

**PLANNING COMMISSION  
SOUTHAMPTON VILLAGE  
SEPTEMBER 6, 2018**

Due notice having been given, the public hearing of the Planning Commission for the Village of Southampton was held in the Board room of the Municipal Building, 23 Main Street, Southampton, NY on Thursday, September 6, 2018 at 5:00PM.

Chair Paul Travis, Marc Chiffert, Laura Devinney, Robert Essay, Edoardo Simioni, Joseph McLaughlin and Jesse Warren were present. Edward F. Corrigan and Eldon Scott were absent.

Chair opened the meeting.

For discussion tonight is the follow up on the study of the Hillcrest Terrace neighborhood. When the zoning code was modified over the last two years, that neighborhood was removed from portions of the zoning because of the conditions of the neighborhood regarding lot size. Studio A/B was asked to conduct a study of the parcels. Glynis Berry was present, and she presented an overview of the neighborhood.

The analysis shows that there are just a few lots in the O/D zone. They are all non-conforming and current use is residential, that could be adjusted. The rest of the neighborhood is R7.5. The land use is all residential except for one church and one parcel has more than one dwelling. The Village owns a couple of parcels, one for drainage and one for a playground. She looked at all the areas of the lots and 70 parcels out of 98 residential analyzed, were compliant with the size of the lot. That is almost three quarters of the lots. The four parcels in the OD were non-compliant. There were 14 parcels less than 4000 square feet and 14 larger than 12,500 square feet. North of Miller and Hillcrest look like they were established at the same time because they are similar. South of Winward were developed later. North of Miller were developed in the 70's. Sixty-five parcels were compliant as to lot width of 75 feet, a third are difficult with current zoning. There are sixteen that are 40 feet wide, two that are between 88-89 feet. There are lots of variations in between the highest and lowest. Robert Essay stated that it was developed in phases, so the lot variations reflect that.

Glynis continued that the average livable space is 1,100 square feet and they are a third smaller than the other parts of the Village with R7.5 lot zoning, the average is 2,200 in other comparable parcels. Half stories and basements are not counted. She found 10 properties sized below 800 square feet. Chair stated that half the lots are in that size range. Only three homes are 2000 square feet or larger, 58 % are 800-1200. Building size to what could be built by 42% of allowed, 89% of the development is to 59% of what could be developed. Only one parcel is built to the max under the proposed code. Chair stated that if they extend the zoning it would allow all but one to expand.

Glynis feels the new zoning percentage will not have a negative impact on the developing of these lots to add square footage, i.e. a bedroom. Marc Chiffert stated the width will be more of a controlling factor. Chair stated that there are two scenarios, can they add on or build new under proposed zoning. All but one lot could expand. The lot coverage, the max limit of 30% applied to approx. 9000 square feet lots, it is only one condition where that 30% ruled the size of the house. Even though by the formula 68% could fall under that maximum it was other things that were controlling that. The depth of lots does not seem to be a problem. The average depth is 120'. It's the through lots that bring that higher

than 120'. Depth is not a problem for front and rear setbacks. There are 5 lots greater than 20,000 square feet and those have greater setbacks. That may need to be regulated. Long rectangular lots will have the most impact regarding setbacks. The only problem is if they build a taller house, the Pyramid Law can become an issue. The side setbacks are the most important thing. The minimum 20' but with 4/10<sup>th</sup> rule to non-conforming, the minimum is 16', it creates unbuildable lots that were buildable previously. Something needs to be done for these lots. Chair stated that with the side setbacks it makes them unchangeable and unbuildable. Joseph McLaughlin asked if they could be exempted. Glynis Berry thinks that it falls at 50' or below, they would need exception. The line needs to be drawn for those properties. Chair stated that if you give exemption then you allow people on lots to build or renovate, they will probably be modest by Southampton Village standards. This is the last truly affordable housing in the village. It would be an exemption for width. Glynis asked do you want it to apply on lots of less than 75' or 50' or less? That is where the formula would be the tightest. Marc Chiffert stated at less than 60' it still works but then it gets tighter. Edoardo Simioni stated just make it 10' like it used to be.

Chair stated that 10' side yard setbacks would only apply for the Hillcrest Terrace neighborhood. The idea was to do an overlay for this neighborhood. Marc Chiffert is not sure if it is the best way, he feels a rule is better. Laura Devinney agrees that it should be a rule. A rule for R7.5 would be easier to apply. Chair stated it is just a handful, however, they can fix it for everyone. Edoardo Simioni stated the 10' side setbacks, the formula fixes the discrepancy for all zones. Chair stated that the Trustees have only asked for a study of Hillcrest Terrace, for R7.5 they will reduce to 10'. Robert Essay stated that on other narrow lots it will apply to all areas affected with R7.5.

