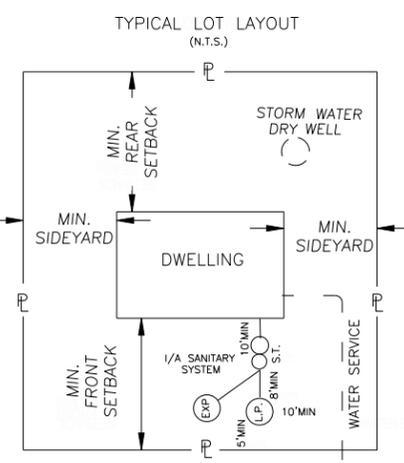
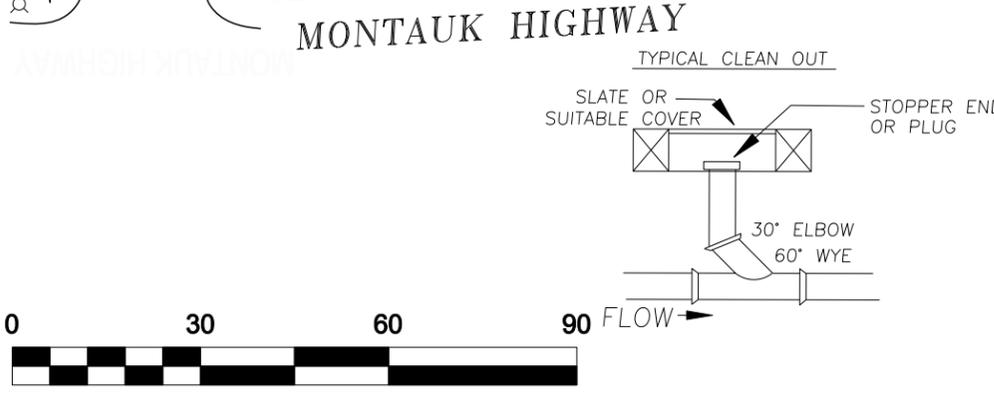


MAP OF NORTH JONES ROAD

SUBJECT PARCEL OWNER/APPLICANT
 PAD CONSTRUCTION
 #6 NORTH JONES RD.
 HAMPTON BAYS NY 11946
 PARCEL IS LOCATED OUTSIDE OF THE AQUIFER PROTECTION OVERLAY DISTRICT
 PARCEL IS LOCATED IN HIGH PRIORITY AREA FOR I/A SANITARY SYSTEM
ZONED R-20
 FRONT YARD: 40' MIN
 SIDE YARD: 20' MIN, 45' TOTAL
 REAR YARD: 60' MIN
 LOT WIDTH 120' MIN
 AREA: 49,083 SQ.FT. or 1.13 ACRES

REVISED 09-08-20
 REVISED 06-25-20
 REVISED 02-03-20
 THE WATER SUPPLY, WELLS, DRYWELLS AND CESSPOOL
 LOCATIONS SHOWN ARE FROM FIELD OBSERVATIONS
 AND OR DATA OBTAINED FROM OTHERS.
 ELEVATION DATUM: NAVD88



LOT 1: 1" TAP WITH 1" MIN. SUPPLY LINE
 LOT 2: 1" TAP WITH 1 1/2" MIN SUPPLY LINE

OL	ELEV. 48.1	DR BROWN SANDY LOAM	0.8'
SM		BROWN LOAMY SAND	3.1'
SP		PALE BROWN MEDIUM SAND & GRAVEL	13.1'
		NO WATER	17'

MAY 4th, 2019
 K. WOYCHUK LS

UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW. COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYOR'S EMBOSSED SEAL SHALL NOT BE CONSIDERED TO BE A VALID TRUE COPY. GUARANTEES INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED AND ON HIS BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION, GUARANTEES ARE NOT TRANSFERABLE.
 THE OFFSETS OR DIMENSIONS SHOWN HEREON FROM THE PROPERTY LINES TO THE STRUCTURES ARE FOR A SPECIFIC PURPOSE AND USE THEREFORE THEY ARE NOT INTENDED TO MONUMENT THE PROPERTY LINES OR TO GUIDE THE ERECTION OF FENCES, ADDITIONAL STRUCTURES OR AND OTHER IMPROVEMENTS. EASEMENTS AND/OR SUBSURFACE STRUCTURES RECORDED OR UNRECORDED ARE NOT GUARANTEED UNLESS PHYSICALLY EVIDENT ON THE PREMISES AT THE TIME OF SURVEY

