

Fw: Kehoe application

Siobhan Costello <s.costello@northportny.gov>

Tue 8/25/2020 7:50 AM

To: Georgina Cavagnaro <g.cavagnaro@northportny.gov>; egathman@gathbenlaw.com <egathman@gathbenlaw.com>

This was sent to my email.

Siobhan Costello

Payroll

Village of Northport

20 Beach Avenue

Northport, NY 11768

631-651-8141

From: Pam & Bill <pbmarsden@gmail.com>**Sent:** Monday, August 24, 2020 9:39 PM**To:** Siobhan Costello <s.costello@northportny.gov>**Cc:** Pam & Bill Marsden <pbmarsden@gmail.com>**Subject:** Kehoe application

- 1) What precedent is being set for future zoning appeals by adding 10% to lot the coverage for residence zone C 20% with the proposed 30% lot coverage?
- 2) Is the cost for emergency demolition, not to exceed \$ 40,000, going to be paid by the property owner prior to any zoning approvals?
- 3) Will Suffolk County Board of Health approve a septic system for this proposal with 4 bathrooms. The drawings show 3 baths, 2 on the first floor and 1 on the second floor. The second floor plan shows 2 water closets and vanities.
- 4) The plans also refer to the property owner for lots 14 & 16 as Pamela Harsden? The property owners for lot 14 & 16 are William H & Pamela Marsden as shown on County & Town records.
- 5) My wife & I would be most appreciative if the sloppy lot conditions could be addressed as we have endured this mess, weeds, and ponding conditions for far too long.

Respectfully,

Bill & Pamela Marsden

15 Turnip Hill, Northport

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August 24, 2020

Board Of Zoning Appeals
Inc. Village Of Northport
Northport, New York 11768

Re: File # 1307
Thomas Kehoe
51 Mariners Lane

Board Of Zoning Appeals Members:

In regard to the above referenced applicant, all of the surrounding neighbors would like to see a house built on this derelict property. The big question is why can't the applicant adhere to the existing building code?

Side, front, and rear setbacks are in the building code for a very good and legitimate purpose. If a variance for which the applicant is seeking relief is approved, it clearly sets a precedent for future variance applications which asks the very important question then why even bother with building codes and regulations?

An often overlooked yet extremely important issue to be considered during a variance application is will fire or emergency personnel be able to access the rear yard in the event of an emergency. The conditions that currently exist and for which the applicant is seeking relief clearly do not afford adequate access and for this reason alone the application should be denied.

Reading through the current application it clearly addresses the issue of variances that would be considered a detriment to the surrounding property owners and neighborhood. If 51 Mariners Lane and the condition it has been in in the past 18 months doesn't qualify as a "detriment", we don't know what does. And the variances being sought doesn't change that.

We are sure a lovely house could be built on this lot, that would conform to all building codes **without** having to seek any variances. Why has one never even been considered or submitted?

We are submitting this in letter form, hoping it will be read at the August 26, 2020 public hearing. We do not do Zoom.

Robert & Patricia Dohne
8 Avenue B

Fw: Kehoe house

Siobhan Costello <s.costello@northportny.gov>

Tue 8/25/2020 3:16 PM

To: Georgina Cavagnaro <g.cavagnaro@northportny.gov>; egathman@gathbenlaw.com <egathman@gathbenlaw.com>;
Damon McMullen <d.mcmullen@northportny.gov>

Siobhan Costello

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Village of Northport

20 Beach Avenue

Northport, NY 11768

631-651-8141

From: Gene <gennard@optonline.net>**Sent:** Tuesday, August 25, 2020 3:14 PM**To:** Siobhan Costello <s.costello@northportny.gov>**Subject:** Kehoe house

- 1) Why is the village having a zoom meeting regarding trustee Kehoe's house?
This project has polarized the community against the size of this project and Mr Kehoe with his complete lack of respect for the laws of the village.
This application needs to be presented at a live meeting so our community can clearly voice their opposition to the obvious attempt by Mr Kehoe to build a multi family dwelling.
- 2) Why is the application even being heard when Mr Kehoe has not done what was requested by the village, which was to take down the illegally constructed structure?
- 3) Why is the application being heard before he has reimbursed the village for the demolition work it was forced to do after the recent storm caused a safety issue at the project site?
- 4) Have the fines for the illegally installed cesspool by Mr Kehoe been paid to Suffolk County?
- 5) Why did the ZBA ever give Mr Kehoe 9 variances? Had anyone on the board taken time to drive past the structure while it was still standing and see the McMansion eyesore their decision of approving 9 variances produced?

