

## **AGENDA**

### **THURSDAY, MAY 9, 2019** **REGULAR MEETING** **8:30 A.M.**

Place of Meeting: Southold Town Meeting Hall, 53095 Main Road, Southold  
Call to Order by Chairperson Leslie Kanen Weisman. Pledge of Allegiance.

#### **I. EXECUTIVE SESSION:**

- A. Attorney advice

#### **II. WORK SESSION:**

- A. Requests from Board Members for future agenda items.
- B. Reminders:
  - a. recording public hearings
  - b. May 21, 2019 at 4:30PM scheduled public hearing on cabana/pool house definition.
- C. Update on 2019 ZBA training schedule

#### **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:

1050 West Cove Road, LLC, #7268  
Ryan Stork #7269  
Thomas Kennedy #7271

Tracy Minucci/White Cap North Fork, LLC #7272  
Diane Arpaia #7273  
Stritzler Family Trust #7277  
Turkkan Arkan #7279  
Shawn P. Fitzgerald Revocable Living Trust #7276  
SV Greenport, LLC #7275  
Ronald and Ann Smith #7283se

**IV. POSSIBLE RESOLUTION TO CLOSE THE FOLLOWING HEARINGS:**

**KAREN M. POWER #7262** – (Adj. from April 25, 2019) Request for Variances under Article XXIII, Section 280-124; and the Building Inspector’s October 16, 2018, Amended November 16, 2018 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 total side yard setback of 25 feet, 2) more than the code permitted maximum lot coverage of 20%; at: 555 Riley Avenue, Mattituck, NY. SCTM#1000-143-4-16.

**V. DELIBERATIONS/POSSIBLE DECISIONS/RESOLUTIONS:**

**RYAN STORK #7269** - Pursuant to request from applicant’s representative, Karen Hoeg, Esq. in letter dated May5, 2019 to Adjourn the Hearing for thirty days (30) days.

**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.

**9:30 A.M. - 1050 WEST COVE ROAD, LLC, #7268** - Request for Variances under Article III, Section 280-15; Article IV, Section 280-18; Article XXII, Section 280-116A(1); and the Building Inspector’s September 21, 2018 Notice of Disapproval based on an application for a permit to construct additions and alterations to an existing single family dwelling and to construct an accessory in-ground swimming pool, at; 1) proposed additions to the single family dwelling located less than the code required 100 feet from the top of the bluff; 2) proposed in-ground swimming pool located less than the code required 100 feet from the top of the bluff; 3) proposed addition to the single family dwelling is less than the code required minimum rear yard setback of 50 feet; 4) proposed swimming pool is partially located in other than the code required rear yard; at: 1050 West Cove Road (Adj. to Cutchogue Harbor), Cutchogue, NY. SCTM#1000-111-5-1.

**10:00 A.M. - THOMAS KENNEDY #7271** - Request for Variances under Article III, Sections 280-13C and 280-15; Article IV, Section 280-19; Article XXIII, Sections 280-123A and 280-124; and the Building Inspector’s October 30, 2018 Notice of Disapproval based on an application for permits to legalize “as built” additions to an existing single family dwelling, to an existing non-conforming accessory cottage, and to an existing non-conforming tool shed at; 1) as-built addition to single family dwelling is less than the code required minimum side yard setback of 10 feet; 2) as-built accessory structure (deck) is located in other than the code required rear yard; 3) as-built addition to the accessory cottage is not a permitted, pursuant to Article XXIII, Section 280-123 A which states “A non-conforming building containing a non-conforming use shall not

be enlarged or structurally altered or moved, except as set forth below, unless the use of such building is changed to a conforming use”; 4) as-built addition to tool shed located less than the code required minimum rear yard setback of 5 feet; 5) as-built changing room and shower attached to the existing tool shed is not permitted, at: 12005 Route 25, East Marion, NY. SCTM#1000-31-5-2.

**10:15 A.M. - TRACY MINUCCI/WHITE CAP NORTH FORK, LLC #7272** - Request for a Variance under Article XXIII, Section 280-124 and the Building Inspector’s December 6, 2018 Notice of Disapproval based on an application for a permit to construct an accessory in-ground swimming pool, at; 1) more than the code permitted maximum lot coverage of 20%; at: 16500 Main Street, New Suffolk, NY. SCTM#1000-117-9-13.

**10:30 A.M. - DIANE ARPAIA #7273** - Request for a Variance under Article XXIII, Section 280-124; and the Building Inspector’s November 8, 2018 Notice of Disapproval based on an application for a permit to legalize “as built” additions and alterations to an existing single family dwelling, at; 1) less than the code required minimum side yard setback of 15 feet; at: 1900 Wunneweta Road, Cutchogue, NY. SCTM#1000-111-4-22.

