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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*  
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*Lisa Worthington*  
Member

*Leroy E. Barnes, Jr.*  
Member

*Frank Seabrook*  
Member

*Kim E. Fuentes*  
Secretary

## DETERMINATION OF THE ZONING BOARD OF APPEALS

APPEAL NO.: 15-36

APPLICANT: Yvette Aguiar, (Contract Vendee)

RELIEF SOUGHT: Area Variances(s)

For variances to and/or relief from the provisions of Chapter 108, Section 108-10.1, requesting permission to construct a single family residence and an attached garage having a front yard depth of 42 feet instead of the required 50 feet, having side yard widths of 18.9 feet and 20.3 feet, respectively, instead of the required 25 feet each, having a combined side yard width of 39.2 feet instead of the required 55 feet, and providing for impervious surface of 18.2% instead of the permitted 15%.

LOCATION: 860 Pondview Avenue, Riverhead, New York

SCTM No. 0600-107-2-50

ZONING DISTRICT: Residence A-40

DATE(S) OF HEARING: September 24, 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. WITTMEIER: May I have your vote please?

MR. SEABROOK:	AYE
MR. BARNES:	AYE
MRS. WORTHINGTON:	ABSENT
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 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 shall expire on September 24, 2016.**

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

Dated: Riverhead, New York  
September 24, 2015

Very truly yours,

ZONING BOARD OF APPEALS



F. J. McLaughlin,  
Chairman

FM:kef