

## **AGENDA**

### **OCTOBER 10, 2019** **REGULAR MEETING** **8:30 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
- B. Litigation

#### **II. WORK SESSION:**

- A. Requests from Board Members for future agenda items.
- B. Request to Amend Condition ZBA #7014 Captain Red's Marine Sales

#### **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:

Elizabeth Thompson and Marianne Fahs #7328  
Elizabeth Thompson and Marianne Fahs #7329  
Richard and Siobhan Hans #7320  
Richard and Siobhan Hans #7321  
William Harney #7322  
Joseph and Dana Triolo #7324

James M. Baker and Diane M. Baker #7323  
William and Kerry Mogavero #7326  
460 Oysterponds Lane, LLC, Ann Ffolliott #7327  
Brion Lewis #7325

**IV. POSSIBLE RESOLUTION TO CLOSE THE FOLLOWING HEARINGS:**

**PATRICK NAGLIERI AND MARGARET MCCONNELL #7300** –(Adjourned from September 12, 2019) Request for Variances from Article XXIII, Section 280-124 and Building Inspector’s March 6, 2019, Notice of Disapproval based on an application to demolish an existing dwelling and construct 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 rear yard setback of 35 feet; 3) located less than the code required combined side yard setback of 25 feet; 4) more than the code permitted maximum lot coverage of 20%; located, at 9955 Soundview Avenue, Southold, NY. SCTM No. 1000-59-2-5.

**FLORENCE VASILAKIS, ALEXANDER VASILAKIS AND DEMETRIOS VASILAKIS #7304** – (Adjourned from September 12, 2019) Request for Variances from Article III, Section 280-15, Article XXII, Section 280-116A(1) and Building Inspector’s February 11, 2019, Amended March 14, 2019 Notice of Disapproval based on an application to construct an accessory swimming pool; at, 1) located in other than the code permitted rear yard; 2) located less than the code required 100 feet from the top of the bluff; located at 21625 Soundview Avenue, (Adj. to the Long Island Sound) Southold, NY. SCTM No. 1000-135-1-6.

**KAREN KRAEBEL AHLERS #7314SE** – (Adjourned from September 26, 2019) Request for a Special Exception under Article III, Section 280-13B(13). The Applicant is the owners of subject property requesting permission to create an Accessory Apartment in an existing accessory structure, at: 255 Sixth Street, Laurel, NY. SCTM#1000-126-7-2.

**V. DELIBERATIONS/POSSIBLE DECISIONS/RESOLUTIONS:**

**PATRICK NAGLIERI AND MARGARET MCCONNELL #7300** - Request for Variances from Article XXIII, Section 280-124 and Building Inspector’s March 6, 2019, Notice of Disapproval based on an application to demolish an existing dwelling and construct 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 rear yard setback of 35 feet; 3) located less than the code required combined side yard setback of 25 feet; 4) more than the code permitted maximum lot coverage of 20%; located, at 9955 Soundview Avenue, Southold, NY. SCTM No. 1000-59-2-5.

**FLORENCE VASILAKIS, ALEXANDER VASILAKIS AND DEMETRIOS VASILAKIS #7304** Request for Variances from Article III, Section 280-15, Article XXII, Section 280-116A(1) and Building Inspector’s February 11, 2019, Amended March 14, 2019 Notice of Disapproval based on an application to construct an accessory swimming pool; at, 1) located in other than the code permitted rear yard; 2) located less than the code required 100 feet from the top of the bluff; located at 21625 Soundview Avenue, (Adj. to the Long Island Sound) Southold, NY. SCTM No. 1000-135-1-6.

**KAREN KRAEBEL AHLERS #7314SE** - Request for a Special Exception under Article III, Section 280-13B(13). The Applicant is the owners of subject property requesting permission to create an

**Accessory Apartment in an existing accessory structure, at: 255 Sixth Street, Laurel, NY. SCTM#1000-126-7-2.**

**KAREN KRAEBEL AHLERS #7315 - Request for Variances from Article III, Section 280-15 and Building Inspector's April 8, 2019 Notice of Disapproval based on an application to construct additions and alterations to an existing accessory building and convert it to an accessory apartment; at, 1) less than the code required minimum side yard setback of 10 feet; 2) more than the code required maximum height of 20 feet; located, at 255 Sixth Street, Laurel, NY. SCTM No. 1000-126-7-2.**

**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. - ELIZABETH THOMPSON AND MARIANNE FAHS #7328 - Request for a Variance from Article XXII, Section 280-105 and the Building Inspector's May 1, 2019, Notice of Disapproval based on an application to construct an 8 foot deer fence; at, 1) more than the code required maximum 4 feet in height when located in the front yard; located at 1655 Old Farm Road, Orient, NY. SCTM No. 1000-26-4-1.**

**9:40 A.M. - ELIZABETH THOMPSON AND MARIANNE FAHS #7329 - Request for a Variance from Article XXII, Section 280-105 and the Building Inspector's May 1, 2019, Notice of Disapproval based on an application to construct an 8 foot deer fence; at, 1) more than the code required maximum 4 feet in height when located in the front yard; located at 1325 King Street, Orient, NY. SCTM No. 1000-27-3-4.1.**

**9:50 A.M. - RICHARD AND SIOBHAN HANS #7320 - Request for a Variance from Article III, Section 280-15 and the Building Inspector's April 2, 2019, Notice of Disapproval based on an application for a permit to legalize "as built" additions and alterations to an existing accessory garage; at, 1) less than the code required side yard setback of 10 feet; located at 2125 Pine Tree Road, (Adj. to Little Creek) Cutchogue, NY. SCTM No. 1000-98-1-13.**

