

**TOWN OF RIVERHEAD
ZONING BOARD**

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

DETERMINATION OF THE ZONING BOARD OF APPEALS

APPEAL NO.: 15-04

APPLICANT: 400 Restoration Realty, Jedediah Hawkins House

RELIEF SOUGHT: Area Variances(s)

For an interpretation of Chapter 108, Section 108-3 of the Code of the Town of Riverhead, for area variance relief allowing a catering use, a customary and incidental accessory use to a Country Inn when conducted within the principal building, to take place outside of the principal building.

LOCATION: 400 South Jamesport Avenue, Jamesport, New York

SCTM No. 0600-69-2-10

ZONING DISTRICT: Rural Corridor (RLC)

DATE(S) OF HEARING: February 26, 2015, March 12, 2015, April 9, 2015, May 14, 2015 and May 28, 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:

TEMPORARY AREA VARIANCE IS GRANTED

3. Subject to the following conditions:

- 1) **Area variance to expire November 30, 2016.**
- 2) **Applicant to retain counsel and make formal written application to the Town of Riverhead Town Board on or before December 1, 2015 requesting a change of zone**

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- and/or a modification to the existing zoning district to permit catering outside of the principal structure.
- 3) Catering to take place only within a completely enclosed tent in accordance with any existing town, county and/or state ordinances, regulations and/or laws.
 - 4) Applicant to be in compliance with site plan approval granted by Planning Board resolution #36 dated May 7, 2009 and last revised February 10, 2010 and signed by the Chairman May 7, 2010 which shall include but not be limited to requiring 1) the tent to be located in the area behind the Inn and between the gazebo on the north and the 2 story structure on the south; 2) on-site parking; and 3) an appropriate landscaped buffer on the north and south property lines.
 - 5) No more than three (3) events per month shall be permitted. No more than one event per day shall be permitted. No events on weekday evenings when school is in session.
 - 6) No event shall begin before 12:00 noon nor end after 9:30 p.m.
 - 7) No more than 125 guests per event shall be permitted.
 - 8) Sound levels shall be subject to the provisions of Chapter 81 of the Riverhead Town Code.
 - 9) There shall be a catering manager on-site and available for the entire duration of any catered event whose name and cell phone number shall be conspicuously posted on the Jedediah Hawkin's House website for the purpose of responding to and handling any noise complaints.

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:	NAY
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 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. 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.

400 Restoration Realty, Jedediah Hawkins House

Appeal No. 15-04 (See Appeal No. 10-35)

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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

May 28, 2015

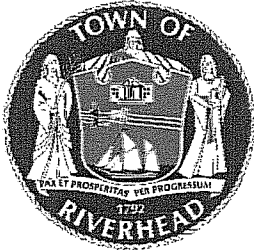
Very truly yours,

ZONING BOARD OF APPEALS

A handwritten signature in black ink, appearing to read 'F. J. McLaughlin', written in a cursive style.

F. J. McLaughlin,
Chairman

FM:kef



TOWN OF RIVERHEAD ZONING BOARD OF APPEALS

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

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

APPEAL NO.: 15-15

APPLICANT: Lighthouse Yacht Club
(Restaurant, Alex Galasso)

RELIEF SOUGHT: Area Variances(s)

For variances to and/or relief from Chapter 108 Section 108-19 requesting permission to raise the elevation of the existing restaurant building, create second floor storage, and add a deck and an outdoor bar having a rear yard depth of 4.5 feet instead of the required 75 feet, and providing for impervious surface of 19.12% instead of the permitted 15%, Section 108-51 E, proposing to increase the floor area within the required rear yard setback, Section 108-64.1 A(2) proposed gates within the required 10 foot buffer, and Sections 108-56C (3) (d) and 108-56H (3)(c) requesting permission to erect a non-permitted freestanding sign having 0 feet from the front yard property line.

