

Zoning Board of Appeals

July 19, 2022

7:00 pm

NEW APPLICATIONS

Timothy McArdle, 123 Ketcham Avenue, seeks to renew Special Permit 21-01 to maintain a 8'x 6' chicken coop in the rear yard requiring a Special Permit 143-5-A. Subject premises is located in the A-Residential Zone.

22-22A

ADJOURNED

243 West Ave. LLC, 243 West Avenue, seeks permission to erect new two-story, two-family owner-occupied dwelling with attached 2 car garage requiring a special permit 435-17-A-(2). Subject premises is located in the C-Residential Zone.

22-19

247 West Ave. LLC, 247 West Avenue, seeks permission to erect new two-story, two-family owner-occupied dwelling with attached 2 car garage requiring a special permit 435-17-A-(2). Subject premises is located in the C-Residential Zone.

22-20

BOZZETTO AE LLC/ Jari Valentin, 54 Terry Street, seeks permission to add a 42 sq.ft. second story addition to rear of the dwelling and a 758 sq.ft. second story addition to the front of the dwelling requiring an extension of a non-conforming use; 435-76-A. Also requiring relief of 435-30.1-K; side yard required 12', provided 11" on east side and 7' provided on west side. Total side yard required 25', provided 7'11".Subject premises is located in the Arts & Culture District.

22-22

CLOSED AND HELD FOR DECISION

Heather Georgiou, 39 Pearl Street, seeks to obtain a Certificate of Existing Use for a pre-existing non-conforming two-family; 435-75-F. Subject premises is located in the A-Residential Zone.

22-21

Kellyann Artusa, 289 Rider Avenue, seeks Certificate of Existing Use for non-conforming secondary dwelling (cottage) on property 435-76-F. Subject premises is located in the A-Residential Zone.

22-14

NOTICE OF PUBLIC HEARING

Notice is hereby given that pursuant to the Zoning Code of the Incorporated Village of Patchogue, New York, Zoning Board of Appeals Public Hearing will be at 14 Baker Street on **Tuesday, July 19, 2022** at **7:00 p.m.** to hear and determine the application of:

Timothy McArdle, 123 Ketcham Avenue, seeks to renew Special Permit (21-01) to maintain an 8'x 6' chicken coop in the rear yard requiring a Special Permit 143-5-A. Subject premises is located in the A-Residential Zone.

22-22A

All persons desiring to be heard either for or against the proposition will be afforded an opportunity during public meeting. The meeting can also be viewed on the Village's You Tube channel.

Nicholas Fuccillo
Chairman, Zoning Board of Appeals
Village of Patchogue

NOTICE TO EDITOR:

1. Please publish in your issue of July 7, 2022
2. Please send 2 proofs of this notice to:

Carol Giglio, Zoning Board Coordinator
14 Baker Street, PO Box 719, Patchogue, NY 11772

Incorporated Village of Patchogue
Zoning Board Application

14 Baker Street, Patchogue, NY 11772 Telephone: (631) 475-4300 opt 5. Fax: (631)475-4314

FOR OFFICE USE ONLY

DATE OF HEARING 7/19/22 HEARING NUMBER 22-22A DATE OF PUBLICATION 7/7/22

SECTION _____ BLOCK _____ LOT _____

Property Address: 123 Ketcham Ave. Patchogue, NY 11772

Applicant: Timothy McArdle

Mailing Address: 123 Ketcham Ave.