**10:00 A.M. - RICHARD AND SIOBHAN HANS #7321 –Request for an interpretation pursuant to Article III, Section 280-13(C); and the Building Inspector's April 2, 2019 Notice of Disapproval based on an application for a permit to legalize "as built" additions and alterations to an existing accessory garage, at; 1) as to whether "as-built" construction of finished space in an existing accessory garage is permitted accessory use; at: 2125 Pine Tree Road, (Adj. to Little Creek) Cutchogue, NY. SCTM No. 1000-98-1-13.**

**10:10 A.M. - WILLIAM HARNEY #7322 - Request for a Variance from Article III, Section 280-15 and the Building Inspector's April 24, 2019, 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 front yard setback of 50 feet; located at 4015 Main Bayview Road, Southold, NY. SCTM No. 1000-78-2-16.**

**10:20 A.M. - JOSEPH AND DANA TRIOLO #7324 - Request for a Variance from Article XXIII, Section 280-124 and the Building Inspector's May 28, 2019, 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 front yard setback of 35 feet; located at 420 Beachwood Lane, (Adj. to Goose Creek) Southold, NY. SCTM No. 1000-70-10-54.

**10:30 A.M. - JAMES M. BAKER AND DIANE M. BAKER #7323** - Request for Variances from Article III, Section 280-14 and the Building Inspector's May 13, 2019, Notice of Disapproval based on an application to permit a lot line change to create a two non-conforming lots, 1) lot 1 proposed at less than the code required minimum lot size of 120,000 sq. ft.; 2) lot 2 proposed at less than the code required lot width of 200 feet; located at 1143 Peninsula Road, (Adj. to Darbies Cove) Fishers Island, NY. SCTM Nos. 1000-10-5-10 and 1000-10-5-12.3.

**10:40 A.M. - WILLIAM AND KERRY MOGAVERO #7326** - Request for Variances from Article XXIII, Section 280-124 and the Building Inspector's April 8, 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 required front yard setback of 40 feet; 2) located less than the required side yard setback of 15 feet; located at 11485 Sound Avenue, Mattituck, NY, SCTM No. 1000-141-3-9.

**1:00 P.M. - 460 OYSTERPONDS LANE, LLC, ANN FFOLIOTT #7327** - Request for a Variance from Article XXIII, Section 280-124 and the Building Inspector's May 15, 2019, Notice of Disapproval based on an application for a permit to construct additions and alterations to an existing single family dwelling and move an existing accessory garage; at, 1) less than the code required side yard setback of 10 feet; located at 510 Oysterponds Lane, Orient, NY. SCTM No. 1000-24-1-4.1.

**1:10 P.M. - BRION LEWIS #7325** - Request for Variances from Article III, Section 280-15; Article XXII, Section 280-116A(1); Article XXIII, Section 280-124; and the Building Inspector's May 1, 2019, Amended May 31, 2019 Notice of Disapproval based on an application for a permit to construct additions and alterations to an "as built" accessory building, legalize an "as built" accessory garden shed and an accessory deck, and construct additions and alteration to an existing single family dwelling; at, 1) accessory building located less than the code required front yard setback of 50 feet; 2) accessory building located less than the code required side yard setback of 15 feet; 3) "as built" accessory garden shed located less than the code required side yard setback of 15 feet; 4) "as built" accessory deck located less than the code required 100 feet from the top of the bluff; 5) single family dwelling located less than the required side yard setback of 20 feet; 6) single family dwelling located less than the required 100 feet from the top of the bluff; located at 62615 County Road 48, (Adj. to Long Island Sound) Greenport, NY, SCTM No. 1000-40-1-8.

**1:20 P.M. - WILLIAM GORMAN #7303SE** – (Adjourned from August 15, 2019) Request for a Special Exception pursuant to Article III, Section 280-13B(1), the applicant is requesting to convert a single family dwelling to a two-family dwelling; located, at 45805 NYS Route 25, Southold, NY. SCTM No. 1000-75-2-14.

**1:30 P.M. - ROBERT YEDID #7309** – (Adjourned from September 12, 2019) Request for Variances from Article III, Section 280-15; Article XXIII, Section 280-124; and Building Inspector's March 22, 2019, Notice of Disapproval based on an application to legalize an "as built" accessory swimming pool and an "as built" accessory shed; at, 1) accessory shed located less than the code required side yard setback of 5 feet; 2) accessory shed located less than the code required rear yard setback of 5 feet; 3) "as built" construction is more than the code permitted maximum lot coverage of 20%; located, at 230 Hippodrome Drive, Southold, NY. SCTM No. 1000-66-2-25.

**VII. RESOLUTIONS:**

- A. Resolution for next Regular Meeting with Public Hearings to be held Thursday, November 7, 2019, 8:30 AM.
- B. Resolution to approve Minutes from Special Meeting held September 26, 2019.
- C. Resolution To authorize advertising **for the Public Hearing of the Special Exception Application and the Draft Environmental Impact Statement for the Enclaves Hotel and Restaurant** to be held on November 7, 2019 and commence at 5:00 P.M., Town Meeting Hall, 53095 Main Road, Southold.
- D. Resolution to amend condition #2 on ZBA Determination #7014 Captain Red's Marine Sales dated April 6, 2017 from "The six storage sheds on the property must be removed prior to the issuance of a building permit," to read as follows: ""The six storage sheds on the property must be removed prior to the issuance of a Certificate of Occupancy."