



Village of Greenport Building Department

236 Third Street, Greenport, New York 11944

OFFICE: 631.477.0248 / FAX: 631.477.1877

NOTICE OF DISAPPROVAL

Date: January 5, 2024

To: Elizabeth Talerma
304 Sterling Street
Greenport New York 11944

PLEASE TAKE NOTICE that your application dated October 2, 2023, for installation of in ground and construction of a accessory structure on existing property located at 304 Sterling Street, in the R1 District, is returned herewith and disapproved on the following grounds:

1. Front Yard Setback Requirements.

150-12 Schedule Regulations

R-2 District: Minimum Front Yard Requirement: 30 feet.

The plans show the front yard of the setback of 3 feet.

This would require an area variance of 27 feet.

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

The premise to which this application applies to is located at:
304 Sterling Street, Greenport, New York 11944. This property is located in the R1 District.

Map: 1001 Section: 2 Block: 2 Lot: 17

Alex Bolanos
Date: 1/5/2024
Code Enforcement Official



ZONING BOARD OF APPEALS APPLICATION

AREA VARIANCE

236 Third Street, Greenport, New York, 11944

(631) 477-0248

www.villageofgreenport.org

Date of Application 1 FEB 2024

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)

ELIZABETH TAUBERMAN ¹ STEPHEN KUSTERA
First Name Last Name Business Name, if applicable

304 STERLING PL GREENPORT NY 11944
Mailing Address City/ Town/ Village State Zip

917 [REDACTED] [REDACTED]@gmail.com
Phone # E-Mail Address

CONTACT PERSON (if different from owner)
The person to receive all correspondence:

First Name Last Name Business Name, if applicable

Mailing Address City/ Town/ Village State Zip

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 17

Street Address: 304 STERLING PLACE Greenport, New York, 11944

Zoning District: WC R1 R2 PD CR CG

Is property located within the Historic District? Yes No



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The Code Official reviewed and denied an application dated 2 OCT 2023 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: FRONT YARD SETBACK 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:

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

Dimensions of First Floor (Addition/Extension): _____

Dimensions of Second Floor: _____

Height (from finished grade to top of ridge): _____ - Feet, _____ - 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: _____

Describe General Characteristics BEFORE alterations:

Number of floors AFTER Alterations: _____

Describe General Characteristics AFTER alterations:

ADDING ACCESSORY STRUCTURE $16\frac{1}{2}\text{ft}$ x 30ft 1in x 12ft 10in } 496.37sqft
WIDTH LENGTH HEIGHT

ADDING IN-GROUND POOL 10ft x 32ft (320sqft)

Calculations of Building Areas and Lot Coverage:

Existing Square Footage of Building(s) on this property: 858.75 SF

Proposed Increase in Building Coverage: 816.37 SF

Square Footage of this Lot: 11,027 SF

Percentage of Coverage of this Lot by Building Area: 15.2 %

Purpose of New Construction:

Please describe:

ADDITION OF ACCESSORY STRUCTURE AND IN-GROUND POOL



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**

Can the benefit sought by the Applicant be achieved by another method, feasible for the Applicant to pursue, other than an Area Variance? **NO. THIS VARIANCE IS A RESULT OF A NON-CONFORMING LOT (FRONT YARD SET BACK). BUILDING PLANS CONFORM TO CODE (SETBACKS AND LOT COVERAGE)**

Is the requested Area Variance substantial? **NO**

Will the requested Area Variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? **NO**

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?

NO. HOME PRE-DATES THE ROAD AND FRONT DOOR/YARD DOES NOT CONFORM TO CURRENT SETBACK REQUIREMENTS.

Are there Covenants or Restrictions concerning this land? Yes 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 1st day
of February 20 24

Signature 
Owner or Applicant



Notary Public, Suffolk County, New York
BRITTANY A CONRAD
Notary Public, State of New York
Reg. No. 01CO6245154
Qualified in Suffolk County
Commission Expires July 18, 2027

617.20
Appendix B
Short Environmental Assessment Form

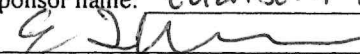
Instructions for Completing

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.

Part 1 - Project and Sponsor Information			
TALERMAN/KUSTERA ACCESSORY BLDG & IN-GROUND POOL			
Name of Action or Project: 304 STERLING PLACE TAX MAP 1001 SECTION 2 BLOCK 2 LOT 17			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action: VARIANCE REQUESTED FOR NON-CONFORMING LOT TO CONSTRUCT AN ACCESSORY BUILDING AND INSTALL AN IN-GROUND POOL			
Name of Applicant or Sponsor: ELIZABETH TALERMAN & STEPHEN KUSTERA		Telephone: 917 [REDACTED]	E-Mail: [REDACTED]@gmail.com
Address: 304 STERLING PL			
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	YES
		<input checked="" type="checkbox"/>	<input 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	YES
BUILDING PERMIT FRONT YARD SETBACK VARIANCE		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		.25 acres	
b. Total acreage to be physically disturbed?		.019 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.25 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 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?	<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?	<input type="checkbox"/>	<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: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input 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"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input 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: _____	<input type="checkbox"/>	<input checked="" 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: <u>NO RUNNING WATER IN ACCESSORY BLDG</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input 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?	<input checked="" type="checkbox"/>	<input 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"/>	<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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>ELIZABETH TALERMAN</u> Date: <u>1 FEB 2024</u>		
Signature: <u></u>		

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:	<input type="checkbox"/>	<input type="checkbox"/>
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

DRAWN MM CHECKED MM DATE NOV. 2018 DRAWING & JOB NO. 18-1227

THE EXISTENCE OF RIGHTS OF WAY AND/OR EASEMENTS OF RECORD IF ANY, NOT SHOWN ARE NOT GUARANTEED.