SURVEY OF DESCRIBED PROPERTY	CERTIFIED TO: PAD CONSTRUCTION LLC;
MAP OF:	
FILED:	
SITUATED AT: HAMPTON BAYS	
TOWN OF: SOUTHAMPTON	
SUFFOLK COUNTY, NEW YORK	
FILE #19-39 SCALE: 1" = 30' DATE: APRIL 4, 2019	

Kenneth M. Woychuk
 N.Y.S. LISC. NO. 050882

KENNETH M WOYCHUK LAND SURVEYING, PLLC
 Professional Land Surveying and Design
 P.O. Box 153 Aquebogue, New York 11931
 PHONE (631)298-1588 FAX (631) 298-1588



DEPARTMENT OF LAND MANAGEMENT
PLANNING BOARD
116 Hampton Road
Southampton, NY 11968

Phone: (631) 287-5735
Fax: (631) 287-5706

TOWN OF SOUTHAMPTON



JAY SCHNEIDERMAN
TOWN SUPERVISOR

CCHAIR
JACQUI LOFARO

VICE CHAIRPERSON
DENNIS FINNERTY

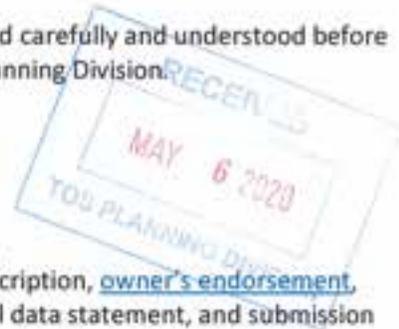
SECRETARY
PHILIP A. KEITH

BOARD MEMBERS
JOHN J. BLANEY
GLORIAN BERK
ROBIN LONG
JOHN D. ZUCCARELLI

SUBDIVISION PRE-APPLICATION FORM

This application form is required as part of any request to process the action listed below. In addition, Chapter [§292](#) The Town of Southampton Code requires specific material to be submitted in conjunction with this form. Other required items are indicated on the attached application checklist. It is the applicant's responsibility to insure that application package is complete and accurate. Incomplete applications will not be processed.

1. All applications must be completed in full and comply with [§330](#) and [§292](#) of the Town Code. Incomplete application packages will not be accepted.
2. These instructions and the application form shall be read carefully and understood before completing. Any questions should be referred to the Planning Division.
3. The application package consists of the following:
 - The [Subdivision Pre-Application Form](#) checklist.
 - 15 Copies of Application, including: project description, [owner's endorsement](#), [Open Government Disclosure Form](#), agricultural data statement, and submission review form.
 - 15 Copies of Subdivision Plat (standard plan) and supporting Materials
 - 15 Copies of Subdivision Plat (cluster plan)
 - Pre-Application Fee: \$800 per lot** (excluding reserved parcels)
 - Lot Line Modification Fee (Transfer if Property): **\$1,050 per lot** (if applicable)
4. The mapping requirements for the subdivision plat, per [§292-4A](#), [§292-10](#) of the Southampton Town Code are included in the Subdivision Pre-Application Submission Review Form on Pages 5-6 of this submission package. Please complete this form to ensure that the maps comply with the code requirements.
5. The subdivision pre-application review process is outlined on page 4
6. A Fee Schedule is included in this package.



PLEASE NOTE: ALL NEW APPLICATIONS MUST GO TO THE ENGINEERING DIVISION FOR PAYMENT OF FEES PRIOR TO SUBMITTING APPLICATION TO PLANNING.

