

**TOWN OF RIVERHEAD
ZONING BOARD OF APPEALS**

200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901-2596
(631) 727-3200 ext. 240 FAX (631) 727-9101

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F.J. McLaughlin *Otto Wittmeier* *Lisa Worthington* *Leroy E. Barnes, Jr.* *Frank Seabrook* *Kim E. Fuentes*
Chairman *Vice Chairman* *Member* *Member* *Member* *Secretary*

DETERMINATION OF THE ZONING BOARD OF APPEALS

APPEAL NO.: 14-35 (Reopened)

**APPLICANT: Higgins Housing Initiative (contract vendee)
Pasquale Grisafi**

RELIEF SOUGHT: Area Variance

For a variance to and/or relief from the provisions of Chapter 108, Section 108-64C requesting permission to install a prefabricated/modular single family residence, Section 108-14.1, requesting permission to install aforementioned residence having a front yard depth of **39.3** (was 41.9) feet instead of the required 50 feet, having a rear yard width of 41.4 feet instead of the required 60 feet, having a side yard width of 9.6 feet instead of the required 25 feet and a side yard width of 9.6 feet instead of 30 feet, having combined side yard widths of 19.2 feet instead of the required 55 feet, and to provide for impervious surface of 17.5% instead of the permitted 15%.

LOCATION: 14 Willow Street, Aquebogue, New York

SCTM No.: 0600-087-1-8

ZONING DISTRICT: Residence B-40

DATE(S) OF HEARING: June 12, 2014, Reopened June 25, 2015 & Amended July 23, 2015

PLEASE TAKE NOTICE that at a public hearing of the Town of Riverhead Zoning Board of Appeals on the above referenced date(s), the Board took the following action:

1. In accordance with the recommendation of the Planning Department that this action be classified as Type II under the criteria of Section 617 of the State Environmental Quality Review Act and the other provisions of the New York State Environmental Conservation Law, the Board declares themselves lead agency and further determines the action to be Type II pursuant to Section 617 of the State Environmental Quality Review Act and that an Environmental Impact Statement need not be prepared.

2. The above referenced appeal was duly considered and determined as follows:

Relief sought was amended and is GRANTED as follows from the provisions of Chapter 108, Section 108-14.1 to construct a single family residence having a front yard depth of 26.7 feet instead of the required 50 feet, a rear yard depth of 37.1 feet

instead of the required 60 feet having a side yard width of 9.6 feet instead of the required 25 feet and a side yard width of 9.6 feet instead of 30 feet, having combined side yard widths of 19.2 feet instead of the required 55 feet, and to provide for impervious surface of 22.6% instead of the permitted 15%.

3. Subject to the following conditions:

None

The motion was duly adopted by a roll call vote of all members present.

MR. MCLAUGHLIN: May I have your vote please?

| | |
|------------------|-----|
| MR. WITTMEIER: | AYE |
| MR. SEABROOK: | AYE |
| MR. BARNES: | AYE |
| MRS. WORTHINGTON | AYE |
| MR. MCLAUGHLIN: | AYE |

If this is an approval, it is necessary that you take this duplicate original letter with you to the building department when applying for a building permit. Pursuant to §108-76(D) of the Town Code, any determination made by the Board of Appeals shall not become effective unless a permit is obtained in accordance therewith within one year of the date of such determination, unless the Board of Appeals has stipulated a different period of time in its determination. The provisions of this subsection shall not apply in cases of interpretation of variances for the use of land unless the Board of Appeals stipulated a period of time in its determination. Failure to comply therewith will render this approval null and void. In the event this is an approval subject to conditions, the approval shall not be deemed effective until such time that the foregoing conditions are met.

The Board of Appeals shall have the power, by resolution, to extend its determination for a period of one year *upon written notice* from the applicant or his agent of the desire to do so. No more than three such extensions shall be allowed. **This determination will expire on July 23, 2016.**

Please feel free to contact the office of the Zoning Board of Appeals with any questions you may have.