City: Patchogue State: NY Zip: 11772

Telephone: (631)553-7662

Email: tjm1185@aol.com

FOR OFFICE USE ONLY

RECEIVED

JUN 22 2022

Village of Patchogue
Building and Housing Dept

ZONING INFORMATION:

ZONING DISTRICT ~~MAP~~ A FRONT YARD DEPTH: EXISTING _____ PROPOSED _____

CORNER LOT _____ YES NO REAR YARD DEPTH: EXISTING _____ PROPOSED _____

% OF LOT COVERAGE: EXISTING _____ PROPOSED _____

LOT SIZE _____ X _____ SIDE YARD WIDTHS: EXISTING 1. _____ 2. _____
PROPOSED 1. _____ 2. _____

**Incorporated Village of Patchogue
Zoning Board Application**

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TO THE ZONING BOARD OF APPEALS OF THE VILLAGE OF PATCHOGUE

The above-named applicant respectfully shows:

1. The applicant is the owner, contract vendee, or lessee of the property herein described and acquired such interest on March 8th 2022 and hereby appeals (applies) to the Zoning Board of Appeals of the Incorporated Village of Patchogue, New York (from the order, requirement decision or determination made by the Building Zone Ordinance of said Village) (for a special exception or permit pursuant to the Ordinance of said Village).
2. The premises affected are located in a residential housing Zoning District and known as No. A and are described as follows:
3. The purpose of this application is to obtain a variance or modification of the application of the applicable regulations or provisions of, or special exception or permit pursuant to SECTION Article 2, SUBSECTION 143, SUBDIVISION 5 of the Code of Ordinances of said Village to permit the following: *(Explain)*
I am requesting a renewal from the zoning board of appeals to keep + maintain a 8'x6' foot chicken coop in my backyard for personal egg production and teaching my children about sustainability.
4. There (is) (is not) a public school, public library, church, hospital, or orphanage within two hundred (200) feet of the property. *(CIRCLE)*
5. The premises affected by this application (are) (are not) within five hundred (500) feet of the Brookhaven Town Line, County or State Park, Building, Road, Parkway, Expressway or County Drainage Channel. If so,

6. There is attached hereto and made a part hereof a diagram, drawn to scale, showing the premises together with the existing or proposed building or structure with the distance of said building or structure from the street and property lines, the front and side elevations, and the names of adjoining owners and if the application seeks a variance for parking, the diagram shall contain a layout of the parking stalls proposed (each stall approximately twenty (20) feet by (10) feet) and the proposed ingress and egress from the parking area. If the application is for a sign variance, there is attached hereto diagram, drawn to scale, showing the premises together with the existing buildings or structures and the sign/signs with the front and side elevations. All applicants for two-family dwellings, or extensions, or additions, need a floor plan drawn to scale showing all dimensions and use of each room.

Incorporated Village of Patchogue Zoning Board Application

14 Baker Street, Patchogue, NY 11772 Telephone: (631) 475-4300 opt 5. Fax: (631)475-4314

7. Section 809 of the General Municipal Law of the State of New York provides as follows:

“S 809. Disclosure in certain applications.”

“1. Every application, petition or request submitted for a variance, amendment, change of zoning approval of a plat, exemption from a plat of official map, license or permit, pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name residence and the nature and extent of the interest of any state officer or any officer of employee of such municipality or of a municipality of which such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant to the extent know to such applicant).”

“2. For the purpose of this section, an officer or employee shall be deemed to have an interest in the applicant when he, his spouse, or their brothers, sisters, parents, children or the spouse of any of them (a) is the applicant, or (b) is an officer, director, partner or employee of the applicant, or (c) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or (d) is a party to an agreement with such an applicant, express or implied whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.”

“3. Ownership of less than five percent (5%) of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.”

“4. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.”

The applicant is the owner contract vendee, (lessee) of the property herein described and acquired such interest on March 8th, 2022. If applicant is not the owner of the premises, attach the owner's duly acknowledged consent to the application.

Verbatim stenographic minutes are not taken as a matter of course during the public hearing of this board. In the event that the applicant should wish to have such verbatim minutes taken, or in the event that any court shall order the taking of such verbatim minutes, the applicant shall pay the actual cost for the taking of such minutes and the production of a transcript by a certified stenotype reporter, and shall deposit the sum of \$250.00 with the Clerk of the Village of Patchogue prior to the hearing as an advance towards those expenses.

