

AGENDA

SOUTHOLD TOWN ZONING BOARD OF APPEALS REGULAR MEETING THURSDAY, OCTOBER 1, 2020 at 9:30 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 October 1, 2020 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.

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, Zoom Webinar ID 968 5892 0752; Passcode: 719153. Call the ZBA office at 631-765-1809 for help.

I. WORK SESSION:

- A. Requests from Board Members for future agenda items.

II. EXECUTIVE SESSION: Beginning at 9:30 A.M.

- A. Attorney advice

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

Agenda

Southold Town Zoning Board of Appeals

review pursuant to State Environmental Quality Review (SEQR) 6 NYCRR, Part 617.5 (c) including the following:

Cameron Dowe and Meg Strecker #7421

Deborah Windsor #7423

John Bellando #7424

John and Mary Anne Cassimitas #7425

Scott and Stacy Bowe #7426

Estate of Thomas Eiring by Stephen Gutleber, Executor #7427

Susan Cohen Wachter and Paul E. Wachter#7429

Michael and Vanessa Rebentisch #7430

Anthony Tartaglia and James Howell #7396

IV. DELIBERATIONS/POSSIBLE DECISIONS/RESOLUTIONS:

MICHAEL KREGER #7420 - Request for an Interpretation pursuant to Article III, Section 280-13 and the Building Inspector's February 25, 2020 Notice of Disapproval based on an application for additions and alterations to a single family dwelling to determine whether the current improvements constitutes as a third floor; located at: 985 Bay Shore road, (Adj. Pipes Creek) Greenport, NY. SCTM No. 1000-53-3-13.1.

V. 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. 1 - 10:00 A.M. - CAMERON DOWE AND MEG STRECKER #7421 - Request for a Variance from Article XXIII, Section 280-124 and the Building Inspector's February 24, 2020 Notice of Disapproval based on an application for a permit to legalize an "as built" deck addition attached to an existing single family dwelling; at 1) located less than the code required minimum combined side yard setback of 35 feet; located at: 975 Cedar Point Drive West (Adj. to West Lake), Southold, NY. SCTM No. 1000-90-1-5.

No. 2 - 10:10 A.M. - DEBORAH WINDSOR #7423 - Request for Variances from Article XXII, Section 280-105; and the Building Inspector's June 26, 2020, Amended July 7, 2020 Notice of Disapproval based on an application for a permit to legalize an "as built" 8 foot fence in the side and rear yards, and an "as built" 6 foot fence in the front yard; at 1) fence more than the code permitted maximum four (4) feet in height when located in the front yard; 2) fence more than the code permitted maximum six and one-half (6-1/2) feet in height when located in the side and rear yards; located at: 45 Platt Road, Orient, NY. SCTM No. 1000-18-6-1.

No. 3 - 10:20 A.M. - JOHN BELLANDO #7424 - Request for Variances from Article III, Section 280-15; Article IV, Section 280-18; and the Building Inspector's February 11, 2020, Amended March 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) shed located less than the code required minimum side yard setback of 15 feet; 2) more than the code permitted maximum lot coverage of 20%; located at: 1370 Jackson Street, (Adj. to Great Peconic Bay) New Suffolk, NY. SCTM No. 1000-117-10-10.

No. 4 - 10:30 A.M. - JOHN AND MARY ANNE CASSIMITAS #7425 - Request for Variances from Article XXIII, Section 280-124 and the Building Inspector's February 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 35 feet; 2) located less than the code required minimum rear yard setback of 35 feet; located at: 4355 Pequash Avenue, Cutchogue, NY. SCTM No. 1000-137-2-15.

No. 5 - 10:40 A.M. - SCOTT AND STACY BOWE #7426 - Request for a Variance from Article XXIII, Section 280-124 and the Building Inspector's June 19, 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: 260 Oak Drive, Cutchogue, NY. SCTM No. 1000-104-5-27.

