



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 EXTENSION

APPEAL NO.: 14-03

APPLICANT: 626 West Main Street Realty, LLC, Atlantis Mart

RELIEF SOUGHT: Area Variance(s)

For variances to and/or relief from the provisions of Chapter 108, Section 108-279A, requesting permission to construct gasoline service station and convenience store having a front yard depth of 19.8 feet (to the canopy) instead of the required 30 feet, having a rear yard depth of 23.6 feet instead of the required 50 feet, providing for 75.7% impervious surface instead the permitted 60%, Section 108-279B, requesting permission to provide for a contiguous landscaped area of less than the required 20% of the lot area which does not shield the development from the arterial road as required, Section 108-56C (9), requesting permission to erect a freestanding gasoline station sign located 3 feet from the side yard property line instead of the required 25 feet, located 14.6 feet from the front yard property line instead of the required 15 feet, having a height of 19 feet, instead of the permitted 15 feet, having an area of 80 sq. ft. instead of the permitted 48 sq. ft. total area, said sign to advertise Dunkin Donuts when it shall only advertise the identification of the gasoline retailer and the price(s) of gasoline, having an illuminated digital price display, when such internally illuminated signs are prohibited pursuant to Section 108-56 H (8), and Section 108-56 D (6), requesting permission to erect two secondary wall signs on the front façade of the building when a secondary wall sign shall not be located on a façade having any other wall sign all **in accordance with site plans last revised on January 22, 2014 (Pages AR-1, R-1, SP-3, A-2, CA-1, A-1)**

LOCATION: 626 West Main Street, Riverhead, New York SCTM No.: 0600-124.-3-21.1

ZONING DISTRICT: Industrial C DATE(S) OF HEARING: January 8, 2015

MR. MCLAUGHLIN: This appeal was originally granted on January 23, 2014. Keith Brown, attorney at law, by letter dated January 5, 2015, did request an extension of area variances for a year.

Therefore, I move that the time period of the above cited determination be extended to January 23, 2016 as per Chapter 108, Section 108-76 (D.) of the Code of the Town of Riverhead.

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

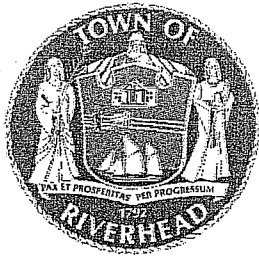
MR. WITTMEIER:	AYE
MR. SEABROOK:	AYE
MR. BARNES:	AYE
MS. WORTHINGTON:	AYE
MR. MCLAUGHLIN:	ABSENT

I hereby certify that the foregoing is a true copy of a motion duly adopted on the October 9, 2014, and of the whole thereof.

DATED: January 8, 2015

OTTO WITTMEIER
OTTO WITTMEIER, VICE-CHAIRMAN
ZONING BOARD OF APPEALS

(Signature)



**TOWN OF RIVERHEAD
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DETERMINATION OF THE ZONING BOARD OF APPEALS

APPEAL NO.: 14-61 (REOPENED)

APPLICANT: Lissette Beli and Joanne Morrell

RELIEF SOUGHT: Area Variances(s)

For a variance to and/or relief from the provisions of Chapter 108, Section 108-13A(1)(a), requesting permission to construct an accessory building (detached garage) in the front yard.

LOCATION: 5 White Birch Court, Jamesport, New York

SCTM No. 0600-68-4-55.4

ZONING DISTRICT: Residence B-40

DATE(S) OF HEARING: October 23, 2014, November 13, 2014, REOPENED January 8, 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:

No Finished and/or habitable space shall be permitted on the second floor of the structure, and the carport shall remain open and unenclosed

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:	AYE
MRS. WORTHINGTON:	AYE
MR. WITTMEIER:	AYE
MR. MCLAUGHLIN:	ABSENT

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
January 8, 2015

Very truly yours,

ZONING BOARD OF APPEALS



Otto Wittmeier
Vice Chairman

FM:kf



**TOWN OF RIVERHEAD
ZONING BOARD OF APPEALS**

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Member

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Member

Kim E. Fuentes
Secretary

DETERMINATION OF THE ZONING BOARD OF APPEALS

APPEAL NO.: 15-01

APPLICANT: Barbara Pitti

RELIEF SOUGHT: Area Variances(s)

For variances to and/or relief from the provisions of Chapter 108, Sections 108-17 A (1) (a), requesting permission to maintain an accessory structure in the front yard (gazebo) which is not permitted; and Section 108-34 C, requesting permission to allow an accessory apartment (in basement) having 54% of the area of the principal dwelling instead of the permitted 40%.

LOCATION: 242 Remsen Road, Wading River, New York

SCTM No. 0600-55-3-14

ZONING DISTRICT: Residence B-80

DATE(S) OF HEARING: January 8, 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:

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:	ABSENT

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
January 8, 2015

Very truly yours,

ZONING BOARD OF APPEALS



Otto Wittmeier
Vice-Chairman

FM:kef