

TOWN OF RIVERHEAD

COUNTY OF SUFFOLK: STATE OF NEW YORK

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RIVERHEAD ZONING BOARD OF APPEALS

Regular Meeting

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Held In-Person & Via Zoom

200 Howell Avenue
Riverhead, NY 11901

January 26, 2023

B E F O R E:

FRED J. MCLAUGHLIN - CHAIRMAN

LEROY BARNES - MEMBER

RALPH GAZZILLO - MEMBER

DANIEL ZAWESKI - MEMBER (Virtual Attendance)

TRACY STEWART - SECRETARY

DAWN THOMAS

ALL OTHER INTERESTED PARTIES

1 (The meeting was called to order at
2 7:07 p.m.)

3 CHAIRMAN MCLAUGHLIN: Okay. In
4 these extraordinary times, like tonight,
5 I'd like to invite you to the January
6 26th meeting of the Zoning Board of
7 Appeals. All right. Let's talk --
8 let's have Appeal Number 2020-035.

9 MEMBER BARNES: Well, Mr. Chairman,
10 as you may recall, I had asked the Board
11 to reopen a case on 4 Nautical Drive,
12 which the Board approved at the last
13 meeting, and I believe that the property
14 owner, Mr. Papadopoulos, was able to put
15 up the signs, the Town was able to post
16 the setbacks, and they're here tonight
17 in case anybody wants to ask them
18 questions. I believe somebody is here
19 on behalf of Papadopoulos.

20 CHAIRMAN MCLAUGHLIN: Step up to
21 the plate.

22 MEMBER BARNES: Why don't you step
23 up and get sworn in?

24 CHAIRMAN MCLAUGHLIN: Do your swear
25 to tell the truth and nothing but the

1 truth, so help you God?

2 MR. NUNNARO: Yes, I will.

3 CHAIRMAN MCLAUGHLIN: State your
4 name and your address.

5 MR. NUNNARO: My name is George
6 Nunnaro, 126 Lincoln Road. I'm here on
7 Emanuel Papadopoulos at 4 Nautical
8 Drive.

9 MEMBER BARNES: So I believe you
10 were the contractor on the job?

11 MR. NUNNARO: Yes, I am.

12 MEMBER BARNES: And you constructed
13 a new house. Was there a house on
14 there, or it was a vacant lot?

15 MR. NUNNARO: There was an old
16 house, but we removed it and built a
17 brand new house.

18 MEMBER BARNES: Okay. So when you
19 came for a variance or they came for a
20 variance a couple of years ago, I don't
21 remember, but we granted you a variance
22 certain setbacks, but now because the
23 house was built they don't meet all the
24 setbacks that were granted a couple of
25 years ago, and that's why it has to be

1 reheard tonight.

2 MR. NUNNARO: That's correct.

3 MEMBER BARNES: So do you know of
4 any other problems that may exist?

5 MR. NUNNARO: It's just the stairs.

6 MEMBER BARNES: Just the setbacks

7 --

8 MR. NUNNARO: Just the setback on
9 the stairs.

10 MEMBER BARNES: And the sign was
11 posted of course.

12 MR. NUNNARO: The sign was posted.

13 MEMBER BARNES: We have all the
14 final surveys here. So Mr. Chairman?

15 CHAIRMAN MCLAUGHLIN: Let's have a
16 reading.

17 MEMBER BARNES: Well, do you want
18 to see if anybody else wants to say
19 anything on it?

20 CHAIRMAN MCLAUGHLIN: Anyone else
21 to be heard on this?

22 MEMBER BARNES: Okay. Well, then I
23 move Appeal 2020-035, which was reopened
24 at the previous meeting for Emanuel
25 Papadopoulos for 4 Nautical Drive,

1 Riverhead, Tax Map Number 600-14-1-23,
2 which was originally granted on October
3 8, 2020 and reopened on January 12th be
4 changed to include the proposed exterior
5 stair setback of 4.5 feet and approved
6 for as built conditions as with the
7 survey that's depicted in file, and
8 proposed setbacks for the ZBA -- initial
9 ZBA application, the side and front yard
10 differences are only one or two inches
11 off, and that was originally granted be
12 approved as so.

13 MEMBER GAZZILLO: Second.

14 CHAIRMAN MCLAUGHLIN: Okay. Mr.
15 Zaweski?

16 MEMBER ZAWESKI: Aye.

17 CHAIRMAN MCLAUGHLIN: Mr. Gazzillo?

18 MEMBER GAZZILLO: Aye.

19 CHAIRMAN MCLAUGHLIN: Mr. Barnes?

20 MEMBER BARNES: Aye.

21 CHAIRMAN MCLAUGHLIN: And I vote
22 aye. So the appeal has been granted,
23 and off you go.

24 MR. NUNNARO: Thank you very much.

25 Have a good night.

1 THE CLERK: Appeal 2022-047, Shari
2 Cai, 111 Second Street, Jamesport,
3 Suffolk County Tax Map Number 600-92-6-1
4 RB-40 Zoning for variances and/or relief
5 from Town Code Chapter 301-15A(1)(b)
6 where a proposed 43.3 foot side
7 accessory setback, minimum allowed 50
8 feet; Chapter 301-15A(1)(c) where
9 proposed 5 foot rear accessory setback;
10 minimum allowed is 20 feet; and Chapter
11 301-14 where habitable space in an
12 accessory structure not incidental to or
13 customarily found in a single family
14 dwelling. Adjourned from January 12,
15 2023.

