

## **AGENDA**

### **THURSDAY, FEBRUARY 7, 2019** **REGULAR MEETING** **8:30 A.M.**

Place of Meeting: Southold Town Meeting Hall, 53095 Main Road, Southold  
Call to Order by Chairperson Leslie Kanés Weisman. Pledge of Allegiance.

#### **I. EXECUTIVE SESSION:**

- A. Attorney advice

#### **II. WORK SESSION:**

- A. Requests from Board Members for future agenda items.

#### **III. TRAINING: Presentation to begin at 9:00 A.M. - Corey Humphrey of Suffolk County Soil and Water Conservation District.**

#### **IV. STATE ENVIRONMENTAL QUALITY REVIEWS;**

##### **New Applications:**

- A. **RESOLUTION** declaring applications that are setback/dimensional/lot waiver/accessory apartment/bed and breakfast requests as Type II Actions and not subject to environmental review pursuant to State Environmental Quality Review (SEQR) 6 NYCRR, Part 617.5 (c) (3), including the following:

Thomas and Roberta Magg #7236SE  
Jack and Barbara Stavridis #7238  
S3S LLC, Martin Kosmynka #7239  
Steven Crom #7241

Renee Poncet and Stephen Fitzpatrick/CGC Bayberry, LLC (CV) #7242  
Katie Nickolaus, Alexandra Nickolas Carnicom and Jamie Nickolaus #7241  
Vanston Bear, LLC #7243  
Southold Sunsets, LLC #7103  
8100 Hortons Lane, LLC #7214  
MGH Enterprises, Inc./T-Mobile #7274

- B. **SEQR DETERMINATION:** Pursuant to Part 617 (State Environmental Quality Review Act) of the Environmental Law, the Planning Board, as the Lead Agency, classified the **Site Plan for First Universalist Church**, requiring a Special Exception Permit, #7123SE, from the Zoning Board of Appeals, to be a Type 1 Action, has conducted coordinated review, determined non-significance for the proposed action, and Granted a Negative Declaration.
- C. **SEQR DETERMINATION:** Pursuant to Part 617 (State Environmental Quality Review Act) of the Environmental Law, the Planning Board, as the Lead Agency, classified the **Site Plan for Hound Lane, LLC**, requiring Area Variances #7237 from the Zoning Board of Appeals, to be an Unlisted Action.

**V. POSSIBLE RESOLUTION TO CLOSE THE FOLLOWING HEARINGS:**

**HARVEST INN – DAROLYN AND CHRISTOPHER AUGUSTA #7257SE** – (Adj. from January 17, 2019) Applicants request a Special Exception under Article III Section 280-13B(14). The Applicants are the owners requesting authorization to establish an Accessory Bed and Breakfast, accessory and incidental to the residential occupancy in this single-family dwelling, with five (5) bedrooms for lodging and serving of breakfast to the B&B casual, transient roomers; located at 40300 Main Road, Peconic, NY. SCTM No. 1000-86-4-1.4.

**HARVEST INN – CRISTINA ILLA (CONTRACT VENDEE) #7258SE** - (Adj. from January 17, 2019) Applicant requests a Special Exception under Article III Section 280-13B(14). The Applicants is the contract vendee requesting authorization to establish an Accessory Bed and Breakfast, accessory and incidental to the residential occupancy in this single-family dwelling, with five (5) bedrooms for lodging and serving of breakfast to the B&B casual, transient roomers; located at 40300 Main Road, Peconic, NY. SCTM No. 1000-86-4-1.4.

**VI. DELIBERATIONS/POSSIBLE DECISIONS/RESOLUTIONS:**

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**VII. PUBLIC HEARINGS:** All testimony shall be limited to zoning issues properly before the Board. Each speaker is requested to speak for five minutes, and to submit testimony in writing when possible.

**10:15 A.M. – MGH ENTERPRISES INC/T-MOBILE #7274 - Request for a Variance under Article XIII, Section 280-56; and the based on an application for a permit to collocate a wireless communications facility on subject property at: 1) less than the code required minimum side yard setback of 25 feet; located, at: 40200 NYS Route 25, (Adj. to Gardeners Bay) Orient, NY. SCTM# 1000-15-9-8.1.**

**10:30 A.M. - THOMAS AND ROBERTA MAGG #7236SE – Request for a Special Exception under Article III, Section 280-13B(13). The Applicants are the owners of subject property requesting authorization to create an Accessory Apartment in an existing accessory structure, at: 7020 Peconic Bay Boulevard, (Adj. to Great Peconic Bay) Laurel, NY. SCTM#1000-126-11-6.**

**10:45 A.M. - HOUND LANE, LLC, FISHERS ISLAND #7237 – Request for Variances under Article XI, Section 280-49 and Section 280-50; and the Building Inspector’s August 10, 2018, Amended August 22, 2018 Notice of Disapproval based on an application for a permit to alter an existing building into a restaurant on the first floor and to construct a second story addition for two apartment units; at: 1) the second story addition shall have less than the code required minimum front yard setback of 100 feet; 2) the second story addition shall have more than the required minimum 60 linear feet of frontage on one street; 3) landscaping area measuring less than the required 35% of subject lot, located at: Hound Lane, Fishers Island, NY. SCTM#1000-12-1-7.1.**

