

AGENDA

SOUTHOLD TOWN ZONING BOARD OF APPEALS
REGULAR MEETING
THURSDAY, AUGUST 5, 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.

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: 876 0375 1892 and Passcode: 323550.

Call to Order by Chairperson Leslie Kanes 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.

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:

Enno and Hannah De Boer #7516
Kenneth Monaghan #7517
Joao Carlos Cunha Dos Santos and Claudia M. Mazo Montoya #7518
Christopher Stocker and John Cocuzzo #7519
Anthea Carr and Paul M. Smith #7520
Jonah Hollander #7522
Andreas Zoitias #7525
Areti Lavalle #7521
David Garner and Jean McGee #7523
Daniel Mazzarini and Andrew Grover #7524
Yana Watson Kakar #7526

- 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. DELIBERATIONS/POSSIBLE DECISIONS/RESOLUTIONS:

RICHARD KALICH #7505 – Request for Variances from Article III, Section 280-15; Article IV, Section 280-18; and the Building Inspector’s March 8, 2021 Notice of Disapproval based on an application for a permit to construct a single family dwelling and an accessory spa; at; 1) dwelling is located less than the code required minimum combined side yard of 35 feet; 2) accessory spa is located in other than the code permitted rear yard; located at: 4660 Blue Horizon Bluffs, (Adj. to Long Island Sound) Peconic, NY. SCTM No. 1000-74-1-35.52

- 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. - ENNO AND HANNAH DE BOER #7516 - Request for Variances from Article XXIII, Section 280-124; and the Building Inspector’s March 18, 2021, Amended April 9, 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 minimum required side yard setback of 10 feet; 2) located less than the code minimum required combined side yard setback of 25 feet; 3) more than the code permitted maximum lot coverage of 20%; located at: 1555 Fleetwood Road (Adj. to East Creek), Cutchogue, NY. SCTM No. 1000-137-4-34.

No. 2 - 10:10 A.M. - KENNETH MONAGHAN #7517 - Request for a Variance from Article XXIII, Section 280-124; and the Building Inspector's March 24, 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 minimum required side yard setback of 15 feet; located at: 2750 Nassau Point Road, Cutchogue, NY. SCTM No. 1000-104.-12-16.

No. 3 - 10:20 AM. - JOAO CARLOS CUNHA DOS SANTOS AND CLAUDIA M. MAZO MONTOYA #7518 - Request for a Use Variance from Article III, Section 280-13(C) and the Building Inspector's January 21, 2021, Notice of Disapproval based on an application for a permit to construct alterations to an existing accessory garage to convert to an office; at 1) proposed conversion does not constitute a permitted accessory use; located at: 275 Maple Lane, Mattituck, NY. SCTM No. 1000-107-2-10.1.

No. 4 - 10:30 A.M. - CHRISTOPHER STOCKER AND JOHN COCUZZO #7519 - Request for Variances from Article III, Section 280-15; and the Building Inspector's April 1, 2021 Notice of Disapproval based on an application for a permit to construct an accessory structure; at 1) located less than the code minimum required rear yard setback of 15 feet; 2) located less than the code minimum required side yard setback of 15 feet; located at: 3375 Depot Lane, Cutchogue, NY. SCTM No. 1000-102-1-6.1.

No. 5 - 10:40 A.M. - ANTHEA CARR AND PAUL M. SMITH #7520 - Request for a Variance from Article III, Section 280-15; and the Building Inspector's March 4, 2021 Notice of Disapproval based on an application for a permit to replace an existing accessory shed with a new accessory shed; at 1) located in other than the code required rear yard; located at: 1030 Westview Drive, Mattituck, NY. SCTM No. 1000-139-1-5.

No. 6 - 10:50 A.M. - JONNAH HOLLANDER #7522 - Request for a Variance from Article XXIII, Section 280-124; and the Building Inspector's April 26, 2021 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%; located at: 275 Maple Street, Greenport, NY. SCTM No. 1000-42-1-15.