16 MEMBER GAZZILLO: Anybody here on
17 this?

18 CHAIRMAN MCLAUGHLIN: Were you
19 sworn in?

20 MR. PORTILLO: I believe not, sir.

21 CHAIRMAN MCLAUGHLIN: Then raise
22 your right hand. Do you swear to tell
23 the truth and nothing but the truth, so
24 help you God?

25 MR. PORTILLO: Yes, sir.

1 CHAIRMAN MCLAUGHLIN: State your
2 name and your address.

3 MR. PORTILLO: Sure. Anthony
4 Portillo, architect, 10200 Main Road,
5 Mattituck 11952.

6 CHAIRMAN MCLAUGHLIN: You got the
7 floor.

8 MR. PORTILLO: All right. I want
9 to apologize for not being here last
10 time. It was a miscommunication. So
11 we're proposing to build a new garage on
12 -- the lot currently -- the lot
13 currently has or the building or lot
14 currently has an older garage structure
15 that's on Green Street. From our
16 drawings you can see it's about three
17 feet from Green Street property line,
18 and we're proposing to remove that
19 garage, it's been there a very long
20 time, and build the new garage that
21 would be fronting Second Street. First
22 off, I think that that's -- Second
23 Street is more of the less traffic
24 street, it's going down to a dead end
25 there, where Green Street has a little

1 bit more traffic, it's kind of the main
2 street on the corner lot. The idea is
3 to build a 25 by 35 foot garage with
4 area above that my client does plan in
5 the future to come to Riverhead Building
6 Department to request an accessory
7 apartment. We have filed for the half
8 bathroom, we filed with the Health
9 Department to put in a new sanitary
10 system dedicated to this building. So
11 obviously from the code they have to
12 build the structure and then wait three
13 years and then apply for the accessory
14 apartment. So this is the structure
15 that we're proposing.

16 MEMBER BARNES: Did the Health
17 Department approve it yet?

18 MR. PORTILLO: No, sir. We
19 submitted early January so we're just
20 waiting.

21 MEMBER BARNES: So it's pending?

22 MR. PORTILLO: It's pending, yes.
23 So, you know, I believe and we believe
24 that the structure is less obtrusive
25 than the original garage that's there,

1 and also us removing that structure I
2 think takes it off of that street front,
3 Green Street. So that is our proposal.
4 If you have any questions, I can answer.

5 MEMBER BARNES: So one of the
6 things that I have a problem with, and
7 what's been going on is how the Building
8 Department has been writing their denial
9 letters and saying that an accessory
10 structure is not a customary use for
11 residential use. And they put it in
12 every single denial letter that there
13 is. And I think the Town Board legally
14 or I should say legislatively should
15 deal with this in some way or another.
16 So we're taking on some language that
17 will change that.

18 MR. PORTILLO: Okay.

19 MEMBER BARNES: And we're going to
20 not rule on this case tonight. We're
21 going to adjourn it for two weeks, and
22 there will be certain language that's
23 going to be put in it to clarify what
24 has been said in all of these denial
25 letters.

1 MR. PORTILLO: Understood.

2 MEMBER BARNES: We're hoping that's
3 what's going to happen. That's based
4 upon what our legal counsel is telling
5 us what we should be doing.

6 MR. PORTILLO: To your point, I
7 filed a few of these, I've actually -- I
8 was here on another client of mine on
9 Second Street. We did a new garage with
10 the intentions of doing an accessory
11 above, and we had the same objection in
12 our denial letter. So I guess, you
13 know, I brought the question up to the
14 Building Department as well because it's
15 pretty clear in the code that accessory
16 apartments, it's allowed, and it's
17 allowed in a new building if you build
18 the building, wait, and then --

19 MEMBER BARNES: Wait three years.

20 MR. PORTILLO: Right. And then
21 apply for it. So that's how I explained
22 that to my clients.

23 MEMBER BARNES: Well, it's nice
24 that it's all up front and we all know
25 what you're doing. A lot of people just

1 say it's going to be storage and they're
2 not telling the truth.

3 MR. PORTILLO: I mean, I guess,
4 I'll give you my opinion since we're
5 talking about it. Maybe we should show
6 the accessory apartment up front and
7 then maybe there's some notes saying
8 this is approved in three years from now
9 or something, right? Because we are
10 calling it storage, and it's kind of
11 strange, right?

12 MEMBER BARNES: We wouldn't be
13 doing the approval, only the Accessory
14 Board can do the approval. That's the
15 way it's written in the statute. That
16 language needs to be amended or changed
17 in some way so that everybody knows what
18 the clear intentions are of the public
19 and what they're doing. So in this
20 particular case, if there's nobody else
21 going to be heard, I was going to make a
22 motion to adjourn this. But we want to
23 make sure to see if anybody else has
24 anything to say about it.