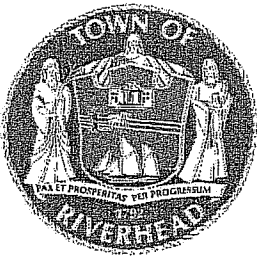
Dated: Riverhead, New York
June 12, 2014, Reopened & Amended July 23, 2015

Very truly yours,

ZONING BOARD OF APPEALS



F. J. McLaughlin,
Chairman



TOWN OF RIVERHEAD ZONING BOARD OF APPEALS

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F.J. McLaughlin
Chairman

Otto Wittmeier
Vice Chairman

Lisa Worthington
Member

Leroy E. Barnes, Jr.
Member

Frank Seabrook
Member

Kim E. Fuentes
Secretary

DETERMINATION OF THE ZONING BOARD OF APPEALS EXTENSION

APPEAL NO.: 14-43

APPLICANT: Jonathan Sujecki

RELIEF SOUGHT: Area Variances(s)

For variances to and/or relief from the provisions of Chapter 108, Section 283 A requesting permission to construct a porch addition to use as a farm stand having a front yard depth of 24.1 feet instead of the required 50 feet.

LOCATION: 3700 Middle Country Road, Calverton, New York

SCTM No. 0600-99-2-6.3

ZONING DISTRICT: Rural Corridor (RLC)

DATE(S) OF HEARING: August 14, 2014

MR. MCLAUGHLIN: This appeal was originally granted on August 14, 2014. James DeLucca, agent, did request an extension of area variances, by letter dated July 20, 2015, for a one year extension. The Board granted an extension for a one year term.

Therefore, I move that the time period of the above cited determination be extended to August 14, 2016 as per Chapter 108, Section 108-76 (D.) of the Code of the Town of Riverhead. This is the third and final extension.

The motion was duly adopted by a roll call vote of all members present.

| | |
|------------------|-----|
| MR. WITTMEIER: | AYE |
| MR. SEABROOK: | AYE |
| MR. BARNES: | AYE |
| MS. WORTHINGTON: | AYE |
| MR. MCLAUGHLIN: | AYE |

I hereby certify that the foregoing is a true copy of a motion duly adopted on the 23rd of July 2015, and of the whole thereof.

DATED: July 23, 2015

F. J. MCLAUGHLIN, CHAIRMAN
ZONING BOARD OF APPEALS

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TOWN OF RIVERHEAD ZONING BOARD OF APPEALS

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DETERMINATION OF THE ZONING BOARD OF APPEALS

APPEAL NO.: 15-22

APPLICANT: **George Miller**

RELIEF SOUGHT: Area Variances(s)

For variances to and/or relief from the provisions of Chapter 108, Section 108-19, requesting permission to construct first and second floor additions to a single family residence having a side yard width of 6 feet instead of the required 30 feet, having a combined side yard width of 16.8 instead of the required 65 feet, and providing for 22.8% impervious surface instead of the permitted 15%.

LOCATION: 23 Scallop Lane, South Jamesport, New York

SCTM No. 0600-092-3-1 ZONING DISTRICT: Residence B-80

DATE(S) OF HEARING: June 25, 2015 and July 23, 2015

PLEASE TAKE NOTICE that at a public hearing of the Town of Riverhead Zoning Board of Appeals on the above referenced date(s), the Board took the following action:

1. In accordance with the recommendation of the Planning Department that this action be classified as Type II under the criteria of Section 617 of the State Environmental Quality Review Act and the other provisions of the New York State Environmental Conservation Law, the Board declares themselves lead agency and further determines the action to be Type II pursuant to Section 617 of the State Environmental Quality Review Act and that an Environmental Impact Statement need not be prepared.

2. The above referenced appeal was duly considered and determined as follows:

RELIEF GRANTED AS SOUGHT

3. Subject to the following conditions:

NONE

The motion was duly adopted by a roll call vote of all members present.

