

AGENDA

SOUTHOLD TOWN ZONING BOARD OF APPEALS REGULAR MEETING THURSDAY, FEBRUARY 4, 2021 at 9:00 AM

Due to public health and safety concerns related to COVID-19, the Zoning Board of Appeals will not be meeting in-person. In accordance with the Governor's Executive Order 202.1, the **FEBRUARY 4, 2021** Zoning Board of Appeals Regular Meeting with public hearings will be held via video conferencing, and a transcript will be provided at a later date. The public will have an opportunity to see and hear the meeting live, and will be permitted to speak.

Details about how to tune in via video conferencing and make comments during the meeting are on the Town's website agenda under <http://www.southoldtownny.gov/calendar.aspx>. Click the Link to Join the Meeting.

Call to Order by Chairperson Leslie Kanés 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:

George Cavagnaro #7452
Pedro Rivas and Yira Tejada #7458
Mari Shea #7460
Peter and Valerie Sakas (Breezy Shores Cottage #16) #7461
Charles and Helen Szarka (Breezy Shores Cottage #17) #7462
Matthew Kaelin and Kathryn Collins #7464
Konstantinos Diakovasilis #SE

- B. **RESOLUTION:** WHEREAS, the Southold Town Zoning Board of Appeals, pursuant to State Environmental Quality Review (SEQR) 6 NYCRR, Part 617, has determined that the Special Exception petition of **SUFFOLK COUNTY ENERGY STORAGE II, LLC #7463SE** is an Unlisted Action; and

WHEREAS, pursuant 6 NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA), the Zoning Board of Appeals coordinated with all involved and interested agencies on December 29, 2020; and

WHEREAS, the Zoning Board of Appeals, as Lead Agency, completed the coordinated review of this Unlisted Action pursuant to 6 NYCRR Part 617, Section 617.7 of the State Environmental Quality Review Act (SEQRA); be it therefore

RESOLVED, that the Zoning Board of Appeals hereby **declares Lead Agency status for the SEQRA review of this Unlisted Action.**

- C. **RESOLUTION:** WHEREAS, the Southold Town Zoning Board of Appeals, pursuant to State Environmental Quality Review (SEQR) 6 NYCRR, Part 617, has determined that the Special Exception petition of **12425 SOUND, LLC, ANDREW FOHRKOLB #7459SE** is an Unlisted Action; and

WHEREAS, the Zoning Board of Appeals, as Lead Agency, performed an uncoordinated review of this Unlisted Action pursuant to 6 NYCRR Part 617, Section 617.7 of the State Environmental Quality Review Act (SEQRA); be it therefore

RESOLVED, that the Zoning Board of Appeals hereby **declares Lead Agency status for the SEQRA review of this Unlisted Action.**

IV. POSSIBLE RESOLUTION TO CLOSE THE FOLLOWING HEARINGS:

LOUIS A. NARDOLILLO AND ERIN A. NARDOLILLO #7457 - Request for Variances from Article III, Section 280-15; Article XXIII, Section 280-124; and the Building Inspector's October 19, 2020, Amended November 12, 2020 Notice of Disapproval based on an application for a permit to construct additions and alterations to existing accessory garage; at 1) located less than the code required minimum rear yard setback of 15 feet; 2) more than the code permitted maximum lot coverage of 20%; located at: 3850 Camp Mineola Road, Mattituck, NY. SCTM No. 1000-123-5-18.

V. DELIBERATIONS/POSSIBLE DECISIONS/RESOLUTIONS:

THOMAS RYCKMAN AND PAMELA WILSON #7454 - Request for a Use Variance from Article III, Section 280-13(C) and the Building Inspector's October 27, 2020 Notice of Disapproval based on an application for a permit to alter an existing accessory garage to an artist studio; at 1) proposed improvement does not constitute a permitted accessory use; located at: 1405 Village Lane, Orient, NY. SCTM No. 1000-25-3-1.

LOUIS A. NARDOLILLO AND ERIN A. NARDOLILLO #7457 – (Adjourned from January 7, 2021) Request for Variances from Article III, Section 280-15; Article XXIII, Section 280-124; and the Building Inspector's October 19, 2020, Amended November 12, 2020 Notice of Disapproval based on an application for a permit to construct additions and alterations to existing accessory garage; at 1) located less than the code required minimum rear yard setback of 15 feet; 2) more than the code permitted maximum lot coverage of 20%; located at: 3850 Camp Mineola Road, Mattituck, NY. SCTM No. 1000-123-5-18.

