

AGENDA

THURSDAY, SEPTEMBER 7, 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: Webinar ID: 847 0576 2925; 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.
- B. Review requests for extensions and de minimus approvals.

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:

Mikhail and Jennifer V. Rakhmanine, As Trustees #7814
Chris and Marisa Lazos #7809
Allan Schwartzman #7816
Gerald and Robin Murtha #7817
Berry P. 2021 QPRT #7814

Wine Country Promotions, LLC. #7819
Gregory and Kristina Couch #7820
BJB Ventures, LLC #7821
Katherine Oliver #7822
Janet Van Adelsberg #7825
Trustees of the Morgan Croke Irrevocable Trust/Jesse Croke, Et Al #7823
Sarah Reetz #7824

IV. DELIBERATIONS/POSSIBLE DECISIONS/RESOLUTIONS:

THOMAS AND KATHLEEN BURKE #7811SE - Applicants request a Special Exception under Article III, Section 280-13B(13). The Applicant is owner of the subject property requesting authorization to establish an Accessory Apartment in an existing accessory structure; at: 780 Deep Hole Drive, Mattituck NY. SCTM#1000-115-12-11.

46770 ROUTE 48, LLC/PECONIC WATERSPORTS #7700SE - Request for a Special Exception pursuant to Article XI, Section 280-48B(12) and the Building Inspector's June 8, 2022, revised June 10, 2022 Notice of Disapproval to construct and establish a business use in General Business Zoning District, consisting of new marine sales, service and storage facility (Peconic Watersports), located at: 46770 County Road 48, Southold, NY. SCTM No. 1000-55-5-9.1.

46770 ROUTE 48, LLC/PECONIC WATERSPORTS #7701- Request for a Variance from Article XI, Section 280-50C and Building Inspector's June 8, 2022, revised June 10, 2022 Notice of Disapproval based on an application to demolish an existing building and construct a new marine sales, service and storage facility (Peconic Watersports), at; 1) measuring more than the maximum permitted 60 linear feet of frontage on one street; located at: 46770 County Road 48, Southold, NY. SCTM No. 1000-55-5-9.1.

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. - MIKHAIL AND JENNIFER V. RAKHMANINE, AS TRUSTEES #7814 - Request for Variances from Article XXIII, Section 280-124; and the Building Inspector's April 11, 2023 Notice of Disapproval based on an application for a permit to demolish (by Southold Town definition) an existing single family dwelling and construct a new two story single family dwelling; at 1) less than the code required minimum side yard setback of 15 feet; 2) less than the code required minimum combined side yard setback of 35 feet; located at 685 Bungalow Lane, (Adj. to Deep Hole Creek) Mattituck, NY. SCTM No. 1000-123-3-9.

10:10 A.M. - CHRIS AND MARISA LAZOS #7809 - Request for Variances from Article IV, Section 280-18; Article XXIII, Section 280-124; Article XXXVI, Section 280-207A(1)(b); and the Building Inspector's March 10, 2023 Notice of Disapproval based on an application for a permit to construct additions and alterations to an existing single family dwelling; at 1) exceeding the maximum permitted two and one half (2 1/2) stories; 2) gross floor area exceeding permitted maximum square footage for lot containing up to 20,000 square feet (buildable) in area; 3) more than the code permitted maximum lot coverage of 20%; located at: 1200 Leeton Drive, Southold, NY. SCTM No. 59-1-1.

10:20 A.M. - ALLAN SCHWARTZMAN #7816 - Request for a Variance from Article XXIII, Section 280-123 and the Building Inspector's April 10, 2023 Notice of Disapproval based on an application

for a permit to legalize “as built” alterations to a pre-existing accessory garage containing a sleeping room, bathroom and two (2) conditioned spaces; at 1) a nonconforming building containing a nonconforming use shall not be enlarged, reconstructed, structurally altered or moved, unless such building is changed to a conforming use; located at: 1165 West Road, (Adj. to Cutchogue Harbor) Cutchogue, NY. SCTM No. 1000-110-7-2.

10:30 A.M. - GERALD AND ROBIN MURTHA #7817 - Request for a Variance from Article III, Section 280-15 and the Building Inspector’s April 14, 2023 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: 2662 Long Creek Drive, Southold, NY. SCTM No. 1000-56-1-11.17.