Application Name: PAD Construction, LLC

SCTM No.: 0900-253.000-01.00-008.000

Property Address: 6 North Jones Road, Hampton Bays, NY

I. General Information:

a) Applicant's Name: PAD Construction, LLC
Address: 36-01 30th Avenue, Astoria, NY 11105
Phone No.: 917-374-3203

b) If the applicant is a corporation, give the name and title of the responsible officer:
Name: Paul Halvatzis
Title: Sole Member

c) Landowner's Name: See Applicant
Address: _____

d) Licensed Architect, Landscape Architect, Civil Engineer or Land Surveyor
Name: Kenneth M. Woychuk License No 050882
Address: POB 153 Aquabogue, NY 11931
Telephone No. 631-298-1588

e) If the applicant does not own the property, prepare the endorsement at the end of this form establishing owner's authorization of the applicant's proposed subdivision of his land. _____

f) All communications with regard to this subdivision shall be addressed to the following person until further notice:
Name: Randall C. Weichbrodt
Address: 144 W Main Street, Bay Shore, NY 11706
Phone No: 631-664-1266

II. Proposed Site

a) General location of Property

(north/west/south/east)

of East of North Jones Road, approx 190' North

(street of road)

(feet) (north/east/south/west)

of Montauk Highway, in Hampton Bays.

(nearest interesting street)

(hamlet)

b) Zoning District(s): R-20

c) Is a Variance Necessary? YES: _____ NO: _____

If yes, please explain:

Variance granted on 11/7/19 (see attached) for the following relief: 1) lot width of 102.67'
instead of req. 120' for Lot #1; 2) lot width of 118.67' instead of req. 120' for Lot #2; and
3) flag pole width of 16' instead of req. 20' for Lot #2.

d) Zoning Overlay(s) (Please check all that apply)

- Agricultural*
- Aquifer Protection
- Tidal Flood Plain
- Tidal Wetland & Ocean Beach
- Old Filed Map
- Archaeological* (NYS Circles and Squares map)

*Include a survey showing the location of Class I and II prime agricultural soils

III. Project Type

- Subdivision: _____
- Re-Subdivision: _____
- Lot Line Modification (Transfer of Property): _____

PRE-APPLICATION SUBMISSION FORM

PROJECT DESCRIPTION

In the space provided below, and on additional sheets if necessary, please provide the following:

1. A description of the project.

Applicant wishes to subdivide a legal, single and separate single parcel measuring 49,082.90 S.F. located in an R-20 district into two (2) separate conforming parcels measuring 20,000 S.F. and 29,082 S.F. respectively.

2. An explanation of the design concept

Design conforms to neighborhood and is in accordance with Town of Southampton Master Plan.

3. The reason for the particular design

Design was prepared in conjunction with Town of Southampton Zoning Board of Appeals

4. The objective of the developer or project sponsor.

To create two (2) conforming parcels from a single parcel

5. How or why the project is or is not in conformance with the Town Master Plan.

Applicant wishes to subdivide a legal, single and separate single parcel measuring 49,082.90 S.F. located in an R-20 district into two (2) separate conforming parcels measuring 20,000 S.F. and 29,082 S.F. respectively.

Note: Please be aware that the Planning Board cannot approve plans that do not comply with zoning requirements. If you anticipate, or are aware that this project will require zoning relief from the Zoning Board of Appeals, please indicate the nature of such relief and why it is necessary to accomplish the project goals in the space below.

6. Zoning Relief (If applicable).

Variance granted on 11/7/19 (see attached) for the following relief: 1) lot width of 102.67' instead of req. 120' for Lot #1; 2) lot width of 118.67' instead of req. 120' for Lot #2; and 3) flag pole width or 16' instead of req. 20' for Lot #2.

I hereby depose and say that all the above statements of information and all statements and information contained in the supporting documents and drawings attached hereto are true and correct.

Paul Halvatzis

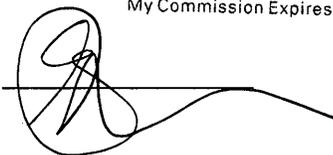
Applicant's Name

Applicant's Signature

SHURLEY S SEECOMAR
NOTARY PUBLIC-STATE OF NEW YORK
No. 01SE5047649
Qualified in Queens County
My Commission Expires 08-07-21

Sworn before me this
6 day of Dec, 2019

Notary Public



AGRICULTURAL DATA STATEMENT

Pursuant to §283-a of the New York State Town Law, any application for a special permit, site plan approval, use variance or subdivision approval requiring municipal review and approval by the Town Board, Planning Board or Zoning Board of Appeals that would occur on property within an agricultural district containing a farming operation or on properties within 500 feet of a farm operation located within an agricultural district, shall include an Agricultural Data Statement. The law also requires that the reviewing Board mail written notice of such an application to the owners of land within the agricultural district that contains a farm operation, which is located within 500 feet of the boundary of the project site. The cost of the mailing shall be borne by the applicant.