A house should be rebuilt on the Kehoe property. However, this is the chance to get it built correctly to the size and scale that fits within the community.

And without any variances, for this 50 x 100 tiny plot

This meeting should be held publicly, at the village hall, when it's safe from Covid, so all in the community can comment.

Fwd: Kehoe Application before BZA

Siobhan Costello <s.costello@northportny.gov>

Wed 8/26/2020 5:58 PM

To: Georgina Cavagnaro <g.cavagnaro@northportny.gov>; egathman@gathbenlaw.com <egathman@gathbenlaw.com>

Sent from my iPhone

Begin forwarded message:

From: Christine OShea <closhea0628@aol.com>
Date: August 26, 2020 at 5:08:40 PM EDT
To: Siobhan Costello <s.costello@northportny.gov>
Subject: Kehoe Application before BZA
Reply-To: Christine OShea <closhea0628@aol.com>

Thank you for this opportunity to ask questions. I will try to limit the questions that I pose here, as I have others. Like many, I am completely in favor of Mr. Kehoe building a home on the empty plot. Further, like many more people, I also have concerns about his intentions and his ability to build a home within the codes, guidelines and variances that may or may not be granted to him. When Mr. Kehoe began this project, he presented a very attractive modest home and made no mention whatsoever of the dramatically increased scope of the structure or the fact that he would require multiple variances to build what I was shown. I originally had no issue with Mr. Kehoe or his hope to build a home. I do have concerns now, as I have observed the process that he has undertaken.

Questions:

Why is the Board proceeding when Kehoe has not done what the Board has required, namely, remove the exterior stairway? Why not wait till he does what has been previously required before hearing his request?

Why are there 2 seemingly 2 different house plans/drawings being circulated: there's the one on the village website, indicating that the existing exterior stairway is to be removed, and the other, that I received from the Village as part of the required mailing? This rendering shows a Bilco door, providing access to that stairway entrance. This confusion occurred the 1st time: multiple variations of the proposed structure, some submitted to BZA and different ones to the Board. I can't recall all of the permutations but there was not just 1 set of plans. Please clarify which drawings are you reviewing.

Is there still an ongoing lawsuit filed by Kehoe against the ZBA, the board members or anyone else within the village? What are the specific issues?

If one of the issues is that Kehoe wants to have the 1st 9 variances restored, what is the course of action for the BZA and the village? As the board will recall, neighbors surrounding the property did NOT receive notification about the board meeting that was to review Kehoe's application. I recall Mr. Canjemi's shocked reaction when he learned that no one had received the letter. Hence, we had no chance to object and no chance at "due process". I appreciate that the village changed its process so that now the Village sends out notifications, but what do we /you do about what's taken place already?

Are minutes from that original BZA meeting available to the public? Did anyone speak for or against the plans?

Can you please clarify statements made in the Observer: Is the foundation, as it sits now, FULLY in compliance with the variances that the BZA previously granted (and then revoked) OR is Kehoe now

requesting variances that are in excess of what was previously given?

Can you please verify if the foundation is indeed EXACTLY where the Village approved it to be?

Can you please verify whether there is enough room on the property to accommodate all necessary dry wells and cesspools WITHOUT the need for any additional variances?

Has Suffolk County been in touch with the village about the "illegally" installed cesspool? WHO coordinates the county's actions with the Village?

Does someone within the village verify the measurements and calculations that George Suddell has provided, including all setbacks, heights etc? This was an issue the 1st time around.

Mr Kehoe has stated on numerous occasions that he has a good relationship with the surrounding neighbors and that he's discussed modifications with us etc. Is this the Board's understanding? I have spoken with many neighbors, as have the Spivaks, who are most dramatically affected since they live next door. I do not believe that anyone would characterize their relationship as being on "good terms" nor does anyone approve either explicitly or implicitly, the construction that was started or the newly revised structure.

I understand that certain variances must be granted since the original footprint of the original home likely exceeded "new" codes. The original footprint could've been grandfathered and a home, even a 2 story home, built. The new plans are just too large to be placed into a small plot. The fact that he is requesting a SIGNIFICANT increase in the lot coverage is particularly alarming, from a safety, aesthetic and environmental prospective.

