



## United States Department of the Interior

NATIONAL PARK SERVICE  
Fire Island National Seashore  
120 Laurel Street  
Patchogue, NY 11772

IN REPLY REFER TO:  
986.30-3.14

January 30, 2012

Paul M. DeChance, Chairman  
Board of Zoning Appeals  
Town of Brookhaven  
One Independence Hill  
Farmingville, NY 11738

RE: Peter Zinam  
SCTM# 986.30-3.14

**BZA Hearing #27 of January 25, 2012**  
**AMENDED COMMENTS**

Dear Mr. DeChance:

Since the letter we submitted regarding the above-referenced application, dated January 25, 2012, with our concerns about the deck addition at the northeast corner of the property, new information has been brought to our attention.

Although the 1984 aerial photograph we have of the property does not show the deck area where the hot tub is located, because of apparent tree cover, we have since been provided with a survey that does show this deck as having been there since at least 1984. Additionally, per Walter Boss' testimony at the hearing, wherein he testified that he built the first hot tub on that deck in 1978 or 1979, we presume that the deck was built legally at that time, and therefore can be considered a legal nonconforming development. The hot tub itself is tantamount to furniture placed on that deck, and therefore is not a federal concern. Subsequently, we have no objection to this application, as long as such development is reconciled with the Town of Brookhaven Board of Zoning Appeals.

Thank you for the opportunity to allow us to reconsider this application.

Sincerely,

K. Christopher Soller  
Superintendent

CC: Applicant