

**ZONING BOARD OF APPEALS  
VILLAGE OF SOUTHAMPTON  
NOVEMBER 18, 2021  
PUBLIC HEARING**

Due notice having been given the public hearing of the Southampton Village Zoning Board of Appeals met in the Board room of the Municipal Building, 23 Main Street, Southampton, New York on Thursday, November 18, 2021, at 6:00 PM.

Board members Chair Mark Greenwald, Luke Ferran, Julia McCormack, and Susan Stevenson were present. Joyce Giuffra was absent

Counsel for the Board Jeffrey Blinkoff was present and Environmental Planning Consultant Chic Voorhis was present.

MOTION by J. McCormack, second S. Stevenson

**To open the meeting.**

On Vote: Chair Greenwald, L. Ferran, J. McCormack, and S. Stevenson

**PENDING DECISIONS**

On the application of **S-POD 2007 FAMILY TRUST**, 88 Hunting Street, there no written decision in the file. This will be prepared for the next public hearing.

**PENDING CASES**

On the application of **NORTH MAIN LLC**, 54 North Main Street, the applicant's attorney was not in the attendee pool. This will be recalled later.

MOTION by S. Stevenson, second J. McCormack

**To adjourn for all purposes on the application of NORTH MAIN LLC.**

On Vote: Chair Greenwald, L. Ferran, J. McCormack, and S. Stevenson

On the application of **NORTH MAIN LLC.**, present for the applicant was Elizabeth Vail. They submitted an amended application and needs to be re-noticed. They are moving forward with requested easement but need a bit of relief for the frontage.

MOTION by S. Stevenson, second J. McCormack

**To adjourn for all purposes on the application of NORTH MAIN LLC.**

On Vote: Chair Greenwald, L. Ferran, J. McCormack, and S. Stevenson

On the application of **THE BATHING CORP**, 14 Gin Lane, this application is adjourned pending Coastal Erosion Hazard Permit.

On the application of **ALVISE ORSINI & GEOFFREY VAN RAEMDONCK**, 143 Herrick Road, this application is adjourned pending ARB.

**NEW CASES**

On the application of **JOHN GREGORY AND EDWARD TAWIL**, 73 Halsey Street, present for the applicant was John Gregory. A variance is needed for one post of the pergola that is attached to the pool house.

MOTION by Chair, second J. McCormack

**To close for written decision on JOHN GREGORY AND EDWARD TAWIL.**

On Vote: Chair Greenwald, L. Ferran, J. McCormack, and S. Stevenson

On the application of **GC SOUTHAMPTON LLC**, 84 Fordham Road, present for the applicant was Elizabeth Vail. This application is for front yard setback relief for an addition and front porch. They have a letter of support from 74 Fordham Road. Similar variances have been issued in this neighborhood. This is a single-story house and renovation is in keeping with neighborhood character. Chair noted letter of support from neighbor across the street.

MOTION by McCormack, second S. Stevenson

**To adjourn on the application of GC SOUTHAMPTON LLC.**

On Vote: Chair Greenwald, L. Ferran, J. McCormack, and S. Stevenson

On the application of **TODD GROSSMAN AND TAMARA CARMICHAEL**, 93 David Whites Lane, present for the applicant was Robert Fishchette. This is a corner lot. The proposed garage, pool and pool house are all in need of relief from front and rear yard setbacks. S. Stevenson feels the pool and pool house relief requests are substantial, she feels they could be moved and may need less relief. Chair would like them to work within the building envelope as much as possible. J. McCormack noted that in total it is a large request for relief.

MOTION by Chair, S. Stevenson

**To adjourn on the application of TODD GROSSMAN AND TAMARA CARMICHAEL.**

On Vote: Chair Greenwald, L. Ferran, J. McCormack, and S. Stevenson

On the application of **199 COOPERS NECK LANE, LLC**, 199 Coopers Neck Lane, present for the applicant was Peter DePasquale. This application is for a proposed tennis court that needs front yard setback relief. This application was before the Board a year ago. The court was shortened, and landscape added from the previous application.

MOTION by Chair, second S. Stevenson

**To incorporate the previous file related to this application into the current file for 199 COOPERS NECK LANE.**

On Vote: Chair Greenwald, L. Ferran, J. McCormack, and S. Stevenson

Peter Campbell, neighbor at 210 Coopers Neck Lane, asked that since this is the same application that was before the Board before, how can it be heard again. They Board did not formally vote on this application, it was withdrawn. He stated the negative impact has been presented at the previous hearing.

L. Ferran noted there are many homes that have tennis courts on the street and so it is not a precedent issue for him, also the street is fairly busy so noise may not be an issue. Chair and S. Stevenson feel that the request is substantial at 35' where 90' is required.