1. Project Name: PAD CONSTRUCTION, LLC

2. Name of Applicant: PAD CONSTRUCTION, LLC

3. Address of Applicant: 36-01 30th Avenue, Astoria, NY 11105

4. SCTM # of Project: 0900-253.000-01.00-008.000

5. Project Location: 6 North Jones Road, Hampton Bays, NY

6. Description of Project: Applicant wishes to subdivide a legal, single and separate single parcel

7. If the property that is the subject of the pending development application is located in an Agricultural District, you must compile and submit a list of tax parcels, with owner's names and addresses, for all tax parcels containing a farm operation located within 500 feet of the property that is the subject of the pending development application.

If the property that is the subject of the pending development application is located outside of an Agricultural District, you must compile and submit a list of tax parcels, with owner's names and addresses, for all tax parcels containing a farm operation located within an Agricultural District and within 500 feet of the property that is the subject of the pending development application

8. Submit a survey map showing the site of the proposed project relative to the location of farm operation parcels identified in item 6, above.

9. Submit legal size envelopes, pre-addressed to each of the parcel landowners identified in item 6, above with pre-paid certified mail postage, together with pre-addressed, green, return receipt cards for each mailing. The return address on the return receipt card must read

SOUTHAMPTON TOWN PLANNING BOARD
116 HAMPTON ROAD
SOUTHAMPTON, NY 11968

If you do not believe that you are subject to this requirement, please complete the following and sign below:

I have reviewed the requirements for the submission of an Agricultural Data Statement and find that said statement is not applicable to this application for the following reasons:

The subject property is not located in an Agricultural District nor is there a
farm operation located within 500' of said parcel.



Applicant's/ Applicant Agent's Signature

SUBMISSION REQUIREMENTS CHECKLIST

TO BE FILLED OUT BY APPLICANT

Application Name PAD Construction, LLC
Contact Person Randall C. Weichbrodt
SCTM# 0900-253-1-8
Project Location 6 North Jones Road, Hampton Bays, NY
Number of Lots 2
Date:

PLEASE CHECK	YES	NO
Pre-Application Form.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Subdivision Plat (using the standards set forth in Chapter 292 of the Town Code) meeting the mapping requirements outlined below. (6 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cluster Plan.....	<input type="checkbox"/>	<input type="checkbox"/>
Yield Map.....	<input type="checkbox"/>	<input type="checkbox"/>
APPLICATION FEE: \$750/Per Lot.....	<input type="checkbox"/>	<input type="checkbox"/>
Scale 1" = 200' or greater	<input type="checkbox"/>	<input type="checkbox"/>
Name and Address of Owner of Record and Subdivider	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Date	<input type="checkbox"/>	<input type="checkbox"/>
North Arrow	<input type="checkbox"/>	<input type="checkbox"/>
Scale.....	<input type="checkbox"/>	<input type="checkbox"/>
Property Description with distance to the nearest existing street intersection	<input type="checkbox"/>	<input type="checkbox"/>
Location, Names, Ownership of adjacent streets and curblines	<input type="checkbox"/>	<input type="checkbox"/>
Adjoining lands and owners as disclosed by the most recent town tax records	<input type="checkbox"/>	<input type="checkbox"/>
Public easements, setbacks, or dedicated area on site or adjoining land	<input type="checkbox"/>	<input type="checkbox"/>
Outline of existing easements, deed restrictions or covenants on site	<input type="checkbox"/>	<input type="checkbox"/>
Existing Zoning District	<input type="checkbox"/>	<input type="checkbox"/>
Suffolk County Tax Number (SCTM)	<input type="checkbox"/>	<input type="checkbox"/>

