

AGENDA

SOUTHOLD TOWN ZONING BOARD OF APPEALS THURSDAY, May 4, 2023 at 9:00 AM

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: 872 1189 0270 and Passcode: 254731

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

A. Attorney advice

II. **WORK SESSION**: Begin at 10:00 AM.

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:

Sand Lennox, LLC #7762
Hollander Jr. Living Trust #7768
Hollander Jr. Living Trust #7769SE
Richard C. Jensen, Jr., Estate of Richard C. Jensen #7764
John Hochstrasser #7771
David and Sondra Russell #7765
David and Sondra Russell #7766
Nicholas Aliano #7770
Chris Caufield #7772
Regina Calcaterra #7773
Domeluca, LLC #7778
Thomas C. Bauer and Jenifer Courtney-Bauer #7779
Liane Scaduto #7786

IV. DELIBERATIONS/POSSIBLE DECISIONS/RESOLUTIONS:

ROBERT PAGNOZZI/GREENPORT W. HOLDINGS, INC. #7761SE – (Closed on April 20, 2023) Applicant requests a Special Exception under Article III, Section 280-13B(13). The Applicant is the owner of subject property requesting authorization to establish an Accessory Apartment in an existing accessory structure; at: 190 Pheasant Place, Greenport, NY. SCTM#1000-53-4-44.36.

V. 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.

10:00 A.M. - RICHARD MARTINO #7694 – (Request to Adjourned without a Date by Applicant)

10:00 P.M. – 1280 COREY CREEK, LLC #7774 - (Adj. from April 6, 2023) Request for a Variance from Article XXIII, Section 280-124; and the Building Inspector's November 18, 2022, Amended January 23, 2023 Notice of Disapproval based on an application for a permit to demolish an existing single family dwelling and construct a new two story single family dwelling at; 1) located less than the code required minimum front yard setback of 40 feet; located at: 1280 Corey Creek Lane, (adj. to Corey Creek) Southold, NY. SCTM No. 78-4-17.

10:10 A.M. - SAND LENNOX, LLC #7762 - Request for a Variance from Article XXIII, Section 280-124 and Building Inspector's November 15, 2022 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 front yard setback of 40 feet;

located at 1450 Salt Marsh Lane, (Adj. to Long Island Sound) Peconic, NY. SCTM No. 1000-68-3-1.

10:20 A.M. – HOLLANDER JR. LIVING TRUST #7768 – Request for a Variance from Article III, Section 280-15; and the Building Inspector’s December 23, 2022 Notice of Disapproval based on an application for a permit to legalize an “as-built” accessory garage addition; at; 1) located less than the code required minimum side yard setback of 10 feet; located at: 485 Old Woods Path, Southold, NY. SCTM No. 1000-87-1-4.

10:30 A.M. – HOLLANDER JR. LIVING TRUST #7769SE – Applicant requests a Special Exception under Article III, Section 280-13B(13). The Applicant is the owner of subject property requesting authorization to establish an Accessory Apartment in an existing accessory structure; at: 485 Old Woods Path, Southold, NY. SCTM#1000-87-1-4.

10:40 A.M. – RICHARD C. JENSEN, JR., ESTATE OF RICHARD C. JENSEN #7764 - Request for Variances from Article XXIII, Section 280-124 and Building Inspector’s January 4, 2023 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; 2) located less than the code required minimum combined side yard setback of 25 feet; located at 4155 Bay Shore Road (Adj. to Shelter Island Sound) Greenport, NY. SCTM No. 1000-53-6-21.

10:50 A.M. – JOHN HOCHSTRASSER #7771 - Request for a Variance from Article XXIII, Section 280-124 and Building Inspector’s January 13, 2023 Notice of Disapproval based on an application for a permit to demolish an existing deck and patio to an existing single family dwelling and construct a new raised masonry patio and decking at; 1) located less than the code required minimum side yard setback of 15 feet; located at 2855 Nassau Point Road, (Adj. to Hog Neck Bay) Cutchogue, NY. SCTM No. 1000-104-13-9.

11:00 A.M. – DAVID AND SONDRAS RUSSELL #7765 - Request for Variances from Article XXIII, Section 280-124 and Building Inspector’s November 15, 2022 Notice of Disapproval based on an application to demolish (as per Town code definition) and reconstruct a single family dwelling and to construct an accessory garage upon two (2) merged lots, 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; 3) accessory garage located in other than the code permitted rear yard; located at 1325 & 1375 Smith Drive So., Southold, NY. SCTM No. 1000-76-2-34.2 and 1000-76-2-35.

