

AGENDA

SOUTHOLD TOWN ZONING BOARD OF APPEALS ORGANIZATIONAL AND REGULAR MEETING

THURSDAY, JANUARY 6, 2022 at 8:00 AM

IN PERSON access to the Public is permitted and the meeting will be held in the Southold Town Meeting Hall located at 53095 Main Road, Southold, New York.

IF YOU INTEND TO APPEAR IN PERSON, YOU MUST WEAR A FACIAL MASK IF YOU HAVE NOT RECEIVED A COVID-19 VACCINATION.

This meeting will **ALSO** be accessible via Zoom Webinar. Just Go to the Calendar Page of our Website, <http://www.southoldtownny.gov>, and Click the Link to “Join Meeting”.

Or if you choose to Join by Telephone, Dial: 1-646 558 8656;
Enter Webinar ID: **844 9934 5309** and Passcode: **222528**

Call to Order by Chairperson Leslie Kanes Weisman.

I. EXECUTIVE SESSION: begin at 8:00 A.M.

A. Attorney advice

II. ORGANIZATIONAL MEETING: begin at 9:00 A.M.

1) Review and re-adopt:

- a) ZBA Procedural Guidelines
- b) Code of Conduct
- c) Guidelines to Open Meetings Law and Ethical Issues

- 2) Review all current templates for writing draft decisions.
- 3) Review meeting dates for 2022.
- 4) Appointment by the Chairperson of Vice Chair for the year 2022.

III. WORK SESSION: Begin at 9:30 AM.

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

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) including the following:

Nicholas and Aspasia Constantine #7567
Frank and Christine Mangano #7574
Linda and Daniel Lynch #7577
Ws2 Investments, LLC #7575
Rama B. Rao and Eleanor L. Thomas #7578
Peter and Maria Ganley #7581
Jay P. Mandelbaum and Lauren Gordon #7579
Keith and Lynette Kane #7576
Joseph and Deborah Polidora #7583
Thomas and Laura Johnson #7584
The Alexander Fox Stern 1997 Trust #7586
Pants View, LLC #7587

V. DELIBERATIONS/POSSIBLE DECISIONS/RESOLUTIONS:

MARC AND SHARI WEISSBACH #7540SE - Applicants request a Special Exception under Article III, Section 280-13B(13). The Applicants are owners of subject property requesting authorization to establish an Accessory Apartment in an existing accessory structure; at: 350 Paddock Way, Mattituck, NY. SCTM#1000-107-4-2.12.

VI. 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.

No. 1 - 10:00 A.M. - NICHOLAS AND ASPASIA CONSTANTINE #7567 – Request for Variances from Article XXIII, Section 280-124; and the Building Inspector’s July 23, 2021 Notice of Disapproval based on an application for a permit to demolish an existing dwelling and to construct a new single family dwelling; at 1) located less than the code required minimum side yard setback of 10 feet on each side; 2) located less than the code required minimum combined side yard setback of 25 feet; located at: 275 Miriam Road, Mattituck, NY. SCTM No. 1000-99-1-28.

No. 2 - 10:10 A.M. - FRANK AND CHRISTINE MANGANO #7574 – Request for a Variance from Article XXIII, Section 280-124; and the Building Inspector’s August 13, 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 lot coverage of 20%; located at: 370 Sunset Way, Southold, NY. SCTM No. 1000-91-1-7.

No. 3 - 10:20 A.M. - LINDA AND DANIEL LYNCH #7577 – Request for a Variance from Article XXIII, Section 280-124; and the Building Inspector’s July 1, 2021, Amended September 3, 2021 Notice of Disapproval based on an application to legalize an “as-built” deck addition; at 1) located less than the code minimum required rear yard setback of 35 feet; located at: 2070 Grathwohl Road, New Suffolk, NY. SCTM No. 1000-117-2-14.

No. 4 - 10:30 A.M. - WS2 INVESTMENTS, LLC #7575 – Request for a Variance from Article III, Section 280-15; and the Building Inspector’s August 5, 2021 Notice of Disapproval based on an application for a permit to construct a non-habitable accessory garage; at 1) located in other than the code permitted rear yard; located at: East End Road, Fishers Island, NY. SCTM No. 1000-4-6-1.

No. 5 - 10:40 A.M. - RAMA B. RAO AND ELEANOR L. THOMAS #7578 – Request for a Variance from Article XXIII, Section 280-124; and the Building Inspector’s July 13, 2021, 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 minimum required front yard setback of 50 feet; located at: 1725 King Street, Orient, NY. SCTM No. 1000-26-2-43.4.

