

AGENDA

SOUTHOLD TOWN ZONING BOARD OF APPEALS
REGULAR MEETING
THURSDAY, SEPTEMBER 2, 2021
Public Hearings to begin at 10:00 AM

Due to the expiration of the New York State Governor's Executive Orders regarding the COVID-19 pandemic, **IN PERSON** access to the Public WILL NOW BE 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.

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: **851 4758 0305**; and Passcode: **763043**

Call to Order by Chairperson Leslie Kanés Weisman.

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

A. Attorney advice

II. **WORK SESSION**: begin at 10:00 A.M.

A. Requests from Board Members for future agenda items.

- B. Request from Jessica Magee of AMP Architect, on behalf of client, Anthony Tartaglia, Appeal 7396 for a second three-month Extension. Property located at 55255 North Road, Greenport, SCTM No. 1000-44.-1-9.

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:

Town of Southold Planning Board #7543
Tracy and Alex Sutton #7527SE
Valerie A. Chandler and Dimitri Meskouris #7529
Daniel Marra/9450 Main Bayview, LLC #7530
Stephanie A. Keller Rev. Trust #7531
Ronald and Mary Sanchez #7534
David Hazard #7532
Jane T. Kaminski Living Trust #7536
Alan S. Braverman #7533
Arthur J. Connolly and Lorraine Acarelli Connolly #7535se
Tracey Joseph #7538
Strong's Marine, Inc. #7546SE
Deborah Colitti #7539

- B. **HARD CORNER PARTNERS LLC, #7541** – The Town of Southold Planning Board will declare Lead Agency for the purposes of SEQR, once this variance determination is rendered. As of the date of this determination, the Planning Board has not asserted Lead Agency and therefore no determination under SEQRA has been made. Therefore, as set forth below, any grant of relief will necessarily be subject to the Planning Board issuing a “Negative Declaration” under SEQRA.

IV. 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. - TOWN OF SOUTHOLD PLANNING BOARD #7543 – The Southold Town Planning Board in a memorandum dated June 24, 2021 has requested that the Southold Town Zoning Board of Appeals make a determination relating to Article II, § 280-7 *District boundaries*, 280 Attachment 2 *Density and Minimum Lot Size Schedule for Nonresidential Districts* and 280 Attachment 4 *Bulk Schedule for Business, Office and Industrial Districts* of the Southold Town Zoning Code; as to; 1) whether or not a property that is within two or more zoning districts is

subject to the bulk schedule for minimum lot size for each zoning district and each proposed use; and 2) whether or not a second building proposed in the LB Zoning District constitutes a second use. Located at 420 Paul's Lane, Peconic, NY, SCTM No. 1000-74-4-5.

No. 2 - 10:10 A.M. - TRACY AND ALEX SUTTON #7527SE - Applicants request a Special Exception under Article III Section 280-13B(14). The Applicants are the owners requesting authorization to establish an Accessory Bed and Breakfast, accessory and incidental to the residential occupancy in this single-family dwelling, with five (5) bedrooms for lodging and serving of breakfast to the B&B casual, transient roomers. Located at: 25500 Main Road, Orient, NY. SCTM#1000-18-6-10.

No. 3 - 10:20 A.M. - VALERIE A. CHANDLER AND DIMITRI MESKOURIS #7529 - Request for a Variance from Article XXIII, Section 280-124 and the Building Inspector's May 7, 2021 Notice of Disapproval based on an application for a permit to construct deck additions to an existing single family dwelling; at; 1) located less than the code required minimum front yard setback of 35 feet; located at: 3745 Mill Lane, Peconic, NY. SCTM No. 1000-67-2-10.

No. 4 - 10:30 A.M. - DANIEL MARRA/9450 MAIN BAYVIEW, LLC #7530 - Request for a Variance from Article XXIII, Section 280-124 and the Building Inspector's May 11, 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 50 feet; located at: 9450 Main Bayview Road, Southold, NY. SCTM No. 1000-87-5-22.

No. 5 - 10:40 A.M. - STEPHANIE A. KELLER REV. TRUST #7531 - Request for Variances from Article XXIII, Section 280-124 and the Building Inspector's May 18, 2021 Notice of Disapproval based on an application for a permit to demolish and reconstruct a single family dwelling and to construct an accessory in-ground swimming pool; at; 1) single family dwelling 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: 580 Old Shipyard Lane, Cutchogue, NY. SCTM No. 1000-64-2-45.

