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JAMES N. HULME
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LISA A. BARTOLOMEO

HON. ROBERT A. KELLY
1930 - 2007

January 2, 2024

VIA HAND DELIVERY

Village of Westhampton Dunes
Attn: John McAlary, Building Inspector
PO Box 728
Westhampton Beach, N.Y. 11978

Re: Dune 738, LLC & Dune 742, LLC
Subdivision-738/742 Dune Rd.
SCTM# 0907-3-1-7&8

Dear Mr. McAlary:

In response to your letter of December 20, 2023 (copy attached), enclosed please find my client's narrative and analysis (10 copies) of the subdivision map, last dated December 18, 2023, demonstrating compliance of the map with the village zoning code and showing that no variances are required for same.

Also, enclosed please find ten copies of the above referenced map.

My client and I are looking forward to presenting this map to the Planning Board at their next hearing which I understand may be January 24, 2024 (please confirm). Thank you.

Very truly yours,
Kelly & Hulme, PC.

James N. Hulme

JNH/ck

Enc.

cc: Alex Antonacci via email: aaesquire@msh.com

Mayor
Gary A. Vegliante



Trustees
Gary Trimarchi
Michael Craig
John J. Eff, Jr.
Harvey Gessin

Village Clerk
Robin Santora
Village Treasurer
Claire Vegliante
Village Attorney
Joseph Prokop
Building Inspector
John McAlary
Commissioner of Wildlife Protection
Aram Terchunian

December 20, 2023

VIA EMAIL

Mr. Alex Antonacci

Re: Dune 738 LLC & Dune 742 LLC
Subdivision 738/742 Dune Road
SCTM# 0907-3-01-7&8

Dear Mr. Antonacci,

Thank you for the revised survey, dated December 18, 2023, of the above-mentioned properties. In addition to the surveys, we will need a narrative and attestation that describes how each parcel conforms to the Village Zoning Code.

This should include but not be limited to:

1. Lot area of each parcel.
2. Lot width of each parcel.
3. Front, rear, and side yard setbacks for each parcel.
4. Road frontage of each parcel.
5. Any other applicable portion of the Zoning Code that applies to each parcel.

In addition to these minimum requirements, you should provide any other information that supports your assertion that the proposed parcels conform to the Village Zoning Code.

You can be scheduled for the upcoming Board of Trustees meeting on January 23, 2024, so please provide the above information as soon as possible.

Thank you.

Sincerely,

John McAlary

**Building Inspector
Village of West Hampton Dunes
PO Box 728, 4 Arthur St.
Westhampton Beach, NY 11978
631.288.6571 Village Hall
631.466.1635 phone
Email bldginsp@whdunes.org**

Zoning analysis for proposed subdivision of 738 and 742 Dune Road, Westhampton Dunes, NY - Subdivision Map last dated December 18, 2023

	Required	Proposed	Proposed	Proposed	RELEVANT CODE PROVISIONS Pursuant to Section 560 of the Village of Westhampton Dunes Code	Zoning Compliance
Residence District	R-40	R-40	R-40	R-40		
Minimum SF	40,000.00	42,021.09	41,186.00	46,549.70	\$ 560b - Table of Dimensional Regulations requires minimum 40,000 sq ft per lot	Yes
Lot Coverage	20%	8,404.22	8,237.20	9,309.94	\$ 560b - Table of Dimensional Regulations restricts maximum lot coverage of main and accessory buildings to 20%	Yes
Lot Width	150'	150'	150'	150'	\$ 560b - Table of Dimensional Regulations requires minimum lot width of 150 ft. per lot.	Yes
					\$ 560-5 Definitions -Lot Width Of. The dimension measured from side lot line to side lot line along a line perpendicular to the average depth line of the lot at the required minimum front yard depth or at a depth exceeding the required minimum front yard which is to be the location of the front line of the principal building and is commonly called the "building setback line," provided that rear yard requirements are met.	
Road Frontage	20'	20'	67.98'	150'	\$ 560-20 Lot Width. The minimum road frontage of a lot at the street line shall be at least 40 feet in all districts, except in those districts where there are no minimum lot area requirements and also in the case of approved flagpole lots where the minimum road frontage at the street line shall be at least 20 feet, and those minimums shall apply along the entire length of the flagpole. \$ 220-27 B. Access to roads required for issuance of building permits.... "access" shall mean that the lot on which the building or structure is proposed to be erected directly abuts on such street or highway and has sufficient frontage thereon to allow the ingress and egress of fire trucks, ambulances, police cars and other emergency vehicles, and frontage of 20 feet shall presumptively be sufficient for that purpose	Yes
Side Yard - Minimum	20'	20'	20'	20'	\$ 560b - Table of Dimensional Regulations requires minimum 20' side yard	Yes
Side Yard - Total	60'	60'	60'	60'	\$ 560b - Table of Dimensional Regulations requires total of 60' side yard	Yes
Front Yard					\$ 560-5 Definitions -Lot Line Front. The street right-of-way line at the front of a lot, except that: A. In the case of a flagpole lot, the front lot line used for the determination of width of lot and the required front yard shall be one of the internal lot lines designated by the owner. B. In the case of a waterfront lot, with the exception of an oceanfront lot: [Amended 7-10-1990 by L.L. No. 19-1990] (1) A waterfront lot line shall be considered the front lot line. The line opposite the front lot line shall be considered the rear lot line. (2) When a lot is formed by a waterfront lot line and a street right-of-way line intersecting, as in this section, such lot shall be considered a corner lot. (3) When a rear lot line is a street right-of-way line, the required rear yard for an accessory building or structure shall be double the required rear yard in the applicable zone.	
Front Yard Parcel A and B are waterfront lots.	60'	75'	60'	60'		Yes
Front Yard Parcel C	60'			60'		Yes

Rear Yard						<p>§ 560-5 Definitions - Lot Line, Rear. The line opposite the front lot line.</p> <p>§ 560-5 Definitions - Lot Line Front. The street right-of-way line at the front of a lot, except that:</p> <p>A.</p> <p>In the case of a flagpole lot, the front lot line used for the determination of width of lot and the required front yard shall be one of the internal lot lines designated by the owner.</p> <p>B.</p> <p>In the case of a waterfront lot, with the exception of an oceanfront lot: [Amended 7-10-1990 by I.L. No. 19-1990]</p> <p>(1) <u>A waterfront lot line shall be considered the front lot line. The line opposite the front lot line shall be considered the rear lot line.</u></p> <p>(2) When a lot is formed by a waterfront lot line and a street right-of-way line intersecting, as in this section, such lot shall be considered a corner lot.</p> <p>(3) When a rear lot line is a street right-of-way line, the required rear yard for an accessory building or structure shall be double the required rear yard in the applicable zone.</p>	
Rear Yard Parcel A and B are waterfront lots.	70'	70'	79.2'	410.45'		Yes	
Rear Yard Parcel C	70'					Yes	