SUBMISSION REQUIREMENTS CHECKLIST

PLEASE CHECK	YES	NO
Existing contours at max. 10' intervals, or spot elevations within 200 feet of its boundaries (Identify source of contour information)	<input type="checkbox"/>	<input type="checkbox"/>
"Wooded Areas"	<input type="checkbox"/>	<input type="checkbox"/>
Identification of unique natural features (wetlands, lakes, ponds, streams, & steep slopes: show area with slopes greater than 20% for lot less than 40,000 sq ft or 30% for lots less than 80,000 sq ft)		
All existing site structures (including fences)	<input type="checkbox"/>	<input type="checkbox"/>
All street, existing and proposed	<input type="checkbox"/>	<input type="checkbox"/>
All utilities on site and adjacent:		
Electrical Service	<input type="checkbox"/>	<input type="checkbox"/>
Water Mains	<input type="checkbox"/>	<input type="checkbox"/>
Sewer mains	<input type="checkbox"/>	<input type="checkbox"/>
Nearest Fire Hydrant, cisterns, other fire protection (Regardless of Distance)	<input type="checkbox"/>	<input type="checkbox"/>
Proposed pattern of lots, including typical lot width and depth	<input type="checkbox"/>	<input type="checkbox"/>
Street Layout	<input type="checkbox"/>	<input type="checkbox"/>
Recreation Areas	<input type="checkbox"/>	<input type="checkbox"/>
Method of drainage	<input type="checkbox"/>	<input type="checkbox"/>
Sewage disposal treatment	<input type="checkbox"/>	<input type="checkbox"/>
Water supply	<input type="checkbox"/>	<input type="checkbox"/>
Owners Endorsement	<input type="checkbox"/>	<input type="checkbox"/>
Disclosure Affidavit	<input type="checkbox"/>	<input type="checkbox"/>
Agricultural Data Statement	<input type="checkbox"/>	<input type="checkbox"/>

ADDITIONAL COMMENTS:

Provide all information indicated as not provided "X" or "?", if applicant feels items are not applicable, indicate such and give reasoning.

Applicant seeks a waiver from the cluster design so as to create parcels conforming to similar size parcels located in the immediate neighborhood.

NOTE: All submissions must comply with Section [292-4A](#) and [292-10](#) of the Code of the Town of Southampton.

TOWN OF SOUTHAMPTON

DEPARTMENT OF LAND MANAGEMENT
116 HAMPTON ROAD
SOUTHAMPTON, NY 11968

PHONE: (631) 283-6000
WWW.SOUTHAMPTONTOWN.NY.GOV



JAY SCHNEIDERMAN
TOWN SUPERVISOR

KYLE P. COLLINS, AICP
TOWN PLANNING AND
DEVELOPMENT ADMINISTRATOR

PLEASE NOTE: If ownership is held jointly or in partnership, each owner and/or partner must sign a separate owner's endorsement. If the owner or owners are making the application, this endorsement is not required.

OWNER'S ENDORSEMENT

STATE OF NEW YORK)

COUNTY OF ~~SUFFOLK~~ ^{SS: Queens}

Paul Halvatzis, being duly sworn, deposes and says:

- I am: (check one)
- 1. the sole owner in fee
 - 2. a part owner in fee
 - 3. an officer of the corporation which is the owner in fee of the premises described in the foregoing application.
 - 4. designated party authorized to act pursuant to a trust or other legal document.
 - 5. member/owner(s) of Limited Liability Corporation (LLC).

(if you checked #3, #4 or #5, please provide proof of legate (i.e.: Corporate Resolution; Surrogate Letter; Executor of the Will; Certified Letter of Testamentary; Letter of Administration; Attorney-Opinion Letter; Letter of Probate; Power of Attorney, etc.)

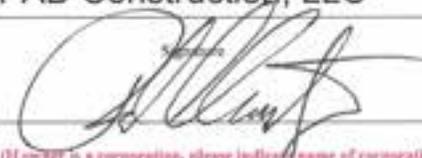
I reside at 36-01 30th Avenue
Mailing Address
Astoria, NY 11105

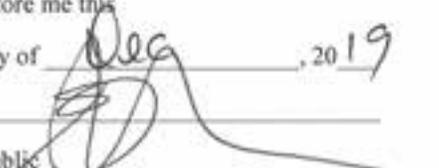
Hamlet/Post Office/Village State Zip Code

I have authorized Randall C. Weichbrodt

to make the foregoing application to Southampton Town for approval as described herein.

