

Minutes of Meeting of the Zoning Board of Appeals
Village of West Hampton Dunes
914 Dune Road –November 15, 2014

Present: Zoning Board Chairman, Harvey Gessin, Zoning Board Members, Joseph Mizzi, Eric Saetsky, 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: 10:20 a.m.- Pledge of Allegiance

- Zoning hearing is pursuant to public notice published in the Southampton Press November 6, 2014.

New Application:

1. Autorino, Thomas and Pamela, (SCTM#0907-1-1-54) 880 Dune Road, West Hampton Dunes, New York. Applicant is seeking relief for the construction of a new single family residence and accessory structures as follows:

1. Lot coverage variance of 2.7 % where the proposed structures will have a lot coverage of 22.7 % and the maximum lot coverage permitted is 20%
2. Front yard setback variance of 26 feet for a primary structure where the proposed primary structure will have a front yard setback of 34 feet and the required minimum front yard setback for a primary structure is 60 feet.
3. Front yard setback variance of 37 feet for an accessory structure where the proposed accessory structure will have a front yard setback of 33 feet and the required minimum front yard setback for an accessory structure is 70 feet.
4. Rear yard setback variance of .9 feet where the proposed structures will have a rear yard setback of 29.1 feet and the required minimum rear yard setback is 30 feet.

- Application was submitted to the Suffolk County Planning Board for review, as required. The response was that it is a matter for local jurisdiction.

- As requested at the last zoning meeting by the board, applicant, Tom Autorino submitted to the Board a new application for a new variance, along with the site plan of the surrounding neighbors and their lot coverage. The Board also requested a survey reflecting where the existing septic system is. That was not provided.

- Chairman Gessin motions the board to vote on the application.
- The Zoning Board of Appeals adopts lead agency status for purposes of SEQRA and hereby finds that the proposed action is a Type II action for purposes of SEQRA and that no further environmental review is required.

Motion James Cashin
 Seconded by Joseph Mizzi
 All in favor Unanimous
 All opposed None

- Motion to approve a front yard setback variance of 26 feet for a primary structure where the proposed primary structure will have a front yard setback of 34 feet and the required minimum front yard setback for a primary structure is 60 feet:

Motion Eric Saretsky
 Seconded by Joseph Mizzi
 All in favor Unanimous
 All opposed None

- Motion to approve the rear yard setback variance of .9 feet where the proposed structures will have a rear yard setback of 29.1 feet and the required minimum rear yard setback is 30 feet.

Motion Barry Goldfeder
 Seconded by James Cashin
 All in favor Unanimous
 All opposed None

- Motion to approve a lot coverage variance of 2.7 % where the proposed structures will have a lot coverage of 22.7 % and the maximum lot coverage permitted is 20%

Motion Barry Goldfeder
 Seconded by James Cashin
 All in favor Unanimous
 All opposed None

- Variances are granted subject to the following conditions being met:
 1. Construction complies with Suffolk County Department of Health Services regulations.
 2. Conditional upon applicant submitting a septic certification from Suffolk County Department of Health before the Building Inspector issues a building permit.

Holdover Application:

1. Panayis, Gregory, (SCTM#0907-2-2-35) 782 Dune Road, West

Hampton Dunes, NY. Applicant proposes to subdivide subject property with a total area of 66,399 square feet into two lots a Lot 1 and a Lot 2, Lot 2 being proposed as a flagpole lot.

The proposed Lot 1 will have an area of 26,399 square feet (40,000 square feet is required), street frontage of 90 feet and lot width of 90 feet (lot width of 150 feet is required). The variances requested for Lot 1 are a minimum area variance of 13,001 square feet and a minimum lot width variance of 60 feet.

The proposed Lot 2 will have an area of 40,000 square feet, street frontage of 20 feet (required minimum street frontage is 40 feet), and lot width of 105 feet (required minimum lot width is 150 feet). The variances requested for Lot 2 are a minimum lot width variance of 45 feet and a minimum street frontage variance of 20 feet.

