

AGENDA

SOUTHOLD TOWN ZONING BOARD OF APPEALS REGULAR MEETING THURSDAY, AUGUST 6, 2020 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 August 6, 2020 Zoning Board of Appeals meeting 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.

If you do not have access to a computer or smartphone, there is an option to listen in via telephone. You may join by Telephone: 646-558-8656, *Webinar ID*: 930 9041 0409, *Password*: 296296. Call the ZBA office at 631-765-1809 for help.

I. EXECUTIVE SESSION: Beginning at 9:30 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:

Agenda

Southold Town Zoning Board of Appeals

Laura Flavin #7391
George and Lynn Krug #7392
Daniel Wright #7395
Paul and Kelly Demato #7407
Wendy Davis #7397
Mike and Mary Beth Petsky (Breezy Shores Cottage #10) #7408
Joseph Devito #7401
Andrew and Linda Toga #7403
Indian Neck IV, LLC #7409
Indian Neck II, LLC #7410
Indian Neck III, LLC #7411
Gerald Milito #7405
1925 Grandview Inc., Patrick Treanor, President #7390
Donna M. Wexler, Donna M. Wexler Revocable Trust and Rodney T. Quarty #7363

- B. **RESOLUTION:** declaring applications as Unlisted Actions and subject to environmental review pursuant to State Environmental Quality Review (SEQR) 6 NYCRR, Part 617 as follows:

WHEREAS, the Southold Town Zoning Board of Appeals declares Lead Agency status for the SEQRA review of the special exception application of SEAN MAGNUSON OF HNF RESORTS, EASTERN LONG ISLAND KAMPGROUND COTTAGES #7384SE;

THEREFORE BE IT

RESOLVED, that an uncoordinated review was conducted of, SEAN MAGNUSON OF HNF RESORTS, EASTERN LONG ISLAND KAMPGROUND COTTAGES #7384SE, and has been determined that this Action as Unlisted pursuant to State Environmental Quality Review Act (SEQRA) 6 NYCRR, Part 617, as it does not meet any of the thresholds of a Type 1 Action, nor does it meet any of the criteria on the Type II list of actions.

IV. POSSIBLE RESOLUTION TO CLOSE THE FOLLOWING HEARINGS:

HARD CORNERS PROPERTIES, LLC #7387 - Request for a Variance from Article X, Section 280-46 and the Building Inspector's January 14, 2020 Notice of Disapproval based on an application to construct a mixed-use commercial building with accessory apartments and four single family dwellings upon a 99,208 sq. ft. parcel; at, 1) one commercial and four residential uses upon a single parcel measuring less than the minimum allowed 100,000 sq. ft. in total area; located at: 53530 Main Road, Southold, NY SCTM NO. 1000-61-4-1

V. DELIBERATIONS/POSSIBLE DECISIONS/RESOLUTIONS:

ALEKSANDER MYFTARAGO #7346 – Request for Variances from Article IV, Section 280-15; Article XXIII, Section 280-124; and the Building Inspector's July 30, 2019, Amended January 17, 2020 Notice of Disapproval based on an application for a permit to legalize

an “as built” accessory garage and demolish an existing single family dwelling and construct a new single family dwelling; at, 1) accessory garage located less than the code required minimum rear yard setback of 3 feet; 2) accessory garage located less than the code required minimum side yard setback of 3 feet; 3) construction more than the code permitted maximum lot coverage of 20%; located at 135 Oak Place, Mattituck, NY. SCTM No. 1000-142-1-11.

SOLUTIONS EAST, LLC #7379 – Request for a Variance from Article III, Section 280-15 and the Building Inspector’s November 19, 2019, Notice of Disapproval based on an application for a permit to construct an accessory garage; at, 1) located in other than the code permitted rear yard; located at 1055 North View Drive, Orient, NY. SCTM No. 1000-13-3-1.

HARD CORNERS PROPERTIES, LLC #7387 - Request for a Variance from Article X, Section 280-46 and the Building Inspector’s January 14, 2020 Notice of Disapproval based on an application to construct a mixed-use commercial building with accessory apartments and four single family dwellings upon a 99,208 sq. ft. parcel; at, 1) one commercial and four residential uses upon a single parcel measuring less than the minimum allowed 100,000 sq. ft. in total area; located at: 53530 Main Road, Southold, NY SCTM NO. 1000-61-4-1

VI. PUBLIC HEARINGS: Beginning 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. 01 - 10:00 A.M. - LAURA FLAVIN #7391 - Request for Variances from Article VIII, Section 280-39 and the Building Inspector’s December 4, 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 minimum front yard setback of 50 feet; 2) located less than the code required minimum side yard setback of 15 feet; located at: 50705 Main Road, Southold, NY. SCTM No. 1000-70-1-7.1.

No. 02 - 10:10 A.M. - GEORGE AND LYNN KRUG #7392 - Request for Variances from Article XXIII, Section 280-124 and the Building Inspector’s December 16, 2019 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 minimum front yard setback of 35 feet; 2) located less than the code required minimum side yard setback of 10 feet; 3) located less than the code required minimum combined side yard setback of 25 feet; 4) more than the code permitted maximum lot coverage of 20%; located at: 1175 Second Street, New Suffolk, NY. SCTM No. 1000-117-7-20.

No. 03 - 10:20 A.M. - DANIEL WRIGHT #7395 - Request for Variances from Article III, Section 280-15; Article XXIII, Section 280-124; and the Building Inspector’s January 31, 2020 Notice of Disapproval based on an application for a permit to demolish an existing dwelling and reconstruct a new single family dwelling; at 1) located less than the code required minimum front yard setback of 35 feet; 2) located less than the code required minimum side yard setback of 10 feet; 3) located less than the code required minimum combined side yard setback of 25 feet; 4) existing garage located in other than the code required rear yard; located at: 2105 Orchard Road, East Marion, NY. SCTM No. 1000-37-3-6.

