



**VILLAGE OF GREENPORT – ZONING BOARD OF APPEALS  
PUBLIC HEARING AND REGULAR MEETING**

**January 21, 2015 - 5:00 PM**

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**PUBLIC HEARING:**

Public hearing for an application for area variances for Edward Werthner, Vacant Property adjacent to 213 Bridge Street, Greenport, New York 11944, SCTM # 1001-2.-2-8.4. Note: This public hearing is required due to a change in the appeal for variance in which the rear yard setback variance requested is increased to 4.9 ft. from 2.04 ft. in the original application.

The applicant requests a front yard setback and a rear yard setback variance for the proposed new house:

1. The proposed house is sited so that the front of the house is set back 20ft. from the north property line.

Section 150-12A of the Greenport Village Code requires a 30 ft. front yard setback in the R-1 District, requiring a 10 ft. front yard setback variance.

2. The proposed house is sited so that the rear of the house is set back 25.1 ft. from the south property line.

Section 150-12A of the Greenport Village Code requires a 30 ft. rear yard setback in the R-1 District requiring a 4.9 ft. rear yard setback variance.

**REGULAR MEETING AGENDA:**

**Item #1: Motion to appoint an acting Chairperson for the present meeting.**

**Item #2:** Continuation of discussion and possible decision for an appeal for an area variance for Edward Werthner, PO Box 982, Southold, NY 11944. The applicant seeks a building permit to construct a house on a vacant lot located on the south side of Bridge Street adjacent to 213 Bridge Street, Greenport, NY, SCTM # 1001-2-2-8.4. The proposed house is 1,533.5 sq. ft. The property is located in the R-1 district.

1. The proposed house is sited so that the front of the house is set back 20ft. from the north property line.

Section 150-12A of the Greenport Village Code requires a 30 ft. front yard setback in the R-1 District, requiring a 10 ft. front yard setback variance.

2. The proposed house is sited so that the rear of the house is set back 25.1 ft. from the south property line.

Section 150-12A of the Greenport Village Code requires a 30 ft. rear yard setback in the R-1 District requiring a 4.9 ft. rear yard setback variance.

**Item #3:** Continuation of discussion and possible decision for an interpretation of the Village of Greenport Code from the Planning Board via Mary Bess Phillips and Philip Karlin, North Fork Smoke Fish Co., 200 Wilson Road, Cutchogue, NY, 11935.

**236 THIRD STREET  
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**TRUSTEES**  
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DAVID MURRAY  
MARY BESS PHILLIPS  
JULIA ROBINS

**VILLAGE ADMINISTRATOR**  
PAUL J. PALLAS, P.E.  
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**CLERK**  
SYLVIA LAZZARI PIRILLO, RMC  
Ext. 206

**TREASURER**  
ROBERT BRANDT  
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The property is located at 414 First Street, Greenport, SCTM # 1001-4-7-5, and is located in the Retail Commercial District (CR). The applicant is represented by Mary Bess Phillips, Secretary Treasurer, K & M Properties, Inc., the landlord to the tenant, North Fork Smoke Fish Co.

The applicant requests an interpretation as follows:

The applicant is requesting an interpretation by the Zoning Board of Appeals of the Village Code Section 150-9 A. (9) as to whether the proposed use of the Premises is consistent with Section 150-9A of the Greenport Village Code;

Permitted uses:

(9) Manufacturing, assembling, converting, altering, finishing, cleaning or any other processing of products where goods so produced or processed are to be sold at retail exclusively on the premises, provided that:

- a. The space so used is fully concealed from any street and equal in area to no more than 20% of the square footage devoted to retail sales.
- b. Not more than two employees are engaged in such production or processing.

**Item #4:** Motion to approve the Findings, Determination and Decision document for an area variances approved for Ralph and Sarah Edwards, 163 Fifth Street, Greenport, NY, SCTM # 1001-7-4-14. The applicants seek a building permit to construct an in-ground swimming pool.

1. The proposed swimming pool setback is 10'0" on the north property line, requiring a setback variance of 10 ft.  
Section 150-7-(3a) of the Village of Greenport Code requires that the edge of the pool shall be kept a distance of not less than 20 ft. from all property lines.
2. The proposed swimming pool setback is 14'0" on the south property line, requiring a setback variance of 6 ft.  
Section 150-7-(3a) of the Village of Greenport Code requires the edge of the pool shall be kept a distance of not less than 20 ft. from all property lines.

**Item #5:** Motion to accept an appeal for an area variance, publicly notice and schedule a public hearing for Robert Tapp and Nickolas Ellis, 152 Central Avenue, Greenport, NY 11944, SCTM #1001-5-1-14. The property is located in the R-2 district. The applicants propose to construct a rear addition to an existing single family house, and re-configure the existing deck.

1. The existing house, the proposed addition, the existing garage, porches and shed exceed the lot coverage allowances. The proposed renovation will increase the lot coverage from the existing 36.9% (2,068 sq. ft.) to 38.5% (2,158 sq. ft.).

Section 150-12A. of the Village of Greenport Code limits the maximum permitted lot coverage to 30% in the R-2 District.



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2. The proposed aggregate side yard setback is 16.5 ft., requiring an 8.5 ft. combined side yard setback variance for the new extension.

Section 150-12A. of the Village of Greenport Code requires a 25 ft. combined side yard setback in the R-2 District.

**Item #6:** Motion to accept an appeal for an area variance, publicly notice and schedule a public hearing for Michael Combs, 516 Second Street, Greenport, NY, SCTM # 1001-2.-6-24. The applicant seek a building permit to construct an in-ground swimming pool and art studio/pool house.

1. The proposed swimming pool setback is 10 ft. on the south property line, requiring an area variance of 10 ft.

Section 150-7-(3a) of the Village of Greenport Code requires the edge of the pool shall be kept a distance of not less than 20 ft. from all property lines.

2. The proposed swimming pool setback is 9' on the east property line, requiring an area variance of 11 ft.

Section 150-7-(3a) of the Village of Greenport Code requires the edge of the pool shall be kept a distance of not less than 20 ft. from all property lines.

3. The proposed art studio/pool house is located in the side yard requiring an area variance.

Section 150-13A (1) of the Village of Greenport Code requires that an accessory building may be located in any required rear yard.

**Item #7:** Motion to accept the ZBA minutes for December 17, 2014.

**Item #8:** Motion to approve the ZBA minutes for November 19, 2014.

**Item #9:** Motion to schedule the next regular ZBA meeting for February 18, 2015.

**Item #10:** Motion to adjourn.