25 CHAIRMAN MCLAUGHLIN: Anyone else

1 on Zoom to be heard on this matter?

2 MEMBER BARNES: Well, Mr. Chairman,
3 I respectfully request that we adjourn
4 2022-047 for 111 Second Street,
5 Jamesport to the February 9th meeting.

6 MEMBER GAZZILLO: Second.

7 CHAIRMAN MCLAUGHLIN: Mr. Gazzillo?

8 MEMBER GAZZILLO: Aye.

9 CHAIRMAN MCLAUGHLIN: Mr. Barnes?

10 MEMBER BARNES: Aye.

11 CHAIRMAN MCLAUGHLIN: Mr. Zaweski?

12 MEMBER ZAWESKI: Aye.

13 CHAIRMAN MCLAUGHLIN: And I vote
14 aye. So we'll see you guys next
15 meeting.

16 MR. PORTILLO: Sure. Sorry, just
17 so I understand correctly, we're going
18 to receive something prior to the
19 meeting?

20 MEMBER BARNES: That I don't know.
21 I'm not part of the administrative staff
22 that deals with this stuff. So there
23 may be some thought about doing --

24 CHAIRMAN MCLAUGHLIN: Check in with
25 the Town before the meeting.

1 MR. PORTILLO: You got it. Thank
2 you, Board. Have a great night.

3 CHAIRMAN MCLAUGHLIN: Thank you.

4 THE CLERK: Appeal 2022-049, TomCat
5 Realty Holdings, LLC, 901-932, Scott
6 Avenue, Calverton, Suffolk County Tax
7 Map Number 600-135.20-01-01, PIP Zoning
8 for variances and/or relief from Chapter
9 301-186B(10) where 85.8 percent of the
10 require parking is located within the
11 front yard, maximum is 25 percent;
12 Chapter 301-186B(10) where parking
13 within the front yard is 15 feet from
14 the south property line, minimum
15 required is 25 feet; Chapter 301-259D(1)
16 exterior lighting where building mounted
17 lights at 25 feet and pole mounted
18 lights at 35 feet, maximum permitted is
19 16 feet; and Chapter 301-259D(2) where
20 the proposed exterior lighting will
21 trespass onto adjoining property not
22 permitted.

23 CHAIRMAN MCLAUGHLIN: Are you an
24 attorney?

25 MR. ZOLLO: I play one on TV too,

1 yes, John Zollo. Good evening.

2 CHAIRMAN MCLAUGHLIN: State your
3 name and your address.

4 MR. ZOLLO: Appearing on behalf of
5 the applicant, my name is John B. Zollo,
6 12 Manor Road, Smithtown, New York,
7 attorney on behalf of the applicant.
8 Good evening, Mr. Chairman, Members of
9 the Board. I'm here on behalf of TomCat
10 Holdings Realty, LLC, and Peter E.
11 Williams, Jr. who is the principal.
12 This is a proposed 60,000 square foot --
13 can you hear me okay?

14 CHAIRMAN MCLAUGHLIN: Yeah.

15 MR. ZOLLO: 60,000 square foot
16 building at 901 Scott Avenue in
17 Calverton, Tax Map Number 600-135.2-1-1.
18 I have tonight, besides the owner, Peter
19 Williams, I have also an IT guy, who you
20 met previously, I have Rob Stromski,
21 architect at Stromski Architects, who
22 has worked with Young and Young on the
23 proposed site plan, and whose office
24 submitted the variance application. In
25 addition, the owner of the building,

1 Peter Williams is present. After I do a
2 brief introduction, describe the
3 application and what we're looking for
4 from this Board, Rob Stromski will be
5 here to walk you through the project if
6 you have any additional questions.

7 The relief being sought tonight
8 is similar to the relief granted for 301
9 Scott Avenue, that's Eastern Wholesale
10 Fence, and that's Peter Williams also.

11 We were here before this Board in
12 December of 2018 seeking certain
13 variances with both Peter Williams, Rob
14 Stromski, and me who appeared before
15 this Board. That was CAPS Realty
16 Holdings. I mention that because two of
17 the variances tonight that we're seeking
18 are identical to the variances that were
19 granted for the CAPS Realty Holding at
20 301, specifically with respect to the
21 height of the lights on the building and
22 poles and with respect to the
23 trespassing of light on adjoining
24 properties.

25 The nature of the variances are

1 for with respect to the parking in the
2 front yard, 85.8 percent required
3 parking located in the front yard where
4 a maximum of 25 percent is permitted,
5 and then also parking within the front
6 yard 15 feet from the south property
7 line where the minimum required is 25
8 feet. So there was a staff report done
9 by the Planning Department with respect
10 to the site plan that was submitted.
11 That was in November 18, 2022 regarding
12 the site plan application. And as my
13 client -- as I told you, my client is
14 looking to construct a 60,000 square
15 foot building for warehousing,
16 manufacturing, offices, and also they
17 will be demolishing the existing
18 building of 14,256 square feet, and
19 Mr. Stromski has the plan. You have
20 that, Rob?