No. 6 - 10:50 A.M. - ESTATE OF THOMAS EIRING BY STEPHEN GUTLEBER, EXECUTOR #7427 - Request for a Variance from Article IV, Section 280-18 and the Building Inspector's March 2, 2020, Notice of Disapproval based on an application for a permit to construct a new single family dwelling; at 1) located less than the code required minimum front yard setback of 50 feet; located at: 4077 Main Bayview Road (Adj. to West Creek), Southold, NY. SCTM No. 1000-78-2-18.4.

No. 7 - 11:00 A.M. - MINI CEDARS, LLC #7428 - Request for Variances from Article III, Section 280-18; Article XXIII, Section 280-124; and the Building Inspector's July 31, 2020 Notice of Disapproval based on an application for a permit for a lot line change and the construction of a new single family dwelling; at 1) proposed lot is less than the code required minimum lot area of 40,000 sq. ft.; 2) proposed lot is less than the code required minimum lot width of 150 feet; 3) proposed dwelling located less than the code required minimum front yard setback of 40 feet; 4) proposed construction more than the code permitted maximum lot coverage of 20%; located at: 905 Stephenson Road (Adj. to Long Island Sound), Orient, NY. SCTM No. 1000-17-1-2.2 and 1000-17-1-11.5.

No. 8 - 11:20 A.M. - SUSAN WACHTER AND PAUL E. WACHTER#7429 - Request for Variances from Article XXIII, Section 280-124 and the Building Inspector's June 11, 2020, 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) located less than the code required minimum front yard setback of 40 feet; 2) located less than the code required minimum single side yard setback of 15 feet; located at: 2295 Bay Shore Road (Adj. to Pipe's Cove) Greenport, NY. SCTM No. 1000-53-4-15.

No. 9 - 1:00 P.M. - MICHAEL AND VANESSA REBENTISCH #7430 - Request for Variances from Article III, Section 280-15F; Article XXIII, Section 280-124 and the Building Inspector's June 18, 2020, Amended August 7, 2020 Notice of Disapproval based on an application for a permit to construct additions and alterations to an existing single family dwelling and construct an accessory garage; at 1) dwelling is located less than the code required minimum front yard setback of 40 feet; 2) accessory garage located in other than the code required rear yard; located at: 1580 Corey Creek Lane (Adj. to Corey Creek), Southold, NY. SCTM No. 1000-78-4-19.

No. 10 - 1:10 P.M. - ANTHONY TARTAGLIA AND JAMES HOWELL #7396 - Request for Variances from Article XXIII, Section 280-123; Article XXIII, Section 280-124; and the Building Inspector's January 29, 2020, Amended September 1, 2020 Notice of Disapproval based on an application for a permit to reconstruct an "as built" sunroom to an existing single family dwelling, and to legalize an "as built" deck/patio to an existing accessory garage with apartment ; at 1) "as built" addition and alteration to the nonconforming accessory garage with apartment is not permitted; a nonconforming use shall not be enlarged or structurally altered or moved, unless the use of the building is changed to a conforming use; 2) proposed construction to the single family dwelling is located less than the code required minimum side yard setback of 15 feet; 3) proposed construction is more than the code permitted maximum lot coverage of 20%; located at: 55255 Suffolk County Route 48, (adj. to the Long Island Sound) Greenport, NY. SCTM No. 1000-44-1-9.

No. 11 - 1:20 P.M. - TIMOTHY FROST #7413 – (Reopened on September 17, 2020) Request for Variances from Article III, Section 280-15 and the Building Inspector's February 19, 2020 Notice of Disapproval based on an application for a permit to construct an accessory in-ground swimming pool and an accessory pool house and garage; at 1) swimming pool located in other than the code required rear yard; 2) accessory pool house/garage located in other than the code required rear yard; located at: 1995 Village Lane, Orient, NY. SCTM No. 1000-25-3-12.1.

VI. RESOLUTIONS:

- A. Resolution for next Regular Meeting with Public Hearings to be held Thursday, November 5, 2020 at 9:30 AM.
- B. Resolution to approve Minutes from Special Meeting held on September 17, 2020.
- C. Resolution to consider the area and use variance applications GAIL BARLOW AND CHARLES SQUIRE #7417 and 7418 withdrawn pursuant to their request by email correspondence on September 18, 2020.