

AGENDA

THURSDAY, MARCH 14, 2019 **REGULAR MEETING** **8:00 A.M.**

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

I. EXECUTIVE SESSION:

- A. Attorney advice

II. WORK SESSION:

- A. Requests from Board Members for future agenda items.
- B. **To Begin at 8:00 A.M.** - Board Training – FEMA Regulations by Mark Terry, Asst. Town Planning Director and Michael Verity, Chief Building Inspector.

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:

Ronald Coons #7244
Jo Ellen Cortapasso #7245
Sarah Apgar #7246
Douglas Robalino #7247

Erica Lev and Zachary Lev #7249se
Amy O'Brien, Trustee C/O Frank A. Uhlendorf and Edith Uhlendorf Trust #7250
Douglas and Lisa Carlen #7251
Walsh Park Benevolent Corporation (Town Of Southold, Owner) #7252
Alex Friedman #7253
Olde Colonial Place, LLC #7248

IV. POSSIBLE RESOLUTION TO CLOSE THE FOLLOWING HEARINGS:

VANSTON BEAR, LLC #7243 – (Adjourned from February 21, 2019) Request for Variances under Article XXII, Section 280-116A; Article XXIII; Section 280-123A; and the Building Inspector's September 20, 2018, Amended October 5, 2018 Notice of Disapproval based on an application for a permit to demolish an existing single family dwelling and build a new single family dwelling, construct an accessory garage/barn, construct an accessory in-ground swimming pool, and make alterations to an existing "carriage house"; at: 1) single family dwelling located less than the code required 100 feet from the top of the bluff; 2) the existing nonconforming accessory carriage house which contains a nonconforming use cannot be structurally altered or moved, unless such building is changed to a conforming use; located at: 5250 Vanston Road, (Adj. to Cutchogue Harbor) Cutchogue, NY. SCTM#1000-111-10-14.

V. DELIBERATIONS/POSSIBLE DECISIONS/RESOLUTIONS:

SOUTHOLD SUNSETS, LLC #7103 – (Tabled on February 21, 2019) Request for a Variance under Article XXIII, Section 280-124 and the Building Inspector's July 31, 2017 amended October 10, 2017 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, located at: 4200 Kenneys Road (Adj. to Long Island Sound), Southold, NY. SCTM#1000-54-4-3.

VANSTON BEAR, LLC #7243 – Request for Variances under Article XXII, Section 280-116A; Article XXIII; Section 280-123A; and the Building Inspector's September 20, 2018, Amended October 5, 2018 Notice of Disapproval based on an application for a permit to demolish an existing single family dwelling and build a new single family dwelling, construct an accessory garage/barn, construct an accessory in-ground swimming pool, and make alterations to an existing "carriage house"; at: 1) single family dwelling located less than the code required 100 feet from the top of the bluff; 2) the existing nonconforming accessory carriage house which contains a nonconforming use cannot be structurally altered or moved, unless such building is changed to a conforming use; located at: 5250 Vanston Road, (Adj. to Cutchogue Harbor) Cutchogue, NY. SCTM#1000-111-10-14.

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. - RONALD COONS #7244 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.

9:45 A.M. - JO ELLEN CORTAPASSO #7245 - Request for Variances under Article XXIII, Section 280-124 and the Building Inspector's August 10, 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 front yard setback of 35 feet, 2) less than the code required minimum rear yard setback of 35 feet; at: 4830 Peconic Bay Boulevard, Laurel, NY. SCTM#1000-128-4-13.

10:00 A.M. - SARAH APGAR #7246 - Request for a Variance under Article IV, Section 280-15 and the Building Inspector's August 17, 2018, Notice of Disapproval based on an application for a permit to construct an in-ground swimming pool, at; 1) located in other than the code required rear yard; at: 1175 Haywaters Road, Cutchogue, NY. SCTM#1000-111-4-11.

10:15 A.M. - DOUGLAS ROBALINO #7247 - Request for a Variance under Article XXIII, Section 280-124 and the Building Inspector's October 2, 2018, Notice of Disapproval based on an application to legalize "as built" demolition and proposed reconstruction of the existing single family dwelling, at; 1) less than the code required minimum front yard setback of 40 feet; at: 1695 Bay Avenue, (Adj. to Marion Lake) East Marion, NY. SCTM#1000-31-9-21.1.

10:30 A.M. - ERICA LEV AND ZACHARY LEV #7249SE - 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, at: 1425 Paradise Point, Southold, NY. SCTM#1000-81-2-4.