No. 6 - 10:50 A.M. - RONALD AND MARY SANCHEZ #7534 - Request for Variances from Article III, Section 15; Article III, Section 122A; Article XXIII, Section 280-124; and the Building Inspector's June 1, 2021, Amended July 20, 2021 Notice of Disapproval based on an application for a permit to construct second floor additions to the single family dwelling, additions to an existing accessory garage and installation of a hot tub; at; 1) Single family dwelling located less than the code required minimum rear yard setback of 50 feet; 2) Not permitted alteration or enlargement of a nonconforming Accessory Garage containing a conforming use resulting in increasing a new nonconformance or increasing the degree of nonconformance; 3) Accessory hot tub located in other than the code permitted rear yard; located at: 515 South Oakwood Road, Laurel, NY. SCTM No. 1000-145-3-9.1

No. 7 - 11:00 A.M. - DAVID HAZARD #7532 - Request for a Variance from Article III, Section 280-14 and the Building Inspector's May 19, 2021 Notice of Disapproval based on an application for a permit to demolish and construct a new single family dwelling; at; 1) located less than the code required minimum rear yard setback of 75 feet; located at: 1465 Harbor Lane, (Adj. to East Creek/Eugene's Creek) Cutchogue, NY. SCTM No. 1000-103-2-1.1.

No. 8 - 1:00 P.M. - JANE T. KAMINSKI LIVING TRUST #7536 - Request for a Variance from Article XXIII, Section 280-124; and the Building Inspector's May 18, 2021 Notice of Disapproval based on

an application for a permit to demolish and reconstruct a single family dwelling; at; 1) more than the code permitted maximum lot coverage of 20%; located at: 805 Bay Haven Lane, Southold, NY. SCTM No. 1000-88-4-33.

No. 9 - 1:10 P.M. - ALAN S. BRAVERMAN #7533 - Request for Variances from Article XXIII, Section 280-124 and the Building Inspector's May 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) located less than the code required minimum front yard setback of 35 feet; 2) located less than the code required minimum side yard setback of 10 feet; located at: 2700 Vanston Road, Cutchogue, NY. SCTM No. 1000-111-5-4.

No. 10 - 1:20 P.M. - ARTHUR J. CONNOLLY AND LORRAINE ACARELLI CONNOLLY #7535SE - Applicants request 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: 3505 Wickham Avenue, (Adj. to Long Creek) Mattituck, NY. SCTM#1000-107-9-9.

No. 11 - 1:30 P.M. - TRACEY JOSEPH #7538 - Request for a Variance from Article XXIII, Section 280-124 and the Building Inspector's May 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) more than the code permitted maximum lot coverage of 20%; located at: 1330 Sigsbee Road, Mattituck, NY. SCTM No. 1000-144-1-5.2.

No. 12 - 1:40 P.M. - STRONG'S MARINE, INC. #7546SE - Applicant requests a Special Exception to maintain a business use pursuant to Article XI, Section 280-48B(12) consisting of the display, storage, sale and service of boats with accessory repair facilities; located at: 9605 Main Road, Mattituck, NY. SCTM#1000-122-6-12.

No. 13 - 1:50 P.M. - DEBORAH COLITTI #7539 - Request for Variances from Section 280-121A; and the Building Inspector's June 24, 2021 Notice of Disapproval based on an application for a permit to legalize "as built" alterations to three (3) existing accessory seasonal cottages, converted to year-round use; at; 1) "as built" alteration of nonconforming use of buildings is not a permitted; located at: 720 Second Street, New Suffolk, NY. SCTM No. 1000-117-8-13.

No. 14 - 2:00 P.M. - HARD CORNER PARTNERS, LLC - #7541 - (Adjourned from August 5, 2021) Request for a Variance from Article X, Section 280-46 and the Building Inspector's June 25, 2021 Notice of Disapproval based on an application for a permit to constrict a mixed-use commercial building with accessory apartments and four single family dwellings; at 1) located less than the code required minimum rear yard setback of 25 feet; located at: 53530 Main Road, Southold, NY. SCTM No. 1000-61-4-1.

V. RESOLUTIONS:

- A. Resolution for next Regular Meeting with Public Hearings to be held Thursday, October 7, 2021, at 9:00 AM.
- B. Resolution to approve Minutes from Special Meeting held August 19, 2021.

- C. Resolution to Open Public Hearing for the Special Exception of The Enclaves Hotel & Restaurant, subject property is located at 56655 Main Street ("NYS Route 25"), Southold, SCTM No 1000-63-3-15, to be held on Thursday, October 14, 2021 at 5:00 PM.

- D. Resolution to grant a second three month extension to Anthony Tartaglia, in order to comply with condition #6 of Appeal No. 7396. Property located at 55255 North Road, Greenport, SCTM No. 1000-44.-1-9.