



## Village of Greenport Building Department

236 Third Street, Greenport, New York 11944

OFFICE: 631.477.0248 / FAX: 631.477.1877

### REVISED NOTICE OF DISAPPROVAL

Date: March 9, 2023

To: Jesse Browner & Judith Clain  
225 Monsell Place  
Greenport, New York 11944

PLEASE TAKE NOTICE that your Building Permit Application dated, February 16, 2023 for an addition to existing dwelling at property located at 225 Monsell Place, Greenport NY 11944 in the R1, is returned herewith and disapproved on the following grounds:

#### **1. Front Yard Setback Requirements.**

##### 150-12 District Regulations

R-1 District: Minimum Front Yard Requirement: 30 feet.

The plans show the Front yard of the setback of 17 feet.

This would require an area variance 13 feet

#### **2. Side Yard Setback Requirements.**

##### 150-12 District Regulations

R-1 District: Minimum Side Yard Setback: 12-feet.

The plans show a side yard setback of 7 feet

This would require an area variance of 5 feet.

#### **3. Combined Side-Yard Setback Requirements.**

##### 150-12 District Regulations

R-1 District: Minimum Combined Side-Yard Setback: 30-feet.

The plans show a combined side yard-setback of 7 feet.

This would require an area variance of 23 feet.

**This application is therefore denied, requiring the above-mentioned area variances.**

The premise to which this application applies to is located at:  
225 Monsell Place, Greenport NY 11944 in the R1.

Map: 1001 Section: 2 Block: 2 Lot: 41.4 & 41.5

A handwritten signature in black ink, appearing to read "A Bolanos". The signature is written in a cursive style with a large, looped "B".

Alex Bolanos  
Code Enforcement Official

.....  
Date : 02/22/2022



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[www.villageofgreenport.org](http://www.villageofgreenport.org)

### ZONING BOARD OF APPEALS – AREA VARIANCE

#### **INSTRUCTIONS FOR AREA VARIANCE APPLICATIONS:**

Please submit the following in six (6) sets collated into separate packets, with original signed set and check for filing fee clipped on top.

1. Current Notice of Disapproval from the Building Department dated within the last 60 days, together with survey, site plan and building plans.
2. Completed Application signed and notarized.
3. Copies of noted Covenants and/or Restrictions, if applicable.
4. Environmental Assessment Form.

#### **Area Variance Fee Schedule:**

Residential - \$400.00

Commercial - \$500.00

Each additional Variance Requested - \$100.00

Property Divisions: \$500.00 initial fee and \$1,000.00 per lot.

#### **All Board of Appeals filings and examinations will require a deposit for Village Expenses, as follows:**

Residential: \$200.00

Commercial: \$1,000.00

#### **Please Note:**

If this application is applied for by an LLC, a list of acting members of that LLC must be provided with this application.



# ZONING BOARD OF APPEALS APPLICATION

## AREA VARIANCE

236 Third Street, Greenport, New York, 11944  
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Date of Application 02/16/23

All information below is to be completed by the applicant. This completed application is to be accompanied by the Notice of Disapproval, Copies of Covenants and/or Restrictions, where applicable, Environmental Assessment Form, building plans showing elevations, setbacks, floor plans, room dimensions, details of footings and foundation, and species of lumber and quality of material, where applicable.

### THE OWNER OF THE PROPERTY IS: (PLEASE PRINT CLEARLY)

Jesse Browner and Judith Clain			
First Name	Last Name	Business Name, if applicable	
225 Monsell Place		Greenport	NY 11944
Mailing Address	City/ Town/ Village	State	Zip
(917) 816-0700	[REDACTED]@gmail.com		
Phone #	E-Mail Address		

### CONTACT PERSON (if different from owner)

The person to receive all correspondence:

Wayne Turett			
First Name	Last Name	The Turett Collaborative	
[REDACTED]		New York	NY 10007
Mailing Address	City/ Town/ Village	State	Zip
212.965.1244	[REDACTED]@lurettarcb.com		
Phone #	E-Mail Address		

