

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.: 15-28

APPLICANT: Patricia Benjen

RELIEF SOUGHT: Area Variances(s)

For variances to and/or relief from the provisions of Chapter 108, Section 108-17 A (1) (b) & (d), requesting permission to maintain a wood deck (6.2 x 6 ft.) attached to a single family residence having a distance of 22 feet from the side property line instead of the required 25 feet, having 3 feet from another structure (shed) instead of the required 10 feet, maintaining a frame shed in the rear yard (7.8 x 10.2 ft.) having a distance of 1.2 feet from the rear yard property line and 3 feet from the side yard property line instead of the required 5 feet for sheds less than 144 sq. ft. in area, and frame shed (9.9 x 14.7 ft.) having a distance of 9 feet from the single family residence instead of the required 10 feet.

LOCATION: 19 Second Street, Wading River, New York

SCTM No. 0600-33-4-22

ZONING DISTRICT: Residence B-80

DATE(S) OF HEARING: August 13, 2015 and August 27, 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:	ABSENT
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.

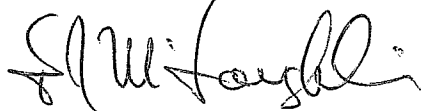
The Board of Appeals shall have the power, by resolution, to extend its determination for a period of one year *upon written notice* from the applicant or his agent of the desire to do so. No more than three such extensions shall be allowed. **This determination will expire on August 27, 2016.**

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

Dated: Riverhead, New York
August 27, 2015

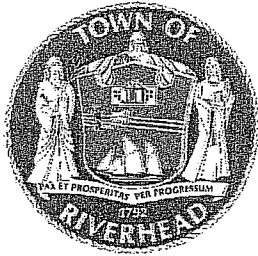
Very truly yours,

ZONING BOARD OF APPEALS



F. J. McLaughlin,
Chairman

FM:kef



TOWN OF RIVERHEAD ZONING BOARD OF APPEALS

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200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901-2596
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DETERMINATION OF THE ZONING BOARD OF APPEALS

APPEAL NO.: 14-08 - REOPENED

APPLICANT: Robert Steiner

RELIEF SOUGHT: Area Variance(s)

To Reopen Appeal for variances to and/or relief from the provisions of Chapter 108, Section 108-14.1, requesting permission to construct additions to a single family residence with an attached garage having a front yard depth of 22 feet instead of the required 50 feet, a rear yard depth of 30.8 feet instead of 60 feet, having side yard widths of 13.2 and 18.2 feet, respectively, instead of 25 feet each side, having a combined side yard width 31.4 feet instead of 55 feet, and providing for impervious surface of 32.2% instead of the permitted 15%.

LOCATION: 16 Bay Harbor Road, Aquebogue

SCTM No.: 0600-113-4-25

ZONING DISTRICT: Residence B-40

DATE(S) OF HEARING: February 27, 2014, March 13, 2014, March 27, 2014 & April 10, 2014, Reopened & Amended Expired Variance August 27, 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:

AMENDED RELIEF GRANTED AS FOLLOWS:

The attached garage having a front yard depth of 22 feet instead of the required 50 feet, a rear yard depth of 33.7 feet instead of 60 feet, having side yard widths of 13.7 and 18.2 feet, respectively, instead of 25 feet each side, having a combined side yard

width 31.9 feet instead of 55 feet, and providing for impervious surface of 22% 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:	ABSENT
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 August 27, 2016.**

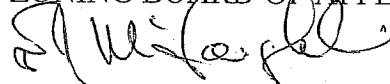
Please feel free to contact the office of the Zoning Board of Appeals with any questions you may have.

Dated: Riverhead, New York
April 10, 2014

Reopened Expired Appeal & Amended August 27, 2015

Very truly yours,

ZONING BOARD OF APPEALS



F. J. McLaughlin,
Chairman



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ZONING BOARD OF APPEALS**

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Chairman *Vice Chairman* *Member* *Member* *Member* *Secretary*

DETERMINATION OF THE ZONING BOARD OF APPEALS

APPEAL NO.: 15-30

APPLICANT: Chipotle Mexican Grill of Colorado

RELIEF SOUGHT: Area Variances(s)

For a variance to and/or relief from the provisions of Chapter 108, Section 108-267 A of the Code of the Town of Riverhead, requesting permission to provide for 0 feet of unoccupied front landscaped area instead of the required 35 feet.

LOCATION: 1501 Old Country Road, Riverhead, New York

SCTM No. 0600-101-2-14

ZONING DISTRICT: Business Center

DATE(S) OF HEARING: August 27, 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:

IT IS THE DETERMINATION OF THE BOARD OF APPEALS THAT THE RELIEF REQUESTED IS UNNECESSARY AS IT HAD BEEN PREVIOUSLY REQUESTED AND GRANTED AND THEREFORE REMAINS VALID.

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:	ABSENT
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 August 27, 2016.**

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

Dated: Riverhead, New York
August 27, 2015

Very truly yours,

ZONING BOARD OF APPEALS



F. J. McLaughlin,
Chairman

FM:kef



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Secretary

DETERMINATION OF THE ZONING BOARD OF APPEALS

APPEAL NO.: 15-31

APPLICANT: Dr. Jeffrey P. Campisi

RELIEF SOUGHT: Area Variances(s)

For variances to and/or relief from the provisions of Chapter 108, Section 108.60 (E), requesting permission to construct an addition to a commercial building (15 seat take-out restaurant) while providing for a 23.6 feet parking aisle width instead of the required 24 feet, Section 108-295, requesting permission to construct aforementioned addition having a side yard depth of 16.2 feet instead of the required 25 feet, and Section 108-296, to provide for a 11.9 feet side yard landscaping distance from the parking area instead of the required 15 feet.

LOCATION: 6336 Route 25A, Wading River, New York

SCTM No. 0600-72-2-5

ZONING DISTRICT: Business CR

DATE(S) OF HEARING: August 27, 2015

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

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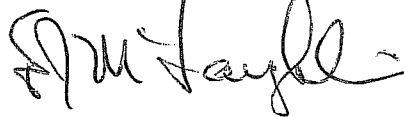
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Please feel free to contact the office of the Zoning Board of Appeals with any questions you may have.

Dated: Riverhead, New York
August 27, 2015

Very truly yours,

ZONING BOARD OF APPEALS



F. J. McLaughlin,
Chairman

FM:kef