

SOUTHAMPTON VILLAGE PLANNING COMMISSION

Work Session

March 15, 2007

Due notice having been given, the public hearing meeting of the Southampton Village Planning Commission was held in the Board Room of the Municipal Building, 23 Main Street, Southampton, NY on March 15, 2007 at 5:00 PM. Present was Board Chairman Siamak Samii, and Board members Steve Dunham, Paul Travis, Tom Knight, Phil Pape, and Moon Vahradian.

DISCUSSION ITEMS: Garages and inclusion of attached garages in GFA.

Chairman Samii stated that this meeting is a work session and we will be deliberating on two items on the agenda. We had a brief presentation regarding the new local law for the Business District, and revisions to that law, which is now in front of the Trustees. The case was presented to us; members of the public also commented on it. I will read a letter into the record, which is in response to this local law.

"The Planning Commission held a public meeting on March 1, 2007 and heard comments from members of the public on the proposed local law. The Planning Commission also consulted the Village Attorney in order to hear the history of this proposed law. The original study and proposal for revision to the dimensional regulations to the businesses in the industrial district was undertaken and initiated by the Village Planning Board as well as the Village Planning Consultant, who at the time was David Emilita. The subject changes were approved and adopted on July 8, 2005. However, in order not to subject the Southampton Hospital and its facilities to these changes, an exception for institutional users was introduced as part of the proposed changes. The Village Trustees, the Planning Board and the Village Planning Consultant, did not further define the varieties of institutional users and its subjectivity to the local law. This was referred for later discussion and adjusted. Presently, the Village Trustees are commencing on further definition of various institutional uses and its subjectivity to the revised local law. Since the Planning was not involved in the original study, and therefore not familiar with any of the details or studies of this local law, we hereby refer all to the Village Trustees, the present Village Planning Consultant and the Planning Board."

Mr. Samii asked if Board members had any questions. Mr. Vahradian asked if this local law was for new or existing projects. Mr. Samii commented

that this is in regard to no specific project. Presently, the Trustees are looking into further defining uses that are an exception in the Business District. The original intent was to not include the hospital facilities as part of these changes. The issue in discussion now is simply the exception of all institutional uses from that law, what type of institutions should be excluded, and which ones should not. Many facilities were originally exempted from the local law.

I would also like to discuss ZBA and ARB issues. There are two concerns; one is the issue of attached garages. Presently, the same limits for detached garages are going to be used as the limits for attached garages. Another item is the issue of the four-tenths rule regarding rear yards. I would like to hear your comments on these. Since the attached garages are accessory structures, they do take certain mass on the property. Whether they are attached or detached would not change the massing of the building. Therefore should not be included as part of the GFA when attached to the main structure. However, there were limits on detached garages, whereas in the new law there were no limits assigned to attached garages. Additional concerns were the development of GFA above the attached garages, if this should be subject to new revisions to the law, or would it be something that the ARB would have jurisdiction on judging issues of aesthetics and massing. We touched on this briefly at our last meeting. Some members are in agreement that the ARB Board should be the authority for design challenges on that type of development, vs. actual zoning being changed. I would like to hear comments on this.

Mr. Travis commented that he agrees with that. First of all this change would help to discourage garages being made larger simply because of the GFA. I think we should let this take effect, see what happens, and then revisit it in the future if the ARB finds it continues to be an issue. I think that the danger in any particular house is that it may be good or bad to have usable space above the garage, but we don't know that without knowing the design of the house. Chairman Samii comments that we are also introducing an incentive for building detached garages, which could be sitting 5 feet from property lines.

Mr. Pape asked if a property owner, instead of building a two car garage, wanted to build a one car detached garage and use half the space for a pool house? Mr. Samii states that is a good point and is something to be discussed. We would like to avoid having many accessory structures sitting 5 feet away from the property line. I don't think that accessory structures used for pool buildings, etc, should sit 5 feet away from the property line. There is an issue of noise and activity, whereas a garage is more of a passive space. I think that we should limit the 5 feet distance to garage structures and not pool buildings.

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However, if an attached portion of the garage is beyond the accessory setbacks, it should be fine. We would have to place limits on smaller lots.

Mr. Travis comments that there are many things to look at, but I would suggest that this is a significant package of reforms that will be helpful, and it would be good for the village to get this underway.

Mr. Samii comments that this has been a good discussion because when it comes to writing zoning laws, we cannot always define the ultimate result 100%. The intent of the law is also an issue. As far as defining what that intent is, it is up to Mr. Foster, the head of the Building Department, to see what the original intent of the law was and on that basis make a judgment. So these discussions contribute to the definition of that intent, which could be used by the Building Department for interpretation of issues or points that are not completely clear.

ADJOURNMENT: The March 15, 2007 meeting of the Southampton Village Planning Commission was adjourned at 6:30 PM.

DATED: January 15, 2007

SUBMITTED BY:

FILED DATE: _____

Village Clerk

Joan Schneider
Recording Secretary