**IF ANYONE OTHER THAN THE OWNER COMPLETES THIS APPLICATION, WRITTEN CONSENT FROM THE OWNER MUST BE SUBMITTED WITH THIS APPLICATION.**

### Location:

Suffolk County Tax Map Number: 1001 Section: 2 \_ Block: 2 \_ Lot: 41.5  
Street Address: 225 Monsell Place Greenport, New York, 11944

Zoning District:  WC  R1  R2  PD  CR  CG  
Is property located within the Historic District?  Yes  No





# ZONING BOARD OF APPEALS APPLICATION

## AREA VARIANCE

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The Code Official reviewed and denied an application dated July 12, 2022 for a Building Permit for the location specified on this application.

### Provisions of the Zoning Code appealed:

(Indicate Article, Section and Subsection of Zoning Code by numbers)

Article: V Section: 150 - 12 Subsection: \_\_\_\_\_

### Type of appeal made for:

A Variance to the Zoning Code or Zoning Map.

An interpretation of the Village Code Article: \_\_\_\_\_ Section: \_\_\_\_\_ Subsection: \_\_\_\_\_

Has a prior appeal been made at any time with respect to this property?  Yes  No  I Don't Know  
If yes, please provide the date appeal was made: \_\_\_\_\_

### Project Description:

#### For Demolition of Existing Building Areas:

Please describe area being removed:

Exterior south walls at southwest corner of existing main house to be demolished;  
select interior partitions to be demolished

#### New Construction Areas (New Dwelling or New Addition/Extensions)

Dimensions of First Floor (Addition/Extension): approx 14'-11" x approx 14'-6", plus 18sf bump = ~236 sq. ft.

Dimensions of Second Floor: no new floor area at 2nd flr; interior renovations only

Height (from finished grade to top of ridge): ~26 - Feet, ~0 - Inches

Is basement or lowest floor area being constructed?  Yes  No

If yes, please provide height (above ground) measured from natural existing grade to first floor:  
\_\_\_\_\_ - Feet, \_\_\_\_\_ - Inches.



# ZONING BOARD OF APPEALS APPLICATION AREA VARIANCE

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## **Project Description: (CONTINUED)**

### **Proposed Construction Description: (Alteration or Structural Changes)**

Number of floors BEFORE alterations: 2 plus cellar

Describe General Characteristics BEFORE alterations:

2-story frame house plus cellar; wood frame deck

Number of floors AFTER Alterations: 2 plus cellar

Describe General Characteristics AFTER alterations:

2-story frame house enlarged to include a 1-story addition at the southwest corner of approx 218sf, plus 18sf addition to existing ground flr bathroom, plus extension of wood frame deck, and trellis at new deck area

### **Calculations of Building Areas and Lot Coverage:**

Existing Square Footage of Building(s) on this property:  $\begin{matrix} 874 \text{ sf footprint of main} \\ \text{house} + 246 \text{ sf deck} = \\ \underline{1,120\text{sf}} \end{matrix}$  SF

Proposed Increase in Building Coverage:  $\begin{matrix} 236\text{sf main house} + 152 \text{ sf deck} = \\ \underline{388\text{sf increase}} \end{matrix}$  SF

Square Footage of this Lot: 5,040 SF

Percentage of Coverage of this Lot by Building Area:  $\frac{1508}{5040} =$   
29.9% %

### **Purpose of New Construction:**

*Please describe:*

New construction is desired to provide a single additional living room for owner's family, plus associated deck area for family use.





# **ZONING BOARD OF APPEALS APPLICATION**

## **AREA VARIANCE**

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### **Area Variance Reasons for Appeal:**

Please answer in detail. *Additional sheets may be submitted with preparers signature.*

#### **Will an undesirable change occur in the characteristics of the neighborhood or will a detriment to nearby properties be created by the granting of this area variance?**

No such changes will occur. Proposed addition faces away from Monsell Place, and when the proposed area is added the structure will remain comparable to or smaller than immediate neighbors to the east and west. From the perspective of Monsell place, the one story addition will be substantially concealed behind the existing 2-story bulk of the existing house.