PAD Construction, LLC


(If entity is a corporation, please indicate name of corporation and the title of the corporate officer whose signature appears above)

Sworn before me this
6 day of Dec, 2019

Notary Public

SHUFLEY S. SEEGERMAN
NOTARY PUBLIC-STATE OF NEW YORK
No. 015E5047849
Qualified in Queens County
My Commission Expires 08-07-21

5. During the 24 months before the filing of this application, have any of the following individuals made campaign contributions exceeding \$500 in total, in cash or in kind, to the campaign for public office of any Town officer or employee, to any individual campaign committee, or to any political party committee designated to accept donations on such Town official's or employee's behalf as a candidate for public office?

- | | <u>Yes</u> | <u>No</u> |
|---------------------------------|--------------------------|--------------------------|
| 1. Owner | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Applicant | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Agent for owner or applicant | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Attorney | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Other | <input type="checkbox"/> | <input type="checkbox"/> |

If the question to Question 5 is yes, Town Code Chapter 23 requires that the information be provided below:

<u>Name/Address</u>	<u>Amount/Date</u>	<u>Name of Campaign Committee</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

6. During the preceding 24 months before the filing of this application, have any of the following individuals employed any Town officer or employee or a relative thereof involving compensation in an amount of \$500 or more? Said compensation may be directly made, or indirectly made through a corporation or business interest held by any Town officer or employee or their relative.

- | | <u>Yes</u> | <u>No</u> |
|---------------------------------|--------------------------|--------------------------|
| 1. Owner | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Applicant | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Agent for owner or applicant | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Attorney | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Other | <input type="checkbox"/> | <input type="checkbox"/> |

If the answer to Question 6 is yes, Town Code [Chapter 23](#) requires that the information be provided below:

<u>Name</u>	<u>Position</u> (Owner, Agent, Attorney, Other)	<u>Corporation</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____



 Signature

Sworn to before me

This 6th day of Dec 2019

 Notary Public

SHURLEY S. SEEBORN
 NOTARY PUBLIC STATE OF NEW YORK
 No. 015E6047649
 Qualified in Queens County
 My Commission Expires 08-07-21



Town of Southampton

Board of Appeals

This is Not a Building Permit

DECISION NO. D019144

DECISION DATE: November 7, 2019

VARIANCE IS HEREBY GRANTED

OWNER: PAD Construction LLC
36-01 30th Ave
Astoria NY 11103

LOCATION: 6 North Jones Rd, Hampton Bays

DETERMINATION:

This Board grants relief from the following provision of the Town Code for a proposed two-lot subdivision: (i) Section 330-11 (residential districts table of dimensional regulations) for a lot width of 103.82 feet where 120 feet is required for proposed Lot 1 and a lot width of 118.67 feet where 120 feet is required for a proposed Lot 2; and (ii) Section 330-82 (lot width) to allow proposed Lot 2 to have a flag pole width of 16.2 feet where a minimum road frontage of 20 feet is required as shown on the survey prepared by Kenneth M. Woychuk Land Surveying dated April 4, 2019, last revised June 28, 2019. This decision is also conditioned upon the applicant, and all future owners of the premises, maintaining the existing natural vegetation at a minimum height of 8' AGL as screening along the northern property line of proposed lot 2. Said natural vegetation shall consist of existing indigenous trees and shrubbery and/or planted evergreens, so long as same provides a continuous screen 8' in height.

Pursuant to application, and survey and conditions as approved by the Board of Appeals.

NOTE: The holder of this variance is requested to familiarize himself with the ordinance under which said variance is granted. Any violation of the provisions of said ordinance shall render the offender liable for the penalties provided therein, and in addition thereto, may result in the immediate revocation of the building permit.

This notice must be kept on the premises until full completion of the work authorized.

PER

A handwritten signature in black ink, appearing to read "Adam B. Grossman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Adam B. Grossman
Chairman

**ZONING BOARD OF APPEALS
TOWN OF SOUTHAMPTON**

-----x
**In the Matter of the Application of
PAD Construction, LLC.
6 North Jones Road
Hampton Bays, New York
SCTM #900-253-1-8**
-----x

DECISION

FINDINGS AND DETERMINATION

Based upon the application and all the documents contained in the Board's file, including testimony and evidence received at the public hearing, the Zoning Board of Appeals finds and determines as follows.

