



United States Department of the Interior

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

Review and Comments on Building/Zoning Permit Application

Applicant(s):

Owner: Gordon Graber

Owner: Helen Graber

Tax Map #:

496-2-8.23

Application No.:

Receipt #40766

Zoning Authority:

Islip

Community:

Fire Island Summer Club

Object (Yes/No): Yes

If Objection status is "Yes", property will be subject to the condemnation authority of the Secretary of the Interior, if built as proposed, or previously built with or without permits beyond allowable standards.

Reason for Objection: 36 CFR Part 28.12(d)

Objection Type: Exceeds 35% maximum lot occupancy

Comments:

In June 17, 2013, a similar variance application was made to the Board for this same property, wherein the Seashore objected based on the proposed excessive lot occupancy of 38.4%. In this application, the proposal has increased, and is now requesting 46.6% lot occupancy. Our comments are identical to that previous application (copy enclosed). Per our conversations with the Commissioner of Planning for the Town of Islip regarding the zoning amendment passed by the town, wherein the lot occupancy requirement was dropped from the code, we were assured that if all development would occur within the legal building envelope of a lot, and requests for encroachments into restricted setbacks would be denied, this could prevent overdevelopment of properties. Given that this development significantly exceeds the federally required maximum of 35% lot occupancy, we feel that denial of the requested variances would not only force the applicant to adhere to the development restrictions of the town, but also ensure that the new code does indeed not contribute to continuing overdevelopment of the barrier island.

Review of this application for construction or variance request within the Fire Island National Seashore is made in accordance with 36 C.F.R. Part 28, Federal Zoning Standards for Fire Island National Seashore.



Superintendent

9/19/2013

Date

Cc: Applicant



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Reason for Objection: 36 CFR Part 28.12(d)

Objection Type: Exceeds 35% maximum lot occupancy

Comments:

The Seashore objects to the issuance of the requested variances. According to our calculations, the proposed lot occupancy will be 38.4% for the setback and FAR variances requested to construct decks, hot tub platform and shed. Per conversations with the Commissioner of Planning for the Town of Islip regarding the zoning amendment passed by the town, wherein the lot occupancy requirement was dropped, we were assured that if all development would occur within the legal building envelope of a lot, and requests for encroachment into the restricted setbacks would be denied, this could prevent overdevelopment of the lots. Given that this development exceeds the federally required maximum of 35% lot occupancy by only 3.4%, we feel that denial of the requested variances would force the applicant to adhere to the development restrictions of the town code and federal regulations on this lot.

Review of this application for construction or variance request within the Fire Island National Seashore is made in accordance with 36 C.F.R. Part 28, Federal Zoning Standards for Fire Island National Seashore.

Paul C. Solb

Superintendent

7/25/2013

Date

Cc: Applicant