LOCATION: 177 Meeting House Creek Road, Aquebogue, New York

SCTM No. 0600-086-2-29.1

ZONING DISTRICT: Residence B-80

DATE(S) OF HEARING: May 28, 2015

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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

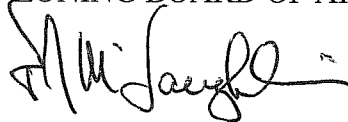
If this is an approval, it is necessary that you take this duplicate original letter with you to the building department when applying for a building permit. Pursuant to §108-76(D) of the Town Code, any determination made by the Board of Appeals shall not become effective unless a permit is obtained 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 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. 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.

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

Dated: Riverhead, New York
May 28, 2015

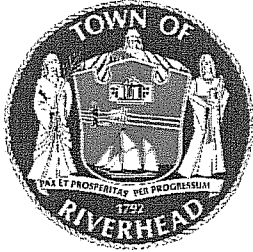
Very truly yours,

ZONING BOARD OF APPEALS



F. J. McLaughlin,
Chairman

FM:kef



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**TOWN OF RIVERHEAD
ZONING BOARD OF APPEALS**

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

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.: **15-16**

APPLICANT: **Riverhead Dodge Ram**

RELIEF SOUGHT: Area Variances(s)

For a variance to and/or relief from Chapter 108, Section 108-267 requesting permission to provide 27 feet of an unoccupied area in the front yard instead of the required 35 feet for a proposed building to be constructed for a commercial automobile dealership.

LOCATION: 1715/1716 Old Country Road, Riverhead, New York

SCTM No. 0600-101-1-10.2

ZONING DISTRICT: Business Center

DATE(S) OF HEARING: May 28, 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:

Eight (8) foot dedication of road frontage on Suffolk County Route 58 to the Suffolk County Department of Public Works (SCDPW).

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

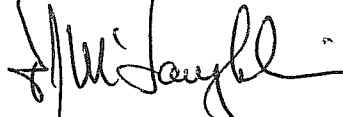
If this is an approval, it is necessary that you take this duplicate original letter with you to the building department when applying for a building permit. Pursuant to §108-76(D) of the Town Code, any determination made by the Board of Appeals shall not become effective unless a permit is obtained 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 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. 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.

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

Dated: Riverhead, New York
May 28, 2015

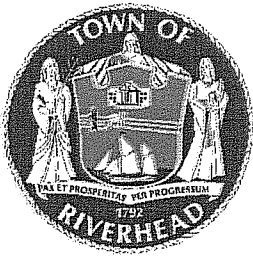
Very truly yours,

ZONING BOARD OF APPEALS



F. J. McLaughlin,
Chairman

FM:kef



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ZONING BOARD OF APPEALS**

5827

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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.: 14-19

APPLICANT: Garsten Realty Wholesale Auto Parts

RELIEF SOUGHT: Interpretation/Area Variance(s)

For an interpretation as to whether the parking of motor vehicles are considered outdoor storage, and/or variances to and/or relief from the provisions of Chapter 108, 108-278D requesting permission to allow for prohibited outdoor storage, and Section 108-279A, requesting permission provide for impervious surface of 70.4% instead of the permitted 60% in the phased construction of a warehouse addition.

LOCATION: 785 Raynor Avenue, Riverhead, New York

SCTM No.: 0600-108-2-21.1

ZONING DISTRICT: Industrial C

MR. MCLAUGHLIN: This appeal was originally granted with conditions on June 26, 2014 (amended on December 11, 2014). Peter Danowski, Attorney, did request an extension of area variances, by letter dated May 26, 2015 for an additional three year extension. The Board denied the request and granted an extension for a one year term.

Therefore, I move that the time period of the above cited determination be extended to June 26, 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 April, 2015, and of the whole thereof.

DATED: May 28, 2015

F. J. MCLAUGHLIN, CHAIRMAN
ZONING BOARD OF APPEALS