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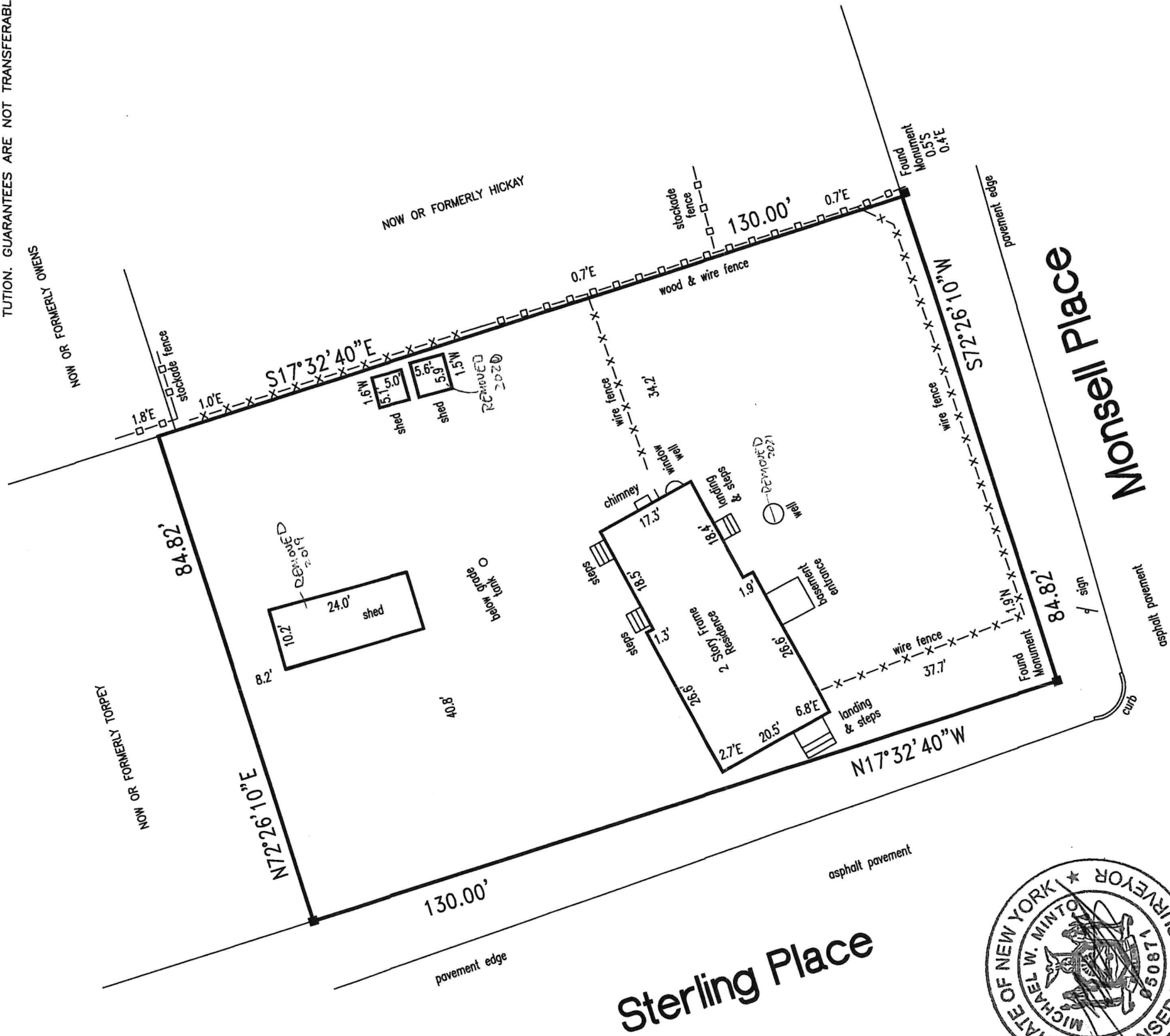
Area= 11,027 s.f.

Premises known as:

304 Sterling Place, Greenport

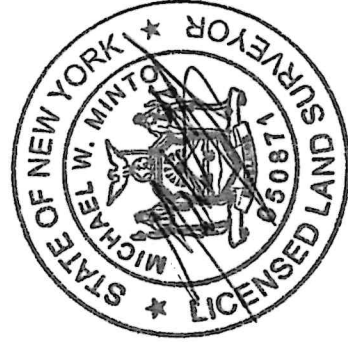
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Sterling Place

Monsell Place



Certified to:

ELIZABETH TALERMAN
STEPHEN KUSTERA
FIDELITY NATIONAL TITLE INSURANCE COMPANY
FIRST REPUBLIC BANK

Survey of Described Property

situate in the Incorporated

Village of Greenport

Town of Southold

Suffolk County, New York

District 1001 Section 2 Block 2 Lot 17

Scale 1" = 20' Surveyed November 6, 2018

GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.

Michael W. Minto, L.S.P.C.

LICENSED PROFESSIONAL LAND SURVEYOR
NEW YORK STATE LICENSE NUMBER 050871

**87 Woodview Lane
Centereach, N.Y. 11720**

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