- At the July 26, 2014 Zoning Board meeting, this application was left open and the Board requested the following for the next hearing:

1. Re-advertisement
2. Modify the table to show the front yard as Moriches Bay
3. Neighborhood Analysis – site plan of full neighborhood & condensed neighborhood.
4. Applicant to provide a list of any possible variances that this application needs.
5. Applicant to request property to be flagged.

- As requested, Jim Hulme, consultant for Greg Panayis submitted a new site plan analysis reflecting the full neighborhood & condensed neighborhood, along with an updated survey reflecting the wetlands flagged.

- Newly submitted plans need to be submitted to Suffolk County Department of Planning for their comments.

- Mr. Hulme to submit a list to the Village of what variances are being requested. Application with newly submitted plans needs to be submitted to Suffolk County Department of Planning and re-advertised with requested updated variances for the next zoning board meeting. Application tabled for next meeting.

New Application:

Herson, Perry and Michelle (SCTM# 907-2-1-11) 836A Dune Road, West

Hampton Dunes, New York. Applicant is seeking relief for existing and proposed structures as follows:

Lot coverage variance of 11% where the existing structures on the premises have a lot coverage of 31% and the maximum lot coverage permitted is 20%

Rear yard setback variance of 10.8 feet for a proposed rear yard setback of a primary structure of 35.2 feet where a rear yard setback of 45.96 feet is required for a primary structure under the 3/10ths rule.

Side yard setback variance of 1.6 feet for a proposed side yard setback of 9.6 feet for a 4 foot wide walk on the west side of the house where the side yard setback is 11.2 feet under the 4/10ths rule.

Front yard setback variance of 19.3 feet for an existing front yard setback of 40.7 feet for the primary structure where the required minimum front yard setback for a primary structure is 60 feet.

Front yard setback variance of 41 feet for an existing front yard setback of 29 feet for an existing deck where the required minimum front yard setback for an accessory structure is 70 feet.

Front yard setback variance of 37.3 feet for an existing front yard setback of 32.7 feet for an existing roof over an existing deck where the required minimum front yard setback for an accessory structure is 70 feet.

Front yard setback variance of 35.2 feet for an existing front yard setback of 35.2 feet for an existing second floor deck where the required minimum front yard setback for an accessory structure is 70 feet.

- Diane Herold, architect, represents the applicant, Perry & Michele Herson presents application to the board. Applicant is looking to build a second floor to the existing structure. Ms. Herold reviews all of the variances being requested with the board.

- Single and separate submitted with application.
- Three existing front yard setbacks are covered by current survey & CO.
- Seeking variances to keep the existing front yard setbacks.
- Proposed variance for deck.
- Additional variances are needed seeking a variance for an existing condition. Seeking to build a 2nd floor deck to existing setback.
- Site plan submitted for reference of surrounding properties.
- Seeking variance for a 4 foot walk, elevated, on the west side of the property, which is currently in place.
- Seeking variance for a deck on north side and swimming pool
- Increase living room and bedroom size, 2nd floor addition
- Owners of 838 Dune Road & 836A Dune Road– submitted a letter for the record against approving the requested variances.

- Board recommends scaling back the requested 31% lot coverage and resubmitting new variance application. Request for 2nd floor variance needs to be advertised in a public notice for next meeting.

- Carol Petino & James Merrell, residents at 834A Dune Road, make a statement to the zoning board that the owners of 836 Dune Road are building a house not to code and without a variance. Chairman Gessin explains that this

is not the application in front of the board at this time. There is a building application on file that allows him to build and if it is built in violation of the code, it will have to be removed before a Certificate of Occupancy will be issued.

Old Business:

- 878 Dune Road – Goldstein landscaping. Applicant submitted a picture of the plantings to the board. Landscaping that was approved at the July 26th 2014 meeting was as follows: “Plantings Sea Foam Juniper or equivalent, 3 foot on center, adding drip irrigation & maintained in perpetuity”. The plantings submitted are not 3 feet in height. Applicant needs to replace current plantings with plantings that are at least 3 feet in height and resubmit to the board for approval before a certificate of completion can be issued.

- Motion to adjourn meeting for all purposes:
Motion by Chairman Gessin
Seconded Joseph Mizzi
All in favor Unanimous
All opposed None