

AGENDA

SOUTHOLD TOWN ZONING BOARD OF APPEALS ORGANIZATIONAL AND REGULAR MEETING

THURSDAY, MARCH 3, 2022 at 9:00 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.

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: **834 2765 7141**; and Passcode: **692502**

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;

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:

Frederic C. Scofield, Jr. (Grantor Rev. Intervivo Trust) #7588
Sheena Acharya and Adrian Sapollnik #7599
John and Beth Wittenberg #7596
Neil A. and Sandra Rousso #7597
Shannon Holdings II, LLC #7600
Kathleen M. Becker Living Trust #7601
Glenn and Margaret Solomon #7602
W. Jonathan Fabb/WJF Farms, LLC #7604
Jeannette and Jeffery Wilke #7605
Bridget Clark Rymer #7603SE
Donya Kaufer O'Brien #7606

IV. PUBLIC HEARINGS: - 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. - FREDERIC C. SCOFIELD, JR. (GRANTOR REV. INTERVIVO TRUST) #7588 – Request for a variance from Article XXIII, Section 280-124; and the Building Inspector's August 19, 2021 Notice of Disapproval based on an application for a permit to construct additions and alterations to a single family dwelling; at 1) located less than the code required minimum secondary front yard setback of 20 feet; located at: 2355 Village Lane, Orient, NY. SCTM No. 1000-26-1-13.

No. 2 - 10:10 A.M. - SHEENA ACHARYA AND ADRIAN SAPOLLNIK #7599 – Request for variances from Article XXII, Section 280-116A(1); Article XXIII, Section 280-124; and the Building Inspector's October 1, 2021, Amended October 14, 2021 Notice of Disapproval based on an application for a permit to construct additions and alterations to an existing single family dwelling and install a gunite spa/hot tub; at 1) dwelling located less than the code required minimum front yard setback of 40 feet; 2) more than the code permitted maximum lot coverage of 20%; 3) spa is located less than the code required 100 feet from the top of the bluff; located at: 645 Glen Court, (Adj. to the Long Island Sound) Cutchogue, NY. SCTM No. 1000-83-1-7.

No. 3 - 10:20 A.M. - JOHN AND BETH WITTENBERG #7596 – Request for a variance from Article III, Section 280-15; and the Building Inspector's September 30, 2021 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 permitted rear yard; located at: 3608 Old North Road, Southold, NY. SCTM No. 1000-55-2-25.5.

No. 4 - 10:30 A.M. - NEIL A. AND SANDRA ROUSSO #7597 – Request for a variance from Article III, Section 280-14; and the Building Inspector's August 12, 2021 Notice of Disapproval based on an application for a permit to construct a new single family dwelling; at 1) located less than the code required minimum front yard setback of 60 feet; located at: 1700 Alvahs Lane, Cutchogue, NY. SCTM No. 1000-102-4-7.2.

No. 5 - 10:40 A.M. - SHANNON HOLDINGS II, LLC #7600 – Request for a variance from Article IV, Section 280-18; and the Building Inspector’s September 21 2021, Notice of Disapproval based on an application for a permit to construct additions and alterations to an existing single family dwelling 1) located less than the code required minimum side yard setback of 15 feet; located at: 34685 NYS Route 25, Orient, NY. SCTM No. 1000-19-2-6.1.

No. 6 - 10:50 A.M. - KATHLEEN M. BECKER LIVING TRUST #7601 – Request for a variance from Article XXIII, Section 280-124; and the Building Inspector’s August 25, 2021 Notice of Disapproval based on an application for a permit to construct additions and alterations to an existing single family dwelling 1) located less than the code required minimum rear yard setback of 35 feet; located at: 154 King Street, (Adj. to Orient Harbor) Orient, NY. SCTM No. 1000-26-2-3.

No. 7 - 11:00 A.M. - GLENN AND MARGARET SOLOMON #7602 – Request for variances from Article XXIII, Section 280-124; and the Building Inspector’s October 15, 2021 Notice of Disapproval based on an application for a permit to rebuild an existing single family dwelling destroyed by fire; 1) located less than the code required minimum secondary front yard setback of 25 feet; 2) located less than the code required minimum rear yard setback of 50 feet; located at: 358 Ark Hill Road (Private Road off of East End Road), Fishers Island, NY. SCTM No. 1000-9-1-4.

No. 8 - 1:00 P.M. - W. JONATHAN FABB/WJF FARMS, LLC #7604 – Request for a variance from Article III, Section 280-14; and the Building Inspector’s November 1, 2021 Notice of Disapproval based on an application for a permit to construct an agricultural pole barn/shed at; 1) shed located less than the code required minimum side yard setback of 10 feet; located at: 12595 Oregon Road, Cutchogue, NY. SCTM No. 1000-83-2-12.7.

No. 9 - 1:10 P.M - JEANNETTE AND JEFFERY WILKE #7605 – Request for a variance from Article XXIII, Section 280-124; and the Building Inspector’s November 4, 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 required minimum side yard setback of 15 feet; located at: 3380 Oaklawn Avenue, Southold, NY. SCTM No. 1000-70-5-49.4.

No. 10 - 1:20 P.M. - BRIDGET CLARK RYMER #7603SE – 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: 7825 Soundview Avenue, Southold, NY. SCTM#1000-59-6-15.

No. 11 - 1:30 P.M. - DONYA KAUFER O’BRIEN #7606 – Request for a Variance from Article III, Section 280-13 (C) and Request to Overturn the Building Inspectors October 15, 2021 Notice of Disapproval based on an application to legalize an as-built conversion of an existing accessory garage to an artist studio; at 1) the proposed use in the accessory building is not a permitted accessory use; located at: 2500 Grand Avenue, Mattituck, NY. SCTM No. 1000-107-2-16.

No. 12 - 1:40 P.M. –JAY P. MANDELBAUM AND LAUREN GORDON #7579 – (Reopened January 20, 2022) 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. 13 - 2:00 P.M. - VINCENT BERTAULT #7580– (Adjourned from February 3, 2022) Request to reverse a Stop Work Order issued by the Building Inspector on August 24, 2021, pursuant to Chapter 144, Section 144-8, for construction beyond the scope of Building Department Permit #44198; located at: 95 Navy Street, Orient, NY. SCTM No. 1000-26-1-12.2.

V. RESOLUTIONS:

- A. Resolution for next Regular Meeting with Public Hearings to be held Thursday, April 7, 2022, 8:30 AM.
- B. Resolution to approve Minutes from Special Meeting held Thursday, February 17, 2020.
- C. Resolution: To GRANT a Second One-Year Extension to SV Greenport, #7137, 58775 County Route 48, Greenport, SCTM No. 1000-44-2-20.
- D. Resolution: To GRANT an Extension of Variance Conditions, #7357 Arcara/Scopellite, 3905 Well Avenue, Peconic, SCTM No. 1000-86-2-14.
- E. Resolution: To Approve amending ZBA decision #7563SE, Fishers Island Community Center, to eliminate condition 5 and 6. Located at Fox Lane, Fishers Island, NY SCTM No. 1000-12-1-1.2
- F. Resolution: To Grant a DeMinimus Approval to Scott and Lori Rosen, located at 850 Luptons Point Road, Mattituck, SCTM No. 1000-115-11-16.