

## **AGENDA**

### **SOUTHOLD TOWN ZONING BOARD OF APPEALS REGULAR MEETING THURSDAY, NOVEMBER 5, 2020 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 NOVEMBER 5, 2020 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.**

**If you do not have access to a computer or smartphone, there is an option to listen in via telephone. You may join by Telephone: 646-558-8656, Zoom Webinar ID 978 8650 2182, Passcode: 443235**

**Call the ZBA office at 631-765-1809 for help.**

#### **I. EXECUTIVE SESSION: Beginning at 9:00 A.M.**

A. Attorney advice

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

- A. Requests from Board Members for future agenda items.
- B. Mini Cedars #7428 Adjourned to December 3, 2020 by Applicant
- C. Request for 30 Day Extension Appeal Nos. 7409, 7410 and 7411, Indian Neck LLC Deer Fences

**III. 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) including the following:

Phillip Lim #7402 -  
8100 Hortons Lane, LLC #7433  
Barbara and Bob Martucci #7431  
Ioannis John Zoumas #7438  
Robert and Wendy Lehnert #7432  
Jane G. Weiland #7434  
Alison M. Byers #7436  
Esteves Holding Corp., Jerry Cibulski #7437  
Elizabeth McGrath #7439  
AFJG, LLC, Alexander Jedynski #7435

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

**ANTHONY TARTAGLIA AND JAMES HOWELL #7396** – (Adjourned from October 15, 2020) Request for Variances from Article XXIII, Section 280-123; Article XXIII, Section 280-124; and the Building Inspector’s January 29, 2020, Amended September 1, 2020 Notice of Disapproval based on an application for a permit to reconstruct an “as built” sunroom to an existing single family dwelling, and to legalize an “as built” deck/patio to an existing accessory garage with apartment ; at 1) “as built” addition and alteration to the nonconforming accessory garage with apartment is not permitted; a nonconforming use shall not be enlarged or structurally altered or moved, unless the use of the building is changed to a conforming use; 2) proposed construction to the single family dwelling is located less than the code required minimum side yard setback of 15 feet; 3) proposed construction is more than the code permitted maximum lot coverage of 20%; located at: 55255 Suffolk County Route 48, (adj. to the Long Island Sound) Greenport, NY. SCTM No. 1000-44-1-9.

**MICHAEL KREGER #7420** – (Reopened October 15, 2020) Request for an Interpretation pursuant to Article III, Section 280-13 and the Building Inspector’s February 25, 2020 Notice of Disapproval based on an application for additions and alterations to a single family dwelling to determine whether the current improvements constitutes as a third floor; located at: 985 Bay Shore road, (Adj. Pipes Creek) Greenport, NY. SCTM No. 1000-53-3-13.1.

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

**V. PUBLIC HEARINGS: Beginning 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. - PHILLIP LIM #7402** - Request for Variances from Article III, Section 280-15; Article IV, Section 280-18; and the Building Inspector’s February 7, 2020 Notice of Disapproval based on an application for a permit to legalize an “as built” reconstruction of an existing accessory deck and an “as built” deck addition attached to an existing single family dwelling; at 1) accessory deck is less than the code required minimum side yard setback of 15 feet; 2) deck addition is less than the code required minimum side yard setback of 15 feet; located at: 2070 Hyatt Road (Adj. to Long Island Sound), Southold, NY. SCTM No. 1000-50-1-1.

**No. 2 - 10:10 A.M. - 8100 HORTONS LANE, LLC #7433** - Request for a Variance from Article III, Section 280-13 and the Building Inspector’s September 9, 2020 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 permitted maximum 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.

**No. 3. - 10:20 A.M. - BARBARA AND BOB MARTUCCI #7431** - Request for a Variance from Article XXIII, Section 280-124 and the Building Inspector’s August 4, 2020 Notice of Disapproval based on an application for a permit to legalize an “as built” addition, and construct new additions and alterations to a single family dwelling; at 1) less than the code required minimum rear yard setback of 50 feet; located at: 360 Goose Creek Lane (Private Rd. #31), Southold, NY. SCTM No. 1000-77-3-23.

**No. 4. - 10:30 A.M. - IOANNIS JOHN ZOUMAS #7438** - Request for a Variance from Article XXIII, Section 280-124 and the Building Inspector’s September 14, 2020 Notice of Disapproval based on an application for a permit to construct a single family dwelling; at 1) less than the code required minimum front yard setback of 40 feet; located at: 75 Clearview Avenue, Southold, NY. SCTM No. 1000-70-8-41.