MR. MCLAUGHLIN:

May I have your vote please?

| | |
|-------------------|-----|
| MR. SEABROOK: | AYE |
| MR. BARNES: | AYE |
| MRS. WORTHINGTON: | AYE |
| MR. WITTMEIER: | AYE |
| MR. MCLAUGHLIN: | AYE |

If this is an approval, it is necessary that you take this duplicate original letter with you to the building department when applying for a building permit. Pursuant to §108-76(D) of the Town Code, any determination made by the Board of Appeals shall not become effective unless a permit is obtained in accordance therewith within one year of the date of such determination, unless the Board of Appeals has stipulated a different period of time in its determination. The provisions of this subsection shall not apply in cases of interpretation of variances for the use of land unless the Board of Appeals stipulated a period of time in its determination. Failure to comply therewith will render this approval null and void. In the event this is an approval subject to conditions, the approval shall not be deemed effective until such time that the foregoing conditions are met.

The Board of Appeals shall have the power, by resolution, to extend its determination for a period of one year *upon written notice* from the applicant or his agent of the desire to do so. No more than three such extensions shall be allowed. **This determination will expire on July 23, 2016.**

Please feel free to contact the office of the Zoning Board of Appeals with any questions you may have.

Dated: Riverhead, New York
July 23, 2015

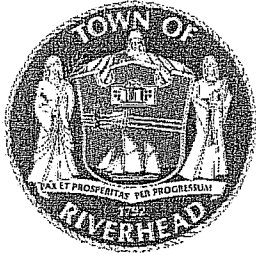
Very truly yours,

ZONING BOARD OF APPEALS



F. J. McLaughlin,
Chairman

FM:kef



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Kim E. Fuentes
Secretary

DETERMINATION OF THE ZONING BOARD OF APPEALS

APPEAL NO.: 15-24

APPLICANT: Blaine Rosser

RELIEF SOUGHT: Area Variances(s)

For variances to and/or relief from the provisions of Chapter 108, Section 108-9, requesting permission to construct a deck attached to a single family residence having a distance of 18.9 feet from the rear yard property line instead of the required 20 feet, to construct a shed in the rear yard having distances of 2 feet from the rear and side property lines instead of the required 20 feet, and having 4.9 feet from another structure instead of the required 10 feet, Section 108-10.1, requesting permission to construct additions to a single family residence having a side yard width of 6.6 feet instead of the required 25 feet, a side yard width abutting a side street of 24.8 instead of the required 50 feet, a total combined side yard width of 31.4 feet instead of the required 55 feet, having a rear yard depth of 18.9 feet instead of the required 60 feet, to provide for impervious surface of 32% instead of the permitted 15%, and Section 108-51E to provide for an increase in gross floor area of a preexisting nonconforming building within the side, rear and side street yard setbacks.

LOCATION: 50 Hornpipe Drive, Riverhead, New York

SCTM No. 0600-14-1-53

ZONING DISTRICT: Residence A-40

DATE(S) OF HEARING: June 25, 2015 and July 23, 2015

PLEASE TAKE NOTICE that at a public hearing of the Town of Riverhead Zoning Board of Appeals on the above referenced date(s), the Board took the following action:

1. In accordance with the recommendation of the Planning Department that this action be classified as Type II under the criteria of Section 617 of the State Environmental Quality Review Act and the other provisions of the New York State Environmental Conservation Law, the Board declares themselves lead agency and further determines the action to be Type II pursuant to Section 617 of the State Environmental Quality Review Act and that an Environmental Impact Statement need not be prepared.

2. The above referenced appeal was duly considered and determined as follows:

Relief sought is amended and is GRANTED as follows from the provisions of Chapter 108, Section 108-9, to construct a deck attached to a single family residence having a distance of 18.9 feet from the rear yard property line instead of the required 20 feet, to construct a shed in the rear yard having distances of 2 feet from the rear and side property lines instead of the required 20 feet, and having 7.9 feet from another structure instead of the required 10 feet, Section 108-10.1, requesting permission to construct additions to a single family residence having a side yard width of 9.6 feet instead of the required 25 feet, a side yard width abutting a side street of 24.8 instead of the required 50 feet, a total combined side yard width of 34.4 feet instead of the required 55 feet, having a rear yard depth of 18.9 feet instead of the required 60 feet, to provide for impervious surface of 28.8% instead of the permitted 15%, and Section 108-51E to provide for an increase in gross floor area of a preexisting nonconforming building within the side, rear and side street yard setbacks.