**11:00 A.M. - JACK AND BARBARA STAVRIDIS #7238 – Request for a Variance under Article XXIII, Section 280-124 and the Building Inspector’s July 25, 2017 Notice of Disapproval based on an application for a permit to legalize “as built” additions and alterations to an existing single family dwelling; at: 1) less than the code required minimum rear yard setback of 35 feet, located at: 170 Ruth Road, Mattituck, NY. SCTM#1000-106-5-35.**

**11:15 A.M. - S3S LLC, MARTIN KOSMYNKA #7239 – Request for Variances under Article XV, Section 280-64 A & C, and Section 280-50; and the Building Inspector’s May 25, 2018, Amended August 10, 2018 and October 16, 2018 Notice of Disapproval based on an application for a permit to construct buildings for a self-storage business; at: 1) two buildings having less than the code required minimum front yard setback of 100 feet from a right of way, located at: 65 Commerce Drive, Cutchogue, NY. SCTM#1000-96-1-1.3.**

**11:30 A.M. - STEVEN CROM #7240 – Request for Variances under Article XXIII, Section 280-124 and the Building Inspector’s August 17, 2018, Amended September 18, 2018 Notice of Disapproval based on an application for a permit to make additions and alterations to an existing**

single family dwelling at: 1) located less than the code required minimum side yard setback of 10 feet; 2) more than the code permitted maximum lot coverage of 20%; located at: 1980 Sigsbee Road, Mattituck, NY. SCTM#1000-144-1-15.

**1:00 P.M. RENEE PONCET AND STEPHEN FITZPATRICK/CGC BAYBERRY, LLC (CV) #7242**  
Request for Variances under Article IV, Section 280-18; and the Building Inspector's August 28, 2018, Notice of Disapproval based on a determination for lot recognition, at; 1) at less than the code required minimum lot size of 40,000 sq. ft., 2) less than the code required minimum lot width of 150 feet, located at: 702 Wiggins Lane, (Adj. to Gull Pond Inlet) Greenport, NY. SCTM#1000-35-4-28.36.

**1:15 P.M. - KATIE NICKOLAUS, ALEXANDRA NICKOLAS CARNICOM AND JAMIE NICKOLAUS #7241** – Request for a Variance under Article III, Section 280-15 and the Building Inspector's August 20, 2018 Notice of Disapproval based on an application for a permit to construct an accessory in-ground swimming pool at: 1) located in other than the code required rear yard; located at: 17555 Soundview Avenue, (Adj. to Long Island Sound) Southold, NY. SCTM#1000-51-1-2.

**1:20 P.M. - FIRST UNIVERSALIST CHURCH #7123SE** – Request for Special Exception pursuant to Article III, Section 280-13 B(1) and Article VIII, Section 280-38 B (1), the applicant is requesting permission to construct a new house of worship building upon a parcel with an existing single family dwelling and a parish house, located at: 51970 Route 25, Southold, NY SCTM No. 1000-63-6-6.1 & 1000-63-6-6.2.

**1:30 P.M. - VANSTON BEAR, LLC #7243** – Request for Variances under Article XXII, Section 280-116A; Article XXIII; Section 280-123A; and the Building Inspector's September 20, 2018, Amended October 5, 2018 Notice of Disapproval based on an application for a permit to demolish an existing single family dwelling and build a new single family dwelling, construct an accessory garage/barn, construct an accessory in-ground swimming pool, and make alterations to an existing "carriage house"; at: 1) single family dwelling located less than the code required 100 feet from the top of the bluff; 2) the existing nonconforming accessory carriage house which contains a nonconforming use cannot be structurally altered or moved, unless such building is changed to a conforming use; located at: 5250 Vanston Road, (Adj. to Cutchogue Harbor) Cutchogue, NY. SCTM#1000-111-10-14.

**1:45 P.M. - SOUTHOLD SUNSETS, LLC #7103** – Request for a Variance under Article XXIII, Section 280-124 and the Building Inspector's July 31, 2017 amended October 10, 2017 Notice of Disapproval based on an application for a permit to demolish an existing dwelling and construct a new single family dwelling; at: 1) less than the code required minimum front yard setback of 35 feet, located at: 4200 Kenneys Road (Adj. to Long Island Sound), Southold, NY. SCTM#1000-54-4-3.

**2:00 P.M. - 8100 HORTONS LANE, LLC #7214** – Request for a Variance from Article III, Section 280-13 and the Building Inspector's July 5, 2018 Notice of Disapproval based on an application for a building permit to demolish an existing single family dwelling and construct a new single family dwelling, at; 1) more than the code required maximum allowed two and one-half (2-1/2) stories; located at: 8100 Hortons Lane, (Adj. to Long Island Sound), Southold, NY. SCTM No. 1000 54-4-31.

**VIII. RESOLUTIONS:**

- A. Resolution for next Regular Meeting with Public Hearings to be held March 14, 2019 at 8:30 AM.
- B. Resolution to approve Minutes from Special Meeting held January 17, 2019.