Pursuant to the foregoing, set forth the name, residence address, nature and extent of the interest of any officer or employee of the Village of Patchogue, Town of Brookhaven, County of Suffolk or State of New York, the applicant or appellant. If none, state so. _____

**Incorporated Village of Patchogue
Zoning Board Application**

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WHEREFORE, Applicant petitions the Board of Appeals for a variance, special exception or permit pursuant to this application.

Dated: March 8th, 2022

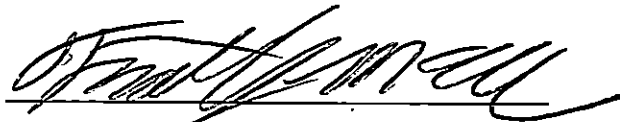

(Applicant's Signature)

(Applicant's Attorney if any)

Telephone #: (631) 553-7662

STATE OF NEW YORK: COUNTY OF SUFFOLK: SS:

Timothy McArdle, being duly sworn, deposes and says that he/she is the Applicant in this application; that he/she has read the foregoing application and knows the contents thereof; that the same is true to the knowledge of deponent, except as to the matters therein stated to be alleged on information and belief, and that as to those matters, he/she believes it to be true.


(Signature)

Sworn to me the _____ day of _____, 20__ STATE OF NEW YORK: COUNTY OF SUFFOLK
_____ being duly sworn, deposes and say that he/she is the _____
or _____ the corporation named within the application; that he has ready the foregoing
application and knows the contents thereof; and that the same is true to his own knowledge except as to the matters
therein stated to be alleged upon this information and belief, and as to matters he/she believes to _____
is because the said _____ and from the books and papers of said corporation.

Sworn to me the _____ day of _____, 20__

Notary Public, Suffolk County, New York

Short Environmental Assessment Form

Part 1 - Project Information

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.

Part 1 – Project and Sponsor Information			
Name of Action or Project: <i>Renew and maintain small backyard chicken coop</i>			
Project Location (describe, and attach a location map): <i>123 Ketcham Ave. Patchogue, NY 11772</i>			
Brief Description of Proposed Action: <i>Requesting a renewal of our special permit from the zoning board of appeals to maintain an 8x6 foot chicken coop. It is for personal egg production and to teach my 3 kids about sustainability.</i>			
Name of Applicant or Sponsor: <i>Timothy McArdle</i>		Telephone: <i>(631) 553-7662</i>	
		E-Mail: <i>tjm1185@aol.com</i>	
Address: <i>123 Ketcham Ave.</i>			
City/PO: <i>Patchogue</i>		State: <i>NY</i>	Zip Code: <i>11772</i>
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 type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: <i>Patchogue Village Zoning Board of Appeals</i>			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		<i>0.5</i> acres	
b. Total acreage to be physically disturbed?		<i>48 sq. ft.</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>0.5</i> acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input 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			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input checked="" type="checkbox"/>	<input 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? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input 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	
N/A	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<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? 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: _____ _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<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 plan?	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?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe:		

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:	<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?	NO	YES
If Yes, describe:	<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?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Timothy McArdelle</u> Date: <u>3/8/2022</u> Signature: <u><i>Timothy McArdelle</i></u> Title: _____		

Project: _____

Date: _____

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

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 checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: _____

Date: _____

**Short Environmental Assessment Form
Part 3 Determination of Significance**

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.

- 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.
- 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)

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on **17th of February, 2021, at 7:00 p.m. . by video conference, by the Zoning Board of Appeals of the Village of Patchogue for the application of Timothy McArdle, 123 Ketcham Avenue, seeks approval from the Zoning Board of Appeals to maintain a 8' x 6' chicken coop in the rear yard requiring a Special Permit- 143-5-A. Subject premises is located in the A-Residential Zone.**

Members of the public may view the public hearing live on the Village's website at patchoguevillage.org and follow directions for Zoom meetings.

21-01

For Members of the public wishing to view the meeting can be accessed thru the Village website at patchoguevillage.org. Members of the public may submit comments before or during the public. Minutes of the meeting will be posted on the village website after the meeting.

February 4, 2021

Nicholas Fuccillo, Chairman
Zoning Board of Appeals