MOTION by S. Stevenson, second J. McCormack

**To close on the application of 199 COOPERS NECK LANE, LLC.**

On Vote: Chair Greenwald, L. Ferran, J. McCormack, and S. Stevenson

MOTION by S. Stevenson, second by J. McCormack

**To reopen the application of 199 COOPERS NECK LANE, LLC.**

On Vote: Chair Greenwald, L. Ferran, J. McCormack, and S. Stevenson

Bernard Carl, neighbor, feels the developer is trying to add many amenities to maximize his property value. He noted this application is the same as December 2020.

MOTION by Chair Greenwald, second S. Stevenson

**To close on the application of 199 COOPERS NECK LANE, LLC.**

On Vote: Chair Greenwald, L. Ferran, J. McCormack, and S. Stevenson

On the application of **POST CROSSING LLC**, 104 Post Crossing, present for the applicant was Linda Riley. This is R-7.5 zoning, it is a corner lot on Post Crossing and Elm Street. The proposed is a one car garage with existing curb cut from Elm Street. Neighbor to the west has submitted a letter objecting to this application. L. Ferran asked if the garage were attached would it need a variance; L. Riley noted it would not, but she feels it would not work because of the architecture and driveway. S. Stevenson feels it would not work with this house. L. Riley will have the architect attend next meeting.

Max Holmes, neighbor at 92 Post Crossing, wrote a two-page letter for the file. They object to the proposed because it is a garage/pool house since it contains a bathroom. They are 20' from the property line and he feels they will see the structure and hear noise.

MOTION by J. McCormack, second S. Stevenson

**To adjourn for written decision on the application of POST CROSSING LLC.**

On Vote: Chair Greenwald, L. Ferran, J. McCormack, and S. Stevenson

On the application of **74 WHITE STREET LLC**, 74 White Street, present for the applicant was Medhat Allam. There is a CO for commercial use, and they are requesting a change of use to accommodate an existing tenant who has been living in the space. Counsel stated that the Building Department would make sure it applies with applicable codes if the change of use was granted.

MOTION by Chair, second J. McCormack

**To close on the application of 74 WHITE STREET LLC.**

On Vote: Chair Greenwald, L. Ferran, J. McCormack, and S. Stevenson

On the application of **STEVEN W. & MELISSA K. SHAPIRO**, 17 Toylsome Place, present for the applicant was Linda Riley. This is a corner lot, so has two front yards. There is an existing 12x16 plunge pool located between the house and the garage that is screened by two hedges and cannot be seen from the street. The proposed pool will be in line with the front of the house, it is same width but 38' long. S. Stevenson feels this property is fully populated, she feels it is excessive. Chair suggested moving the pool back a bit to minimize the relief request; L. Riley will discuss with her client.

MOTION by J. McCormack, second L. Ferran

**To adjourn on the application of STEVEN W. & MELISSA K. SHAPIRO.**

On Vote: Chair Greenwald, L. Ferran, J. McCormack, and S. Stevenson

On the application of **TOWN OF SOUTHAMPTON**, 51 Pond Lane, present for the applicant was Anthony Curcio. The site plan relief has changed and a review of past actions on this file was given. They are requesting a cellar and heating in original house where code does not permit, minimum driveway width at 20', and existing size, height and location of original homestead.

Robert Nelson, project engineer, clarified that the lot coverage is 6,000 square feet and does not need a lot coverage variance. The driveway is for the benefit of the residential property by right of way. The existing driveway accesses both properties. The 20' exceeds the existing width of the current driveway.

Counsel stated that in light of local law they have been granted a permit for the museum. L. Ferran asked can they use residential zoning requirements. Counsel stated that they can utilize residential zoning requirements. The grant by the Board of Trustees waived parking requirements as well. Counsel asked to clarify if there is need for wetlands permit. C. Voorhis noted that there is a need for a DEC wetland permit, but the ZBA wetlands permit is not required. The current status is pending with NYS DEC. This is pending before the Planning Board which has taken agency status, there is not SEQRA determination at this point. Chair asked why can't the driveway be 24' wide. R. Nelson noted that 5' of driveway is already being used for utility poles and they desire to minimize pavement on the site.

Joan Morgan McGivern was present to represent the neighbors. This was on the agenda as a new case, and they were not noticed. She feels the Board does not have jurisdiction to hear the application tonight. She feels that the homestead is principal structure and not accessory. Chair noted they will not move forward until they get the letter of denial from Building Department.

S. Stevenson asked that they receive an accurately dated site plan.

MOTION by J. McCormack, second S. Stevenson

**To adjourn for all purposes on the application of TOWN OF SOUTHAMPTON.**

On Vote: Chair Greenwald, L. Ferran, J. McCormack and S. Stevenson

MOTION by Chair, second S. Stevenson

**To close the November 18, 2021, session of the public hearing.**

On Vote: Chair Greenwald, , L. Ferran, J. McCormack, and S. Stevenson

Respectfully Submitted by:

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JoLee Sanchez

File Date: \_\_\_\_\_

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Village Clerk