21 MEMBER GAZZILLO: I think we have
22 that.

23 MR. ZOLLO: I just wanted you to
24 have the plan so you can kind of see
25 where the existing building is and where

1 the proposed new building is going to
2 be. You might have the plans in front
3 of you over there. Thank you, Rob. As
4 you can see, there's a proposed 60,000
5 square foot building, which is kind of
6 towards the northeast section of the
7 building -- property, and then towards
8 the -- that would be the northwest
9 front, northeasterly is where the
10 existing building is towards the front.
11 So what the proposed -- the application
12 is to build a 60,000 square foot
13 building, and while you're doing --
14 during the construction keep the
15 existing building so it could be used
16 during that period of time.

17 As the staff went through the
18 report, just overview of the site, the
19 site is 14.5364 acres, and it was lot 27
20 of the Camelot subdivision, which was
21 approved in 2006. The property is
22 located in the Planning Industrial Park,
23 PIP Zoning District, which permits
24 manufacturing, warehousing, and office.
25 Outdoor storage is also permitted as an

1 accessory use. In the surrounding area,
2 you have United Metro Fuelling Station,
3 which is located on the south, and the
4 steel aluminum fabrication site is
5 directly across on Scott Avenue. Other
6 uses within the park include Riverhead
7 Building Supply, which is a construction
8 material, warehouse, storage, and mill
9 work site, and Eastern Wholesale Fence.
10 My client purchased this property in
11 2020 with the intention of building this
12 new building for storage, warehouse, and
13 in relation to his existing business,
14 the Wholesale Fence. The prior use of
15 this building was for manufacturing of
16 automobile mufflers, catalytic
17 converters, metal fabrication and
18 welding. As this Board might know, the
19 western portion of the parcel sometime
20 around 2017 was cleared to create dirt
21 trails and was being operated as an
22 illegal motor cross track with portions
23 of the trails encroaching into the
24 southeast corner of 1001 Scott Avenue as
25 well as some of the property owned by

1 the Town of Riverhead. The subject
2 parcel is also within the Pine Barrens
3 Compatible Growth Area. As a
4 consequence of being in that growth
5 area, there's limitations on clearing.
6 Certain area has to remain in its
7 vegetative state. This property is
8 subject to having 305,000 square feet
9 remain in its natural state. My client
10 intends to, as has been discussed with
11 the further site plan process, restoring
12 the illegally cleared portions by
13 letting the property re-vegetate and get
14 back to its natural state, and that
15 would take care of all the buffering
16 area and Compatible Growth Area.

17 On December 6, 2022, the Town
18 Board by Resolution Number 2022-857
19 classified the site plan application of
20 TomCat Realty Holdings as a Type I
21 action pursuant to SEQRA and requested
22 lead agency status. As a result, the
23 proposed site plan was submitted, and
24 the building permit application was also
25 submitted and denied. The variances are

1 here because of the denials that we
2 received.

3 The variance for front yard
4 parking is being made for several
5 reasons. It has to do with the
6 placement of the proposed one story
7 building on the property towards the
8 rear of the site while allowing the
9 current building located towards the
10 front of the southern portion of the
11 property to remain temporarily. Also by
12 having parking in the front of the
13 building helps the applicant to make
14 certain that they do not disturb the
15 natural vegetative area towards the
16 west. There's also submitted that the
17 requested parking variances in the front
18 yard are consistent with surrounding
19 properties. In addition to the request
20 for the variances, with respect to
21 parking within the front yard of 15 feet
22 rather than the required 25 feet to the
23 south, once again, it makes sense for
24 the site and works with overall traffic
25 flow. This request takes into

1 consideration the existing 14,000 square
2 foot building on the property. Request
3 for exterior mounted lights, as I
4 indicated previously, is consistent with
5 prior grants from this Board,
6 specifically with respect to 301 Scott
7 Avenue. We're looking for mounted
8 lights 25 feet in height on the building
9 and 35 foot on the poles. It's
10 identical to the relief that was
11 requested previously on 301 Scott
12 Avenue. This is based upon the size of
13 the site, the heavy equipment being
14 operated on the property, the location
15 of the building, and the fact that there
16 will be outside storage on the site with
17 increased heights for the light is
18 necessary and requires. This will have
19 no adverse effect on the surrounding
20 properties. With respect to parking,
21 we're not here for parking variances,
22 but I just mention to you that we will
23 have required is 111 stalls, we will
24 have 113 stall. 77 stalls will be
25 installed, and 36 will be land banked.

1 As the balancing test with
2 respect to the Town law, it's submitted
3 that the application will not produce an
4 adverse effect on adjacent properties.
5 This is an industrial park. What's
6 proposed is consistent with surrounding
7 properties as well as consistent with
8 prior precedence of this Board. The
9 outdoor storage area within the front
10 yard setback will be screened by a chain
11 link fence and evergreens green buffer
12 as is done at 301 Scott. The variance
13 is not substantial considering the
14 proposed use. The project is located in
15 the industrial park where outdoor
16 storage is common. Lighting on the
17 property in the industrial parks need to
18 provide sufficient and adequate lighting
19 to be both functional, provide for
20 securing the premises, and just be
21 practical. The applicant intends to
22 maintain the existing operations in the
23 current building during the
24 construction. The existing utility
25 easements on the property require the