3. Subject to the following conditions:

NONE

The motion was duly adopted by a roll call vote of all members present.

MR. WITTMEIER: May I have your vote please?

| | |
|-------------------|-----|
| MR. SEABROOK: | AYE |
| MR. BARNES: | NAY |
| MRS. WORTHINGTON: | AYE |
| MR. WITTMEIER: | AYE |
| MR. MCLAUGHLIN: | AYE |

If this is an approval, it is necessary that you take this duplicate original letter with you to the building department when applying for a building permit. Pursuant to §108-76(D) of the Town Code, any determination made by the Board of Appeals shall not become effective unless a permit is obtained in accordance therewith within one year of the date of such determination, unless the Board of Appeals has stipulated a different period of time in its determination. The provisions of this subsection shall not apply in cases of interpretation of variances for the use of land unless the Board of Appeals stipulated a period of time in its determination. **Failure to comply therewith will render this approval null and void.** In the event this is an approval subject to conditions, the approval shall not be deemed effective until such time that the foregoing conditions are met.

The Board of Appeals shall have the power, by resolution, to extend its determination for a period of one year *upon written notice* from the applicant or his agent of the desire to do so. No more than three such extensions shall be allowed. **This determination will expire on July 23, 2016.**

Please feel free to contact the office of the Zoning Board of Appeals with any questions you may have.

Dated: Riverhead, New York
July 23, 2015

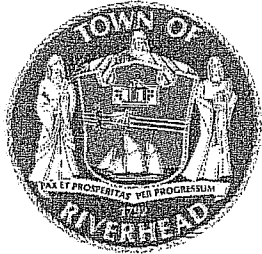
Very truly yours,

ZONING BOARD OF APPEALS

A handwritten signature in black ink, appearing to read 'F. J. McLaughlin', written over the printed name below.

F. J. McLaughlin,
Chairman

FM:kf



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TOWN OF RIVERHEAD ZONING BOARD OF APPEALS

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Member

Kim E. Fuentes
Secretary

DETERMINATION OF THE ZONING BOARD OF APPEALS

APPEAL NO.: 15-25

APPLICANT: Teresa Maurovic

RELIEF SOUGHT: Area Variances(s)

For variances to and/or relief from the provisions of Chapter 108, Section 108-13 A (1) (c), requesting permission to construct a deck attached to a single family residence having a distance of 11.7 feet from the rear yard property line and 14.2 feet from the side yard property line instead of the required 20 feet.

LOCATION: 133 Second Street, South Jamesport, New York

SCTM No. 0600-092-6-41

ZONING DISTRICT: Residence B-40

DATE(S) OF HEARING: June 25, 2015 and July 23, 2015

PLEASE TAKE NOTICE that at a public hearing of the Town of Riverhead Zoning Board of Appeals on the above referenced date(s), the Board took the following action:

1. In accordance with the recommendation of the Planning Department that this action be classified as Type II under the criteria of Section 617 of the State Environmental Quality Review Act and the other provisions of the New York State Environmental Conservation Law, the Board declares themselves lead agency and further determines the action to be Type II pursuant to Section 617 of the State Environmental Quality Review Act and that an Environmental Impact Statement need not be prepared.

2. The above referenced appeal was duly considered and determined as follows:

RELIEF GRANTED AS SOUGHT

3. Subject to the following conditions:

NONE

The motion was duly adopted by a roll call vote of all members present.