Despite the fact that my neighbors and I never received the required notification of the original BZA meeting to address this, we have all united in our objection to what Kehoe is requesting. And the voices objecting are NOT just along Mariners Lane and the adjacent properties and streets. The decision to grant these affects everyone and every house in the village. A generous approval of these variances would set a very dangerous precedent for all future applications. This has long been my number 1 contention. Further, it would especially be damning in light of the fact that the applicant is a Village Trustee. The facts and the optics of an approval would be very alarming.

I believe that Mr. Kehoe knowingly and willfully began building before he had the proper permits. Both he and Mr Suddell are well aware of the building and approval process. As the facts of this issue became known it became harder to believe that this has just been a series of missteps and misunderstandings. I believe that his hope was that he would start as expeditiously as possible and when and if he was stopped, hoped that his "punishment" would simply be a fine or two and he would have his house built. This is the wrong way to do things and should not in any way be permitted to pass as acceptable.

I very much look forward to a new, house being constructed, within the general original footprint in a size and scope that fits the plot. Please proceed with the utmost caution as you review this application.

Thank you
Christine O'Shea

Fw: Follow up to the Kehoe ZBA meeting

Siobhan Costello <s.costello@northportny.gov>

Thu 8/27/2020 8:05 AM

To: Georgina Cavagnaro <g.cavagnaro@northportny.gov>

Siobhan Costello

Payroll

Village of Northport

20 Beach Avenue

Northport, NY 11768

631-651-8141

From: Gene <gennard@optonline.net>**Sent:** Wednesday, August 26, 2020 9:28 PM**To:** Siobhan Costello <s.costello@northportny.gov>**Subject:** Follow up to the Kehoe ZBA meeting

I would like to add some comments to the Kehoe meeting.

Mr Cengemi kept referring to the size of the basement on this project.

The basement isn't the issue.

It's the height, size and volume of the structure.

I live 12 feet north of the foundation. I don't care so much about the footprint or even the basement entrance.

It's the sheer volume of the house, how many people would occupy it, the parking issue, and the sanitary load of the property.

Kehoe's house originally had 2 bedrooms, 1 1/2 baths, a living room, dining area and a small kitchen.

The footprint as it is now could have all that plus a garage and 2 baths and still be bigger than the previous house. And all on one floor.

Just don't let a second floor be built and put in a covenant that none could ever be added

Plus no basement apartment.

Then the community would be happy

Sent from my iPad

Fwd: Kehoe application for variances

Siobhan Costello <s.costello@northportny.gov>

Thu 8/27/2020 10:16 AM

To: Georgina Cavagnaro <g.cavagnaro@northportny.gov>

Sent from my iPhone

Begin forwarded message:

From: "L. Charlene Cosman" <ccosman@optonline.net>**Date:** August 26, 2020 at 5:32:05 PM EDT**To:** Siobhan Costello <s.costello@northportny.gov>**Subject:** **Fwd: Kehoe application for variances**

I do not see my letter below, on the Village website as part of Exhibit 1, so I am resending.

Many thanks

Sent from my iPad

Begin forwarded message:

From: "L. Charlene Cosman" <ccosman@optonline.net>**Date:** August 25, 2020 at 7:22:32 PM EDT**To:** s.costello@northportny.gov**Subject:** **Kehoe application for variances**

I vehemently oppose the request for 9 variances on the Kehoe application.

I would like to make a few points and ask a few questions:

1) My biggest concern pertains to the lot coverage issue. He is requesting a dramatic 50% increase above code. How will he mitigate this? Is there sufficient room on the property to safely and legally, install dry wells of sufficient number & capacity? I have grave doubts that this is possible. In addition, the number also must reflect the roof calculations on this home. Has this calculation been made? How about cesspool calculations based on the current house design? Which leads me to the illegally installed cesspool that was hastily & improperly put in the front yard. Has Suffolk County Dept of Health been involved in this project or it's latest iteration? Is it true that the cesspool isn't code compliant since new regulations took effect recently?