1 proposed building be placed where it is
2 on the plan. This placement requires
3 more parking to be located in the front
4 yard. Light poles need to be higher to
5 accommodate large equipment, as I said
6 previously. Also you might notice on
7 the plans there's an indication where it
8 says drainage easement. I'm bringing
9 this to your attention, just so you're
10 aware of it. The drainage easement was
11 put on the subdivision map back in 2006.
12 It's not a described easement, it's not
13 a recorded easement, it's just on the
14 subdivision map. It basically follows
15 the natural flow or grade of water on
16 the property. There is no
17 infrastructure or piping in the area.
18 So I bring that to your attention
19 because we are in the process, we're
20 meeting with the Town probably next week
21 to discuss that because there are two
22 other properties that deal with this
23 drainage easement and we're hoping to be
24 able to move that on the site where it
25 is currently situated. It's the

1 southern portion of the building, but it
2 doesn't effect this application. It
3 doesn't effect anything. If for some
4 reason the Town says we want that
5 drainage easement -- again, keep in
6 mind, it's not a described easement,
7 there's no piping, it's nothing, it's
8 just something that was part of the
9 subdivision application. If we had to
10 move the building north, it would not
11 effect any of the variances that we're
12 seeking tonight. So I still believe
13 that this Board has the ability -- I
14 know it has the ability to grant the
15 variances that we're seeking. So that's
16 basically all the overview of the
17 application. I have Rob Stromski here,
18 if you have any specific questions on
19 anything else regarding the plan, but I
20 think that what we have on the proposed
21 site plan and for the variances we're
22 seeking, I don't believe they're
23 substantial, I think that they're modest
24 considering the size of the building
25 that's being worked on and the overall

1 size of the site. And Peter Williams,
2 he's also fantastic, good reputation,
3 and a good record in the community and
4 the industrial park. So unless anyone
5 has any questions for me or Rob
6 Stromski, I would say thank you very
7 much for your time.

8 MEMBER BARNES: Thank you for your
9 presentation, it was very good. We've
10 seen this property many times here for
11 other variances as well. I don't see
12 any problem with the heights, only
13 because it's an industrial park, it's
14 not going to effect any residential
15 properties. So me, personally, I have
16 no issues.

17 CHAIRMAN MCLAUGHLIN: I have no
18 problems either.

19 MR. GAZZILLO: Me either. Anyone
20 else?

21 CHAIRMAN MCLAUGHLIN: Anyone else
22 to be heard on this matter? No one.

23 MEMBER GAZZILLO: Respectfully I
24 move that the Appeal Number 2022-049,
25 TomCat Realty Holdings LLC, 901-903

1 Scott Avenue, Calverton, SCTM Number
2 600-135.20-01-01, PIP Zoning for
3 variance and/or relief from Town Code
4 Chapter 301-186B(10) where 85.8 percent
5 of the required parking is located in
6 the front yard, maximum is 25 percent;
7 Chapter 301-186B(10) where parking in
8 the front yard is 15 feet from the south
9 property line, minimum required is 25
10 feet; Chapter 301-259D(1) exterior
11 lighting where building mounted lights
12 at 25 feet and pole mounted lights at 35
13 feet, maximum permitted is 16 feet; and
14 Chapter 301-259D(2) where proposed
15 exterior lighting will trespass onto
16 adjoining property is not permitted be
17 approved in accordance with the
18 applications and sketches with
19 amendments thereto, if any, as filed
20 with the Building Inspector.

21 MEMBER BARNES: Second.

22 CHAIRMAN MCLAUGHLIN: Mr. Zaweski?

23 MEMBER ZAWESKI: Aye.

24 CHAIRMAN MCLAUGHLIN: Mr. Gazzillo?

25 MEMBER GAZZILLO: Aye.

1 CHAIRMAN MCLAUGHLIN: Mr. Barnes?

2 MEMBER BARNES: Aye.

3 CHAIRMAN MCLAUGHLIN: I vote aye.

4 So your appeal has been granted.

5 MR. ZOLLO: Thank you very much.

6 THE CLERK: Appeal 2023-002, Paula
7 J. Constantini, 25 Terry Place,
8 Riverhead, Suffolk County Tax Map Number
9 600-110-2-11, RA-40 Zoning for variances
10 and/or relief from Chapter 301-11 where
11 proposed front setback is 32 feet, 9
12 inch, minimum required is 50 feet; and
13 Chapter 301-11 to reduce existing
14 impervious surface from 43.5 percent to
15 42 percent, which exceeds the allowable
16 30 percent.

17 CHAIRMAN MCLAUGHLIN: Kindly raise
18 your right hand. Do you swear to the
19 tell the truth and nothing but the
20 truth, so help you God?