**No. 5. - 10:40 A.M. - ROBERT AND WENDY LEHNERT #7432** - Request for Variances from Article XXIII, Section 280-124 and the Building Inspector’s July 10, 2020, Notice of Disapproval based on an application for a permit to construct 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) located less than the code required minimum combined side yard setback of 25 feet; located at: 240 Wicks Road, New Suffolk, NY. SCTM No. 1000-110-8-19.

**No. 6. - 11:10 A.M. - JANE G. WEILAND #7434** - Request for Variances from Article IV, Section 280-18; Article XXII, Section 280-105A and 280-116A(1); and the Building Inspector’s August 10, 2020, Notice of Disapproval based on an application for a permit to construct additions and alterations to an existing single family dwelling and construct a six (6) feet high fence; at 1) located less than the code required minimum side yard setback of 15 feet; 2) located less than the code required minimum 100 feet from the top of the bluff; 3) fence is more than the code permitted maximum four (4) feet in height when located in the front yard; located at: 6485 Nassau Point Road, (Adj. to Little Peconic Bay) Cutchogue, NY. SCTM No. 1000-111-13-11.

**No. 7. - 11:20 A.M. - ALISON M. BYERS #7436** - Request for Variances from Article IV, Section 280-18; Article XXIII, Section 280-116A(1); and the Building Inspector’s June 16, 2020 Notice of Disapproval based on an application for a permit to demolish an existing single family dwelling and construct a new single family dwelling; at 1) less than the code required minimum front yard setback of 50 feet; 2) located less than the code required 100 feet from the top of the bluff; located at: 10075 Nassau Point Road, (Adj. to Little Peconic Bay) Cutchogue, NY. SCTM No. 1000-119-1-13.1.

**No. 8 - 1:00 P.M. - ESTEVES HOLDING CORP., JERRY CIBULSKI #7437** - Request for a Variance from Article III, Section 280-15 and the Building Inspector’s September 18, 2020 Notice of Disapproval based on an application for a permit to construct a single family dwelling; at 1) less than the code required minimum rear yard setback of 50 feet; located at: 6505 Horton Lane, Southold, NY. SCTM No. 1000-54-7-17.

**No. 9. - 1:10 P.M. - ELIZABETH MCGRATH #7439** - Request for a Variance from Article III, Section 280-15 and the Building Inspector’s January 21, 2020, Amended September 25, 2020 Notice of Disapproval based on an application for a permit to legalize an “as built”/”under construction” accessory building; at 1) located in other than the code permitted rear yard; located at: 1077 New Suffolk Road, Cutchogue, NY. SCTM No. 1000-109-7-7.2.

**No. 10. - 1:20 P.M. - CAMERON DOWE AND MEG STRECKER #7421** – (Adjourned from October 1, 2020) Request for a Variance from Article XXIII, Section 280-124 and the Building Inspector’s February 24, 2020 Notice of Disapproval based on an application for a permit to legalize an “as built” deck addition attached to an existing single family dwelling; at 1) located less than the code required minimum combined side yard setback of 35 feet; located at: 975 Cedar Point Drive West (Adj. to West Lake), Southold, NY. SCTM No. 1000-90-1-5.

**No. 11. - 1:30 P.M. - AFJG, LLC, ALEXANDER JEDYNSKI #7435** – Request for Variances from Article XXIII, Section 280-124 and the Building Inspector’s July 17, 2020 Notice of Disapproval based on an application for a permit to construct additions and alterations to an existing single family dwelling; at 1) 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: 350 Windjammer Drive, (aka 90 Windjammer Drive), Southold, NY. SCTM No. 1000-71-2-20.

**No. 12. - 1:40 P.M. - SUSAN COHEN WACHTER AND PAUL E. WACHTER #7429** – (Adjourned from October 1, 2020) Request for Variances from Article XXIII, Section 280-124 and the Building Inspector’s June 11, 2020, Notice of Disapproval based on an application for a permit to demolish an existing single family dwelling and construct a new single family dwelling; at 1) located less than the code required minimum front yard setback of 40 feet; 2) located less than the code required minimum single side yard setback of 15 feet; located at: 2295 Bay Shore Road (Adj. to Pipe’s Cove) Greenport, NY. SCTM No. 1000-53-4-15.

**Agenda**

**Southold Town Zoning Board of Appeals**

**VI. RESOLUTIONS:**

- A. Resolution for next Regular Meeting with Public Hearings to be held Thursday, December 3, 2020 at 9:00 AM.
  
- B. Resolution to approve Minutes from Special Meeting held on October 15, 2020.
  
- C. Resolution to Adjourn #7428 Mini Cedars, as requested by Applicant, to December 3, 2020.
  
- D. Resolution to Grant a Request for 30 Day Extension for Appeal Nos. 7409, 7410 and 7411, Indian Neck LLC, Deer Fences