

Minutes of Meeting of the Zoning Board of Appeals  
Village of West Hampton Dunes  
914 Dune Road – September 13, 2014

Present: Zoning Board Chairman, Harvey Gessin, Zoning Board Members, Joseph Mizzi, Barry Goldfeder, Jim Cashin, Zoning Clerk, Laura Dalessandro, Village Attorney, Joe Prokop, Absent – Eric Saretsky & Commissioner of Wildlife Protection, Aram Terchunian.

Chairman Gessin: Meeting called to order: 10:07 a.m.-  
Pledge of Allegiance

- Zoning hearing is pursuant to public notice published in Newsday September 3, 2014.

**Follow-Up Application:**

**1. Panayis, Gregory, (SCTM#0907-2-2-35) 782 Dune Road, West Hampton Dunes, NY.** Applicant is requesting relief to subdivide said property into two separate lots, with Lot 1 having a total area of 26,399 square feet and lot 2 having a total area of 40,000 square feet. The premises is a 66,399 square foot lot presently improved with a single family residence, which is conforming use in the Village of West Hampton Dunes.

- In order to accomplish the above, the applicant needs relief from the following code sections of the zoning code:
  - a. Sec. 330-11 Lot Area – The lots created as a result of this proposed subdivision will be 26,399 sq. ft. (lot 1) and 40,000 sq. ft. (Lot 2), respectively. This section of the zoning code, however, requires each lot to be 40,000 sq. ft. in size, therefore a variance is required for Lot 1.
  - b. Sec 330-11 Lot Width – The lots created as a result of this proposed subdivision will be 90 feet and 105 feet in width, respectively. This section of the zoning code, however, requires each lot to be 150 feet in width. Therefore a variance is required for both lots 1 and 2.
  - c. Sec. 330-82 Street Frontage – The lots created as a result of this proposed subdivision will have street frontage of 90’ (Lot 1) and 15’ (Lot 2, flagpole lot), respectively. This section of the zoning code, however, requires a minimum road frontage of 40’, and in the case of a flagpole lot, the minimum road frontage at the street line shall be at least 20’. Therefore, a variance is required for the flagpole lot, Lot 2.
  - d. Sec. 330-11 Single and Total Side Yard Setback – As a result of the proposed subdivision, Lot 1 will have a single side yard setback of 14.2’ on one side and 12.9’ on the other side, for a total of 27.1’ This section of the zoning code, however, requires a minimum single side yard of 20’ and total side yard of 60’. Therefore, a variance is required for Lot 1 for both single side yard setbacks and total side yard setback.

- The application was sent to the Suffolk County Planning Department, as required. The response was that it is considered to be a matter for local determination with two comments as follows: (1) Article 6 of the Suffolk County Department of Health Services Sanitary Code for the Ground Management Zone in which the subject premises is located in should be complied with. (2) There is a discrepancy between the proposed subdivision map and the tax map. According to the latest Suffolk County Tax Map, proposed Lot 2 is situated on lands associated with Moriches Bay and owned by the Town of Southampton. These are comments, not conditions.

- Attorney, James Hulme, for applicant, Greg Panayis, asks the Board to adjourn until next meeting.

**2. 693 Dune Road, LLC, (SCTM#0907-3-2-36.1,3-2-37.1 & 4-2-1.1) 693 Dune Road, West Hampton Dunes, NY.** Applicant is the owner of a parcel of real property located at 693 Dune Road, West Hampton Dunes, NY which is comprised of three merged tax map lots. The premise is located in the R-40 zoning district of the Village. The premises is currently a 38,906 sq. ft. total lot size, and presently improved with a single family residence, which is conforming use in the village of West Hampton Dunes. When the existing structure was built, it was spread across two of the lots, SCTM#907-3-2-36.1 and 907-3-2-36.1, the third lot, SCTM# 907-4-2-1.1 is being incorporated into the current project to allow for the expansion. Applicant wishes to add a two story 1,935 sq. ft addition to the east side of the existing structure.

- The application was sent to the Suffolk County Planning Department, as required. The response was that it is considered to be a matter for local determination.

- The applicant is requesting relief from the following code sections of the zoning code:

- a. Sec. 330-11 Lot Coverage – The lot coverage after the proposed addition will be 22.8%. This section of the zoning code, however, requires that the lot coverage be no greater than 20%.

- b. Sec 330-11 Total Side Yard Setback – As a result of the proposed addition, the total side yard will be 57.2. This section of the zoning code, however, requires a minimum total side yard of 60'. Therefore, a variance is required for total side yard setback.

- Modified plan - 2<sup>nd</sup> story house has been reduced converted into deck Space

- New addition now behind coastal erosion line, therefore no longer a coastal erosion hazard variance needed. Reverse the stairs and the ramp, stairs now adjacent to the building and ramp east of that.

- Total side yard variance no longer needed for house

- Existing lot coverage is 22.7 %.

- Should ramp and stairs count in lot coverage?

- Setbacks are to principal building not accessory structures

Ramp and staircase are accessory structures subject to different setback requirements than principal structures. Subject to 20 feet from side and rear

- Survey needs to show that it is not a deck, but an elevated walkway
- Motion to approve the abandonment of existing variance of 22.8% lot coverage and approval of variance of 22.1% lot coverage for structure, subject to building inspector approval of setback requirements for accessory structure for stairs and ramp.

Motion by: Chairman Gessin  
 Seconded: Joseph Mizzi  
 All in favor: Unanimous  
 All opposed: None

**New application:**

**Autorino, Thomas and Pamela, (SCTM#0907-1-1-54) 880 Dune Road, West Hampton Dunes, NY.** Applicant is requesting the Board to consider a maximum lot coverage variance of 2.7% (lot coverage of 22.7% where maximum lot coverage of 20% is allowed). Applicant was previously granted a maximum lot coverage variance of 1.7 % (21.7% total, subject to conditions).

- Applicants, Tom & Pam Autorino, present to the board their current application and summarize the previous variance approved in 2012.
- Chairman Gessin and the Board request an area site plan of the surrounding neighborhood showing properties and identifying all properties that have been granted similar variances to what is being requested.
- Applicants need to submit a new application for new a variance request for new structure. Do not include previous variances granted for property. New application should reflect what is permissible and what relief the applicant is requesting.
- No side yard variances needed. No FEMA/height variance needed. Need lot coverage, rear and front yard setbacks.
- Need existing septic on the survey. Cannot have new structure built on existing septic.
- Abutting neighbors and Suffolk County Planning Board need to be notified again because it is a new application.
- Motion to approve the date of next ZBA meeting on October 1, 2014

at 6:00 p.m. at 906 Dune Road, WHD:

Motion by Chairman Gessin  
 Seconded Joseph Mizzi  
 All in favor Unanimous  
 All opposed None

- Motion to adjourn meeting for all purposes:

Motion by Chairman Gessin  
 Seconded Joseph Mizzi  
 All in favor Unanimous  
 All opposed None