2) Kehoe's prior behavior demonstrates his willingness to bend the laws & codes. This is how the current foundation ended up in excess of the variances previously & generoul granted. These new variances are requested so that the new, existing foundation that he built will be in compliance. If the ZBA gives him the relief he is asking for, it makes a mockery of the entire ZBA application process. If someone can request variances & then proceed to build in excess of those, & then simply go back after the fact and get relief, why would would anyone ever opt to build to the approved variances? Better to build without permission and ask for forgiveness afterwards. The truth is, he installed the foundation hoping for a slap on the wrist and expected no other repercussions. This is completely unacceptable. He must be required to remove the existing noncompliant foundation and start anew.

3) I totally support a new home being built. I'm even excited to see a new home! A few years back, I supported Kehoe's request to take down the old house, as it had no significant architectural value. Like my neighbors, Kehoe led me to believe that he would simply build a new, charming home with essentially the same footprint as the original. A slightly larger structure would be reasonable. The proposed home, however, greatly exceeds every setback and creates a structure not in keeping with the scale & scope of the plot. This sets a very dangerous precedent for all future home construction in the village.

Please reject this application.

Thank you for reviewing my comments.

Charlene Cosman
44 Mariners Lane

Sent from my iPad

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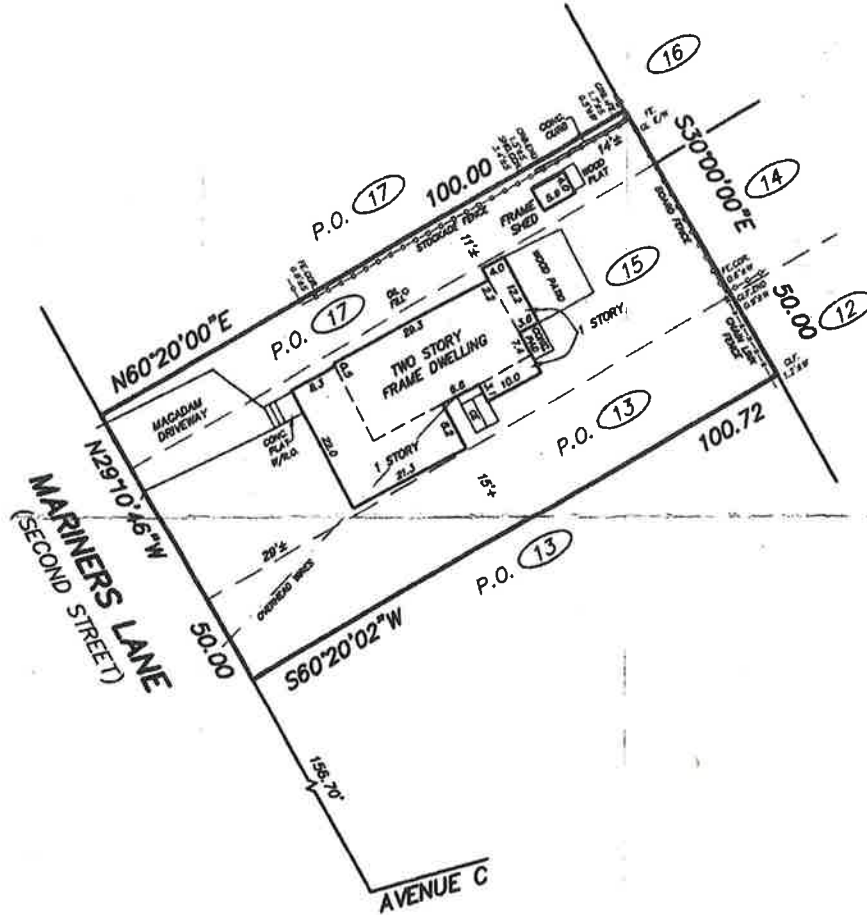
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RESIDENCE NO.: 51 MARINERS LANE
S.C.T.M. No.: 0404-006-02-047
SURVEYED FOR: THOMAS KEHOE
SCALE: 1" = 20' DATE: JANUARY 25

DEFENDANT'S EXHIBIT
11



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NORTHPORT
TOWN OF HUNTINGTON
SUFFOLK COUNTY, N.Y.

FAUSER ASSOCIATES P.C.
LAND SURVEYING, SITE PLANNING
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405 FORT SALONGA ROAD
NORTHPORT, NY 11768

phone: 631-499-7774 fax: 631-499-7814

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