Chair asked that if the side setbacks are changed to 10' will that solve the problem on the small lots. Glynis feels that it would. The height is limited to 30' for lots of 20,000 square feet. The Pyramid Law works for this neighborhood, the houses are consistent with that design. She feels if they take that away they will have looming buildings over smaller houses. Laura Devinney stated that with a new build they can always go underground. Marc Chiffert stated that you have window wells infringing on properties. Most of the development happened in the 60's and most are ranch or raised ranch, very few two story, only 15 of 102 houses. Glynis continued showing pictures of the homes, she analyzed the differences on the lots sizes. She looked on changing width, she used 50' but it can be changed to 60' or less. Basically, the change recommended by the Board is the 10' change for those lots. The max is 1,350 after that it jumps to 1,975. There is no reason not to apply the 4/10<sup>th</sup> rule for this neighborhood.

Chair stated that right now without solving side yard you are pushing people to combine lots. The change in code of the formula would change the type of house built, there are some that get smaller. The average compliant lot of 75x120, the house width would go from 55' to 45'. Chair stated it is an issue they face a lot; it incentivizes building a two-story house. Typical ranches are 48' lot. Glynis stated that it made her a little uncomfortable, but it could be an L shape ranch to solve the problem. It did reduce the width of the formula. If your house has the same width it has the same setbacks. She did a diagram showing the changes and they are not significant.

She continued that landscaping could be an issue there, one person noted that they redeveloped the property and put up a large fence that was viewed negatively, however, all the streets have mature trees. There are open front yards and there are some hedges, and some are higher. Those homes with the large walls of hedges, you could not see the house at all. The question is do you want to restrict height of hedges? Miller has the high hedges and those are the bigger lots, it changes the feel of the neighborhood. Laura Devinney asked could the neighborhood get a covenant, Chair stated they are

difficult to enforce. Robert Essay asked are there locals or transplants now. For now, it seems to be a local neighborhood. Glynis stated that average assessed value is 127,000 for vacant and 292,000 for built properties, the highest being approximately 500,000. Other neighborhoods with R7.5 are over a 1,000,000 dollars. One property is for sale for 349,000, one is 500,000 and one other is 550,000. There is upward pressure on the prices. Chair asked do the current residents want a neighborhood like they have now, or will they be moving? Edoardo Simioni stated those who stay will probably not change the house but when sold it will most likely be developed. It really is a classic planning issue to help residents, but it could become just like the other areas of Southampton where the population is less local, and the homes have been developed for the transplanted community. Robert Essay stated that the same thing will happen there as in other parts of the Village, it's a matter of time. Chair stated that the reason that it has not happened is the small lots. Glynis stated that the average is only 42% but have over double the density. Chair stated the buyer for a 1900 square foot house is very different than a 6000 square foot house, it may be more local buyer because of restrictions to the size of the home. Laura Devinney questioned how that gets put that into the code. Chair stated that if you take it to 10' on a 40' lot the pressure to combine lots is less so it can be shaped somewhat.

Robert Essay stated he can see them combining the lots. Environmental conditions, developed in 1970's, all the plumbing and cesspools are high use. Either a grant or loan program to upgrade would be important. They are in the hydraulic zone. Glynis Berry stated that you can let it go or try to maintain the smaller scale and feel of the neighborhood. She stated that her ideas were changing minimal side setbacks, preservation of low rise structures. Do not allow parcels to merge, possibly have a regulation that lots cannot be merged. The Board feels that will not fly in the community, it limits people. Glynis stated there are places that have these types of rules. The Board stated they can take it to the neighborhood to weigh in on the matter. She feels that the Village must recognize that it is the only affordable neighborhood left. The other idea is to allow for apartments if the home is owner occupied. Marc Chiffert does not see the purpose of owner occupied. Chair stated the reason for it is to discourage absentee ownership, allowing them to have an accessory unit allows someone to stay in their home with income. But, a person can buy and become strictly a landlord and it impacts the nature of the community. Chair stated that Elm Street had lots of owner occupied apartments, you would never know that there were apartments. It has a different feel. Edoardo Simioni asked how it will be enforced. Glynis stated that Riverhead and Greenport has a requirement that if they allow conditions like that it must be year-round. Chair stated they can give a tax incentive to persons for owner occupied rental. Chair stated the demand for apartments has never gone away, but it became a financial decision for most owners. Accessory apartments are not legal under current Village code. Laura Devinney asked Glynis if she is going to present her findings to the neighborhood? She stated yes. The other option is 1 ½ story limit on house height. Possibly an option is a limit to 1 ½ or option to go one story but push back the setbacks. Glynis stated the 10' side setback is the key.