MR. MCLAUGHLIN:

May I have your vote please?

| | |
|-------------------|-----|
| MR. SEABROOK: | AYE |
| MR. BARNES: | AYE |
| MRS. WORTHINGTON: | AYE |
| MR. WITTMEIER: | AYE |
| MR. MCLAUGHLIN: | AYE |

If this is an approval, it is necessary that you take this duplicate original letter with you to the building department when applying for a building permit. Pursuant to §108-76(D) of the Town Code, any determination made by the Board of Appeals shall not become effective unless a permit is obtained in accordance therewith within one year of the date of such determination, unless the Board of Appeals has stipulated a different period of time in its determination. The provisions of this subsection shall not apply in cases of interpretation of variances for the use of land unless the Board of Appeals stipulated a period of time in its determination. Failure to comply therewith will render this approval null and void. In the event this is an approval subject to conditions, the approval shall not be deemed effective until such time that the foregoing conditions are met.

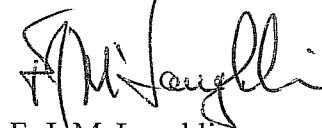
The Board of Appeals shall have the power, by resolution, to extend its determination for a period of one year *upon written notice* from the applicant or his agent of the desire to do so. No more than three such extensions shall be allowed. **This determination will expire on July 23, 2016.**

Please feel free to contact the office of the Zoning Board of Appeals with any questions you may have.

Dated: Riverhead, New York
July 23, 2015

Very truly yours,

ZONING BOARD OF APPEALS



F. J. McLaughlin,
Chairman

FM:kef



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Member

Kim E. Fuentes
Secretary

DETERMINATION OF THE ZONING BOARD OF APPEALS

APPEAL NO.: 15-26

APPLICANT: Knightland, Inc.

RELIEF SOUGHT: Sign/Area Variances(s)

For a variance to and/or relief from Chapter 108 Section 108-56 C requesting permission to erect two additional non-permitted freestanding signs on the premises.

LOCATION: 579 Sound Avenue, Wading River, New York

SCTM No. 0600-75-2-4

ZONING DISTRICT: Business CR

DATE(S) OF HEARING: July 23, 2015

PLEASE TAKE NOTICE that at a public hearing of the Town of Riverhead Zoning Board of Appeals on the above referenced date(s), the Board took the following action:

1. In accordance with the recommendation of the Planning Department that this action be classified as Type II under the criteria of Section 617 of the State Environmental Quality Review Act and the other provisions of the New York State Environmental Conservation Law, the Board declares themselves lead agency and further determines the action to be Type II pursuant to Section 617 of the State Environmental Quality Review Act and that an Environmental Impact Statement need not be prepared.

2. The above referenced appeal was duly considered and determined as follows:

RELIEF GRANTED AS SOUGHT

3. Subject to the following conditions:

NONE

The motion was duly adopted by a roll call vote of all members present.

MR. MCLAUGHLIN: May I have your vote please?

| | |
|-------------------|-----|
| MR. SEABROOK: | AYE |
| MR. BARNES: | AYE |
| MRS. WORTHINGTON: | AYE |
| MR. WITTMEIER: | AYE |
| MR. MCLAUGHLIN: | AYE |

If this is an approval, it is necessary that you take this duplicate original letter with you to the building department when applying for a building permit. Pursuant to §108-76(D) of the Town Code, any determination made by the Board of Appeals shall not become effective unless a permit is obtained in accordance therewith within one year of the date of such determination, unless the Board of Appeals has stipulated a different period of time in its determination. The provisions of this subsection shall not apply in cases of interpretation of variances for the use of land unless the Board of Appeals stipulated a period of time in its determination. Failure to comply therewith will render this approval null and void. In the event this is an approval subject to conditions, the approval shall not be deemed effective until such time that the foregoing conditions are met.

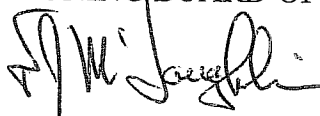
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Please feel free to contact the office of the Zoning Board of Appeals with any questions you may have.

Dated: Riverhead, New York
July 23, 2015

Very truly yours,

ZONING BOARD OF APPEALS



F. J. McLaughlin,
Chairman

FM:kef