**11:00 A.M. - STRITZLER FAMILY TRUST #7277** - Request for a Variance under Article XXII, Section 280-116(A)(1); and the Building Inspector’s December 21, 2018 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 100 feet from the top of the bluff; at: 955 Soundview Avenue, (Adj. to Long Island Sound) Mattituck, NY. SCTM#1000-94-1-8.

**11:15 A.M. - TURKLAN ARKLAN #7279** - Request for a Variance under Article XXII, Section 280-105 and the Building Inspector’s January 14, 2019 Notice of Disapproval based on an application for a permit to legalize an “as built” six (6) foot high fence in the front yard of a single family dwelling, at; 1) more than the code permitted maximum four (4) feet in height when located in the front yard, at: 55 Eastward Court, Mattituck, NY. SCTM#1000-115-7-11.

**1:00 P.M. - SHAWN P. FITZGERALD REVOCABLE LIVING TRUST #7276** - Request for an interpretation pursuant to Article III, Section 280-13(A)(1); and the Building Inspector’s December 14, 2018 Notice of Disapproval based on an application to amend a building permit #41621 (construction of an accessory pool house) for “as built” interior alterations, at; 1) as to whether an “as-built” structure constitutes a second dwelling unit by design; at: 495 Paddock Way, (Adj. to Wolf Pit Lake) Mattituck, NY. SCTM#1000-107-4-2.10.

**1:15 P.M. - SV GREENPORT, LLC #7275** - On appeal from Building Inspector’s October 17, 2018 Notice of Disapproval and pursuant to Article I, Section 280-4 and Article XXIV, Section 280-127 of the Town Code; 1) Request interpretations that (a) Applicant’s proposed work at the subject property is not governed by the current Town Code definition of ‘Hotel and Motel, Transient,’ such definition does not require Applicant to remove the existing kitchen facilities in the existing units on the subject property, and the Building Department improperly disapproved Applicant’s building permit application based on such definition; (b) Applicant may continue to use, maintain, and renovate the existing kitchen facilities in the units on the subject property; (c) the Building Department may not require Applicant to comply with the restrictive definition of ‘Hotel and Motel, Transient’ or to remove kitchen facilities from its units to obtain a building permit for proposed renovation and other work on the subject property; and (d) site plan approval is not required for Applicant’s proposed work on the building and units at the subject property; 2) Request annulment of the Building Department’s ‘Notice of Disapproval’ and direction that a

building permit be issued; upon property located at: 59725 County Road 48, Greenport, NY. SCTM# 1000-44-2-23.

**1:30 P.M. - RONALD AND ANN SMITH #7283SE** - Request for a Special Exception under Article III, Section 280-13B(13). The Applicants are the owners of subject property requesting authorization to create an Accessory Apartment in an existing accessory structure measuring 830 sq. ft. in living floor area; at: 1530 Camp Mineola Road, Mattituck, NY. SCTM#1000-122-5-3.5.

**1:45 P.M. - RONALD COONS #7244** (Adjourned from March 28, 2019) Request for Variances under Article III, Section 280-15; Article XXIII, Section 280-124; and the Building Inspector's September 27, 2018, Notice of Disapproval based on an application for a permit to demolish an existing dwelling and construct a new single family dwelling, at; 1) less than the code required minimum front yard setback of 35 feet, 2) less than the code required minimum rear yard setback of 35 feet; 3) an existing shed located in other than the code required rear yard; at: 5206 Great Peconic Bay Blvd., Laurel, NY. SCTM#1000-128-2-21.

**2:00 P.M. - PETER PATINELLA #7263** – (Adjourned from April 25, 2019) Request for Variances under Article III, Section 280-14; and the Building Inspector's November 8, 2018, Amended November 13, 2018 Notice of Disapproval based on an application for a permit to demolish an existing single family dwelling and construct a new single family dwelling, at; 1) less than the code required minimum side yard setback of 10 feet, 2) less than the code required minimum total side yard setback of 25 feet, 3) more than the code permitted maximum lot coverage of 20%; at: 440 South Lane, East Marion, NY. SCTM#1000-38-6-12.

#### **VIII. RESOLUTIONS:**

- A. Resolution for next Regular Meeting with Public Hearings to be held June 6, 2019 at 8:30 AM.
- B. Resolution to approve Minutes from Special Meeting held April 25, 2019.