

AGENDA

SOUTHOLD TOWN ZONING BOARD OF APPEALS REGULAR MEETING THURSDAY, MARCH 4, 2021 at 9:00 AM

Due to public health and safety concerns related to COVID-19, the Zoning Board of Appeals will not be meeting in-person. In accordance with the Governor's Executive Order 202.1, the MARCH 4, 2021 Zoning Board of Appeals Regular Meeting with public hearings will be held via video conferencing, and a transcript will be provided at a later date. The public will have an opportunity to see and hear the meeting live, and will be permitted to speak.

Details about how to tune in via video conferencing and make comments during the meeting are on the Town's website agenda under <http://www.southoldtownny.gov/calendar.aspx>. Click the Link to Join the Meeting.

Call to Order by Chairperson Leslie Kanes Weisman.

I. EXECUTIVE SESSION: begin at 9:00 A.M.

- A. Attorney advice

II. WORK SESSION:

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

III. STATE ENVIRONMENTAL QUALITY REVIEWS:

RESOLUTION: Pursuant to State Environmental Quality Review (SEQR) 6 NYCRR, Part 617, the Southold Zoning Board of Appeals, as lead agency, performed a coordinated review of this Unlisted Action and hereby issues a Negative Declaration for the proposed action described below:

Suffolk County Energy Storage II, LLC #7463SE The applicant is requesting a Special Exception pursuant to Article XV, Section 280-62B(5), the applicant is requesting permission to construct and allow for public utility structures and uses; i.e., battery energy storage system facility; located at 69430 Main Road (NYS Route 25), Greenport, NY SCTM No. 1000-45-5-1.

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) including the following:

Jim Brodsky #7466
Vincent Bertault #7467
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Samuel J. DiMeglio, Jr. #7469
Michael Kreger #7470
Robert and Donna Drummond #7471
Cottage On Third, LLC #7472
David Zappulla #7473
James and Laurie Carney #7474
Christopher and Marian Briggs #7477

IV. DELIBERATIONS/POSSIBLE DECISIONS/RESOLUTIONS:

V. PUBLIC HEARINGS: To Begin at 10:00 A.M. - 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.

No. 1 - 10:00 A.M. - JIM BRODSKY #7466 - Request for a Variance from Article III, Section 280-15 and the Building Inspector's December 2, 2020, Amended December 8, 2020 Notice of Disapproval based on an application for a permit to construct an accessory garage in conjunction with a new single family dwelling; at 1) located in other than the code permitted rear yard; located at: 1895 Pequash Avenue, Cutchogue, NY. SCTM No. 1000-103-7-15.

No. 2 - 10:10 A.M. - VINCENT BERTAULT #7467 - Request for Variances from Article III, Section 280-15; Article XXIII, Section 280-124; and the Building Inspector's October 22, Notice of Disapproval based on an application for a permit to construct additions and alterations to an existing single family dwelling, and construct an in ground swimming pool; at 1) proposed additions located less than the code required minimum front yard setback of 35 feet; 2) the accessory swimming pool is located in other than the code permitted rear yard; located at: 95 Navy Street, Orient, NY. SCTM No. 1000-26-1-12.2.

No. 3 - 10:20 A.M. - VINCENT BERTAULT #7468SE - Applicant requests a Special Exception under Article III, Section 280-13B(13). The Applicant is owner of subject property requesting authorization to establish an Accessory Apartment in an existing accessory structure; at: 95 Navy Street, Orient, NY. SCTM#1000-26-1-12.2.

No. 4 – 10:30 A.M. - SAMUEL J. DIMEGLIO, JR. #7469 - Request for Variances from Article XXIII, Section 280-124 and the Building Inspector’s November 17, 2020, Notice of Disapproval based on an application for a permit to construct a front porch addition attached to an existing single family dwelling; at 1) located less than the code required minimum front yard setback of 35 feet; 2) located less than the code required minimum combined side yard setback of 25 feet; located at: 2280 Deep Hole Drive, (Adj. to Deep Hole Creek) Mattituck, NY. SCTM No. 1000-123-4-6.