21 MR. DANOWSKI: I do.

22 CHAIRMAN MCLAUGHLIN: State your
23 name and your address.

24 MR. DANOWSKI: My name is Tyler
25 Danowski, I reside at 216 Church Lane,

1 Riverhead, New York. I will be
2 representing the homeowners of 25 Terry
3 Place, the Constantini's. I work with
4 Stromski Architecture, I'm the project
5 manager, and I will be handling this
6 project for the Zoning variance. So
7 just a brief description of the project,
8 we are proposing a second floor addition
9 over an existing single story residence.
10 The second floor addition will be within
11 the existing footprint of the house as
12 it sits and over about three quarters of
13 the house to the south. So I think the
14 addition is roughly 1,300 square feet,
15 the second floor footprint, and the
16 existing footprint is around 1,800
17 square feet. The residence is currently
18 nonconforming, so we will be increasing
19 the degree of nonconformity with the
20 second floor addition with or without
21 the front porch. We are asking for
22 relief for the front yard setback. This
23 was a former Res C parcel, which is
24 required a 40 foot front yard setback.
25 The house currently has a 36.2 foot

1 setback in the front. We are now zoned
2 RA-40 with the new zoning, which
3 requires a 50 foot yard setback. With
4 the addition of the front porch that we
5 are proposing, we are now requesting a
6 32 foot 9 front yard setback from what
7 was originally was 36.2, so I believe
8 we're jumping up about 3 foot 6 closer
9 to the road than we currently are -- or
10 the front yard rather.

11 In addition to the front yard
12 setback relief, we are also looking for
13 a impervious surface relief. With this
14 project we are also removing a rear
15 deck. In doing so, we are actually
16 reducing the current impervious surface
17 from 43 and a half percent to 42
18 percent. The Zoning Code does require a
19 30 percent impervious surface for RA-40,
20 so we're kind of doing what we can at
21 that point to reduce a little bit. And
22 if the Board has any questions or
23 comments about the project, by all
24 means, I'd be willing to answer them.

25 CHAIRMAN MCLAUGHLIN: Looks good to

1 me.

2 MEMBER GAZZILLO: Anybody?

3 MEMBER BARNES: So the rear deck,
4 you're removing that, is that going to
5 be replaced with a patio?

6 MR. DANOWSKI: Now, they're
7 actually going to just plant grass back
8 in that space. They have a gravel area,
9 which they're going to kind of use --

10 MEMBER BARNES: The pool stays and
11 all the bricking around the pool?

12 MR. DANOWSKI: That all stays.

13 CHAIRMAN MCLAUGHLIN: Again, anyone
14 else to be heard on this matter? Let's
15 have a reading.

16 MEMBER BARNES: I move the Appeal
17 of 2023-02 of Paula Constantini, 25
18 Terry Place, Riverhead, Tax Map Number
19 600-110-2-11, it's located in the RA-40
20 Zoning District for variance and relief
21 from Chapter 301-11 where the proposed
22 front setback is 32.9 inches and the
23 minimum required is 50 feet; and Chapter
24 301-11 to reduce the existing impervious
25 surface from 43 to 42 percent, which

1 exceeds the allowable 30 percent be
2 approved in accordance with applications
3 and sketches with amendments thereto, if
4 any, as filed with the Building
5 Inspector.

6 MEMBER GAZZILLO: Second.

7 CHAIRMAN MCLAUGHLIN: All right.

8 Mr. Zaweski?

9 MEMBER ZAWESKI: Aye.

10 CHAIRMAN MCLAUGHLIN: Mr. Barnes?

11 MEMBER BARNES: Aye.

12 CHAIRMAN MCLAUGHLIN: Mr. Gazzillo?

13 MEMBER GAZZILLO: Aye.

14 CHAIRMAN MCLAUGHLIN: And I vote
15 aye. So your appeal has been granted,
16 take it from there. What's your last
17 name again?

18 MR. DANOWSKI: Danowski.

19 CHAIRMAN MCLAUGHLIN: How are you
20 related to Peter?

21 MR. DANOWSKI: I'm not directly
22 related to Peter.

23 THE CLERK: Appeal 2023-003,
24 Patricia Snyder, 20 Corwell Avenue,
25 Riverhead, Suffolk County Tax Map Number

1 600-130-2-16.2, RA-40 Zoning for
2 variances and/or relief from Chapter
3 301-11 where proposed side setback
4 abutting side street is 21.3 feet,
5 minimum is 50 feet.

6 CHAIRMAN MCLAUGHLIN: If you could
7 kindly raise your right hand? Do you
8 swear to tell the truth and nothing but
9 the truth, so help you God?

10 MS. SNYDER: I do.

11 CHAIRMAN MCLAUGHLIN: State your
12 name and your address.

13 MS. SNYDER: Patricia Snyder, 20
14 Corwell Avenue, Riverhead, New York.

15 CHAIRMAN MCLAUGHLIN: You have the
16 floor, young lady.

17 MS. SNYDER: I have the floor,
18 thank you. I am looking for a variance
19 for an addition, a 20 by 20 foot
20 addition on the south side of my house
21 towards Madison Street, which would have
22 a 21 and 3 -- yeah, 21 foot 3 inch
23 setback and the required is 50 feet.

24 CHAIRMAN MCLAUGHLIN: Okay.

25 MEMBER BARNES: That's easy.

1 CHAIRMAN MCLAUGHLIN: It's a nice
2 little spot down there. Is there anyone
3 in opposition to this matter?

4 MS. SNYDER: Not even my neighbor.

5 MEMBER BARNES: You're okay?

6 AUDIENCE MEMBER: I'm okay.

7 CHAIRMAN MCLAUGHLIN: Anyone on
8 Zoom? There's a Ritter on Zoom and
9 there's a Zoe Kray. Nobody to be heard?
10 Let's have a reading.