No. 04 - 10:40 A.M. - PAUL AND KELLY DEMATO #7407 - Request for a Variance from Article XXIII, Section 280-124 and the Building Inspector’s February 12, 2020 Notice of Disapproval based on an application for a permit to construct additions and alterations to an existing dwelling; at 1) less than the code required minimum front yard setback of 35 feet; located at: 355 Riley Avenue, Mattituck, NY. SCTM No. 1000-143-4-19.

No. 05 - 10:50 A.M. - WENDY DAVIS #7397 - Request for a Variance from Article XXIII, Section 280-124 and the Building Inspector’s January 27, 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 minimum front yard setback of 40 feet; located at: 200 Pierce Street, Cutchogue, NY. SCTM No. 1000-136-1-35.1.

No. 06 - 11:00 A.M. . - MIKE AND MARY BETH PETSKY (BREEZY SHORES COTTAGE #10) #7408 - Request for a Variance from Article XXIII, Section 280-123 and the Building Inspector’s January 2, 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 #10, Adj. to Shelter Island Sound) Greenport, NY. SCTM#1000-53-5-12.6.

No. 07 - 11:10 A.M. - JOSEPH DEVITO #7401 - Request for a Variance from Article III, Section 280-15 and the Building Inspector’s January 8, 2020 Notice of Disapproval based on an application for a permit to construct an accessory shed; at 1) located in other than the code required rear yard; located at: 100 Lighthouse Lane, Southold, NY. SCTM No. 1000-70-6-27.

No. 08 - 11:20 A.M. - ANDREW AND LINDA TOGA #7403 – Request for a Variance from Article XXIII, Section 280-124 and the Building Inspector’s January 30, 2020 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 rear yard setback of 50 feet; located at: 2425 Mill Creek Drive, (Adj. to Arshamomaque Pond – Long Creek) Southold , NY. SCTM No. 1000-51-6-40.

No. 09 - 1:00 P.M. - INDIAN NECK IV, LLC #7409 - Request for a Variance from Article XXII, Section 280-105C and the Building Inspector’s January 13, 2020, Amended February 24, 2020 Notice of Disapproval based on an application for a permit to legalize an “as built” 8 foot deer fence; at 1) not permitted on vacant parcel not engaged in bona fide agriculture production; located at: 1985 Leslie Road, Peconic, NY. SCTM No. 1000-98-1-2.1.

No. 10 - 1:00 P.M. - INDIAN NECK II, LLC #7410 - Request for a Variance from Article XXII, Section 280-105C and the Building Inspector’s January 13, 2020, Amended February 24, 2020 Notice of Disapproval based on an application for a permit to legalize an “as built” 8 foot deer fence; at 1) not permitted on vacant parcel not engaged in bona fide agriculture production; located at: 3595 Skunk Lane, Cutchogue, NY. SCTM No. 1000-97-9-12.

No. 11 - 1:00 P.M. INDIAN NECK III, LLC #7411 - Request for a Variance from Article XXII, Section 280-105C and the Building Inspector’s January 13, 2020, Amended February 24, 2020 Notice of Disapproval based on an application for a permit to legalize an “as built” 8

foot deer fence; at 1) not permitted on vacant parcel not engaged in bona fide agriculture production; located at: 3123 Skunk Lane, Cutchogue, NY. SCTM No. 1000-97-9-10.4.

No. 12 - 1:20 P.M. - GERALD MILITO #7405 - Request for a Variance from Article XXIII, Section 280-124 and the Building Inspector’s January 22, 2020 Notice of Disapproval based on an application for a permit to construct additions and alterations to an existing dwelling; at 1) less than the code required minimum side yard setback of 10 feet; located at: 550 West Road, Cutchogue, NY. SCTM No. 1000-110-5-41.

No. 13 - 1:30 P.M. - SEAN MAGNUSON FOR HNF RESORTS, INC. (EASTERN L.I. KAMPGROUND) #7384SE - Request for a Special Exception, pursuant to Town Code Article VIII, Section 280-35B(5) and Town Code Article 1, Section 253-1, the applicant is requesting permission to alter the existing Tourist and Trailer Campground by removing twenty (20) tent sites and constructing twenty (20) seasonal cabins, as well as variances for twenty (20) cabins measuring 504 sq. ft. where the code only allows cabins to measure a maximum of 450 sq. ft. in size; located at: 64500 County Road 48, Greenport. SCTM#1000-40-3-5.

No. 14 - 1:40 P.M. 1925 GRANDVIEW INC., PATRICK TREANOR, PRESIDENT #7390 - Request for a Variance from Article III, Section 280-13 and the Building Inspector’s January 6, 2020 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) more than the code permitted maximum two and one-half (2-1/2) stories; located at: 1925 Grandview Drive, Orient, NY. SCTM No. 1000-14-2-3.21.

No. 15 - 1:50 P.M. - DONNA M. WEXLER, DONNA M. WEXLER REVOCABLE TRUST AND RODNEY T. QUARTY #7363 - Request for Variances from Article IV, Section 280-18 and the Building Inspector’s September 30, 2019 Notice of Disapproval based on an application for a subdivision of merged properties at, 1) both proposed lots will be less than the code required minimum lot area of 40,000 sq. ft.; located at 1275 West Hill Road and 1175 West Hill Road, Southold, NY. SCTM#1000-70-4-22 and 1000-70-4-23.

VII. RESOLUTIONS:

- A. Resolution for next Regular Meeting with Public Hearings to be held Thursday, September 3, 2020, 9:00 AM.
- B. Resolution to approve Minutes from Special Meeting held on July 16, 2020.