THE TUESDAY BEFORE A THURSDAY MEETING or THE
THURSDAY BEFORE A TUESDAY MEETING**