V. 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. - GEORGE CAVAGNARO #7452 - Request for a variance from Article XXIII, Section 280-124; and the Building Inspector's October 28, 2020 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 front yard setback of 35 feet; located at: 265 Racketts Court, Orient, NY. SCTM No. 1000-17-6-9.1.

No. 2 - 10:10 A.M. - PEDRO RIVAS AND YIRA TEJADA #7458 - Request for Variances from Article III, Section 280-15; Article XXIII, Section 280-124; and the Building Inspector's September 11, 2020 Notice of Disapproval based on an application for a permit to construct additions and alterations to an existing single family dwelling and to legalize an "as built" accessory shed; at 1) proposed dwelling is located less than the code required front yard setback of 35 feet; 2) proposed dwelling is located less than the code required rear yard setback of 35 feet; 3) proposed construction more than the code permitted maximum lot coverage of 20%; 4) "as built" shed located in other than the code permitted rear yard; located at: 305 Flint Street, Greenport, NY. SCTM No. 1000-48-2-7.1.

No. 3 - 10:20 A.M. - MARI SHEA #7460 - Request for a Variance from Article XXIII, Section 280-124 and the Building Inspector's December 1, 2020 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 front yard setback of 40 feet; located at: 1350 Smith Road, Peconic, NY. SCTM No. 1000-98-3-25.1.

No. 4 - 10:30 A.M. - PETER AND VALERIE SAKAS (BREEZY SHORES COTTAGE #16) #7461 - Request for a Variance from Article XXIII, Section 280-123 and the Building Inspector's December 8, 2020 Notice of Disapproval based on an application for a permit to construct additions and alterations to an existing seasonal cottage; at 1) a non-conforming building containing a non-conforming use shall not be enlarged, reconstructed, structurally altered or moved, unless such

building is changed to a conforming use; at: 65490 Route 25, (Breezy Shores Cottage #16, Adj. to Shelter Island Sound) Greenport, NY. SCTM#1000-53-5-12.6.

No. 5 - 10:40 A.M. - CHARLES AND HELEN SZARKA (BREEZY SHORES COTTAGE #17) #7462 - Request for a Variance from Article XXIII, Section 280-123 and the Building Inspector's December 8, 2020 Notice of Disapproval based on an application for a permit to construct additions and alterations to an existing seasonal cottage; at 1) a non-conforming building containing a non-conforming use shall not be enlarged, reconstructed, structurally altered or moved, unless such building is changed to a conforming use; at: 65490 Route 25, (Breezy Shores Cottage #17, Adj. to Shelter Island Sound) Greenport, NY. SCTM No. #1000-53-5-12.6.

No. 6 - 10:50 A.M. - MATTHEW KAELIN AND KATHRYN COLLINS #7464 - Request for Variances from Article XXIII, Section 280-124; and the Building Inspector's October 22, 2020 Notice of Disapproval based on an application for a permit to construct additions and alterations to an existing single family dwelling; at 1) proposed dwelling is located less than the code required front yard setback of 35 feet; 2) more than the code permitted maximum lot coverage of 20%; located at: 328 Avenue B, Fishers Island, NY. SCTM No. 1000-6-2-13.1.

No. 7 - 11:00 A.M. - KONSTANTINOS DIAKOVASILIS #7465SE - 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: 2095 Ruth Road, Mattituck, , NY. SCTM#1000-106.-7-6.

No. 8 - 1:00 P.M. - 12425 SOUND, LLC, ANDREW FOHRKOLB #7459SE – Request for a Special Exception pursuant to Article XV, Section 280-62B(11) and Article XXVI, Section 280-146D, the applicant is requesting permission to convert and expand an existing two story residential dwelling to six units of affordable rental housing; located at 12425 Old Sound Avenue, Mattituck, NY SCTM No. 1000-141-3-39.

No. 9 - 1:20 P.M. - SUFFOLK COUNTY ENERGY STORAGE II, LLC #7463SE – Request for a Special Exception pursuant to Article XV, Section 280-62B(5), the applicant is requesting permission to construct and allow for public utility structures and uses; i.e., battery energy storage system facility; located at 69430 Main Road (NYS Route 25), Greenport, NY SCTM No. 1000-45-5-1.

VI. RESOLUTIONS:

- A. Resolution for next Regular Meeting with Public Hearings to be held Thursday, March 4, 2021, 8:30 AM.
- B. Resolution to approve Minutes from Special Meeting held January 21, 2020.