#### **Can the benefit sought by the Applicant be achieved by another method, feasible for the Applicant to pursue, other than an Area Variance?**

The existing house is already 7'-0" from the easterly lotline and ~5'-2" from the westerly lotline. A one-story addition at the rear, extending substantially southward from the existing structure is the only feasible location for adding the desired square footage of living space.

#### **Is the requested Area Variance substantial?**

The request is for a single room at ground floor of less than 15ft x 15ft plus an enlargement of the ground floor bathroom (approx 236sf gross). It amounts to approx 4.7% of the lot area. The requested additional deck area of 152 sf amounts to another 3% of the lot area. We believe these are not substantial when seen in this context.

#### **Will the requested Area Variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?**

We do not see how they could have an adverse effect. Visually the additions will be modest; their intended use is for the owner's family, which is a continuation of their present use.

#### **Was the alleged difficulty self-created, which consideration shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of the Area Variance?**

The existing house encroaches on required sideyards; the current owner/applicant purchased the home in this condition. Owner studied differently proportioned modifications (to avoid any new approach near to the lotline) but determined that the resulting rooms (at <9ft interior width) would not be desirable.

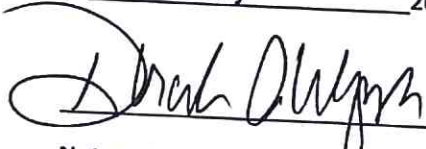
**Are there Covenants or Restrictions concerning this land? [ ] Yes [x] No**  
*If yes, please furnish copies.*


# AFFIDAVIT

Village of Greenport )  
Town of Southold )  
County of Suffolk ) ss  
State of New York )

I swear that to the best of my knowledge and belief that the statements contained in this application, together with the plans and specifications submitted, are true and complete statements of proposed work to be done on the described premises and that all provisions of the Building Code, Zoning Code, and all other laws pertaining to the proposed work shall be complied with, whether specified or not, and that such work and inspections are authorized by the owner. The Village of Greenport is hereby granted permission to enter the property listed as the "Location" for the purposes of inspecting my property for a site visit. I understand that if approved, this Area Variance will be granted and accepted on condition that the provisions of Federal, State and Local rules and regulations, and any additional requirements of the Area Variance are complied with. Any violation of all applicable codes, or deviations from the approved plans may result in the immediate revocation of this Area Variance & legal action taken against me. No responsibility rests upon the Village of Greenport, Code Enforcement, the Fire Marshal or the Fire Department by reason of this application and permit.

Sworn to be before this 16<sup>24</sup> day  
of February 2023

  
\_\_\_\_\_  
Notary Public, Suffolk County, New York

Signature   
\_\_\_\_\_  
Owner or Applicant

DEBORAH A. WOJCIK  
Notary Public, State of New York  
No. 4990159  
Qualified in Suffolk County  
Commission Expires Dec. 30, 2025



617.20  
Appendix B  
Short Environmental Assessment Form

**Instructions for Completing**


**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
one story house addition and deck			
Name of Action or Project: 225 Monsell Place house addition			
Project Location (describe, and attach a location map): 225 Monsell Place, Greenport, NY			
Brief Description of Proposed Action: add one story addition to a two story house, provide new attached deck			
Name of Applicant or Sponsor: Jesse Browner, Judith Clain		Telephone: 917-816-0705	
		E-Mail: jessebrowner@gmail.com	
Address: 225 Monsell Place			
City/PO: Greenport,		State: NY	Zip Code: 11944
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		5,040 acres	
b. Total acreage to be physically disturbed?		268 sf acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		10,080 sf acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES			
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		



18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>Wayne Turett</u>		Date: <u>021623</u>
Signature: 		

**Part 2 - Impact Assessment.** The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>



	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

**Part 3 - Determination of significance.** The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**PRINT**