No. 5 – 10:40 A.M. - MICHAEL KREGER #7470 - Request for a Variance from Article III, Section 280-13 and the Building Inspector’s January 6, 2021 Notice of Disapproval based on an application for a permit to construct additions and alterations to an existing single family dwelling; at 1) more than the code permitted maximum two and one-half (2-1/2) stories; located at: 985 Bay Shore Road, (Adj. to Pipe’s Creek) Greenport, NY. SCTM No. 1000-53-3-13.1.

No. 6 – 10:50: A.M. -ROBERT AND DONNA DRUMMOND #7471 - Request for Variances from Article III, Section 280-15; Article XXIII, Section 280-124; and the Building Inspector’s December 16, 2020, Notice of Disapproval based on an application for a permit to legalize an “as built” deck addition with hot tub attached to a single family dwelling, and to legalize an “as built” accessory shed; at 1) “as built” deck is located less than the code required minimum side yard setback of 10 feet; 2)“as built” shed is located in other than the code permitted rear yard; located at: 675 Private Road #12, (Adj. to Corey Creek) Southold, NY. SCTM No. 1000-87-4-7.

No. 7 – 1:00 P.M. - COTTAGE ON THIRD, LLC #7472 - Request for a Variance from Article XXIII, Section 280-124 and the Building Inspector’s January 13, 2021 Notice of Disapproval based on an application for a permit to construct a new accessory pool house/garage; at 1) more than the code permitted maximum lot coverage of 20%; located at: 850 Third Street, Greenport, NY. SCTM No. 1000-117-8-7.

No. 8 – 1:10 P.M. DAVID ZAPPULLA #7473 - Request for Variances from Article XXIII, Section 280-124 and the Building Inspector’s December 23, 2020, Notice of Disapproval based on an application for a permit to demolish and reconstruct a new single-family dwelling; at 1) located less than the code required minimum front yard setback of 35 feet; 2) more than the code permitted maximum lot coverage of 20%; located at: 810 Linnet Street, Greenport, NY. SCTM No. 1000-48-3-13.

No. 9 – 1:20 P.M. - JAMES AND LAURIE CARNEY #7474 - Request for Variances from Article XXIII, Section 280-124 and the Building Inspector’s December 15, 2020 Notice of Disapproval based on an application for a permit to construct additions and alterations to existing single family dwelling; at 1) located less than the code required minimum front yard setback of 35 feet; 2) located less than the code required minimum rear yard setback of 35 feet; located at: No # Equestrian Avenue, Fishers Island, NY. SCTM No. 1000-9-6-3.

No. 10 – 1:30 P.M. - CHRISTOPHER AND MARIAN BRIGGS #7477 - Request for Variances from Article III, Section 280-15; Article XXIII, Section 280-124; and the Building Inspector’s January 25, 2021 Notice of Disapproval based on an application for a permit to legalize “as built” deck additions to an existing single family dwelling and to legalize an “as built” accessory shed; at 1) as built shed is located in other than the code permitted rear yard; 2) as built deck is located less than the code required minimum front yard setback of 40 feet; 3) as built deck is located less than the code required minimum rear yard setback of 60 feet; located at: 320 Oceanic Avenue, Fishers Island, NY. SCTM No. 1000-9-7-9.1.

No. 11 - 1:40 P.M. - KONSTANTINOS DIAKOVASILIS #7465SE – (Adjourned from February 4, 2021) Applicant requests a Special Exception under Article III, Section 280-13B(13). The Applicant is owner of subject property requesting authorization to establish an Accessory Apartment in an existing accessory structure; at: 2095 Ruth Road, Mattituck, , NY. SCTM#1000-106.-7-6.

No. 12 - 1:50 P.M. - SUFFOLK COUNTY ENERGY STORAGE II, LLC #7463SE – (Adjourned from February 4, 2021) Request for a Special Exception pursuant to Article XV, Section 280-62B(5), the applicant is requesting permission to construct and allow for public utility structures and uses; i.e., battery energy storage system facility; located at 69430 Main Road (NYS Route 25), Greenport, NY SCTM No. 1000-45-5-1.

VI. RESOLUTIONS:

- A. Resolution for next Regular Meeting with Public Hearings to be held Thursday, April 1, 2021, at 9:00 AM.
- B. Resolution to approve Minutes from Special Meeting held February 18, 2021.