10:40 A.M. - BERRY P. 2021 QPRT #7818 - Request for a Variance from Article XXII, Section 280-116A(1) and the Building Inspector’s April 27, 2023 Notice of Disapproval based on an application for a permit to construct a pergola addition to a single family dwelling; at 1) located less than the code required 100 feet from the top of the bluff; located at 2840 Stars Road, East Marion, NY. SCTM No. 1000-22-3-1.

10:50 A.M. - WINE COUNTRY PROMOTIONS, LLC. #7819 - Request for an Interpretation pursuant to Article III, Section 280-13A(1), and the Building Inspector’s May 1, 2023 Notice of Disapproval based on an application for a permit to construct additions and alterations to an existing single family at: 1) to determine whether the proposed construction is permitted, and whether the proposed intent as designed, and functionality of the site constitutes a Single Family Dwelling; located at: 63615 County Road 48, (Adj. to Long Island Sound) Greenport , NY. SCTM No. 1000-40-1-20.1.

11:00 A.M. - GREGORY AND KRISTINA COUCH #7820 - Request for a Variance from Article XXIII, Section 280-1`24 and the Building Inspector’s May 19, 2023 Notice of Disapproval based on an application for a permit to construct an accessory structure; at 1) less than the code required minimum side yard setback of 20 feet; located at: 345 Reeve Avenue, (Adj. to Marratooka Lake) Mattituck, NY. SCTM No. 1000-114-9-6.

11:10 A.M. - BJB VENTURES, LLC #7821 - Request for Variances from Article III, Section 280-15; Article XXIII, Section 280-124; and the Building Inspector’s May 22, 2023 Notice of Disapproval based on an application for a permit to legalize “as built” additions and alterations to an existing accessory garage, at 1) less than the code required minimum rear yard setback of 5 feet; 2) more than the code permitted maximum 1,000 square feet in size; 3) more than the code permitted maximum lot coverage of 20%; located at: 1235 Factory Avenue, Mattituck, NY. SCTM No. 1000-122-2-18.

1:00 P.M. - KATHERINE OLIVER #7822 - Request for a Variance from Article XXIII, Section 280-124 and the Building Inspector’s June 1, 2023 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 side yard setback of 15 feet; located at: 1255 Bay Shore Road, (Adj. to Shelter Island Sound) Greenport, NY. SCTM No. 1000-53-4-2.

1:10 P.M. – JANET VAN ADELSBERG #7825 - Request for a Variance from Article III, Section 280-15 and the Building Inspector’s June 13, 2023 Notice of Disapproval based on an application for a permit to construct an accessory structure; at 1) located in other than the code permitted rear yard; located at: 4297 Wells Road, (Adj. to Richmond Creek) Peconic, NY. SCTM No. 1000-86-1-9.5.

1:20 P.M. - TRUSTEES OF THE MORGAN CROKE IRREVOCABLE TRUST/JESSE CROKE, ET AL #7823 Request for a Waiver of Merger petition under Article II, Section 280-10A, to unmerge land identified as SCTM No. 1000-48-1-31 which has merged with SCTM No. 1000-48-1-30, based on the Building Inspector's May 24, 2023 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, 820 Wiggins Street, Greenport, NY. SCTM Nos.1000-48-1-30 and 1000-48-1-31.

1:30 P.M. – SARAH REETZ #7824 – Request for a Waiver of Merger petition under Article II, Section 280-10A, to unmerge land identified as SCTM No. 1000-49-1-16 which has merged with SCTM No. 1000-49-1-17, based on the Building Inspector's June 16, 2023 Notice of Disapproval; relief from ZBA determination #4546, of March 3, 1998, that requires lots to be merged; and permission to construct a single family dwelling; at; 1) 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); 2) prior Zoning Board of Appeals determination #4546, states that subject lot is merged and acts as a single lot and lot area with the adjoining parcel; located at, 825 Cove Circle, Greenport , NY. SCTM Nos.1000-49-1-16 and 1000-49-1-17.

V. RESOLUTIONS:

- a. **Resolution** for next Regular Meeting with Public Hearings to be held Thursday, October 5, 2023 at 9:00 AM.
- b. **Resolution** to approve Minutes from Special Meeting held August 17, 2023.
- c. **Resolution** to approve a One Year Extension of Condition No. 6 for Appeal No. 7680, John Bernhard and Jennifer Maye, 2285 Little Neck Road, Cutchogue, NY. SCTM#1000-103-10-1