



**ZONING BOARD OF APPEALS  
PUBLIC HEARING – August 8, 2023  
@ 6pm  
HYBRID MEETING**

A hybrid public hearing will be held on Tuesday, August 8, 2023, at 6:00 pm at in the Municipal Board Room of Village Hall at 23 Main Street, Southampton, NY 11968 and via videoconferencing, by the ZONING BOARD OF APPEALS of the Incorporated Village of Southampton NY.

**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 to [BuildingInspector@southamptonvillage.org](mailto:BuildingInspector@southamptonvillage.org) by 12pm the day of the hearing

**To join the Zoning Board of Appeals meeting via Zoom,** please use the link to join the webinar: <https://us02web.zoom.us/j/88426704683>

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.

Required documents and records are available for inspection in the Building Department at Village Hall, 23 Main St., Southampton New York, as well as at the following link:

<https://www.dropbox.com/sh/54gi96r22nd9pqa/AAD7CoIEGelqnJfFS40Gtm8Wa?dl=0>

**WRITTEN DECISION**

- |                                      |            |                                 |
|--------------------------------------|------------|---------------------------------|
| <b>1. #3157 – SAKURA REALTY, LLC</b> | <b>R80</b> | <b>131 FLYING POINT ROAD</b>    |
| <b>SCTM 904-20-2-27.39</b>           |            | <b>Lot Size: 74,836 sq. ft.</b> |

Applicant requests relief from Section § 116-11.1A (Yard Regulations in Certain Residence Districts) in order to:

1. Decrease the minimum east front yard setback (Down’s Path) from 80 ft to 56.92 ft. (79.4 ft. existing) for a proposed 22.7’ x 40’ attached garage addition to the east side of an existing dwelling on a corner lot.

**PENDING CASES**

- |  |             |                                 |
|--|-------------|---------------------------------|
| <b>1. # 3104 - TOWN &amp; VILLAGE OF SOUTHAMPTON</b> | <b>R-20</b> | <b>51 POND LANE</b>             |
| <b>SCTM # 904-14-3-16</b>                            |             | <b>Lot Size: 34,970 sq. ft.</b> |

**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

2. **#3144 - STEPHEN HICKEY** **1377 MEADOW LANE**  
**SCTM: 904-22-1-15** **R-80** **Lot Size: 72,216 sq. ft.**

Applicant requests wetlands (natural resource) permit pursuant to Ch. 116 Article IIIA 19.2C (Wetlands) in order to permit the following:

1. Replace an existing dock with a 4 ft. by 46 ft. catwalk and 4 ft. by 8 ft. stairway with a proposed fixed timber kayak dock within the wetland and regulated area (Shinnecock Bay)

**ADJOURNED TO SEPT 12, 2023**

3. **#3153 – SMITHTOWN PARTNERS** **40 MEADOW LANE**  
**SCTM: 904- 26-1-14** **R-120** **Lot Size 49,076 sq. ft.**

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

Pierce the 33° side yard sky plane by an additional 1,665 cu ft. (+32,825 cu. ft. existing) for:

- a. A west dormer (+1,075 cu. ft.)
- b. An expansion of an existing front gable (+590 cu. ft.); and

[Continues on Next Page]

2. Increase the maximum height for a narrow lot in a FEMA Special Flood Hazard Area by 5 ft. from 32 ft. above base flood elevation (BFE) [EL 48] permitted to 37 ft. above BFE [EL 53] for a proposed 3.3 ft. northward expansion of an existing front gable. (37 ft. above BFE [EL 53] existing)

**APPLICANT REQUESTS A THIRD ADJOURNMENT TO SEPT 12, 2023**

4. **#3156 – EIFFEL RESIDENCE, LLC** **2020 MEADOW LANE**  
**SCTM 904-21-4-11.5** **R80** **Lot Size: 203,454 sq. ft.**

Applicant requests a wetlands (natural resource) special permit pursuant to §116-19.2 (Wetlands) in order to allow regulated activity within wetland setbacks for:



6. **#3160 – GARY FLANAGAN** **20 HILLCREST LANE**  
**SCTM 904-4-1-28** **R7.5** **Lot Size: 10,428 sq. ft.**

Applicant requests relief from Section 116-9A(10)(a) and 116-9A(10)(c) (Placement of Accessory Buildings and Uses) in order to:

1. Locate an accessory structure within a front yard (Miller Road) of a through-lot for a proposed 14' x 32' pool; and
2. Locate an accessory structure within a front yard (Miller Road) of a through-lot for a proposed 520 sq. ft. 2-car detached garage; and
3. Decrease the minimum setback from any line from 20 ft. to 16 ft. from the west lot line for a 14' x 32' pool.