No. 6 - 10:50 A.M. - PETER AND MARIA GANLEY #7581 – Request for Variances from Article XXIII, Section 280-124; and the Building Inspector’s August 13, 2021 Notice of Disapproval based on an application for a permit to construct additions and alterations and to legalize an “as built” rear deck addition to an existing single family dwelling; at 1) located less than the code minimum required side yard setback of 15 feet; 2) located less than the code minimum required combined side yard setback of 35 feet; located at: 785 Fishermans Beach Road, Cutchogue, NY. SCTM No. 1000-111-1-31.

No 7. - 11:00 A.M. - JAY P. MANDELBAUM AND LAUREN GORDON #7579 – Request for Variances from Article IV, Section 280-18 and the Building Inspector’s August 4, 2021 Notice of Disapproval based on an application for a permit to construct a single family dwelling and an accessory raised patio with a hot tub; where, 1) the proposed construction would result in a lot coverage of 31% where the code only permits a maximum lot coverage of 20%, and 2) the proposed raised patio and hot tub would be located partially in the side yard where the code requires accessory

structures and buildings must be located in the rear yard; for property located at: 920 Kimberly Lane, Southold, NY. SCTM No. 1000-70-13-20.15. In addition, the property owner seeks to amend Declaration Covenants and Restrictions on the subject property which require the removal of the existing tennis court if a single family dwelling is not constructed within a specific timeframe.

No. 8 - 1:00 P.M. - KEITH AND LYNETTE KANE #7576 – Request for Variances from Article XXIII, Section 280-124; and the Building Inspector’s August 23, 2021 Notice of Disapproval based on an application for a permit to legalize the “as built” conversion of the approved screened porch to conditioned habitable space attached to an existing single family dwelling; at 1) located less than the code minimum required side yard setback of 15 feet; 2) located less than the code minimum required combined side yard setback of 35 feet; located at: 335 Village Lane, Orient, NY. SCTM No. 1000-25-2-4.13.

No. 9 - 1:10 P.M. - JOSEPH AND DEBORAH POLIDORA #7583 – Request for Variances from Article XXIII, Section 280-124; and the Building Inspector’s September 13, 2021 Notice of Disapproval based on an application for a permit to construct a one story addition connecting an existing single family dwelling to an existing detached garage; at 1) located less than the code minimum required side yard setback of 15 feet on two sides; 2) located less than the code minimum required combined side yard setback of 35 feet; located at: 1055 Point Pleasant Road, Mattituck, NY. SCTM No. 1000-114-1-1.

No. 10 - 1:20 P.M. - THOMAS AND LAURA JOHNSON #7584 – Request for a Variance from Article XXIII, Section 280-124; and the Building Inspector’s September 8, 2021 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 minimum required front yard setback of 35 feet; located at: Off Fox Avenue, Fishers Island, NY. SCTM No. 1000-9-1-18.

No. 11 - 1:30 P.M. - THE ALEXANDER FOX STERN 1997 TRUST #7586 – Request for a Variance from Article XXII, Section 280-116A(1) and the Building Inspector’s August 16, 2021 Notice of Disapproval based on an application for a permit to demolish an existing single family dwelling and to construct a new single family dwelling on the existing foundation; at 1) dwelling is located less than the code required 100 feet from the top of the bluff; located at: 63165 County Road 48, Greenport, NY. SCTM No. 1000-40-1-14.

No. 12 - 1:40 P.M. - PANTS VIEW, LLC #7587 – Request for Variances from Article XXII, Section 280-116A(1); Article XXIII, Section 124; and the Building Inspector’s August 3, 2021 Notice of Disapproval based on an application to demolish and reconstruct a single family dwelling; at 1) located less than the code required 100 feet from the top of the bluff; 2) located less than the code required side yard setback of 15 feet; 3) more than the code permitted maximum lot coverage of 20%; located at: 2022 Hyatt Road, Southold, NY. SCTM No. 1000-50-1-21.

VII. RESOLUTIONS:

- A. Resolution for next Regular Meeting with Public Hearings to be held Thursday, February 3, 2022, 8:30 AM.
- B. Resolution to approve Minutes from Special Meeting held December 16, 2020.

- C. Resolution to GRANT a One Year Extension to Henry Hintze, Appeal No. 7234, located at 590 Brooks Road, Greenport, NY. SCTM No. 1000-53-1-15.
- D. Resolution to Approve Amendment to Appeal No. 7566, Michael Kelly, to change condition No. 3 to *“Installation of a Sanitary System approved by the Suffolk County Department of Health Services, located at 1450 Marlene Lane, Mattituck. SCTM#1000-144-2-35.*
- E. Resolution to GRANT an extension, pursuant to written request dated December 21, 2021, for Appeal No. 6875, Christopher Ariens, dated August 20, 2015, in order for a Certificate of Occupancy to issue by the Building Department, located at 433 MacDonald Crossing, Laurel. SCTM No. 1000-145-4-17.