11 MEMBER GAZZILLO: Mr. Chairman,
12 regarding Appeal Number 2023-003 I move
13 that the Appeal of Patricia Snyder, 20
14 Corwell Avenue, Riverhead, SCTM Number
15 600-130-02-16.2, RA-40 Zoning for
16 variances and/or relief from Chapter
17 301-11 where proposed side setback
18 abutting side street is 21.3 feet,
19 minimum is 50 feet be approved in
20 accordance with the applications and
21 sketches with amendments thereto, if
22 any, as filed with the Building
23 Inspector.

24 MEMBER ZAWESKI: I second.

25 CHAIRMAN MCLAUGHLIN: Mr. Zaweski,

1 down in Florida, are the waves still
2 coming in?

3 MEMBER ZAWESKI: They are.

4 CHAIRMAN MCLAUGHLIN: Thanks. All
5 right. Mr. Zaweski is a yes. Mr.
6 Barnes?

7 MEMBER BARNES: Aye.

8 CHAIRMAN MCLAUGHLIN: Mr. Gazzillo?

9 MEMBER GAZZILLO: Aye.

10 CHAIRMAN MCLAUGHLIN: And I vote
11 aye. So your appeal has been granted.
12 Best of luck with your --

13 MS. SNYDER: Thank you very much.

14 CHAIRMAN MCLAUGHLIN: I'd like to
15 make a motion for Appeal Number
16 2020-024, Patricia Panchak, to be
17 reopened. Do I hear a motion?

18 MEMBER BARNES: What meeting, Mr.
19 Chairman?

20 CHAIRMAN MCLAUGHLIN: At the next
21 meeting.

22 MEMBER BARNES: Second.

23 CHAIRMAN MCLAUGHLIN: Mr. Gazzillo?

24 MEMBER GAZZILLO: Aye.

25 CHAIRMAN MCLAUGHLIN: Mr. Zaweski?

1 MEMBER ZAWESKI: Aye.

2 CHAIRMAN MCLAUGHLIN: Mr. Barnes?

3 MEMBER BARNES: Aye.

4 CHAIRMAN MCLAUGHLIN: And I vote
5 aye. So young lady, is there anything
6 you want to --

7 MR. GAZZILLO: Ma'am, have you been
8 helped?

9 MEMBER BARNES: I think she's just
10 observing. How about we approve the
11 minutes, Fred?

12 CHAIRMAN MCLAUGHLIN: Yes, we're
13 going to approve the minutes of the last
14 meeting. Do I hear a motion?

15 MEMBER GAZZILLO: So moved.

16 MEMBER BARNES: Second.

17 CHAIRMAN MCLAUGHLIN: All in favor?

18 (Aye said in unison.)

19 CHAIRMAN MCLAUGHLIN: Excuse me,
20 young lady out there, are you here for
21 anything?

22 AUDIENCE MEMBER: No.

23 CHAIRMAN MCLAUGHLIN: You're just
24 hanging out?

25 AUDIENCE MEMBER: I just don't

1 trust the Board.

2 CHAIRMAN MCLAUGHLIN: You should
3 have brought some popcorn and a soda.

4 MEMBER GAZZILLO: You can stay home
5 and watch it on TV.

6 MEMBER BARNES: Thanks for having
7 confidence in us.

8 CHAIRMAN MCLAUGHLIN: Thank you for
9 stopping by. Anyway we got the minutes
10 from last meeting, we did the Panchak,
11 let's hear a motion to adjourn.

12 MEMBER GAZZILLO: So moved.

13 CHAIRMAN MCLAUGHLIN: All in favor?

14 (Aye said in unison.)

15 (Time Noted: 7:42 p.m.)

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C E R T I F I C A T E

I, AMY THOMAS, a Court Reporter and Notary Public, for and within the State of New York, do hereby certify:

THAT the above and foregoing contains a true and correct transcription of the proceedings held on January 26, 2023, and were reported by me.

I further certify that I am not related to any of the parties to this action by blood or by marriage and that I am in no way interested in the outcome of this matter

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of JANUARY, 2023.