11:10 A.M. – DAVID AND SONDRAS RUSSELL #7766 - Request for a Waiver of Merger petition under Article II, Section 280-10A, to unmerge land identified as SCTM No. 1000-76-2-34.3 which has merged with SCTM Nos. 1000-76-2-34.2 and 1000-76-2-35 based on the Building Inspector’s November 15, 2022 Notice of Disapproval, which states that a non-conforming lot shall merge with an adjacent conforming or non-conforming lot held in common ownership with the first lot at any time after July 1, 1983 and that non-conforming lots shall merge until the total lot size conforms to the current bulk schedule requirements (minimum 40,000 sq. ft. in the R-40 Residential Zoning District); located, at

1325 & 1375 Smith Drive South and 1480 Smith Drive North, Southold, NY. SCTM Nos.1000-76-2-34.2, 1000-76-2-34.3 and 1000-76-2-35.

1:00 P.M. – NICHOLAS ALIANO #7770 - Request for Variances from Article XXII, Section 280-116A(1); Article XXIII, Section 280-124; and Building Inspector’s January 17, 2023 Notice of Disapproval based on an application for a permit to construct a new single family dwelling at; 1) located less than the minimum code required 100 feet from the top of the bluff; 2) located less than the code required minimum front yard setback of 40 feet; located at 3705 Duck Pond Road, (Adj. to Long Island Sound) Cutchogue, NY. SCTM No. 1000-83-1-12.

1:10 P.M. – CHRIS CAUFIELD #7772 - Request for a Variances from Article XXIII, Section 280-124 and Building Inspector’s November 28, 2022 Notice of Disapproval based on an application for a permit to demolish (as per Town Code definition) and construct a single family dwelling; 1) located less than the code required minimum side yard setback of 20 feet; located at 966 Youngs Road, Orient, NY. SCTM No. 1000-18-2-15.

1:20 P.M. – REGINA CALCATERRA #7773 - Request for Variances from Article III, Section 280-15; Article XXIII, Section 280-124 and Building Inspector’s November 29, 2022 Notice of Disapproval based on an application for a permit to demolish and construct a new accessory garage and legalize an “as built” deck addition to the single family dwelling; 1) accessory garage is located in other than the code permitted rear yard; 2) deck addition is located less than the code required minimum rear yard setback of 50 feet; located at 7630 Main Bayview Road, Southold, NY. SCTM No. 1000-87-5-16.1

1:30 P.M. – DOMELUCA, LLC #7778 - Request for a Variance from Article III, Section 280-15 and Building Inspector’s January 19, 2023 Notice of Disapproval based on an application for a permit to construct an accessory in-ground swimming pool; 1) located in other than the code permitted rear yard; located at 14909 Main Road, (Adj. to Dam Pond) East Marion, NY. SCTM No. 1000-23-1-2.8.

1:40 P.M. – THOMAS C. BAUER AND JENIFER COURTNEY-BAUER #7779 - Request for Variances from Article XXIII, Section 280-124 and Building Inspector’s December 28, 2022 Notice of Disapproval based on an application for a permit to legalize an as-built raised masonry patio attached to an existing single family dwelling; 1) located less than the code required minimum rear yard setback of 35 feet; 2) more than the code permitted maximum lot coverage of 20%; located at 415 Goldin Avenue, Southold, NY. SCTM No. 1000-135-2-12.

1:50 P.M. – LIANE SCADUTO #7786 - Request for a Variance from Article XXIII, Section 280-124 and Building Inspector’s January 31, 2023 Notice of Disapproval based on an application for a permit to construct a wood deck attached to an existing single family dwelling; 1) located less than the code required minimum side yard setback of 15 feet; located at 7845 Skunk Lane, Cutchogue, NY. SCTM No. 1000-104-4-25.

5:00 PM- SOUTHOLD TOWN PLANNING BOARD #7793: The Southold Town Planning Board has requested that the Southold Town Zoning Board of Appeals make an interpretation determination, pursuant to Article VI, § 280-35B(4) of the Town Code, relating to sewer requirements of transient hotels or motels, resort hotels or motels or conference facility; 1) for the meaning of the phrases “community water and sewer” and public water and sewer” as it relates to the minimum lot area per guest unit for hotels and on-site wastewater treatment systems in the General Business (B) Zoning District.

VI. RESOLUTIONS:

- A. **Resolution** for next Regular Meeting with Public Hearings to be held Thursday, June 1, 2023 at 9:00 AM.
- B. **Resolution** to approve Minutes from Special Meeting held April 20, 2023.
- C. **Resolution** to Amend Decision No. 7678, John Smyth, 26745 Route 25, Cutchogue, SCTM No. 1000-109-2-13.3, 13.4, 13.6