11:00 A.M. AMY O'BRIEN, TRUSTEE C/O FRANK A. UHLENDORF AND EDITH UHLENDORF TRUST #7250 - Request for a Variance under Article XXIII, Section 280-124 and the Building Inspector's October 29, 2018, Notice of Disapproval based on an application to legalize an existing deck addition to an under construction single family dwelling, at; 1) less than the code required minimum rear yard setback of 35 feet; at: 230 Landing Lane, Greenport, NY. SCTM#1000-43-4-8.

11:15 A.M. - DOUGLAS AND LISA CARLEN #7251 - Request for a Variance under Article IV, Section 280-17A and the Building Inspector's September 26, 2018, Notice of Disapproval based on an application to legalize an "as built" accessory deck and construct a roof over, at; 1) accessory structure does not constitute a permitted principle use on a residential parcel; at: 5550 New Suffolk Avenue, (Adj. to Deep Hole Creek) Mattituck, NY. SCTM#1000-115-10-5.

1:00 P.M. - WALSH PARK BENEVOLENT CORPORATION (TOWN OF SOUTHOLD, OWNER) #7252 Request for Variances under Article XI, Section 280-48 (C)(3)(c) and (f); and the Building Inspector's August 21, 2018, Notice of Disapproval based on an application to alter a second floor of an existing building to include six (6) accessory apartment units; at: 1) proposed

accessory apartments are more than the maximum of three (3) apartments allowed to be created or maintained in any single structure; 2) accessory apartments will exceed 40% of the livable floor area of the existing dwelling unit; at: 544 Hound Lane, (Fox Lane, Adj. to Long Island Sound) Fishers Island, NY. SCTM#1000-12-1-4.4.

1:15 P.M. - ALEX FRIEDMAN #7253 - Request for a Variance under Article XXIII, Section 280-124 and the Building Inspector's October 29, 2018, Notice of Disapproval based on an application to construct additions and alterations to an existing single family dwelling, at; 1) less than the code required minimum front yard setback of 40 feet; at: 350 MacDonalds Road, (Adj. to Brushes Creek) Laurel, NY. SCTM#1000-145.-4-14.1.

1:30 P.M. - MMC REALTY 2 FAMILY LIMITED PARTNERSHIP #7221 – (Adjourned from December 6, 2018) Request for a Variance from Article III, Section 280-13A and the Building Inspector's June 12, 2018, Notice of Disapproval based on an application to legalize "as built" alterations to an accessory building, at; 1) more than the code permitted one dwelling on each lot; the proposed construction constitutes a second dwelling unit in the accessory building; at: 7625 Nassau Point Road, (Adj. to Little Peconic Bay) Cutchogue, NY. SCTM# 1000-118-4-4.

1:45 P.M. - OLDE COLONIAL PLACE, LLC #7248 - Request for an interpretation pursuant to Article X, Section 280-46 of the Town Code, as to whether 20,000 square feet of property is required for each principal use (4) in accordance with the Building Inspector's October 5, 2018 Notice of Disapproval stating that the proposed use(s), as applied for, is not permitted in the Hamlet Business (HB) Zoning District; property located at: 615 Pike Street, Mattituck, SCTM# 1000-140-2-21.

2:00 P.M. - WILLIAM A. PENNEY, III AND SUKRU ILGIN (CV) (SOUTHOLD GAS STATION) #6839 – (Adj. from January 17, 2019) Request for Special Exception under Article XI Section 280-48B(12) to construct a gasoline service station with a convenience store. Located at 45450 County Road 48 (aka North Road, corner Young's Avenue) Southold, NY. SCTM#1000-55-5-2.2.

VIII. RESOLUTIONS:

- A. Resolution to Amend Condition #3 in Decision No. 7241, Katie Nickolaus, Alexandra Nickolaus Carnicom, and Jamie Nickolaus.

FROM: "No disturbance or activity shall take place 100 feet landward of the top of bluff, as described in the Board of Trustee's letter of January 28, 2018."

TO: "No disturbance or activity shall take place 100 feet landward of the top of bluff, **without further application to, and written authorization from, the Southold Town Board of Trustees** as described in the Board of Trustee's letter of January 28, 2018.

- B. Resolution for next Regular Meeting with Public Hearings to be held April 11, 2019 at 8:30 AM.
- C. Resolution to approve Minutes from Special Meeting held February 21, 2019.