Applicant requests relief from the following provisions of Town Code for the proposed two-lot subdivision: (i) §330-11 (residential districts table of dimensional regulations) for a lot width of 103.82 feet where 120 feet is required for proposed Lot 1 and a lot width of 118.67 feet where 120 feet is required for proposed Lot 2; and (ii) §330-82 (lot width) to allow proposed Lot 2 to have a flag pole width of 16 feet where a minimum road frontage of 20 feet is required and any other relief necessary.

The subject premises is located at 6 North Jones Road, in the hamlet of Hampton Bays, Town of Southampton, County of Suffolk, and State of New York. The property is identified on the Suffolk County Tax Map as #900-253-1-8 and is approximately 49,082 square feet. The parcel is located in the R-20 Zoning District. The applicant took title to the premises by deed dated March 9, 2012. This Board finds the subject application to be a Type II Action under the State Environmental Quality Review Act ("SEQRA") and the relevant provisions of the Southampton Town Code.

At the public hearing and in the record, testimony was presented by Randall Weichbrodt, Esq., that the applicant proposes to subdivide the premises into two lots that are conforming with respect to lot area, but require variances for lot and flag pole width. Mr. Weichbrodt stated that a majority of the lots in the neighborhood boast lot widths of 100' or less and that the proposed lot area of the lots is larger than several in the vicinity. Mr. Weichbrodt stated that the proposed configuration is supported by the Planning Board and in response to concerns voiced from an adjacent property owner to the north, Elizabeth Gallo, about the size of any proposed home, stated that the applicant would maintain the screening near her property, which would serve as a buffer. Lisa Serrell, who lives across the street from the premises, appeared in opposition to the application, stating that the lots in the surrounding area are much larger than what is proposed and that the subdivision is not in keeping with the character of the neighborhood. This Board is in receipt of a Referral Report from the Planning Board adopted September 12, 2019, noting that an access easement of 4' in width should be added to the proposed flag to provide for 20' of unobstructed access to the rear flag lot. This Board is in receipt of a letter from the Board of Fire

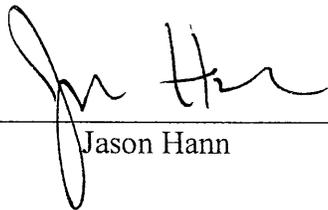
Commissioners of the Hampton Bays Fire District dated October 17, 2019, stating that they will agree to the reduced flagpole so long as it is maintained and not overplanted.

In order to grant the area variance relief requested, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Further, the applicant must demonstrate, pursuant to §330-166(C) of the Town Code, that the proposed variances meet the standards set forth in that section, as well as the standards set forth in §267-b of New York State Town Law.

This Board finds that the granting of the variances will not cause an undesirable change in the character of the neighborhood or create a detriment to nearby properties. Additionally, the variances will not impact the character of the neighborhood and this Board finds that the benefit sought by applicant cannot be achieved by some method, feasible for applicant to pursue, other than an area variance. This Board finds that the variance sought will not have an adverse effect or impact on the physical or environmental conditions within the neighborhood. This application passes the five-part test.

Therefore, this Board grants relief from the following provisions of Town Code for the proposed tow-lot subdivision: (i) §330-11 (residential districts table of dimensional regulations) for a lot width of 103.82 feet where 120 feet is required for proposed Lot 1 and a lot width of 118.67 feet where 120 feet is required for a proposed Lot 2; and (ii) §330-82 (lot width) to allow proposed Lot 2 to have a flag pole width of 16.2 feet where a minimum road frontage of 20 feet is required as shown on the survey prepared by Kenneth M. Woychuk Land Surveying dated April 4, 2019, last revised June 28, 2019. The grant of the foregoing relief is subject to such other conditions and permits as applicant has already acquired or may otherwise have to acquire for final approval of the subject premises. This decision is also conditioned upon the applicant, and all future owners of the premises, maintaining the existing natural vegetation at a minimum height of 8' AGL as screening along the northern property line of proposed lot 2. Said natural vegetation shall consist of existing indigenous trees and shrubbery and/or planted evergreens, so long as same provides a continuous screen 8' in height."

Dated: November 7, 2019



Jason Hann