**APPLICANT REQUESTS A SECOND ADJOURNMENT**

7. **#3164 – ROBERT KORNSTEIN & SHARI GOTTESMAN** **43 BAILEY ROAD**  
**SCTM: 904-1-1- 9.4 & 9.6** **R-40** **Lot Size 24,297 sq. ft.**

Applicant requests an interpretation pursuant to § 116-26 (Interpretation) of § 116-17.1E (Maximum gross floor area of dwellings in certain residence districts) with regard to:

1. The inclusion of an accessory structure (roofed pool pavilion) towards the calculation of gross floor area (GFA); or in the alternative,

Applicant requests relief from § 116-17.1E (Maximum gross floor area of dwellings in certain residence districts) in order to:

2. Increase the maximum Gross Floor Area (GFA) from 3,930 sq. ft. to 4,270.4 sq. ft. for a proposed 3,899.4 sq. ft. two-story single-family dwelling and a proposed 371 sq. ft. accessory structure (roofed pool pavilion)

**APPLICANT REQUESTS A SECOND ADJOURNMENT TO SEPT 12**

8. **#3165 VICTORIA KAHN** **107 WOOLEY STREET**  
**SCTM:904-8-2-22** **R-7.5** **Lot Size: 11, 177 sq. ft**

Applicant requests variance relief from § 116-9A (3) (Placement of accessory buildings and uses) & 116-11.1C (1) (Minimum distance from street for accessory buildings) in order to:

1. Locate an accessory structure partially within the south front yard (John St.) of the primary dwelling; and
2. Decrease the minimum distance from the street for accessory buildings from 35 ft. to 18 ft. from John Street for a 266 sq. ft. detached garage.

**APPLICANT REQUESTS FIRST ADJOURNMENT TO SEPT 12**

**9. #3163 – 74 WHITE STREET, LLC** **74 WHITE STREET**  
**SCTM 904-5-1-28.1** **OD** **Lot Size: 21,873 sq. ft.**

Applicant requests a Special Exception Use pursuant to Article IV: Special Exception Uses and §116 Attachment 4 (Business Districts - Table of Use Regulations) and Dimensional Variance relief from §116-5B (3) & Attachment 5 (Business District Table of Dimensional Regulation) in order to:

1. Convert an existing building into a new two-family detached dwelling in the OD (Office Business) Zone; and
2. Reduce the minimum square feet per dwelling unit from 20,000 sq. ft. (40,000 sq. ft. total for two dwelling units) to 10,936.5 sq. ft. per dwelling unit (21,873 sq. ft. total for two dwelling units).

**10. #3155 – 1750 WATERVIEW LLC** **1750 MEADOW LANE**  
**SCTM: 904-21-1-8.6** **R-80** **Lot Size approx. 176,735 sq. ft.**

Applicant requests wetlands (natural resource) permit pursuant to Ch. 116 Article IIIA 19.2C (Wetlands) in order to allow regulated activity within wetland setbacks for:

1. A proposed I/A sanitary wastewater system to be located 193 ft. from wetlands (within 200 ft. regulated area: § 116-19.2D); and
2. A proposed 2-story single-family home 71.9 ft. from wetlands (within 150 ft. regulated area: § 116-19.2C); and
3. A proposed swimming pool to be located 145 ft. from wetlands (within 150 ft. regulated area: § 116-19.2C); and
4. A proposed access stairway 64.4 ft. from wetlands (within 150 ft. regulated area: § 116-19.2C); and
5. A proposed gate & gate posts with reconfigured stone driveway to be located approximately 80 ft. from wetlands (within 150 ft. regulated area: § 116-19.2C); and
6. Proposed landscaping (revegetation) within 125 ft. regulated area: § 116-19.2E; and

Applicant further requests variance relief from § 116-8D(1) (Tidal Floodplain Overlay District) in order to allow for:

7. A proposed 2-story single-family dwelling to be set back 85.8 ft. from the Dolliver Dune Crest Setback where a minimum 100 ft. is required; and
8. A proposed covered patio to be set back 74 ft. from the Dolliver Dune Crest Setback where a minimum 100 ft. is required (99.9 ft. existing); and
9. A proposed spa to be set back 70.3 ft. from the Dolliver Dune Crest Setback where a minimum 100 ft. is required; and
10. A proposed pool to be set back 45.2 ft. from the Dolliver Dune Crest Setback where a minimum 100 ft. is required; and
11. A proposed I/A sanitary wastewater system 49.2 ft. from the Dolliver Dune Crest Setback where a minimum 100 ft. is required; and
12. A proposed patio to be set back 48.2 ft. from the Dolliver Dune Crest Setback where a minimum 100 ft. is required; and

Applicant further requests to:

13. Modify a condition of ZBA decision #1634A approved February 25, 1993 in order to reconfigure a “scenic easement” area as shown on the plans submitted.

**APPLICANT REQUESTS FIRST ADJOURNMENT TO SEPT 12**

**NEW CASES**

None

**WORK SESSION DISCUSSION**

- Save The Date: SCVOA Municipal Training - October 10<sup>th</sup> 5:30 - 9:30 PM Riverhead.
- Meeting Schedule
  - Potential Dates: Tues 9/12, Thurs 9/28, Tues 10/10, Thurs 10/26, Tues 11/14

**\*New, complete, applications accepted until Friday at noon 4 weeks prior to the hearing date**

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