

SOUTHAMPTON VILLAGE PLANNING COMMISSION

Public Hearing Session

May 3, 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 May 3, 2007 at 5:00 PM. Present was Board Chairman Siamak Samii, and Board members Steve Dunham, Paul Travis, Ed Simioni, Moon Vahradian, Phil Pape and Bob Essay. Also present is Trustee Nancy McGann.

DISCUSSION ITEMS: Attached Garages

Chairman Samii states that we have been looking at reform of the zoning laws, specifically addressing half acre and smaller lots. At our previous meetings we presented our final findings and recommendations. We also presented these recommendations to the Village Trustees at their last meeting. There was one primary issue that we were asked to look at again. Tonight I would like to discuss this in further detail and possibly amend our recommendations to address that. The concern is attached garages. We did address the issue of garages in different formats. First and foremost, originally, two years ago when we changed the zoning, we proposed that since detached garages, as accessory structures, are not part of the GFA. However, when they are attached to a main building they would be part of the main footprint of the house and may or may not be included as part of the GFA. As far as massing goes, whether the structure is 5 feet away from the property line or is attached to the building it wouldn't make any difference regarding massing of the structure. However, we have some examples in the village, especially a few examples that the ARB brought to our attention as problematic. Garages were attached and GFA was built on top of the garages. This led to the complaint by ARB Board members, as well as some residents, that this adds to the overall massing on both of these structures and we need to provide provisions including attached garages in the GFA.

One reason why we were considering not including the garage footprint in the GFA was because in today's use of houses, attached garages are a very functional aspect of most everyone's lives. Having the garage attached to the household is a major convenience.

Another issue that was recommended was in order to create an incentive for provision of enclosed garage structures, not attached to the house, was that this basically originated on half acre and smaller lots. Accessory structures are often considered detached garages without the normal

accessory setbacks. When an accessory setback in a rear yard, in the smaller lots of 20,000 or one quarter acre lots, the space for an accessory structure would occupy a central position in the rear yard with setbacks of 15 feet. These structures would be floating in the central area of the rear yard and would basically eliminate the rear yard. That is the main reason why no one promoted this, or went ahead providing these types of detached accessory garage structures.

We did recommend two primary concerns. One was to allow detached garages sitting only 5 feet away from the rear property lines. This is a case where we have plenty of precedents for this on smaller lots throughout the village. There are accessory garage structures sitting 5 feet away from the property lines. Of course they would have to follow the pyramid law and would still be limited to a height of 16 feet. With adequate screening, they would not even be apparent to the neighbors. This was one of our primary recommendations in order to incentivize property owners to get away from attached garages. The other issue was that originally, detached garages had limits. Accessory structures had a limit of 520 square feet on one half acre or smaller lots. Once we attached them, we did not allocate any limit to the size of the garage. This was construed to be a loophole. As originally intended, we did move on and provide the same limits, (of 520 square feet on half acre or smaller lots), that we have on detached garages also apply to attached garages. These are the two items that we addressed in our original proposal.

Mr. Samii comments that tonight I would like to open the discussion by asking the Board members for their thoughts on this attached garage situation. To summarize, the concerns that have been brought to our attention, once the garage is attached, even with a limit of 520 square feet, at the moment there is no limit on construction above the garage. Is it the ARB's job to address this issue or can we address this through zoning.

Mr. Travis commented that his reaction is that once you take away what was an unlimited amount of garage space, and equalize for the applicant whether the garage is attached or detached, so they have the same amount of space either way, I think that is as far as zoning should go. The question of placing bulk above the garage should be within the purview of the ARB.

Mr. Dunham comments that he feels differently about that. I think that one of the purposes in our addressing the zoning was to give guidelines to the ARB. We might suggest a maximum of 1-½ stories of above garage space that does not qualify for GFA. Granted they could go for a variance. However, I think that we should set a guideline of 1-½ stories. We should create a balance. When we said 520 square feet maximum for a garage that does not

count in the GFA, and that is attached, I think we should create a balance. If we are allowing another garage structure within the 5-foot setback, that area should be deleted from what we are allowing in the house. However, if you have an attached garage, then you could not also have a detached garage.

Mr. Pape commented that in including the attached garage, then we still have the massing above it. Should we include that space also, should it be at the discretion of the ARB, or should it be limited to a 1-½ story only? The idea of including the garage in the GFA was really a swipe at reducing the GFA. On larger properties you often see attached garages with staff or guest quarters above, and that works very well. This is almost always in the back of the house, not in the front, or it is part of an L-shaped structure.

Mr. Simioni comments that I think massing of the garage is not a big issue. We have to be very careful that we don't over-regulate, and we have to allow the homeowner to build a house that makes sense for the property. The homeowner should decide on his own if he should attach or detach the garage based on his needs, and based on the configuration and size of his property. The zoning should be fair and allow the homeowner to have the flexibility to build the house that he wants, which would also be in good taste for the village. That is the whole idea. I don't think that additional space above the garage creates a problem with massing. If you put living space above the garage you have to take it away from some place else. You have to proportion the house somehow. If this is a problem, then I think it should be the venue of the ARB to look at the architecture of the house.

Mr. Vahradian comments that he agrees with what has been said. Senior citizens like attached garages with apartments above for parents.

Chairman Samii states that he would also like to look at issues of long-term parking. We need to collect data for a more comprehensive approach and address this at a future meeting. The Trustees had studies performed for parking in the village and found that there is no shortage of room for parking, but parking could be rearranged for more efficient use.

ADJOURNMENT: The May 3, 2007 meeting of the Southampton Village Planning Commission was adjourned at 7:00 PM.

DATED: May 21, 2007

SUBMITTED BY:

FILED DATE: _____
Village Clerk

Joan Schneider
Recording Secretary