No. 7 - 11:00 A.M. - ANDREAS ZOITAS #7525 - Request for a Variance from Article XXII, Section 280-116A(1); and the Building Inspector's April 5, 2021, Amended June 18, 2021 Notice of Disapproval based on an application for a permit to construct an accessory in-ground swimming pool; at 1) swimming pool is located less than the code required 100 feet from the top of the bluff; located at: 1470 Grandview Drive, (Adj. to Long Island Sound) Orient, NY. SCTM No. 1000-14-2-3.15.

No. 8 - 1:00 P.M. - ARETI LAVALLE #7521 - Request for a Variance from Article XXII, Section 280-116A(1); and the Building Inspector's March 12, 2021, Amended May 12, 2021 Notice of Disapproval based on an application for a permit to construct an accessory in-ground swimming pool; at 1) located less than the code required 100 feet from the top of the bluff; located at: 555 Sound View Road, (Adj. to Long Island Sound) Orient, NY. SCTM No. 1000-15-3-7.

No. 9 - 1:10 P.M. - DAVID GARNER AND JEAN MCGEE #7523 - Request for a Waiver of Merger

petition under Article II, Section 280-10A, to unmerge land identified as SCTM No. 1000-41-1-33 which has merged with SCTM No. 1000-41-1-34, based on the Building Inspector's February 8, 2021 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, at 810 Washington Avenue, Greenport, NY. SCTM Nos.1000-41-1-33 and 1000-41-1-34.

No. 10- 1:20 P.M. - DANIEL MAZZARINI AND ANDREW GROVER #7524 - Request for Variances from Article IV, Section 280-18; Article XXII, Section 280-116A(1); and the Building Inspector's April 13, 2021 Notice of Disapproval based on an application for a permit to demolish and reconstruct a single family dwelling and construct an accessory in-ground swimming pool located in the Subdivision of Pebble Beach Farms; at 1) located less than the code required minimum side yard setback of 7.5 feet; 2) located less than the code required minimum combined side yard setback of 17.5 feet; 3) swimming pool located less than the code required 100 feet from the top of the bluff; located at: 90 The Strand, (Adj. to Long Island Sound) East Marion, NY. SCTM No. 1000-21-5-8.

No. 11 - 1:30 P.M. - YANA WATSON KAKAR #7526 - Request for a Variance from Article XXII, Section 280-105A and the Building Inspector's April 19, 2021 Notice of Disapproval based on an application for a permit to construct a six foot high portion of pool fencing in the front yard of a single family dwelling; at 1) fence is more than the code permitted maximum four (4) feet in height when located in the front yard; located at: 4625 Aldrich Lane Extension, (Adj. to Long Island Sound) Mattituck, NY. SCTM No. 1000-112-1-14.

No. 12 - 1:40 P.M. – HARD CORNER PARTNERS #7541 - 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 construct 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.

No. 13. - 1:50 P.M. – PHILIP LORIA #7498 – (Adjourned from July 1, 2021) Request for Variances from Article XII, Section 280-18; Article XIII, Section 280-56; and the Building Inspector's February 5, 2021 Notice of Disapproval based on the Zoning Board of Appeals Interpretation of Town Code Article VIII Section 280-156 "Bulk Schedule" regarding setbacks for a residential use in an MII zone district, (ZBA File# 6841, March 19, 2015) on an application for a permit to construct a single family dwelling; at 1) located less than the code required front yard setback of 35 feet; 2) located less than the code required rear yard setback of 35 feet; 3) located less than the minimum side yard setback of 15 feet; 4) more than the code permitted maximum two and one half stories; located at: 1090 First Street, New Suffolk, NY. SCTM No. 1000-117-7-31.

V. RESOLUTIONS:

- A. Resolution for next Regular Meeting with Public Hearings to be held Thursday, September 2, 2021, at 9:00 AM.
- B. Resolution to approve Minutes from Special Meeting held July 15, 2021.