AMY THOMAS

<p style="text-align: center;">A</p> <p>ability 24:13,14 able 2:14,15 23:24 abutting 32:4 33:18 accessory 6:7,9,12 8:6,13 9:9 10:10 10:15 11:6,13 18:1 accommodate 23:5 acres 17:19 action 19:21 37:11 addition 14:25 20:19 28:8,10,14 28:20 29:4,11 32:19,20 additional 15:6 address 3:4 7:2 14:3 27:23 32:12 adequate 22:18 adjacent 22:4 adjoining 13:21 15:23 26:16 adjourn 9:21 11:22 12:3 36:11 Adjourned 6:14 administrative 12:21 adverse 21:19 22:4 agency 19:22 ago 3:20,25 allowable 27:15 31:1 allowed 6:7,10 10:16,17 allowing 20:8 aluminum 18:4 amended 11:16 amendments 26:19 31:3 33:21 AMY 37:3,18 and/or 6:4 13:8 26:3 27:10 32:2 33:16 answer 9:4 29:24 Anthony 7:3 anybody 2:17 4:18 6:16 11:23 30:2 Anyway 36:9 apartment 8:7,14</p>	<p>11:6 apartments 10:16 apologize 7:9 appeal 2:8 4:23 5:22 6:1 13:4 25:24 27:4,6 30:16 31:15,23 33:12,13 34:11,15 Appeals 1:4 2:7 appeared 15:14 Appearing 14:4 applicant 14:5,7 20:13 22:21 application 5:9 14:24 15:3 16:12 17:11 19:19,24 22:3 24:2,9,17 applications 26:18 31:2 33:20 apply 8:13 10:21 approval 11:13,14 approve 8:17 35:10 35:13 approved 2:12 5:5 5:12 11:8 17:21 26:17 31:2 33:19 architect 7:4 14:21 Architects 14:21 Architecture 28:4 area 8:4 18:1 19:3 19:5,6,16,16 20:15 22:9 23:17 30:8 asked 2:10 asking 28:21 Attendance 1:16 attention 23:9,18 attorney 13:24 14:7 AUDIENCE 33:6 35:22,25 automobile 18:16 Avenue 1:8 13:6 14:16 15:9 18:5 18:24 21:7,12 26:1 31:24 32:14 33:14 aware 23:10 aye 5:16,18,20,22 12:8,10,12,14</p>	<p>26:23,25 27:2,3 31:9,11,13,15 34:7,9,11,24 35:1 35:3,5,18 36:14</p> <hr/> <p style="text-align: center;">B</p> <p>B 1:12 14:5 back 19:14 23:11 30:7 balancing 22:1 banked 21:25 Barnes 1:14 2:9,22 3:9,12,18 4:3,6,10 4:13,17,22 5:19 5:20 8:16,21 9:5 9:19 10:2,19,23 11:12 12:2,9,10 12:20 25:8 26:21 27:1,2 30:3,10,16 31:10,11 32:25 33:5 34:6,7,18,22 35:2,3,9,16 36:6 Barrens 19:2 based 10:3 21:12 basically 23:14 24:16 bathroom 8:8 behalf 2:19 14:4,7 14:9 believe 2:13,18 3:9 6:20 8:23,23 24:12,22 29:7 Best 34:12 bit 8:1 29:21 blood 37:11 Board 1:4 2:6,10 2:12 9:13 11:14 13:2 14:9 15:4,11 15:15 18:18 19:18 21:5 22:8 24:13 29:22 36:1 brand 3:17 bricking 30:11 brief 15:2 28:7 bring 23:18 bringing 23:8 brought 10:13 36:3 buffer 22:11 buffering 19:15</p>	<p>build 7:11,20 8:3 8:12 10:17 17:12 building 7:13 8:5 8:10 9:7 10:14,17 10:18 13:16 14:16 14:25 15:21 16:15 16:18,25 17:1,5,7 17:10,13,15 18:7 18:11,12,15 19:24 20:7,9,13 21:2,8 21:15 22:23 23:1 24:1,10,24 26:11 26:20 31:4 33:22 built 3:16,23 5:6 business 18:13</p> <hr/> <p style="text-align: center;">C</p> <p>C 28:23 37:1,1 Cai 6:2 called 2:1 calling 11:10 Calverton 13:6 14:17 26:1 Camelot 17:20 CAPS 15:15,19 care 19:15 case 2:11,17 9:20 11:20 catalytic 18:16 certain 3:22 9:22 15:12 19:6 20:14 certify 37:5,10 chain 22:10 Chairman 1:13 2:3 2:9,20,24 3:3 4:14 4:15,20 5:14,17 5:19,21 6:18,21 7:1,6 11:25 12:2,7 12:9,11,13,24 13:3,23 14:2,8,14 25:17,21 26:22,24 27:1,3,17,22 29:25 30:13 31:7 31:10,12,14,19 32:6,11,15,24 33:1,7,11,25 34:4 34:8,10,14,19,20 34:23,25 35:2,4 35:12,17,19,23</p>	<p>36:2,8,13 change 9:17 changed 5:4 11:16 Chapter 6:5,8,10 13:8,12,15,19 26:4,7,10,14 27:10,13 30:21,23 32:2 33:16 Check 12:24 Church 27:25 clarify 9:23 classified 19:19 clear 10:15 11:18 cleared 18:20 19:12 clearing 19:5 CLERK 6:1 13:4 27:6 31:23 client 8:4 10:8 16:13,13 18:10 19:9 clients 10:22 closer 29:8 code 6:5 8:11 10:15 26:3 29:18 come 8:5 coming 34:2 comments 29:23 common 22:16 community 25:3 Compatible 19:3 19:16 conditions 5:6 confidence 36:7 consequence 19:4 consideration 21:1 considering 22:13 24:24 consistent 20:18 21:4 22:6,7 Constantini 27:7 30:17 Constantini's 28:3 construct 16:14 constructed 3:12 construction 17:14 18:7 22:24 contains 37:6 contractor 3:10 converters 18:17</p>
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