Marc Chiffert stated that the Health Department will allow two houses to be on one IA system. Glynis stated that they could create one sewer district throughout. Shared small ones is a good idea. Laura Devinney stated it has wide streets, possibly some could be in the street. There are several vacant lots that could be used for sewer.

Charlie Styler, an audience member, noted that he has two properties adjacent to one another. He mortgaged his house to keep his son here and develop the other property. He feels that owner occupied has legitimate reasons. His son built an apartment on his property to rent to a relative, he feels that owner occupied apartments are necessary for affordable housing. He feels that limiting a

rental to a local person is a benefit. Chair stated tax incentives can help that happen. The other thing important thing for him, the requirement for rental permits so that it can be clear that it is owner occupied rental. Both could not be rented since it would be permitted. Marc Chiffert feels that owner occupied makes little difference or advantage. Charlie Styler added that they should make sure they comply with ADA and adequate parking. Limit it to two bedrooms.

Trustee Allan, commended Glynis for the work on the study and felt that it was comprehensive. She thinks it is very good because the task was to really understand the neighborhood. It dispels the community feeling that they can do nothing with their properties. Interestingly, while visiting her son away, his community had such a demand for work force housing in an expensive market; that they built an entire community like Hillcrest in home size, etc. She was so impressed with it that she took pictures and it proves that it can be provided for in the Village. She also noted that the vacant small lots in Hillcrest Terrace have been purchased for sewer rights to subdivide other parcels in the Village. She knows they are having a follow up meeting, she feels a survey should go out so that people will honestly state their feelings regarding the neighborhood.

Chair stated that they would like to get this up on the website and he will speak to Steve Funsch about a survey. Glynis stated that she talked to one woman who stated that the renters do not feel that they should have to go. She asked do they think it will be useful to have her materials, Chair stated yes.

Two other issues that Chair Travis wanted to briefly cover. First, the future of the hospital, do we have a viable Village long term. If ten years from now, will we have a work force for the Village to survive. It relates to Hillcrest as well, the hospital, the fire department is purely staffed by people who commute into the Village, because no one can afford to live here. He brings it up, because it was requested that they review the legal status of the Hospital and how it operates in the community. There is a Southampton Hospital Association that owns the hospital. That Association owns 20 acres, the operating certificate went to Stony Brook, however, they do not own the Hospital or the properties. It is the Hospital Association that needs to raise the money and build the hospital on the Stony Brook Campus. They have a 250-million-dollar budget to build the hospital, they have not started the process yet, they are in planning stages. The main problem is the staffing, it is hard to have local. One of the attractive things is that there is housing on the campus. It is long-term but what they currently own is twenty acres. There has been a good start as to communication and they are committed to working with the Board to put together a viable plan and a study. They will sit on the committee to plan. It could be 5 to 10 years before it is built. They are aware of all the issues we have talked about. They have a Board of Directors, they are a 503(B). There will be an economic change to the Village when the hospital moves to its new location eventually.

He wanted to comment on one other thing, as a Board they don't comment on individual applications. Zoning and design guidelines were established years ago, that zoning has rules and guidelines. The intent was that the guidelines, i.e. shared parking and massing, he thinks they might need to put that guidance out again. The Board then would use the guidelines or spirit of the guidelines. It is the first time this is coming up, so maybe they need to revisit because of the Courtyard, under the zoning. He feels the Commission should give clear guidelines and share it with the Planning Board. Edoardo Simioni stated that the guidelines were clear, they were voted on. The intent is that they would look and say are these being met at the Planning stages. Joseph McLaughlin stated they're looking to the Commission to comment, however, they don't comment on individual applications. Chair agreed. He does not want comment on the application, just share information.

Trustee Allan stated Edoardo Simioni is correct it was voted.

Chair Travis closed the meeting.

Respectfully Submitted by:

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JoLee Sanchez  
File Date: \_\_\_\_\_

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Village Clerk